ZONING
ORDINANCE

THE TOWNSHIP OF
North Lebanon
LEBANON CO., PA

Adopted: 06/04/84

Amended:

11/03/86 TEXT & MAP
03/16/87 MAP
09/28/87 MAP
10/12/87 TEXT
08/22/88 TEXT & MAP
02/20/89 MAP
08/07/89 MAP
12/18/89 TEXT
05/21/90 MAP
07/23/90 TEXT & MAP
03/18/91 TEXT

12/02/91 MAP
01/06/92 MAP
04/20/92 TEXT
05/17/93 TEXT
10/04/93 MAP
08/01/94 TEXT & MAP
11/21/94 MAP
05/01/95 TEXT & MAP
12/18/95 TEXT & MAP
06/17/96 MAP
01/20/97 TEXT & MAP

03/03/97 MAP
07/07/97 TEXT & MAP
12/13/97 MAP
08/14/99 TEXT
02/13/01 TEXT
12/24/01 TEXT & MAP
11/21/01 TEXT
05/21/01 TEXT & MAP
CHAPTER 27

ZONING

Part 1
Definitions

§101. Word Interpretations
§102. Specific Definitions

Part 2

Establishment of Districts: Provision for Official Zoning Map

§201. Official Zoning Map
§202. Replacement of the Official Zoning Map
§203. Rules for Interpretation of District Boundaries
§204. Application of District Regulations
§205. Use District
§206. Minimum Lot Size

Part 3

A. Agricultural Districts

§301. Intent
§302. Permitted Uses
§303. General District Requirements
§304. Lot and Yard Requirements
§305. Minimum Off-Street Parking Requirements
§306. Signs and Advertising Structures
§307. Supplementary District Regulations
§308. Environmental Improvements and Energy Conservation Requirements
Part 4
R-R, Rural Residential Districts

§401. Intent
§402. Permitted Uses
§403. Lot and Yard Requirements
§404. Minimum Off-Street Parking Requirements
§405. Signs and Advertising Structures
§406. Supplementary District Regulations

Part 5
R-1, Low Density Residential District

§501. Intent
§502. Permitted Uses
§503. Lot Area, Building Height, and Yard Requirements
§504. Minimum Off-Street Parking Requirements
§505. Signs and Advertising Structures

Part 6
R-2 High Density Residential Districts

§601. Intent
§602. Permitted Uses
§603. Lot, Building Height and Yard Requirements
§604. Supplemental Townhouse and Garden Apartment Standards
§605. Minimum Off-Street Parking Requirements
§606. Signs and Advertising Structures
§607. Supplementary District Regulations
§608. Environmental Improvements and Energy Conservation Requirements

Part 7
C-1 Neighborhood Commercial Districts

§701. Intent
§702. Permitted Uses
§703. Lot Area, Building Height and Yard Requirements
§704. Minimum Off-Street Parking and Loading Requirements
§705. Signs and Advertising Structures
§706. Supplementary District Regulations
§707. Environmental Improvements and Energy Conservation Requirements

Part 8

C-2, General Commercial Districts

§801. Intent
§802. Permitted Uses
§803. Performance Required
§804. Lot Area, Building Height, and Yard Requirements
§805. Minimum Off-Street Parking and Loading Requirements
§806. Signs and Advertising Structures
§807. Supplementary District Regulations
§808. Environmental Improvements and Energy Conservation Requirements

(Cont'd on page 275)
Part 9
MR-1, Municipal Recreation Districts

§901. Intent
§902. Permitted Uses
§903. Performance Required
§904. Minimum Yard Requirements
§905. Additional Requirements

Part 10
I-1, Industrial District

§1001. Intent
§1002. Permitted Uses
§1003. Lot and Yard Requirements
§1004. Minimum Off-Street Parking and Loading Requirements
§1005. Signs and Advertising Structures
§1006. Supplementary District Regulations
§1007. Environmental Improvements and Energy Conservation Requirements

Part 11
Flood Plain Districts (F-1, F-2, and F-3)

§1101. Intent
§1102. Definition of Terms Utilized in Flood Plain Districts
§1103. Delineation of Districts
§1104. District Provisions
§1105. Additional Safeguards
§1106. Factors to be Considered by the Zoning Hearing Board When Reviewing
    Special Exceptions and Variances
§1107. Nonconformities
§1108. Lot Area, Yard and Sign Requirements
§1109. Additional Administrative Requirements
§1110. Conflicting Ordinances
§1111. Statement of Disclaimer
§1112. Building Permits Required

Part 12
Supplementary District Regulations

§1201. Intent
§1202. Accessory Buildings and Structures
§1203. Accessory Uses
§1204. Projections Into Yards

Page Revised 12/18/1989  - 275 -
§1205. Home Occupation Regulations
§1206. Visibility at Intersections
§1207. Fences, Walls, and Hedges
§1208. Erection of More Than One (1) Principal Structure on a Lot
§1209. Structures to Have Access
§1210. Water Supply and Sewerage Facilities Required
§1211. Minimum Floor and Lot Area Required
§1212. Foundations
§1213. Corner Lot Restrictions
§1214. Required Front Yard Exceptions
§1215. Animals
§1216. Dangerous Structures
§1217. Gasoline Pumps and All Other Equipment
§1218. Parking and Storage of Certain Vehicles
§1219. Parking, Storage, or Use
§1220. Mobile Home Parks and Mobile Home Subdivisions
§1221. Exceptions to Height Regulations
§1222. Public Utilities Exceptions
§1223. Exception to Frontage Requirements
§1224. Steeply Sloped Lots and Environmental Safeguards

Part 13
Environmental Improvements and Energy Conservation Requirements

§1301. Intent
§1302. Definitions
§1303. Requirements for Environmental and Energy Conserving Improvements
§1304. Environmental and Energy Conserving Standards
§1305. Solar, Wind and Alternate Energy Standards
§1306. Maintenance and Protection Assurances
§1307. Variances
§1308. Plans and Permits

Part 14
Off-Street Parking Requirements

§1401. Intent
§1402. Definitions
§1403. Requirements for Off-Street Parking Facilities
§1404. General Standards
§1405. Schedule of Required Off-Street Parking Spaces
§1406. Separate or Combined Use of Facilities
§1407. Access Drives to Parking Areas and Curbing
§1408. Loading and Unloading Space
§1409. Illumination of Parking and Loading Areas
§1410. Improvements to Parking and Loading Areas
§1411. Approval of Parking and Loading Plans

- 276 -

Page Revised 12/20/1999
Part 15
Signs and Advertising Structures

§1501. Intent
§1502. Area of Sign
§1503. General Regulations
§1504. Signs Permitted in All Districts
§1505. Signs in Residential and Agricultural Districts
§1506. Signs in Commercial and Industrial Districts
§1507. Nonconforming Signs

Part 16
Nonconforming Lots, Uses and Structures

§1601. Intent
§1602. Nonconforming Lots of Record
§1603. Nonconforming Uses of Land
§1604. Nonconforming Structures
§1605. Nonconforming Uses of Structures or Land and Structures in Combination
§1606. Uses Under Special Exception Provisions Not Nonconforming Uses
§1607. Nonconforming Signs

Part 17
Planned Residential Development

§1701. Intent
§1702. Site Standards
§1703. Procedure
§1703. Planned Development Standards

Part 18
Administration and Enforcement
Building and Zoning Permits and Certificates of Zoning Compliance

§1801. Appointment and Powers of Zoning Administrator
§1802. Building and Zoning Permits Required
§1803. Application for a Building and Zoning Permit
§1804. Incomplete Applications
§1805. Issuance of a Building and Zoning Permit
§1806. Revocation of a Building and Zoning Permit
§1807. Expiration of a Building and Zoning Permit
§1808. Certificate of Zoning Compliance
Part 19
Zoning Hearing Board
Establishment and Procedure

§1900. Zoning Hearing Board
§1901. Hearings
§1902. Stay of Proceedings

Part 20
Zoning Hearing Board
Powers and Duties

§2001. Jurisdiction
§2002. Special Exceptions
§2003. Variances
§2004. Parties Appellant Before the Board
§2005. Time Limitations
§2006. Appeals From the Zoning Hearing Board
§2007. Expiration or Revocation of a Zoning Hearing Board Decision

Part 21
Administration and Enforcement*

§2101. Duties of Administrative Official, Zoning Hearing Board, Township
Supervisors, and Courts over Matters of Appeal
§2102. Schedule of Fees, Charges, and Expenses
§2103. Enactment of Zoning Ordinance Amendments
§2104. Procedure for Landowner Curative Amendments
§2105. Enforcement Remedies
§2106. Provisions of Ordinance Declared to be Minimum Requirements
§2107. Causes of Action
§2108. Enforcement Remedies
§2109. Separability Clause
§2110. Repeal of Conflicting Ordinances, Effective Date

Part 22
Schedule of Fees

§2201. Schedule of Fees

Part 23  
Adult Book Stores, Adult Motion Picture Theaters, and Cabarets

§2301. Definitions  
§2302. Prohibition in Residential Zones  
§2303. One Thousand (1,000) Feet Separation Required  
§2304. Allowance as Special Exception
Part 1
Definitions

§101. Word Interpretations. Unless otherwise expressly stated, the following words shall, for the purpose of this Part, have the meaning herein indicated:

Words used in the present tense include the future tense. The singular includes the plural.

The words "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as individual.

The word "lot" includes the word "plot" or "parcel". The term "shall" is always mandatory, the word "may" is permissive.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

(Ord. 6-4-84, 6/4/1984)

§102. Specific Definitions.

ACCESSORY BUILDING - A building detached from and subordinate to the principal building or use on the same lot and used for purposes customarily incidental to the principal building, but not including vehicles, mobile homes, travel trailers, truck trailers, or any parts thereof. An accessory building may not house a principal use nor may it stand alone on a lot as a principal building.

ACCESSORY USE - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. ACT 247 - See "Pennsylvania Municipalities Planning Code".

AGRICULTURE - The cultivation of the soil for food products or other marketable products, not including animal husbandry or storage and/or processing of products grown on other premises.

AIRPORT - An improved airstrip/landing strip where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, accommodations for passengers, freight, etc.

AIRSTRIp/LANDING STRIP - An area adapted with minimal improvements for use as a temporary runway for aircraft.

ALLEY - A public thoroughfare (less than 20' in width), other than a street, which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

ALTERATION - Any enlargement of the total floor area of a building, any enclosure by adding walls beneath a previously roofed area, any extension of a roof line to cover additional lot area not previously covered, or any construction which increases the cubic content of a building.

ALTERATIONS, STRUCTURAL - Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.
ANIMAL HUSBANDRY - The raising, breeding, keeping or care of farm animals or livestock, including fowl or insects, for meat, by-products or other utility which is intended as a business or gainful occupation.

ANIMAL HUSBANDRY, INTENSIVE - The practice of raising, breeding, or keeping of livestock or fowl that involves large numbers of animals or birds concentrated in a small area utilizing mass feeding. This shall include feedlots, poultry houses, and other buildings, structures, corrals, pens in which animals are confined in close quarters. This shall also include the raising of swine under any conditions.

ANIMAL HUSBANDRY, NON-INTENSIVE: The practice of raising, breeding or keeping livestock or fowl that involves animals or birds which obtain their principal food source by grazing or foraging from the land and receive only supplementary feed at centralized feeding stations. This shall include conventional dairying operations and similar uses satisfying the above criteria.

AUTOMOBILE BODY SHOP - On a lot a building that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers, and/or accessories of automobiles or other vehicles for conveyance.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan. [Ord. 4-1989]

BASEMENT - A story partly below the finished grade, but having at least one-half (½) of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building. A basement shall be considered as one (1) story in determining the permissible number of stories.

BOARD - Any body granted jurisdiction under a land use ordinance or under this Chapter to render final adjudications. [Ord. 4-1989]

BUFFER AREA - A yard space, adjacent to a property line or building, which contains landscaping and plantings designed to screen, separate and shield a potentially incompatible use from adjoining properties.

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.

BUILDING, ATTACHED - A building which has two (2) party walls in common.

BUILDING, DETACHED - A building which has no party wall.

BUILDING, SEMI-DETACHED - A building which has only one (1) party wall in common.

BUILDING, PRINCIPAL - A building in which the principal use of the lot is conducted.

BUILDING AREA - The total areas of outside dimensions on a horizontal plane at ground level of the principal building and all accessory buildings exclusive of cornices, eaves, gutters, or chimneys projecting not more than
eighteen inches (18’); bay windows not extending more than one (1) story and not projecting more than five feet (5’); and steps and balconies.

BUILDING HEIGHT - The vertical dimensions measured from the average elevation of the finished lot grade at the front of the building to the highest point of the ceiling of the top story, in the case of a flat roof; to the deckline of a mansard roof; and to the average height between the plate and ridge of a gable, hip, or gambrel roof.

BUILDING LINE - A line located along and drawn parallel to a wall or other exterior supporting member of a structure or portion thereof, excluding self-supportive projecting architectural features that project five feet (5’) or less. Yard requirements are applied from the lot lines to said building lines.

CARPORT - See "Garage, Private".

CELLAR - A story partly below the finished grade having at least one-half (1/2) of its height (measured from the finished floor to finished ceiling) below the average level of the adjoining finished grade where such grade abuts the exterior walls of the building. A cellar shall not be considered a story in determining the permissible number of stories.

CERTIFICATE OF USE AND OCCUPANCY - A certificate issued and enforced by the Zoning Administrator upon the completion and final inspection of the construction of a new building or upon a change or conversion of a structure or use of a building which certifies that the applicant has complied with any and all requirements and regulations provided herein and all other applicable requirements.

CLINIC - An individual building or cluster of buildings (on a lot in single or common ownership) operated by one (1) or more licensed medical or dental practitioners for the purpose of providing medical or dental treatment to the public on an outpatient basis.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. [Ord. 4-1989]

CONSTRUCTION - The building, reconstruction, demolition activities for reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure, including mobile homes. This shall include the placing and fastening of construction materials in a permanent position. Earth moving activities shall not be deemed construction.

COVERAGE - See "Lot Coverage".

DECISION - Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this Chapter to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the Township of North Lebanon lies. [Ord. 4-1989]

DETERMINATION - Final action by an officer, body or agency charged with the administration of any land use ordinance or applications
thereunder, except the following:

1. The Board of Supervisors;

2. The Zoning Hearing Board; or

3. The Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the subdivision and land development or planned residential development ordinances. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

[Ord. 4-1989]

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. [Ord. 4-1989]

DEVELOPMENT PLAN - The provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition. [Ord. 4-1989]

DISTRICT - A portion of North Lebanon Township within which certain uniform regulations and requirements or combinations thereof apply under the provisions of this Part.

DWELLING, SINGLE FAMILY DETACHED - A detached (separate) building designed for or occupied exclusively by one (1) family on an individual lot; however, this shall not include single unit mobile homes which are defined separately.

DWELLING, SINGLE FAMILY SEMI-DETACHED - A building with one (1) dwelling unit from the ground to roof and only one (1) party wall in common with another dwelling unit. Commonly described as half a duplex, the semi-detached, single family dwelling is on an individual lot, is connected on one (1) side to a similar dwelling on an adjacent lot and is usually owner-occupied.

DWELLING, TWO-FAMILY DETACHED - A separate building on an individual lot with two (2) dwelling units from ground to roof (one unit over the other). These units are normally renter-occupied and are not designed for further subdivision.

DWELLING, TWO-FAMILY SEMI-DETACHED - A building with two (2) dwelling units from ground to roof (one unit over the other) and only (1) party wall in common with another, connected to a building which may contain one (1) or two (2) dwelling units. The two-family semi-detached dwelling is on an individual lot, and may be rental or owner-occupied.

DWELLING UNIT - One (1) or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities for one (1) family.
FAMILY - One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, or are legal foster children, no such family shall contain over five (5) persons, provided further that domestic servants employed on the premises may be housed on the premises without being counted as a family of families.

FARM - A parcel of land of ten (10) or more acres used principally in the raising or production of agricultural products, with the customary dwelling, farm structures, storage and equipment. Adjoining tracts, parcels or separately deeded properties which are owned and farmed integrally as part of the same farming operation shall be considered jointly as one farm.

GARAGE, PRIVATE - A building or structure which is accessory to the principal building, which provides for the storage of motor vehicles of the families residing on the premises and in which no occupation, business or service for profit is conducted.

GARAGE, REPAIR - A structure, building or area of land or any portion thereof used primarily for the servicing and repair of automotive vehicles. A repair garage may provide one (1) or more of the following services: general mechanical repair of motor vehicles including state inspection, lubrication, washing, or sale of accessories and motor vehicle fuels. Uses permissible as a repair garage do not include body work, straightening of body parts, painting, welding, and storage of certain vehicles with expired registration or inspection. A repair garage is not an automobile body shop or a retail automotive parts store.

GARDEN APARTMENTS - Multi-family apartment buildings located on a plot of land under one (1) ownership. Garden apartments are two (2) stories high, with individual apartments on each story. Garden apartment buildings shall contain at least four (4), but not more than sixteen (16) dwelling units in a single structure, with the units generally renter-occupied. The garden apartments share: (a) a common yard area which is the sum of the required lot areas of all dwelling units within the complex, (b) common off-street parking, (c) common outside apartment access for some or all units, (d) central utilities.

GASOLINE STATION - A structure, building, or area of land or any portion thereof that is used solely for the sale of gasoline, or other motor vehicle fuel, lubricants, or minor accessories for travelers' convenience (e.g. windshield wiper blades, spark plugs, fuses, bulbs, etc.). Said use shall not include the sale of automotive parts, tires, service, polishing or washing. Any business or industry dispensing gasoline solely for its own use and vehicles will not be deemed a gasoline station.

GRADE, FINISHED - The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans of designs relating thereto.

GROUP CARE FACILITY - A group of individuals not related by blood, marriage, adoption or guardianship, living together in a single-family dwelling unit as one (1) housekeeping unit under a common household keeping management plan based on an intentionally structured relationship providing organization and stability. A "group care facility" shall not include hospitals, sanitariums, sanitoriums, clinics or professional offices. [Ord. 1-1997]
HABITABLE FLOOR AREA - The sum of the floor area of all heated, finished rooms, within a dwelling unit, used on a daily basis for habitation. Such area may include: living rooms; recreation rooms; kitchens; dining rooms; bedrooms; bathrooms; hallways; closets; heated and finished basements, cellars, and attics; attached garages which have been converted into an integral part of the living quarters; but does not include: garages; porches, whether roofed, unroofed or enclosed; roofed terraces; unfinished and unheated basements, attics, cellars, or garages, etc.

HOME OCCUPATION - Any gainful occupation conducted within a dwelling which is of a service or professional nature such that the following conditions are met, as applicable: (1) the proprietor engages primarily in the sale of a service, (2) the handling of any durable goods is limited to primarily repairing or handcrafting, and (3) the handling of non-durable or consumable goods for sale is incidental to the service. Some home occupations include but are not limited to: physicians, dentists, lawyers, architects, engineers and accountants; insurance, real estate or securities brokers; barbers and beauticians; photographers; tutors of individual students; seamstresses and tailors; and other occupations meeting these criteria which are not otherwise prohibited by law. Occupations of a nature that involve the stocking of items for retail or wholesale transfer, or use of facilities that involve a gathering of people, or occupations that normally use large areas, or customarily are not compatible with dwellings, by virtue of creating excessive noise, fumes, odor, dust, electrical interference, or substantially more than normal residential levels of traffic are prohibited. Prohibited home occupations include but are not limited to: retail and wholesale stores; instructional classes of all types; shops and equipment storage of contractors; auto, truck or engine repair; medical or dental clinics.

HOSPITAL - A place for the diagnosis, treatment, or other care of humans and having facilities for inpatient care including such establishments as a sanitarium, sanitorium, and preventorium.

HOTEL or LODGING HOUSE - A building used as the more or less temporary abiding place of three (3) or more individuals who are, for compensation, lodged with or without meals, and in which no provision is made for cooking in any individual room or suite. A hotel may include restaurants, newsstands, and other accessory services primarily for serving its occupants and only incidentally for the public.

JUNK YARD - A lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of wastepaper, rags, scrap metal, or discarded materials, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

KENNEL - (See PET KENNEL)

LAND DEVELOPMENT - Any of the following activities:

A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

   (1) A group of two (2) 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,
(2) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

B. A subdivision of land.

C. "Land development" does not include development which involves:

(1) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;

(2) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or

(3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities. [Ord. 4-1989]

LANDSCAPING - Changing, rearranging or adding to the vegetation or appearance of land to produce a visual, aesthetic or environmental effect appropriate to the use of land. Landscaping may include reshaping the land by moving earth as well as preserving the original vegetation or adding vegetation.

LAUNDROMAT - A business premises equipped with individual clothes washing and/or drying machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in a multi-family housing development.

LIVESTOCK - Any member of the bovine, equine, porcine, or ovine species, including but not limited to cows, steers, horses, ponies, pigs, sheep and goats.

LOADING/UNLOADING SPACE - An off-street space not less than twelve feet (12') wide, fifty-five feet (55') long, and having a minimum clear height of fifteen feet (15'), exclusive of access area, for the parking of one (1) vehicle while loading or unloading merchandise or materials.

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. [Ord. 4-1989]

LOT, CORNER - A lot at the point of intersection of and abutting on two (2) or more intersecting streets, and which has an interior angle or less than one hundred thirty-five degrees (135°) at the intersection of the two (2) street lines.
LOT, INTERIOR - A lot other than a corner lot, the sides of which do not abut a street.

LOT, THROUGH - An interior lot having frontage of two (2) parallel or approximately parallel streets.

LOT AREA - An area of land which is determined by the limits of the property lines bounding that area and express in terms of square feet or acres. Any portion of a lot included in a street right-of-way shall not be included in a calculating lot area.

LOT COVERAGE - The percentage of the lot or property area covered by buildings or structures, excluding driveways, sidewalks, and other standard paved vehicular or pedestrian accessways.

LOT DEPTH - A mean horizontal distance between the front and rear lot lines measured in the general direction of its side lot lines.

LOT LINE - Any line dividing a lot from another lot, street, or parcel.

LOT WIDTH - The mean horizontal distance between the side lot lines, measured at right angles to its depth. Required lot width shall be measured at the most forward allowable building line or setback line; however, in the case where one side lot line is not parallel to the other side lot line, or of pie-shaped lots, the required lot width shall be measured at a point equal to fifty percent (50%) of the depth of the lot.

MOBILEHOME - A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) 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 [Ord. 4-1989]

MOBILEHOME LOT - A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobilehome. [Ord. 4-1989]

MOBILEHOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobilehome lots for the placement thereon of mobilehomes. [Ord. 4-1989]

MODULAR HOME - A sectional, single family dwelling, intended for permanent occupancy, contained in two (2) or more units designed to be permanently joined into one (1) integral unit, which arrives at a site complete and ready for occupancy except for assembly operations and construction of the necessary permanent foundation. For the purposes of this Part, modular homes shall be treated the same as conventional stick-built single family dwellings.

MOTEL - A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, designed with separate entrances and designed for occupancy, primarily for transient automotive travelers, and provided with accessory off-street parking facilities. The term "motel" includes buildings designated as tourist courts, tourist cabins, motor lodges, and similar terms, but shall not be construed to include mobile or immobile trailers or homes.
MUNICIPAL AUTHORITY - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945." [Ord. 4-1989]

NONCONFORMING CERTIFICATE - This certificate shall be issued by the Township and shall be utilized for the registration of non-conforming lots, non-conforming signs, non-conforming structures, non-conforming buildings and non-conforming uses as provided in the Zoning Ordinance of North Lebanon Township.

NONCONFORMING LOT - A lot the area or dimension of which was lawful prior to the adoption or amendment of this Chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment. [Ord. 4-1989]

NONCONFORMING SIGN - A sign which does not conform to the regulations of the district in which it is located.

NONCONFORMING STRUCTURE - A structure or part of a structure manifestly not designed to comply with the use or extent of use provisions of this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Chapter or amendment or prior to the application of this Chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs. [Ord. 4-1989]

NONCONFORMING USE - A use, whether of land or of structure, which does not comply with the applicable use provisions in this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Chapter or amendment, or prior to the application of this Chapter or amendment to its location by reason of annexation. [Ord. 4-1989]

NURSERY, HORTICULTURE - Any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines, and other plants including the buildings, structures, and equipment customarily incidental and accessory to the principal use.

NURSING or CONVALESCENT HOME - A building with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

OFFICE, PROFESSIONAL - A building containing office space for one (1) or more persons engaged in occupations or callings which required extensive learned and academic preparation to secure knowledge or skill in a profession such as medicine, law, divinity or science, wherein professional advice, guidance or instruction is provided. Occupations or vocations which are trades, crafts, or businesses and often involve the sale of a product shall not be considered professional offices.

OPEN SPACE - The unoccupied space open to the sky on the same lot with the building.

PARKING LOT - An off-street surfaced area designed solely for the parking of motor vehicles, including driveways, passageways, and maneuvering space appurtenant thereto.

PARKING SPACE - An open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees,
customers, or tenants of the principal building or use. Each parking space shall be not less than ten feet (10') wide and not less than twenty feet (20') long, exclusive of all drives, curbs, and turning space.

**PENNSYLVANIA MUNICIPALITIES PLANNING CODE** - This enabling legislation provides the mechanism whereby municipalities can plan for community development through the adoption of a comprehensive plan and zoning ordinance and the establishment of planning commissions, planning departments and zoning hearing boards. The Code authorizes the above bodies to request appropriations, charge fees, make inspections, hold public hearings, make legal appeals, and process penalties for violations. For the purposes of this Part, the Code, enacted as Act 247 of 1968, is intended to include the current code and any future amendments and shall be referred to hereafter as "Act 247".

**PERMIT** - Building and Zoning Permit issued by the Zoning Administrator.

**PET, HOUSEHOLD** - Any customary domestic animal or bird that is kept for pleasure rather than utility and which may be kept inside or outside of a dwelling.

**PET, NOVELTY** - An animal, bird or insect that is kept for pleasure, that is not a customary household pet, nor of a domesticated variety, provided that it is not otherwise prohibited by law and is kept inside a dwelling.

**PET KENNEL** - An enclosure or area (located outside a dwelling) which is designed for keeping more than three (3) birds or animals; however, this does not include pet zoos or menageries.

**PLANNED RESIDENTIAL DEVELOPMENT** - An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of this Chapter. [Ord. 4-1989]

**PLANNING COMMISSION** - The North Lebanon Township Planning Commission.

**PLANNING DEPARTMENT SITE REVIEW COMMITTEE** - A three (3) to five (5) member committee appointed by the Director of the Lebanon County Planning Department from Department personnel. The committee reviews sites to provide recommendations on design and appropriate use of vegetation, topography, building orientation and other site amenities which will result in effective energy conservation and environmental control.

**PREMISES** - Any lot, parcel, or tract of land and any building constructed thereon.

**PRINCIPAL USE** - The main purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

**PRIVATE ROAD** - A legally established road right-of-way, other than a street, which provides the primary vehicular access to a lot.

**PUBLIC GROUNDS** - Includes:
A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;

B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and

C. publicly owned or operated scenic and historic sites.

[Ord. 4-1989]

PUBLIC HEARING - A formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter. [Ord. 4-1989]

PUBLIC MEETING - A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act," 53 P.S. §§5271 et seq. [Ord. 4-1989]

PUBLIC NOTICE - Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township of North Lebanon. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. [Ord. 4-1989]

REPORT - Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction. [Ord. 4-1989]

RESTAURANT, DRIVE-IN - A commercial establishment where food or beverage is sold for consumption on the premises either in a customer's vehicle or in an outside area, but not within a building.

RESTAURANT, DRIVE THROUGH - An accessory use to a commercial restaurant where the customer receives food or beverage via a drive-up window without the need for the customer to leave his vehicle.

RESTAURANT, FAST FOOD - A commercial establishment where a limited selection of food or beverage is sold either for consumption on the premises or as a "take out" service. Food preparation is designed for immediate service to customers and food is normally prepared in advance to facilitate this type of "fast" services.

ROW HOUSE - See "Townhouse".

SANITARIUM, SANATORIUM - A private hospital, whether or not such facility is operated for profit.

SETBACK - The horizontal distance from a lot line to the part of the building nearest to such a lot line.
SHOPPING CENTER - A group of stores, two (2) or more in number, planned and designed as an integrated unit with off-street parking provided on the property as an integral part of the unit.

SIGN - The word "sign" includes any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); or any other device or similar character which (1) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure; (2) is used to announce direct attention to, or advertise; and (3) is visible from outside a building.

FREESTANDING SIGN - An independently supported sign which is not attached to any building or structure and which is supported by not more than two (2) posts placed in the ground, with no other material between the sign and the ground. [Ord. 1-1997]

GROUND SIGN - An independently supported sign which is not attached to any building or structure in which the supports between the ground and the sign do not permit clear visibility between the sign and the ground. [Ord. 1-1997]

PROJECTING SIGN - A sign erected or displayed which is attached to the wall of a building and projects in a perpendicular fashion from said wall. Wall signs that project more than twelve inches (12") shall be treated as projecting signs.

ROOF SIGN - A sign erected or displayed on a roof top; roof signs shall not exceed the maximum height requirements for buildings or structures.

WALL SIGN - A sign erected or displayed on or parallel to the surface of a building and does not project more than twelve inches (12") therefrom.

SIGN, ADVERTISING - Any sign which is owned or operated by any person, firm, or corporation engaged in the business of outdoor advertising for direct profit gained from the rental of such signs or any sign advertising a commodity not sold or produced on the premises, including "billboards".

SIGN, DOUBLE-FACED - A sign consisting of two (2) display areas placed back to back or joined along a common edge and is treated as having one (1) sign area. If the display areas are joined along a common edge and the interior angle is greater than forty-five degrees (45°), the structure shall be treated as having two (2) sign areas.

SIGN AREA - The area of a sign shall be construed to include the entire display surface and background, whether open or enclosed, which encompasses lettering, wording, designs, and symbols, but not including any supporting framework and bracing which is incidental to the display itself. The area shall be determined using the largest visible sign or silhouette area.
When the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangular shape or shapes which can be drawn together to encompass all of the letters and symbols.

SITE PLAN - A plan of a lot or subdivision on which is shown topography; location of all buildings, roads, rights-of-way, and boundaries; all essential dimensions and bearings; and any other information deemed necessary by the Township in unusual or special cases.

SPECIAL EXCEPTION - a use permitted in a particular zoning district pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601 et seq., 10901 et seq. [Ord. 4-1989]

STORY - A story is that part of the building between the surface of any floor and the next floor above it or in its absence, the finished ceiling or roof above it. A "split level" story shall be considered a second story if its floor level is six feet (6') or more above the level of the line of the finished floor next below it. Any floor under a sloping roof at the top of a building which is more than two feet (2') below the top plate shall be counted as a story; and, if less than two feet (2') below the top plate, shall be counted as half a story.

STREET - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. [Ord. 4-1989]

STREET LINE - The line determining the limit of the street or public right-of-way, either existing or contemplated. Also referred to as the street lot line or road right-of-way line. Where a definite right-of-way width has not been established, the street line shall be determined as a line twenty-five feet (25') from the center line of the existing street.

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. [Ord. 4-1989]

SUBDIVISION - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines 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 (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. [Ord. 4-1989]

TOWNHOUSE - A single family dwelling located on an independent lot and constructed as a part of a series of three (3) or more connected single family dwellings with one (1) dwelling unit from floor to roof. Townhouses are typically two (2) stories high and units are considered attached.
dwellings, except for the end units of a building series which are semi-detached. Townhouses are generally owner-occupied and provide residents with individual yards, parking, and utility access. Common areas and facilities, including parking areas, may be designed for joint utilization by all residents of the townhouse development.

TRAVEL TRAILER - A vehicular portable structure built on a chassis (motorized home, converted bus, tent trailer, tent, or similar device) designed to be used as a temporary dwelling for travel and recreational purposes.

VARIANCE - Relief granted pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S §10101 et seq.  [Ord. 4-1989]

WATER SURVEY - An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township of North Lebanon.  [Ord. 4-1989]

YARD - An open space, other than a court, unoccupied by a structure; provided, however, that fences, walls, posts, trees, lawn furniture, and other customary yard accessories are permitted in any yard subject to height limitations and requirements limiting obstruction and visibility.

YARD, REQUIRED FRONT - An unoccupied space, open to the sky, provided between the front property line (road right-of-way line) and a line drawn parallel thereto, at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

YARD, REQUIRED REAR - An unoccupied space, open to the sky, between the rear property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

YARD, REQUIRED SIDE - An unoccupied space, open to the sky, between the side property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending for the full depth of the lot.

YARD, FRONT - An unoccupied space, open to the sky, between the front property line (road right-of-way line) and the building line of the principal building closest to the front property line.

YARD, REAR - An unoccupied space, open to the sky, between the rear property line and the building line of the principal building which is closest to the rear property line.

YARD, SIDE - An unoccupied space, open to the sky, between the side property line and the side building line of the principal building. In most cases, a lot has two (2) side yards located on opposite sides of the principal building.

ZONING ADMINISTRATOR - The agent(s) or official(s) designated by the Township Supervisors to enforce the Zoning Ordinance of the Township.

(Ord. 6-4-84, 6/4/1984; as amended by Ord. 1-1988, 8/22/1988, §2; by Ord. 4-1989, 12/18/1989; and by Ord. 1-1997, 1/20/1997, §VI)
Part 2

Establishment of Districts: Provision for Official Zoning Map

§201. Official Zoning Map. The Township is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Chapter. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors, attested by the Secretary, and bearing the seal of the Township under the following words:

"This is to certify that this is the Official Zoning Map referred to in Part 2, §201 of Ordinance Number 6-4-84, of the Township of North Lebanon, Lebanon County, Pennsylvania," together with the date of the adoption of this Chapter.

If, in accordance with the provisions of this Chapter and Article VI, Pennsylvania Municipalities Planning Code, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Township Supervisors with an entry on the Official Zoning Map as follows: "On (date), by official action of the Township Supervisors, the following (change) changes were made in the Official Zoning Map: (brief description of nature of change)", which entry shall be signed by the Chairman of the Supervisors and attested by the Township Secretary. No amendment to this Chapter which involves matter portrayed on the Official Zoning Map, shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Chapter and punishable as provided under Part 21.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Township Supervisors shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Township.

(Ord. 6-4-84, 6/4/1984, §2.01; as amended by Ord. 4-1989, 12/18/1989)

§202. Replacement of the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Township Supervisors may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Chairman of Supervisors, attested by the Township Secretary, and bearing the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map, adopted (date) as part of Ordinance No. _____ of the Township of North Lebanon, Lebanon County, Pennsylvania." Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof,
remaining shall be preserved together with all available records pertaining to its adoption or amendment. (Ord. 6-4-84, 6/4/1984, §2.02)

§203. Rules for Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the center line of streets, highways, or alleys shall be construed to follow such center lines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following Township limits shall be construed as following such Township limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks. E. Boundaries indicated as parallel to, or extensions of, features indicated in §203(A through D) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

F. Where physical or cultural features existing on the ground are at variance with those shown on the Official Map, or in other circumstances not covered by §203(A through E) above, the Zoning Hearing Board shall interpret the District boundaries.

G. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Chapter, the Zoning Hearing Board may permit, as a Special Exception, the extension of the regulations for either portion of the lot not to exceed fifty feet (50') beyond the district line into the remaining portion of the lot.

(Ord. 6-4-84, 6/4/1984, Art. 3)

§204. Application of District Regulations. The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

A. No buildings, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered:

1. to exceed the height or bulk;
2. to accommodate or house a greater number of families;
3. to occupy a greater percentage of lot area;
4. to have narrower or smaller rear yards, front yards, side
yards, or other open spaces than herein required; or in any other manner contrary to the Provisions of this Chapter.

C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

D. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this chapter shall meet at least the minimum requirements within their respective zoning districts established by this Chapter.

E. When a specific use is neither permitted nor prohibited in the schedule of district regulations, the Zoning Hearing Board shall make a determination, as an Administrative Review, as to the similarity or compatibility of the use in question to the permitted uses in the district, basing the decision on the overall intent stipulated for the district. F. Where a district boundary line divides a lot, which was a lot of record at the time of adoption of this Chapter, the Zoning Administrator may permit the extension of the requirements of the less restrictive district no more than thirty feet (30') into the remaining portion of the lot located in a more restrictive district. G. All territory which may hereafter be annexed to the Township shall be considered to be in the (A) Agricultural District until otherwise classified.

(Ord. 6-4-84, 6/4/1984, Art. 4)

§205. Use Districts. For the purpose of regulating and restricting the location of trades, industries, multiple family houses, single family houses, and other uses of property, the number of square feet of lot area per family house, the width of lots, the location and size of yards, and the size and heights of buildings, the Township is divided into classes of use districts termed respectively:

Class A  Agricultural Districts
Class RR  Rural Residential Districts
Class R-1  Low Density Residential Districts
Class R-2  High Density Residential Districts
Class C-1  Neighborhood Commercial Districts
Class C-2  General Commercial Districts
Class MR-1 Municipal Recreation Districts
Class I-1  Industrial Districts
Class F-1, F-2, and F-3 Flood Plain Districts

(Ord. 6-4-84, 6/4/1984, Art. 5)

§206. Minimum Lot Size. In interpreting the provisions of this Chapter, the minimum square foot for a lot within any district shall be calculated by excluding any area where a structure or a portion of a structure is not permitted, excluding the applicable set back lines. (Ord. 6-4-84, 6/4/1984; as added by Ord. 1-1999, 8/16/1999, §XXXI)
Part 3

A, Agricultural Districts

§301. Intent. The regulations of the Agricultural Districts are designed to protect and preserve the existing agricultural lands of the Township and those areas where environmental conditions are most conducive to agricultural operations which will produce high crop yields. Principal protection and preservation emphasis is concentrated on farm land and conversion to non-farm usage is discouraged. Where designated as non-prime farm land, limited residential, non-residential, and farm-related commercial uses are permitted to facilitate those individuals who may desire to locate in an agricultural setting. (Ord. 6-4-84, 6/4/1984, §6.01)

§302. Permitted Uses. The following uses are permitted, subject to the requirements listed herein and in 303 and 304 of this Chapter:

A. Agriculture, crop and truck farming, pasturing, truck gardening, horticulture, nurseries, aviaries, hatcheries, apiaries, and similar agricultural uses. Greenhouses are also permitted, provided that they do not involve retail sales of items stocked for resale.

B. Non-intensive animal husbandry.

C. Intensive animal husbandry, provided that:
   1. Structures in which livestock or fowl are kept shall be no closer than one hundred feet (100') to any lot line or road right-of-way and two hundred feet (200') to any residentially zoned property.
   2. No storage of manure or odor or dust producing substances shall be permitted within one hundred feet (100') of any lot line or road right-of-way and two hundred feet (200') from any residentially zoned property.

D. Pet kennels, provided that they are located a minimum of one hundred feet (100') from any right-of-way or lot line.

E. Public conversation areas for the preservation of open space, water, soil, forest and wildlife resources.

F. Public park and recreation areas, forest preserves, game refuges and similar non-intensive uses.

G. Golf courses and county clubs.

H. Churches, associated parish houses, and cemeteries.

I. Single family dwellings, in accordance with the requirements of §§303 and 304 of this Chapter, including maximum lot area requirements.

J. Customary accessory uses and structures incidental to any of the above permitted uses, including the following:
   1. Roadside stands for the sale of "home-grown" or "home-made" products when located not less than twenty feet (20') from the road cartway and not within the road right-of-way.
   2. Home occupations and accessory uses, as regulated in Part 12 of this Chapter.
K. Upon approval by the Zoning Hearing Board, the following Special Extension uses are permitted provided the use complies with the conditions listed herein and Part 17 of this Chapter. Additionally, the applicable requirements of §§303 and 304 of this Chapter, including maximum lot area, shall also apply.

1. Semi-public or private recreational areas, game and wildlife hunting and gunning clubs, camps, and structures necessary for the operation of these uses.

2. Riding academies, commercial stables and animal hospitals.

3. Saw mills and other establishments associated with forestry.

4. Agriculturally oriented commercial establishments (e.g. farm implement dealers, feed mills, seed stores, butchering shops, etc).

L. Upon application to the Board of Supervisors of North Lebanon Township, the owner or owners of land consisting of five (5) or more acres may construct a separate accessory building to a primary residence located on the tract of land; provided, that the following conditions are met:

1. The size and type of the building shall be approved by the Board of Supervisors.

2. The building may be used only for the storage of equipment and other property.

3. The building shall meet all applicable requirements of the zoning ordinance concerning setback lines and height of building.

4. The Board of Supervisors may attach such other conditions as they deem reasonable.

5. The owner or owners shall enter into an agreement with the Township to assure the performance of the conditions and the agreement shall be binding upon the owners and successors in title to the property.

[Ord. 2-1994]

M. Upon application to the Board of Supervisors of North Lebanon Township and upon the receipt of a reclamation permit from the Board of Supervisors of North Lebanon Township, the owner or owners of the property situated in the Agricultural District (A) may remove any ground or other materials that have been deposited, subject to all of the terms and conditions as may be imposed on the permit by the Board of Supervisors of North Lebanon Township including, but not limited to, bonding, requiring other State or Federal permits, submitting detailed plans, providing dirt and dust control, meeting traffic and road
requirements and protection; providing insurance, and complying with the
time limits for completing the work. [Ord. 1-1997]

N. Group care facilities provided that the following conditions are met:

1. Plans for the facility are approved by the appropriate State and local agencies (e.g., Department of Labor and Industry, Department of Welfare, etc.) prior to operation.

2. The facility shall be properly licensed, if required.

3. There shall be a minimum of one hundred seventy five (175) square feet of habitable floor area for each person residing in the facility.

4. All residents of the facility must be certified by the referring agency to be capable of residing in this group family environment, and no resident shall receive skilled or intermediate type nursing care, or psychiatric rehabilitation routinely required in an institutional setting.

5. The facility shall be serviced by the public water and public sewer system.

6. The facility shall comply with all applicable standards of this Chapter, the Subdivision and Land Development Ordinance of North Lebanon Township [Chapter 22].

7. Traffic generated by the facility shall not exceed normal residential levels and all points of ingress and egress shall be at safe and permissible locations.

8. All parking shall be off-street and the facility shall have two (2) off-street parking spaces for the facility and one (1) additional off-street parking space for each residential vehicle and each employee vehicle and such other additional off-street parking spaces as may be needed to handle the off-street parking needs of the facility's use.

9. The operator of the facility shall provide to North Lebanon Township a floor plan of the facility describing the uses of the rooms within.

[Ord. 1-1997]
A. Existing farms and properties shall be permitted the following number of lots or principle uses, based upon farm or property size at the date of adoption of this Ordinance.

<table>
<thead>
<tr>
<th>SIZE OF FARM OR PROPERTY</th>
<th>MAXIMUM NUMBER OF LOTS OR USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 acres to less than 10 acres</td>
<td>Any number in accordance with §304</td>
</tr>
<tr>
<td>10 acres to less than 50 acres</td>
<td>3</td>
</tr>
<tr>
<td>50 acres to less than 100 acres</td>
<td>4</td>
</tr>
<tr>
<td>100 acres to less than 1.5 acres</td>
<td>5</td>
</tr>
<tr>
<td>175 acres to less than 250 acres</td>
<td>6</td>
</tr>
<tr>
<td>250 acres to less than 400 acres</td>
<td>7</td>
</tr>
<tr>
<td>400 acres or more</td>
<td>8</td>
</tr>
</tbody>
</table>

Existing unsubdivided dwellings and principal, non-residential uses located on the farm or property shall be considered part of the permitted allotment. Furthermore, the maximum permitted number of lots or uses shall apply whether or not individual lots are subdivided at the time the uses are established. Resubdivision of lots created after the adoption date of this Ordinance shall also be subject to the maximum allotment determined for the original farm or property.

B. All applications for Building and Zoning Permits to erect a single family dwelling or principal, non-residential use structure on unsubdivided land and all applications for subdivision shall be accompanied by an agricultural plan identifying the following:

1. Size, shape and dimensions of the farm or property; size and location of all existing buildings; and size, location and use of all proposed buildings or lots.

2. Lots or uses previously approved under these regulations.

[Text continued on following page.]
3. Land under active cultivation and land in woodlots or forests.

4. Soil information for the farm or property, including soil series and soil capability class, subclass and unit as classified within the 1981 Soil Survey of Lebanon County, Pennsylvania and Agricultural Handbook #210 of the United States Department of Agriculture Soil Conservation Service.

C. Applications to erect or establish a use or subdivide a farm or property shall be reviewed subject to the following criteria:

1. All uses or lots shall be established or located on non-prime farmland (Soil Capability Classes III - VII), when such land is available; and

2. The least suitable farmland (highest numbered Soil Capability Unit) shall be utilized for development in all cases, unless the applicant can demonstrate its unsuitability for the proposed use. When a soil has been determined to be unsuitable because of slope, drainage, flooding, sewage disposal deficiencies or other physical characteristics, then the least suitable remaining farmland shall be utilized for development; and

3. When a farm or property is comprised entirely of prime farmland (Soil Capability Classes I and II), then the least suitable or least prime land shall be utilized for development; and

4. Lots and uses shall be grouped, where possible, adjacent to other similar lots and uses to avoid a scattering of development. Lots and uses shall not be located near intensive farming operations. Subdivision or development shall not necessitate any new streets, except that one (1) lot or use may be accessed via an unimproved fifty foot (50') right-of-way; and

5. Application for the last lot or use permitted within a farm or property shall be accompanied by a proposed deed for the residual farm land or property. Said proposed deed shall contain a restriction to identify that subdivision and development allotments have been used and that no further subdivision, development or establishment of additional principal uses shall be permitted. Said restrictive deed shall be recorded within thirty (30) days of subdivision or permit approval for the last allowable lot or use. Failure to record said deed, subsequent removal of the deed restriction or subsequent subdivision or establishment of additional uses or lots shall constitute a violation of this Chapter, punishable in accordance with Part 21 of this Chapter.

6. A maximum lot area of two (2) acres for single family dwellings is established in the district requirement chart in §304. The purpose of the maximum lot size is to prevent the creation of large lots which remove excessive amounts of agricultural land from crop production. Maximum lot size shall not apply to:

   (a) Lot additions for agricultural purposes.

   (b) Subdivision of existing parcels of ten (10) acres or less in size.
(c) Consolidation of residual land after other suitable lots have been removed.

(d) Inclusion of excess areas which are unsuitable for farmland.

(e) Lot design and layout which would otherwise unavoidable physically isolate the excess land from the remainder of the farm.

(f) Subdivision of lots where Township Supervisors determine that the characteristics of the property dictate that lot design exceeding the two (2) acre standard is desirable.

[Ord. 1-1999]

(Ord. 6-4-84, 6/4/1984, §6.03; as amended by Ord. 1-1999, 8/16/1999, §XXXII)

§304. Lot and Yard Requirements. A lot area, lot width, lot coverage, yard depths, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in §§302 and 303, shall be provided for every dwelling unit and/or principal non-residential building or use hereinafter erected, altered, or established in this district.

District Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min. Lot Area</td>
<td>Max. Lot Area</td>
</tr>
<tr>
<td>NON-RESIDENTIAL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OR BUILDING</td>
<td>---</td>
<td>150'</td>
</tr>
<tr>
<td>1 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specified in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sections 302A to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>302H</td>
<td></td>
<td></td>
</tr>
<tr>
<td>USE OR BUILDING</td>
<td>4 acres</td>
<td>150'</td>
</tr>
<tr>
<td>1 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specified by</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Exception</td>
<td></td>
<td></td>
</tr>
<tr>
<td>in Section 302K</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESIDENTIAL

Single Family 1 acre 2 acres 125' 20% Detached

Maximum lot area shall not apply to lot additions for agricultural purposes and permitted uses specified within Sections 302A through 302H of this Chapter.

No building shall exceed two and one-half (2½) stories or thirty-five feet in height unless authorized as a Special Exception.

(Ord. 6-4-84, 6/4/1984, §6.04)

§305. Minimum Off-Street Parking Requirements. Off-street parking shall be provided in accordance with Part 14 of this Chapter. (Ord. 6-4-84, 6/4/1984, §6.05)

§306. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §6.06)

§307. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §6.07)

§308. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §6.08)
Part 4

R-R, Rural Residential Districts

§401. Intent. The regulations of this district are designed to provide an area for residential uses that are located adjacent to agricultural areas of the township. The rural residential zones are distinguished by the absence of public water and sewers, with no possibility that those facilities will be installed within the foreseeable future. Although predominantly residential, these areas are compact in size and retain a rural character, and the provisions of this article are further designed to protect and enhance the combined features of the district. (Ord. 6-4-84, 6/4/1984, §7.01)

§402. Permitted Uses.


2. Soil cultivation and crop production, truck farming, nurseries and greenhouses including sales of greenhouse items that are grown on the premises.

3. Public conservation areas and structures for the conservation of open space, water, soil, forest and wildlife resources.

4. Public uses such as park and recreation areas, forest reserves, game refuges and similar non-intensive public uses.

5. Publicly and/or privately owned nursery schools, kindergartens, elementary schools, middle schools, junior high schools, high schools, technical schools and vo-tech schools.

6. Churches, associated parish houses and cemeteries.

7. Necessary public utility structures and buildings.

8. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, plus membership clubs, provided that they do not contain restaurants, cafes or other places offering food, beverages, dancing or entertainment.

9. Customary accessory uses and buildings which are clearly incidental to any of the above permitted uses, including the following:

   A. Home occupations as provided for in §1205 of this chapter.

   B. Accessory uses as provided for in 1203 of this chapter.

10. Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this chapter.

[Ord. 4-1989]
A. Semi-public and private recreation uses such as golf courses, country clubs, swimming and/or tennis clubs provided that no principal building, accessory structure, pool, tennis court or parking area is located within one hundred (100) feet of any road right-of-way line or lot line. Additionally, swimming pools associated with those uses shall be completely enclosed with a continuous, impenetrable fence no less than six (6) feet in height above the ground level and the fence shall be equipped with a lockable gate.

B. Nonintensive animal husbandry or pet kennels subject to the following conditions:

(1) A minimum lot size of five (5) acres shall be provided.

(2) Buildings in which livestock, poultry, insects or other than customary household pets are kept shall be no closer than one hundred (100) feet to any lot line or road right-of-way.

(3) No outside storage of manure, malodorous substances or dust-producing substances shall be permitted within two hundred (200) feet of any lot line or road right-of-way.

11. Group care facilities provided that the following conditions are met:

A. Plans for the facility are approved by the appropriate State and local agencies (e.g., Department of Labor and Industry, Department of Welfare, etc.) prior to operation.

B. The facility shall be properly licensed, if required.

C. There shall be a minimum of one hundred seventy five (175) square feet of habitable floor area for each person residing in the facility.

D. All residents of the facility must be certified by the referring agency to be capable of residing in this group family environment and no resident shall receive skilled or intermediate type nursing care or psychiatric rehabilitation routinely required in an institutional setting.

E. The facility shall be served by the public water and public sewer system.

F. The facility shall comply with all applicable standards of this Chapter, the Subdivision and Land Development Ordinance of North Lebanon Township [Chapter 22].

G. Traffic generated by the facility shall not exceed normal residential levels and all points of ingress and egress shall be at safe and permissible locations.
H. All parking shall be off-street and the facility shall have two (2) off-street parking spaces for the facility and one (1) additional off-street parking space for each residential vehicle and each employee vehicle and such other additional off-street parking spaces as may be needed to handle the off-street parking needs of the facility's use.

I. The operator of the facility shall provide to North Lebanon Township a floor plan of the facility describing the uses of the rooms within.

[Ord. 1-1997]

(Ord. 6-4-84, 6/4/1984, §7.02; as amended by Ord. 4-1987, 10/12/1987; by Ord. 4-1989, 12/18/1989; and by Ord. 1-1997, 1/20/1997, §II)

§403. Lot and Yard Requirements. A lot area, lot width, lot coverage, yard depths and building height satisfying the requirements of the following table, unless otherwise specified, heretofore in §402, shall be provided for every dwelling unit and/or principal nonresidential building or use hereafter erected, altered or established in this district.

District Requirements:

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min. Lot Area (SF)</td>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>Nonresidential building</td>
<td>5 acres 400'</td>
<td>20%</td>
</tr>
<tr>
<td>Single-family detached:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No public utilities</td>
<td>1 acre 150'</td>
<td></td>
</tr>
<tr>
<td>(On site water &amp; sewer)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public sewer and/or water</td>
<td>20,000 SF 125'</td>
<td>30%</td>
</tr>
</tbody>
</table>

No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a special exception.

(Ord. 6-4-84, 6/4/1984, §7.03; as amended by Ord. 2-1995, 12/18/1995, §VI; and by Ord. 1-1997, 1/20/1997, §X)

§404. Minimum Off-Street Parking Requirements. Off-street parking shall be provided in accordance with Part 14 of this chapter. (Ord. 6-4-84, 6/4/1984, §7.04)
§405. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this chapter. (Ord. 6-4-84, 6/4/1984, §7.05)

§406. Supplementary District Regulations. The supplementary district regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §7.05)
§501. Intent. The following structures are designed to promote and protect low density residential development along with other compatible uses. The areas chosen for these districts are those which currently reflect a harmonious residential atmosphere or which would logically develop as such in the future according to the Comprehensive Plan Objectives. An attempt is made herein to encourage the most efficient use of land including slope land, odd-shaped lots, flood plain, and storm water management areas. This area would also fall within existing municipal sewer and/or water service areas and planned service areas. (Ord. 6-4-84, 6/4/1984, §8.01)

§502. Permitted Uses.

1. Single family detached dwellings.
2. Churches, associated parish houses and cemeteries.
3. Publicly owned nursery, kindergarten, elementary, middle and high schools.
4. Publicly owned parks and playgrounds.
5. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc. provided that they do not contain restaurants, cafes, membership clubs, or other places offering food, beverages, dancing or entertainment.
6. Agriculture, truck farming, gardening, flower and tree nurseries, and greenhouses, which may sell items grown on the premises, but not including animal husbandry, or pet kennels.
7. Accessory buildings and uses incidental to any of the above permitted uses including the following:
   A. Roadside stands for the sale of "home-grown" or "home-made" products when located not less than twenty feet (20') from the road cartway and not within the road right-of-way.
   B. Home occupations and accessory uses, as regulated in Part 12 of this Chapter. [Ord. 2-1992]
8. The following Special Exceptions after approval for a permit granted by the Zoning Hearing Board in accordance with regulations found in Part 20 of this Chapter.
   A. Privately owned nursery, elementary, and high schools.
   B. Private institutions of higher education, convents, and monasteries.
   C. Cemeteries, hospitals, nursing, and convalescent homes.
   D. Clinics, professional offices and banking institutions subject to these requirements:
      (1) The architectural design of the structure shall be harmonious with other structures in the neighborhood.
      (2) Parking shall not be permitted in the front yard.
E. Non-profit, church related homes for the elderly, including (1) custodial or sanitarium type of care, (2) intermediate care involving dormitory areas with common meal facilities, and (3) individual residential living quarters with separate cooking facilities, provided that the following conditions are met:

(1) A subdivision and/or land development plan shall be filed in accordance with the Subdivision Ordinance of North Lebanon Township.

(2) Self-sufficient dwelling units for permanent guests of the home, which are separate and detached from the principal care facility, shall conform in all respects with the requirements for such dwelling unit specified in the R-2, Medium Density Residential District, including townhouse and garden apartment requirements where applicable. Although they may be planned as clustered housing, such residential development shall be designed to facilitate subdivision or sale of individual units in accordance with applicable lot area, lot width, and yard requirements of §503 of this Chapter.

F. Semi-public and private recreation uses such as golf courses, country clubs, swimming and/or tennis clubs provided that no principal building, accessory structure, pool, tennis court, or parking area is located within one hundred feet (100’) of any road right-of-way line or lot line. Additionally, swimming pools associated with these uses shall be completely enclosed with a continuous, impenetrable fence no less than six feet (6’) in height above the ground level and the fence shall be equipped with a lockable gate.

G. Private institutions of higher education, convents, and monasteries provided that the following conditions are met:

(1) A minimum lot area of three (3) acres for the first three hundred (300) students or enrollees plus one (1) acre for each additional one hundred (100) students or enrollees.

(2) Dormitory or residential quarters shall be located a minimum of one hundred feet (100’) from any property line.

H. Non-intensive animal husbandry or pet kennels subject to the following conditions:

(1) A minimum lot size of ten (10) acres shall be provided.

(2) Buildings in which livestock, poultry, insects, or other than customary household pets are kept shall be no closer than two hundred feet (200’) to any lot line or road right-of-way.

(3) No storage of manure, malodorous substances, or dust producing substances shall be permitted within two hundred feet (200’) of any lot line or road right-of-way.

9. Group care facilities provided that the following conditions are met:
A. Plans for the facility are approved by the appropriate State and local agencies (e.g., Department of Labor and Industry, Department of Welfare, etc.) prior to operation.

B. The facility shall be properly licensed, if required.

C. There shall be a minimum of one hundred seventy five (175) square feet of habitable floor area for each person residing in the facility.

D. All residents of the facility must be certified by the referring agency to be capable of residing in this group family environment and no resident shall receive skilled or intermediate type nursing care or psychiatric rehabilitation routinely required in an institutional setting.

E. The facility shall be served by the public water and public sewer system.

F. The facility shall comply with all applicable standards of this Chapter, the Subdivision and Land Development Ordinance of North Lebanon Township [Chapter 22].

G. Traffic generated by the facility shall not exceed normal residential levels and all points of ingress and egress shall be at safe and permissible locations.

H. All parking shall be off-street and the facility shall have two (2) off-street parking spaces for the facility and one (1) additional off-street parking space for each residential vehicle and each employee vehicle and such other additional off-street parking spaces as may be needed to handle the off-street parking needs of the facility’s use.

I. The operator of the facility shall provide to North Lebanon Township a floor plan of the facility describing the uses of the rooms within.

[Ord. 1-1997]

(Ord. 6-4-84, 6/4/1984, §8.02; as amended by Ord. 2-1992, 4/20/1992, §VI; and by Ord. 1-1997, 1/20/1997, §II)

§503. Lot Area, Building Height, and Yard Requirements. A lot area, lot width, lot coverage, yard depths, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in §502, shall be provided for every dwelling unit and/or principal nonresidential building or use hereafter erected, altered, or established in this district.

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min. Lot width</td>
<td>Max. Lot Coverage</td>
</tr>
<tr>
<td>Min. Lot Area</td>
<td>5 acres</td>
<td>20%</td>
</tr>
<tr>
<td>Nonresidential building</td>
<td>400</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>75</td>
</tr>
</tbody>
</table>

Page Corrected 5/12/1998
(27, §503, cont’d)

**Single-family detached:**

<table>
<thead>
<tr>
<th>No public utilities</th>
<th>1 acre</th>
<th>150</th>
<th>25%</th>
<th>40</th>
<th>15</th>
<th>25</th>
</tr>
</thead>
<tbody>
<tr>
<td>(on-site water and sewer)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public water or sewer</td>
<td>20,000</td>
<td>125</td>
<td>30%</td>
<td>40</td>
<td>15</td>
<td>25</td>
</tr>
<tr>
<td>Public water and sewer</td>
<td>15,000</td>
<td>110</td>
<td>30%</td>
<td>40</td>
<td>15</td>
<td>25</td>
</tr>
<tr>
<td>Municipal buildings and community facilities</td>
<td>3 acres</td>
<td>250</td>
<td>25%</td>
<td>50</td>
<td>1</td>
<td>25</td>
</tr>
</tbody>
</table>

**Building Height** - No building or other structure shall exceed the smaller of two and one-half (2 1/2) stories or thirty-five in height unless specifically exempted in Part 12 or approved as a Special Exception by the Zoning Hearing Board.

(Ord. 6-4-84, 6/4/1984, §8.03; as amended by Ord. 1-1995, 5/1/1995, §II; and by Ord. 2-1995, 12/18/1995, §VII)

§504. Minimum Off-Street Parking Requirements. Off-street parking shall be provided in accordance with Part 14 of this chapter. (Ord. 6-4-84, 6/4/1984, §8.04)

§505. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this chapter. (Ord. 6-4-84, 6/4/1984, §8.05)

§506. Supplementary District Regulations. The supplementary district regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §8.06)

1. Editor’s Note: Ordinance No. 2-1995, which added these requirements, provided that for municipal buildings and community facilities the requirement for one (1) side yard shall be twenty (20) feet and the total side yard requirement shall be forty (40) feet.
Part 6
R-2, High Density Residential Districts

§601. Intent. The regulations of the R-2 Residential District are designed to promote the development of a variety of medium density housing types in areas where necessary municipal services, commercial facilities and other community amenities are available. (Ord. 6-4-84, 6/4/1984, §9.01)

§602. Permitted Uses.


2. Two-family detached and semidetached dwellings.

3. Townhouses, provided that the following requirements are met:
   
   A. Minimum lot area of three thousand (3,000) square feet per dwelling unit.
   
   B. Maximum development density shall not exceed eight (8) dwelling units per gross acre.
   
   C. Minimum lot width of twenty (20) feet.
   
   D. A minimum front and rear yard of twenty-five (25) feet each, as measured from the property line or any paved parking area, shall be provided for each townhouse unit.
   
   E. Side yard minimums of fifteen (15) feet shall be provided from the unattached sides of buildings; however, a minimum side yard of twenty-five (25) feet shall be provided from any paved parking areas. A minimum distance of twenty-five (25) feet shall also separate each group of townhouses.
   
   F. No group of townhouses shall consist of more than six (6) attached units, with no more than two (2) continuous dwellings having a maximum frontage of forty-four (44) feet or a minimum front footage of twenty (20) feet with the same front and/or rear setback, each variation of the setback being at least four (4) feet. Developers are encouraged to use variety in design and construction to enhance appearance.
G. No detached accessory buildings or structures shall be permitted on individual lots. Storage areas, garages and other normal accessory structures may be attached to the principal structure on each individual lot, provided that all other 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 Part 12 of this ordinance.

H. Townhouse development shall be in compliance with §604 (Supplemental Townhouse and Garden Apartment Standards) of this ordinance.

I. The site shall be served by public water and sewer facilities, with design for individual unit service.

J. Off-street parking, as required by Part 14 (Off-Street Parking Requirements) of this ordinance, shall be located on the lot or within one hundred fifty (150) feet of the dwelling unit to be served.

K. Townhouse development requires the submission of a subdivision plan and compliance with the North Lebanon (Lebanon County) Subdivision and Land Development Ordinance.

4. Garden Apartments, provided that the following conditions are met:

A. Maximum development density shall not exceed twelve (12) dwelling units per gross acre.

B. A minimum site size of twenty-four thousand (24,000) square feet shall be provided for garden apartment development.

C. Garden apartment buildings shall contain at least four (4) but not more than sixteen (16) dwelling units in a single structure.

D. A minimum setback of thirty (30) feet shall be provided from any road right-of-way, driveway or paved parking area. Additionally, the building setback line shall be a minimum distance of thirty (30) feet from any front, side or rear property line.
E. A minimum isolation distance of fifty (50) feet shall be provided between garden apartment buildings.

F. The site shall be served by public water and public sewer facilities.

G. If provided, balconies shall not extend more than eight (8) feet from the face of any principal building and the minimum floor area of any balcony shall be seventy-two (72) square feet.

H. If patios are provided at ground level, they shall be designed for visual privacy and shall be a minimum of one hundred fifty (150) square feet.

I. Garden apartment development shall be in compliance with §604 of this chapter.

J. Off-street parking, as required by Part 14 of this chapter, shall be located within one hundred fifty (150) feet of the dwelling unit to be served. Furthermore, parking facilities and driveways shall be located no less than twenty-five (25) feet from any road right-of-way and ten (10) feet from all other property lines.

K. Garden apartment development requires the submission of a subdivision plan and compliance with the Land Subdivision Regulations of North Lebanon Township.

5. Conversions of existing buildings to apartments provided that the lot contains three thousand five hundred (3,500) square feet for each dwelling unit, public sewer and water and complies with parking regulations as found in Part 14.

6. Churches and similar places of worship and parish houses.

7. Public parks and public playgrounds.

8. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing or entertainment.

9. Publicly owned nursery, kindergarten, elementary, middle and
high schools.

10. Accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 12 of this Chapter.

11. Home occupations as regulated in Part 12 of this Chapter.

12. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this Chapter:

A. Special Exception uses specified in §602(H), 1-8 of the R-1, Low Density Residential District, subject to the conditions stated therein.

B. Mobile home parks and subdivisions subject to the following regulations:

(1) **Scope** - All mobile home parks and subdivisions hereafter established in the R-2 District and all expansions or alterations to existing mobile home parks and subdivisions are subject to all applicable regulations of this section.

(2) **Use of Terms** - A development subject to these regulations shall be known as a park in this section unless specified differently in the text.

(3) **Park size** - Each park hereafter designed shall be at least eight (8) acres. The park shall not be divided by any public street or alley but may contact any street or alley. Hereafter, any street or alley so contacted shall be known as a perimeter street or alley.

(4) **Density** - Each park shall have a maximum density of eight (8) mobile homes per gross acre, and no individual mobile home lot in a mobile home subdivision shall be less than two thousand five hundred (2,500) square feet.

(5) **Yard Requirements, Mobile Homes** - No mobile home shall be located at less than the following:

(a) Fifty feet (50') from any perimeter street line or perimeter lot line;
(b) Twenty feet (20') from the edge of a park street;
(c) Twenty feet (20') from any other mobile home;
(d) Ten feet (10') from interior lot lines.

(6) **Yard Requirements, All Other Buildings** - No service building or accessory building for park residents' general use shall be located at less than the following:

(a) Fifty feet (50') from a perimeter street line;
(b) Fifty feet (50') from a perimeter lot line;
(c) Forty feet (40') from any mobile home.

(7) **Park Street** - A privately owned and maintained street installed exclusively for park residents' use shall have a
durable surface capable of supporting residential traffic and shall conform to the following regulations:

(a) A park street shall be at least twelve feet (12') wide for one-way and at least twenty-four feet (24') wide for two-way traffic when all parking is provided off-street. A traffic pattern in the park shall allow for efficient access to all points;

(b) Each mobile home site shall be accessible from a park street; however, designated parking for a site may be provided off the site as provided herein;

(c) Each park shall be provided with a least two (2) points of ingress/egress for vehicular traffic from public street;

(d) No more than two (2) park streets shall intersect at any one point;

(e) Park streets designated to provide parking for site shall be widened by eight feet (8') on each side to be used for parking.

8. Walkways - A walkway with paved surface shall be installed as follows:

(a) Between each mobile home stand, as described herein, and a park street;

(b) Between mobile home sites and common parking areas where the site parking is designated.

9. Off-Street Parking -

(a) Each mobile home site shall be provided with two (2) parking spaces, as required by Part 14;

(b) Parking spaces for a given site shall be adjacent to each other;

(c) Parking spaces which are provided in a common parking lot shall be appropriately marked for a specific site and shall not be farther than one hundred fifty feet (150') from the site to be served;

(d) Parking spaces shall be accessible from a park street only.

10. Utility Services of Mobile Home Parks and Subdivisions -

(a) Each mobile home site shall be served by either a public water system or a private, Department of Environmental Resources approved, community water system which supplies water at a pressure comparable to the municipal system;

(b) Each mobile home site shall be served by a connection to the public sewer system or to a privately owned sewer system that has been approved by the Township and the Department of Environmental Resources. When the public sewer system becomes available to the mobile home
park, the park shall connect to the public sewer system within ninety (90) days of receiving a notice of connection from the municipal body. [Ord. 01-1991]

(c) Each mobile home site shall be served by connection to an electrical distribution system.

(d) Any transmission line within the limits of the park for telephone service, electricity or centralized television reception shall be buried.

(e) Each mobile home park and/or subdivision shall require fire hydrants where water service for such hydrants is available.

(11) Common Open Space Areas.

(a) The park shall be provided with common open space areas not less than ten percent (10%) of gross park area, which are for the enjoyment of all park residents. The areas may include but are not limited to such facilities as service buildings for meeting rooms, laundromats, storage cubicles for residents either individually or collectively, playgrounds, swimming pools, fields and courts for various organized team sports, and landscaped areas for passive recreation.

(b) The park shall have at least half its common area at one continuous location, and not more than half of its common area may be in the buffer yard.

(c) No interior play area for children shall be less than one thousand (1,000) square feet.

(d) The park open space areas may contain a wide variety of facilities at the discretion of the owner; however, it is the intent of this chapter that all parks contain well-maintained improvements for recreation for all ages.

(12) Mobile Home Site Improvements.

(a) Each mobile home site shall be provided with a patio area adjacent to the mobile home. The patio shall be at least two hundred (200) square feet in size;

(b) The patio shall be properly drained and shall have a durable surface such as concrete or wood;

(c) Each mobile home shall be situated on a mobile home stand having not fewer than ten (10) columns or piers to support the weight of the mobile home; alternatively, the mobile home may be supported by columns on a concrete pad or slab. In either case, metal straps or bands, wire rope or
similar material must be connected from the mobile home frame to the ground or pad at least at all corners to anchor the unit;

(d) Each mobile home shall be provided with a skirting of durable material which shall entirely enclose the area beneath the mobile home.

13. Group care facilities provided that the following conditions are met:

A. Plans for the facility are approved by the appropriate state and local agencies (e.g., Department of Labor and Industry, Department of Welfare, etc.) prior to operation.

B. The facility shall be properly licensed, if required.

C. There shall be a minimum of one hundred seventy five (175) square feet of habitable floor area for each person residing in the facility.

D. All residents of the facility must be certified by the referring agency to be capable of residing in this group family environment and no resident shall receive skilled or intermediate type nursing care or psychiatric rehabilitation routinely required in an institutional setting.

E. The facility shall be served by the public water and public sewer system.

F. The facility shall comply with all applicable standards of this Chapter, the Subdivision and Land Development Ordinance of North Lebanon Township [Chapter 22].

G. Traffic generated by the facility shall not exceed normal residential levels and all points of ingress and egress shall be at safe and permissible locations.

H. All parking shall be off-street and the facility shall have two (2) off-street parking spaces for the facility and one (1) additional off-street parking space for each residential vehicle and each employee vehicle and such other additional off-street parking spaces as may be needed to handle the off-street parking needs of the facility’s use.

I. The operator of the facility shall provide to North Lebanon Township a floor plan of the facility describing the uses of the rooms within.

[Ord. 1-1997]

§603. Lot. Building Height and Yard Requirements. A lot area, lot width, lot coverage, yard depths and building height satisfying the requirements of the following table, unless otherwise specified heretofore in §602, shall be provided for every dwelling unit and/or principal nonresidential building or use hereafter erected, altered or established in this district.
### Lot Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Min. Lot Area (acres)</th>
<th>Min. Lot Width (feet)</th>
<th>Front (feet)</th>
<th>Yard Requirements</th>
<th>One Side (feet)</th>
<th>Total Sides (feet)</th>
<th>Rear (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nonresidential building</strong></td>
<td>3 acres</td>
<td>250</td>
<td>75</td>
<td></td>
<td>50</td>
<td>100</td>
<td>75</td>
</tr>
<tr>
<td><strong>Municipal buildings and community facilities</strong></td>
<td>3 acres</td>
<td>250</td>
<td>50</td>
<td></td>
<td>20</td>
<td>40</td>
<td>25</td>
</tr>
<tr>
<td>Residential (no public utilities)</td>
<td>1 acre</td>
<td>150</td>
<td>40</td>
<td></td>
<td>15</td>
<td>30</td>
<td>35</td>
</tr>
<tr>
<td>(On-lot water and sewer)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached</td>
<td>15,000</td>
<td>110</td>
<td>30</td>
<td>15</td>
<td>30</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Residential (public water or sewer)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached</td>
<td>9,000</td>
<td>85/lot</td>
<td>30</td>
<td>10</td>
<td>20</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Residential (public water and sewer)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family detached</td>
<td>8,000</td>
<td>80/lot</td>
<td>30</td>
<td>101</td>
<td>201</td>
<td>30</td>
<td></td>
</tr>
</tbody>
</table>

- 314 - Page Revised 5/25/96
### Lot Requirements

<table>
<thead>
<tr>
<th>Use</th>
<th>Min. Lot Area (square feet)</th>
<th>Min. Lot Width (feet)</th>
<th>Front Yard (feet)</th>
<th>One Side Yard (feet)</th>
<th>Total Sides Yard (feet)</th>
<th>Rear Yard (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-family detached per unit</td>
<td>4,500</td>
<td>80/lot</td>
<td>30</td>
<td>10</td>
<td>20</td>
<td>30</td>
</tr>
<tr>
<td>Two-family semi-detached unit</td>
<td>3,250</td>
<td>60/lot</td>
<td>30</td>
<td>101</td>
<td>20'</td>
<td></td>
</tr>
</tbody>
</table>

Townhouse (See Section 602.3.)

Garden (See Section 602.4.)

'Yard requirements apply to unattached sides of buildings

2. No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height unless authorized by a special exception.

3. Lot coverage requirements shall be as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential building</td>
<td>30%</td>
</tr>
<tr>
<td>Municipal buildings and community facilities</td>
<td>25%</td>
</tr>
<tr>
<td>Residential building</td>
<td>40%</td>
</tr>
</tbody>
</table>

(Ord. 6-4-84, 6/4/1984, §9.03; as amended by Ord. 1-1995, 5/1/1995, §II; and by Ord. 2-1995, 12/18/1995, §VIII)

§604. Supplemental Townhouse and Garden Apartment Standards. The following design criteria shall apply as additional requirements for townhouse and garden apartment development:

A. The developer should vary architectural treatments within apartment projects, individual apartments and between dwelling units in a townhouse development. Variations may include those of exterior elevation, building setbacks, provisions of balconies, architectural details, pitch of roof, exterior materials or use of color.

B. Variety and flexibility in design layout and arrangement of buildings, parking areas, services, recreation areas, common open space and plantings that fully consider the particular physical characteristics of site and natural amenities is highly desired.
C. Screen plantings shall be provided where multiple dwelling unit land developments abut any nonresidential use or where such developments abut any single-family residential or other zoning district. Screen plantings shall be designed, located and maintained in accordance with the requirements of Part 12 of this chapter.

D. All utility lines within a townhouse or garden apartment development shall be placed underground.

E. All open space, green areas, patios, courts and buffer yards shall be landscaped and maintained to insure the safety, privacy and comfort of townhouse and garden apartment residents.

F. Exterior storage areas for trash and rubbish shall be well screened on three (3) sides and contained in covered, verminproof containers.

(Ord. 6-4-84, 6/4/1984, §9.04)

§605. Minimum Off-Street Parking Requirements. In addition to the requirements listed in Part 6, the off-street parking regulations of Part 14 shall apply where applicable to the uses permitted in this district. (Ord. 6-4-84, 6/4/1984, §9.05)

§606. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this chapter. (Ord. 6-4-84, 6/4/1984, §9.06)

§607. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §9.07)

§608. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §9.08)
C-1, Neighborhood Commercial Districts

§701. Intent. The regulations of this district are designed to encourage certain limited commercial activity at locations near residential neighborhoods which are not readily accessible to other commercially zoned areas. The uses permitted are intended to satisfy limited shopping and/or service needs and are not oriented toward high traffic volume nor the full range of commercial activity which is provided for in other districts. (Ord. 6-4-84, 6/4/1984, §10.01)

§702. Permitted Uses.
1. Stores and shops for all types of retail trade not otherwise prohibited by law not including gasoline stations, repair garages or automobile body shops.
2. Personal services shops such as beauty shops, barbers, dry cleaners, tailors, etc.
3. Multiple commercial use complex or shopping center subject to the conditions of §802B.
5. Restaurants, but not of the drive-in, drive through or fast food categories as defined in Part 1.
6. Offices and workshops of plumbers, electricians, cabinetmakers, etc.
7. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this Chapter.

A. Gasoline stations and repair garages subject to the conditions as found in §802(16).

(Ord. 6-4-84, 6/4/1984, §10.02)

§703. Lot Area, Building Height and Yard Requirements. A lot area, lot width, lot coverage, lot depth, and building height satisfying the requirements of the following table shall be provided for every principal building hereafter erected, altered or added to in this district.

<table>
<thead>
<tr>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Min. Lot Max. Lot</td>
<td>Min. Lot Width Coverage</td>
</tr>
<tr>
<td>1 acre 150’ 50%</td>
<td>50’ 20’ 40’ 50’</td>
</tr>
</tbody>
</table>

A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty feet (50’).

B. No building shall exceed two and one-half (2½) stories or
thirty-five feet (35') in height unless authorized as a Special Exception by the Zoning Hearing Board.

(Ord. 6-4-84, 6/4/1984, §10.03)

§704. Minimum Off-Street Parking and Loading Requirements. Off-street parking and loading shall be provided in accordance with Part 14 of this Chapter. (Ord. 6-4-84, 6/4/1984, §10.04)

§705. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §10.05)

§706. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §10.06)

§707. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §10.07)
Part 8
C-2, General Commercial Districts

§801. Intent. The regulations of this district are designed to accommodate commercial activity within the Township. Since these enterprises are for the most part dependent on traffic generated by a major thoroughfare, these uses are grouped together to facilitate shopping via automobile. The requirements contained in this Part are designed to promote safe and expedient conveyance of the resulting high traffic volumes. (Ord. 6-4-84, 6/4/1984, §11.01)

§802. Permitted Uses.

1. Stores for the retailing of all consumer goods not otherwise prohibited by law.

2. Multiple commercial use complexes and shopping centers provided that the following conditions are met:
   A. The multiple commercial use complex or shopping center shall consist of a group of two (2) or more commercial uses, planned, designed, and constructed as one (1) principal structure. Each commercial establishment within the complex shall share at least one (1) party wall with another establishment.
   B. The minimum lot size shall be determined by the total gross floor area of the principal structure, according to the following table:

<table>
<thead>
<tr>
<th>TOTAL GROSS FLOOR AREA</th>
<th>MINIMUM LOT AREA REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20,000 sq. ft.</td>
<td>1 acre</td>
</tr>
<tr>
<td>20,001 - 40,000 sq. ft.</td>
<td>2 acres</td>
</tr>
<tr>
<td>Greater than 40,000 sq.</td>
<td>2 acres plus 1 acre for each 15,000 sq. ft. or fraction thereof in excess of the initial 40,000 sq. ft. of floor area.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
   C. Such use shall comply in all respects with the lot width, lot coverage, yard and building height requirements of §804 of this Part.

3. Personal service shops including barber shops, beauty parlors, tailors, shoe repair, dry cleaning, laundromats, etc.


5. Banks, savings and loan associations, finance agencies, and other offices providing business or professional services.

6. Messenger, dispatch, express, and courier services.

7. Taxi and bus passenger stations, and transfer trucking facilities.

8. Mortuary and undertaking establishments.

Page Corrected 5/12/1998 - 317 -
9. Indoor amusement enterprises such as arenas, bowling alleys, dance halls, and other recreation or entertainment establishments.

10. Drive-in movie theaters.

11. Restaurant facilities of all types, including drive-in, drive through or fast food, tea rooms, cafes, and other places serving food or beverages, including private, membership, or social clubs and beverage distribution centers.

12. Printing and publishing firms.

13. Shops for contractors, plumbers, heating, painting, and upholstering specialists.


15. Automobile dealers and automobile washes.

16. Gasoline stations and repair garages subject to the following regulations:

   A. No repair work shall be performed out-of-doors.
   
   B. All automotive parts, dismantled and derelict vehicles, and similar articles shall be stored only within an enclosed building.
   
   C. All gasoline and petroleum pumps shall be located outside of buildings, no less than thirty-five feet (35') from any right-of-way line or property line.
   
   D. All fuel, oil, or similar combustible petroleum product storage tanks shall be located underground at least thirty-five feet (35') from any road right-of-way line or lot line.
   
   E. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to §1318 of this Chapter.

17. All other uses which in the opinion of the Zoning Administrator are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Administrator to make a ruling, the Zoning Hearing Board may make a determination as authorized in §204(5) of this Chapter.

18. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this Chapter.

   A. Automobile body shops provided that the following conditions are met:

      (1) All work shall be conducted indoors.
      
      (2) Paint booths shall be adequately filtered and vented to minimize exhaust of noxious fumes.
      
      (3) Flammable and/or combustible materials shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty feet (50') from any lot line.
(4) Outdoor storage of auto parts or equipment shall not be permitted at any time.

B. Lumber, coal and fuel distribution yards provided the following conditions are met:

(1) All principal and accessory buildings, storage areas, scales, distribution areas, and parking facilities shall be a minimum of one hundred feet (100') from any lot line or road right-of-way line.

(2) Fuel storage tanks shall be placed underground at least fifty feet (50') from any lot line or road right-of-way line or above ground at least one hundred feet (100') from any lot line or road right-of-way line.

(Ord. 6-4-84, 6/4/1984, §11.02)

§803. Performance Required. All of the above listed uses must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole. Should the Zoning Administrator feel there is any possibility of the above mentioned dangers, the applicant must prove the contrary to the Zoning Hearing Board as an Administrative Review procedure before a permit is issued. (Ord. 6-4-84, 6/4/1984, §11.03)

§804. Lot Area, Building Height and Yard Requirements. A lot area, lot width, lot coverage, yard depth, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in 802 and 805, shall be provided for every dwelling unit and/or principal non-residential building or use hereafter erected, altered, or established in this district.

District Requirements

<table>
<thead>
<tr>
<th>Min. Lot Area</th>
<th>Min. Lot Width</th>
<th>Max. Lot Coverage</th>
<th>Max. Lot Front</th>
<th>Min. One Total</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 acre</td>
<td>200'</td>
<td>50'</td>
<td>60'</td>
<td>30'</td>
<td>60'</td>
</tr>
</tbody>
</table>

A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty feet (50').

B. No building shall exceed two and one-half (2½) stories or thirty-five feet (35') in height unless authorized as a Special Exception by the Zoning Hearing Board. (Ord. 6-4-84, 6/4/1984, §11.04)

§805. Minimum Off-Street Parking and Loading Requirements. Off-street parking and loading shall be provided in accordance with Part 14 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.05)
§806. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.06)

§807. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.07)

§808. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.08)
Part 9

MR-1, Municipal Recreation Districts

§901. Intent. The regulations of this district are designed to protect certain areas of the Township which are in use for the benefit of the general public, and which may or may not be publicly owned, but are characterized by their value for recreation, education, history, or culture. The separation of these areas from other districts is intended to insure that the lands and improvements thereon are maintained as a valuable resource for the citizenry as a whole. (Ord. 6-4-84, 6/4/1984, §12.01)

§902. Permitted Uses.

1. Buildings and structures used for public recreation, including but not limited to picnic pavilions, playground facilities, camping areas, boat docks, etc.

2. Buildings and structures of historic value, or buildings which are designed to house or display objects of educational or historic value.

3. Amphitheaters, playhouses, bandshells.

4. Public swimming pools provided that:
   A. No swimming pool is constructed within one hundred feet (100') of any property line or street line.
   B. The pool is completely enclosed by a continuous and impenetrable fence no less than six feet (6') in height and is provided with a lockable gate.

5. Public and/or privately owned nursery schools, kindergartens, elementary schools, middle schools, junior high schools, high schools, technical schools and vo-tech schools. [Ord. 3-1997]


(Ord. 6-4-84, 6/4/1984, §12.02; as amended by Ord. 3-1997, 7/7/1997, §1)

§903. Performance Required. Each use or building hereafter established, erected, or altered in this district shall be required to be compatible with the existing uses of the nearest district in that it shall cause no excessive noise, fumes, odor, dust, electrical interference, or unnecessarily high traffic volumes. (Ord. 6-4-84, 6/4/1984, §12.03)

§904. Minimum Yard Requirements. No building may be erected or altered for a use permitted in this district at a distance less than fifty feet (50') from any property or street line. (Ord. 6-4-84, 6/4/1984, §12.04)

§905. Additional Requirements. The construction or development of any buildings, structures, or uses in this district shall comply where applicable to the requirements of Part 13, Environmental Improvements and Energy Conservation Requirements. (Ord. 6-4-84, 6/4/1984, §12.05)
Part 10

I-1 Industrial Districts

§1001. Intent. These districts are designed to accommodate and promote wholesale activities, warehousing and industrial operations dependent on existing land uses, physical conditions and the availability of nearby municipal utilities and transport facilities. The district accommodates extensive industrial activities in these areas so as to minimize any detrimental effects that they might have on other uses in the township and at the same time provide an industrial zone free of encroachment from other activities. (Ord. 6-4-84, 6/4/1984, §13.01)

§1002. Permitted Uses.

1. Any uses not otherwise prohibited by law of a manufacturing, fabricating, processing, compounding or treatment nature which, in the opinion of the Zoning Administrator, would be nonobjectionable in terms of smoke or dust emission, odors, noise or glare, and will not otherwise be injurious to the public health, safety and welfare and will not have an adverse effect on adjacent areas. Should the Zoning Administrator feel that there is any likelihood of the aforementioned dangers or nuisances, the applicant shall prove the contrary to the Zoning Hearing Board in an Administrative Review before a permit is issued. In such case, the Township Planning Commission shall be notified of the hearing in order to provide the Zoning Hearing Board with a recommendation.

2. Warehousing and wholesaling establishments and storage yards, not including junk yards.

3. Railroad, trucking, busing and other transit facilities including storage, repair and transfer operations.

4. Automobile body shops, repair garages and gasoline stations provided that the following, conditions are met:

A. All gasoline or other fuel pumps shall be located outside of buildings, no less than thirty-five (35) feet from any road right-of-way line or lot line.

B. All fuel, oil or other combustible product storage tanks shall be located underground at least thirty-five (35) feet from any road right-of-way line or lot line.
C. No mechanical or auto body repair work shall be performed out-of-doors.

D. All automotive parts, dismantled and derelict vehicles, and similar articles or parts thereof shall be stored only within an enclosed building.

E. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to §1218 of this chapter.

F. Any structure housing an automobile body shop shall be a minimum of fifty (50) feet from any lot line when located adjacent to any residential district.

G. Flammable and/or combustible materials associated with the automobile body shop use shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty (50) feet from any lot line.

5. Customary accessory uses and buildings incidental to any of the above permitted uses.

6. Communication facilities requiring transmission antennas, radio or television stations, satellite earth stations and similar uses, provided that the following conditions are met:

A. All communication equipment, including antennas and their associated structures or supports, shall meet principal building/structure setbacks and maximum height limitations and shall not be located in required buffer areas.

B. All ground-mounted antennas shall be completely enclosed by a minimum six-foot high fence.

C. Antennas and their associated structures or supports shall be neutral in color and shall not contain or be a part of any form of advertising message or sign.

D. Ionizing and nonionizing electromagnetic radiation emitted from communications equipment associated with the above uses shall comply with all state and federal requirements governing such uses.

E. There shall be no outside storage of any materials other than vehicles. All materials must be in completely enclosed buildings.
7. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this chapter:

A. Automobile recycling and junk yards used for storage, wrecking and converting used or discarded materials provided that the following conditions are met:

1. Minimum lot area of ten (10) acres.

2. Such use shall be no closer than one hundred fifty (150) feet to any road right-of-way and no less than five hundred (500) feet from any use district other than industrial.

3. Such use shall be completely enclosed by an evergreen screen planting to be planted and maintained at a height of not less than eight (8) feet and backed by a solid fence not less than six (6) feet in height.

B. Air fields, strips or landing facilities and buildings accessory thereto provided that the following conditions are met:

1. Minimum lot area of ten (10) acres.

2. Applicant shall submit a plot plan of the lot indicating the runway and approach areas and existing residences located within a five hundred (500) foot radius of the runway.

3. Runway shall be no closer than one hundred (100) feet to any residential district, and no closer than fifty (50) feet to any property line or road right-of-way.

4. A description of equipment and facilities to be utilized, and a description of overall development plans for the lot shall be made available to the Zoning Hearing Board.

5. The airport approach area shall be defined as a three hundred (300) foot wide area lying within and below an inclined plan extending outward horizontally one thousand (1,000) feet at a ratio of one (1) foot of height for each twenty (20) feet from each end of the runway. No building, structure or airport hazard shall exceed one (1) foot in height, for each twenty (20) feet of length of an established airport runway, with no structure or airport
hazard to exceed thirty-five (35) feet in height anywhere within the lot.

(6) Any pulsating or intermittent lighting is prohibited.

(7) Floodlights, spotlights and other lighting devices shall be arranged or shielded so as to illuminate parallel to the ground and not in an upward direction.

(8) Any radio or electronic device shall be permitted only with approval and license by the Federal Communications Commission.

(9) All facilities of this nature shall conform and operate under the standards set by the FAA and the Pennsylvania Aeronautical Commission.

(10) The Zoning Hearing Board may impose other conditions as are appropriate to public safety and welfare, including hours of operation, frequency of use and a location in relation to existing residences.

C. Sandpits, gravel pits, removal of topsoil and the excavation, extraction or removal of any natural resource from the land or ground for any purpose, are permitted subject to the following conditions:

(1) Application for the special exception shall be accompanied by an approved Department of Environmental Resources permit authorizing said activities.

(2) The proposed operation shall not adversely affect soil fertility, drainage and lateral support of abutting land or other properties, nor shall it contribute to soil erosion by water or wind.

(3) Where any open excavation will have a depth of ten (10) feet or more and a slope of more than thirty percent (30%), there shall be an appropriate, protective fence with suitable gates where necessary, effectively blocking access to the area in which extraction is located. Such fence shall be located no less than fifty (50) feet from the edge of the excavation. All operations shall be screened from nearby residential uses as required by the Zoning Hearing Board.
(4) That portion of access roads located within one hundred (100) feet of any lot in residential use or lot zoned residentially shall be provided with a dustless surface. Access roads shall connect to collector or major road networks avoiding undue movement through residential areas.

(5) At all stages or operations, proper drainage shall be provided to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.

(6) A site plan for rehabilitation, showing both existing and proposed final contours, shall be submitted. After any such operations, the site shall be made reusable for a use permitted in the Zoning District. Where topsoil is removed, sufficient arable soil shall be set aside for retention on the premises and shall be respread over the premises after the operation is terminated. Except where lakes are created and retained, the area shall be brought to final grade by a layer of earth at least two (2) feet deep or to original thickness, whichever is less, and capable of supporting vegetation. Fill shall be of an acceptable material.

8. Upon approval by the Board of Supervisors of North Lebanon Township, multiple storage rental units shall be a permitted use; provided, that the applicant meets all conditions as required by the Board of Supervisors. [Ord. 2-1993]


§1003. Lot and Yard Requirements. A lot area, lot width, lot coverage, yard depths and building height satisfying the requirements of the following list, unless otherwise specified heretofore in this Section or 1002, shall be provided for every principal building or use hereafter erected, altered, erected, established in this district.

A. Lot Area, Lot Width and Coverage Requirements.

(1) Minimum lot area: two (2) acres.

(2) Minimum lot width: two hundred (200) feet.

(3) Maximum lot coverage – fifty percent (50%).

B. Yard Regulations. For every principal or accessory building or use in the Industrial District, the minimum yard regulations shall be as follows:

(1) Required front yards, measured from the road right-of-way line (lot line) to the building, are as follows:

(a) A depth of not less than one hundred (100) feet along any road right-of-way.

(b) A depth of one hundred fifty (150) feet if said front yard is across the street from a residential district.
(2) Required side yards, measured from the lot line to the building line, are as follows:

(a) Not less than twenty (20) feet on each side of the building.

(b) No building or structure shall be located less than one hundred fifty (150) feet from any residentially zoned district.

(3) Rear yards of not less than thirty (30) feet shall be provided, except that no building or structure shall be located less than one hundred fifty (150) feet from any residentially zoned district.

(4) All yards shall be appropriately landscaped and well maintained in accordance with Part 13 of this chapter.

C. Height Regulations. The height of any principal or accessory building shall not exceed seventy-five (75) feet, except that chimneys, flagpoles, towers, water tanks and other mechanical appurtenances may be built to a height not to exceed one hundred twenty-five (125) feet above the finished grade when erected upon or as an integral part of the building.

(Ord. 6-4-84, 6/4/1984, §13.03)

§1004. Minimum Off-Street Parking and Loading Requirements. Off-street parking and loading shall be provided in accordance with the requirements of Part 14 of this chapter. (Ord. 6-4-84, 6/4/1984, §13.04)

§1005. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this chapter. (Ord. 6-4-84, 6/4/1984, §13.05)

§1006. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §13.06)

§1007. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §13.07)
Part 11

Flood Plain Districts
F-1, F-2, and F-3

§1101. Intent. These provisions are intended to prevent the creation of health and safety hazards, the needless loss of life or property from possible natural catastrophe and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. Additionally, these regulations are designed to prohibit or restrict construction of any mobile home, permanent building or structure, or uses and activities in any flood plain district in order to minimize future flood damage as well as to protect stream valleys from ecologically detrimental development that may contribute to a water pollution problem, create erosion in and around water courses and induce flooding conditions. (Ord. 6-4-84, 6/4/1984, §14.01)

§1102. Definition of Terms Utilized in Flood Plain Districts.

ALLUVIAL SOILS MAP - soils maps prepared by the United States Department of Agriculture, Soil Conservation Service which indicate the location of soil types. Alluvial soils on these maps are soils of flood plains that are sediment deposits washed from upland areas. The presence of an alluvial soil indicates that the land has been flooded at some previous point in time.

CONSTRUCTION - The term "construction" shall include the building, reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure, including mobile homes. For flood plain purposes, "construction" includes for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by the municipality.

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.

FLOOD - A temporary inundation of water on normally dry land areas.

FLOOD FRINGE (F-3) - The portion of the one hundred (100) year flood plain located outside the floodway and for which flood elevations have been determined.

FLOOD PLAIN - (1) A relatively flat or low land 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 or runoff of surface water from any source.

FLOOD PLAIN DISTRICTS - The zoning districts that establish the bounds of the one hundred (100) year flood plain as identified by the Federal Insurance Administrator so that necessary flood plain management control measures can be instituted in flood plain areas. These districts include the Approximated Flood Plain (F-1), Floodway (F-2), and Flood Fringe (F-3) Districts.

FLOODWAY (F-2) - 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 foot (1') at any given point. The detailed study of the Regulatory Flood provides specific flood profiles and allows for the delineation of both floodway and flood fringe areas within the bounds of the flood plain.

APPROXIMATED FLOOD PLAIN DISTRICTS (F-1) - "The Approximated Flood Plain District" shall be that flood plain area for which no specific flood profiles have been provided. Where the specific one hundred (100) year flood elevation cannot be determined for this area using other sources of data such as the U.S. Army Corps of Engineers, Flood Plain Information Reports, U.S. Geological Survey Flood Prone Quadrangles, etc., the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Consideration shall be given to the methods specified by the U.S. Water Resource Council's Technical Bulletin No. 17. This elevation information shall be subject to review by the municipality and other agencies that it shall designate such as the Corps of Engineers, the Department of Environmental Resources, a river Basin Commission, etc.

ONE HUNDRED (100) YEAR FLOOD (REGULATORY FLOOD) - A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).

ONE HUNDRED (100) YEAR FLOOD PLAIN - (1) the relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation on the average of once every one hundred (100) years; (2) an area subject to the unusual and rapid accumulation or runoff of surface water from any source on the average of once every one hundred (100) years.

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 purposes of this Chapter, the one hundred (100) year flood, as defined by the Federal Insurance Administrator.

REGULATORY FLOOD ELEVATION - The one hundred (100) year flood elevation based upon the information contained in the Official Flood Insurance Study.

START OF CONSTRUCTION - the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home
subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within the mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

SUBSTANTIAL IMPROVEMENT - Any reconstruction, alteration, or improvement (not including general maintenance or repair) of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this Chapter, substantial improvement is considered to have occurred when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

TOXIC MATERIALS - The following materials and substances which are listed in Section 38.7 of the Department of Community Affairs Flood Plain Management Regulations adopted pursuant to the Pennsylvania Flood Plain Management Act (Act 1978-166) have been determined to be dangerous to human life:

1. Acetone
2. Ammonia
3. Benzene
4. Calcium carbide
5. Carbon disulfide
6. Celluloid
7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides or nitrogen
12. Petroleum products (gasoline, fuel oil, etc.)
13. Phosphorus
14. Potassium
15. Pesticides, (including insecticides, fungicides, and rodenticides)
16. Sodium
17. Sulphur and sulphur products
18. Radioactive substances, insofar as such substances are not otherwise regulated.

(Ord. 6-4-84, 6/4/1984, §14.02)

§1103. Delineation of Districts. The flood plain districts shall include all areas subject to inundation by flood waters of the Regulatory
Flood. The basis for the delineation of the three (3) flood plain districts (Approximated Flood Plain, Floodway, and Flood Fringe Districts) shall be the Flood Boundary/Floodway Map (dated September 29, 1981) and the Official Flood Insurance Study prepared by the Flood Insurance Administrator.

Three (3) separate districts are necessary to equitably enforce flood plain management controls in the flood plain districts. The Approximated Flood Plain District (F-1) shall include all areas of the municipality subject to inundation by flood waters of the Regulatory Flood for which no specific flood profiles have been provided. The actual elevation and extent of the district is to be determined by the Regulatory Flood Elevation. In order to determine the Regulatory Flood Elevation, the following variety of sources of data shall be used.

A. Alluvial Soil Maps prepared by the U.S. Soil Conservation Service

B. Local data from the 1972 flood

C. Army Corps of Engineers - Flood Plain Information Reports

D. U.S. Geological Survey - Flood Prone Quadrangles

E. Other available sources of Flood Plain Information

In lieu of the previously mentioned, the municipality shall require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analysis shall be undertaken only by professional engineers or others of demonstrated qualifications who shall certify that the technical methods used currently reflect currently accepted technical concepts. Studies, analysis, computations, etc., shall be submitted to sufficient detail to allow a thorough technical review by the municipality or a qualified agent thereof. The Floodway District (F-2), where flood heights and velocities are greatest, must have more restrictive provisions to prevent encroaching developing from elevating flood levels or creating more danger to life or destruction of property. It has been delineated for purposes of this Chapter using criteria that a certain area within the flood plain must be capable of carrying the water of the one hundred (100) year flood without increasing the water surface elevation of that flood more than one foot (1') at any point. The areas included in this district are specifically defined in the Flood Insurance Study and shown on the accompanying Flood Boundary/Floodway Map. In the Flood Fringe District (F-3) where the dangers of flooding are generally of a lesser degree, more types of development may occur, but with necessary restrictions. In a detailed study area, the Flood Fringe District shall be that area of the one hundred (100) year flood plain not included in the Floodway District. The basis for the outermost boundary of this district shall be the one hundred (100) year flood elevations contained in the flood profiles of the previously referenced Flood Insurance Study, and as shown on the accompanying maps.

The delineation of the Flood Plain, Approximated Flood Plain, Floodway, and Flood Fringe Districts may be revised by the municipal governing body where natural or man-made changes have occurred and/or more detailed studies have been conducted or undertaken by the U.S. Army Corps Engineers, River Basin Commission, or other qualified agencies or individuals. However, prior to when the district bounds are to be changed, approval
shall be obtained from the Federal Insurance Administrator.

Initial interpretations of the boundaries of the Flood Plain Districts shall be made by the Zoning Administrator. Where interpretation is needed concerning the exact location of any boundary of the Flood Plain districts, the Zoning Hearing Board shall make the necessary determination after hearing all evidence presented by the person or persons contesting the location of district boundaries. The burden of proof shall be the responsibility of the appellant, and he shall provide any and all technical information to support his case.

(Ord. 6-4-84, 6/4/1984, §14.03)

§1104. District Provisions. All uses, activities, and development occurring within the Approximated Flood Plain, Floodway, or Flood Fringe Districts shall be undertaken only in strict compliance with the provisions of this Chapter and with all other applicable codes and ordinances such as the Lebanon County Floodproofing Building Code and the Land Subdivision Regulations of North Lebanon Township.

Under no circumstances shall any use, activity and/or development adversely affect the capacity of the stream channels or floodways of any watercourse, drainage ditch or any other drainage facility or system.

No structure, including mobile homes, or land shall hereinafter be used and no structures, including mobile homes, shall be located, relocated, constructed, reconstructed, enlarged, structurally altered or substantially improved except in full compliance with the terms and provisions of this Chapter and any other applicable ordinance and regulations which apply to uses within the jurisdiction of this Chapter.

All permitted uses shall be regulated by the provisions of the nearest zoning district. Where there happen to be conflicts between the provisions or requirements of the Approximated Flood Plain, Floodway, or Flood Fringe Districts and the nearest zoning district, the more restrictive provisions shall apply. In the event that any portion of the flood plain districts be declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the nearest zoning district shall be deemed to be the district in which the flood plain districts are located.

A. Approximated Flood Plain (F-1) and Floodway (F-2) Districts -

In the Approximated Flood Plain and Floodway Districts no development, including mobile homes, shall be permitted except where the effect of such development on flood heights is fully offset by accompanying improvements which have been approved by all applicable local and/or State authorities.

Permitted Uses - In the Approximated Flood Plain and Floodway Districts, the following uses and activities are permitted provided that they are in compliance with the provisions of the nearest zoning district, will not result in any increase on the level of the Regulatory Flood anywhere, are not prohibited by this or any other ordinance, and provided that they do not require structures, mobile homes, fill, vehicles, or parts thereof, storage of materials and equipment, substantial improvements or other development:

1. Agricultural uses such as general farming, horticulture, truck gardening, nurseries, pasturing, grazing, forestry, and sod farming and wild crop harvesting.
2. Public or private recreational uses and activities such as parks; picnic grounds; areas for short term camping; golf courses, boat launching and swimming areas, hiking, bicycling, and horseback riding trails; wildlife and nature preserves; game farms; fish hatcheries; shooting ranges; and hunting and fishing areas. Open structures such as picnic pavilions, consisting of a slab, open structural supports such as posts and pillars, and a roof shall be permitted only if constructed in compliance with the Lebanon County Floodproofing Building Code.

3. All uses customarily accessory to permitted uses in the nearest adjoining district such as yard areas, gardens, or play areas; unroofed porches, patios, open porches or carports provided that said structures are not enclosed by screening, latticing, studs, or structural supports less than eight feet (8') apart which would in any manner restrict the flow of flood water and debris; impervious parking and loading areas; and airport landing strips.

4. The following uses and activities are permitted as Special Exceptions upon approval of the Zoning Hearing Board, provided that they are in compliance with the provisions of the nearest zoning district, the provisions of the Lebanon County Floodproofing Building Code, will not raise the level of the Regulatory Flood at all and are not prohibited by any other ordinances:

   (a) Structures accessory to the uses and activities in Section A above, shall not be construed to include mobile homes, vehicles or parts thereof.

   (b) Utilities, public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants, and other similar or related uses.

   (c) Water-related uses and activities such as marinas, docks, wharves, piers, etc.

   (d) Extraction of sand, gravel, and other materials.

   (e) Storage of materials and equipment provided that they are not buoyant; toxic to humans, animals, or vegetation; flammable or explosive, and are not subject to major damage by flooding; or provided that such material and equipment is firmly anchored to prevent flotation or movement; and/or can be readily removed from the area within the time available after flood warning.

   (f) Other similar uses and activities provided they cause no increase in flood height and/or velocities. All uses, activities, and structural development shall be undertaken in strict compliance with the floodproofing provisions contained in the Lebanon County Floodproofing Building code and all other applicable codes and ordinances.

B. Flood Fringe District (F-3) - In the Flood Fringe District the development and/or use of land shall be permitted in accordance with the regulations of the nearest zoning district provided that all uses, activities and/or development shall be undertaken in strict compliance with the Lebanon County Floodproofing Building Code and any other applicable codes.
and ordinances.

C. Prohibited Uses - In the Floodway (F-2), Flood Fringe (F-3), and Approximated Flood Plain Districts (F-1) the following uses and activities are strictly prohibited:

1. Hospitals, sanitariums, sanitoriums, clinics, etc. whether public or private.
2. Public or private nursing homes.
3. Jails or prisons.
4. Public or private schools or institutions of higher education.
5. New mobile home parks and mobile home subdivisions and substantial improvements to existing mobile home parks.
6. A new or substantially improved structure which will be used for the production or storage of any materials which are toxic, flammable or explosive or which will be used for any activity requiring the maintenance of a supply of more than five hundred fifty (550) gallons of such materials or any amount of radioactive substances.
7. Any other use, activity, or development not specifically permitted under terms of this Part.

(Ord. 6-4-84, 6/4/1984, §14.04)

§1105. Additional Safeguards.

1. No part of any private on-lot sewage disposal system shall be constructed within the flood plain districts.
2. Community water supply systems and sanitary sewage systems shall be designed and located to preclude infiltration of flood water into the system and discharges from the system into flood waters.
3. The municipality will endeavor to coordinate its flood plain management program with neighboring municipalities, particularly when the property(ies) in question is located near a municipal boundary.
4. Use of fill is prohibited within the Approximated Flood Plain and Floodway Districts, unless the property owner or applicant provides a document acceptable by the Zoning Administrator, certified by a registered professional engineer, stating that the cumulative effect of the proposed fill, in conjunction with other anticipated development, will not result in an increase in the water surface elevation of the regulatory flood at any point. Use of fill in the Flood Fringe District is permitted only when in compliance with the Lebanon County Floodproofing Building Code and any other applicable ordinances.
5. Prior to any stream or watercourse alteration or relocation, a permit shall be obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management. Also adjacent communities, the Department of Community Affairs, and the Flood Insurance Administrator must be notified. Additionally, the municipality must be assured that the flood carrying capacity of an altered or relocated watercourse is maintained.
6. The placement or replacement of any mobile homes in the Floodway (F-2) or Approximated Flood Plain (F-1) Districts is prohibited, except as replacement units in existing mobile home parks and existing mobile home subdivisions. Said replacement units shall comply with the Special Anchoring requirements of Section 1.5 of the Lebanon County Floodproofing Building Code.

(Ord. 6-4-84, 6/4/1984, §14.05)

§1106. Factors to be Considered by the Zoning Hearing Board When Reviewing Special Exceptions and Variances. In reviewing applications for Special Exceptions and Variances, the Zoning Hearing Board shall consider and shall apply all relevant factors specified in this Chapter, in the Pennsylvania Municipalities Planning Code (Act 247, as amended), and other ordinances and shall apply all of the following factors:

A. The danger of life and property due to increased flood heights or velocities caused by encroachments.

B. The danger that materials may be swept onto other lands or downstream to the injury of others.

C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

D. The susceptibility of the proposed structure or use and its contents to flood damage and the effect of such damage on the individual owners.

E. The importance of the services provided by the proposed facility to the community.

F. The requirements of the facility for a waterfront location.

G. The availability of alternative locations not subject to flooding for the proposed use.

H. The compatibility of the proposed use or structure with existing development and development anticipated in the foreseeable future.

I. The relationship of the proposed use or structure to the Comprehensive Plan and flood plain management programs of the area.

J. The safety of access to the property in times of flood by ordinary and emergency vehicles.

K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood water expected at the site.

L. Variances may be granted for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places where appropriate.

M. No variance shall be granted to allow either in whole or in part any prohibited use listed in §1104 of this Chapter.

N. The granting of a variance shall provide relief only from the specific term(s) of the flood plain regulations requested, not exemption from all flood plain regulations or any applicable insurance premiums.

O. Variances shall not be given in the floodway that result in any
increase in flood levels during the one hundred (100) year flood.

P. Variances shall be granted only when and where the applicant demonstrates compliance with the provisions of the Pennsylvania Municipalities Planning Code (Act 247 as amended).

Q. Variances shall be granted only when they are shown to be the minimum relief necessary, considering the flood hazard.

R. When variances are granted, written notification, signed by the appropriate local official, shall be given to the applicant indicating that:

1. Increased insurance premium rates will result, and

2. Construction occurring below the one hundred (100) year flood level will increase risks to life and property.

S. Other factors which are relevant to the purpose of this Chapter.

(Ord. 6-4-84, 6/4/1984, §14.06)

§1107. Nonconformities. A structure, or use of a structure or land which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions may be continued subject to the following:

A. Existing nonconforming structures or uses located in the Floodway (F-2) or Approximated Flood Plain (F-1) Districts:

1. Shall not be moved, replaced or substantially improved, but may be modified, altered, or repaired to incorporate floodproofing measures as per the Lebanon County Floodproofing Building Code, provided that such measures and elevation techniques do not raise the level of the Regulatory Flood.

2. May be expanded or enlarged, but not substantially improved, provided that said expansion or enlargement (a) does not exceed twenty-five percent (25%) of the area of the first floor of the structure existing at the time of adoption of this Chapter, (b) is not constructed below the existing first floor elevation, and (c) complies with all applicable floodproofing requirements of the Lebanon County Floodproofing Building Code. Plans for the above mentioned expansion or enlargement shall be accompanied by a side profile of the existing and proposed structures and shall indicate existing grade, floor elevations, use of fill, etc.

B. Existing nonconforming structures or uses located in the Flood Fringe (F-3) District:

1. May be substantially improved, moved, replaced, modified, altered, or repaired provided that such work is conducted in full compliance with the provisions of this Chapter, the Lebanon County Floodproofing Building Code, and any other applicable codes or ordinances.

2. May be enlarged or expanded in a manner which is not a substantial improvement as defined by this Chapter, and provided that said enlargement or expansion complies with the above requirements (a), (b), (c) or §1107 - A2.
C. If any nonconforming structure or use, including mobile homes, located in the flood plain districts is demolished, removed, or destroyed by any means, including floods, to an extent of fifty percent (50%) or more of the market value of the structure, it shall not be reconstructed, replaced, or continued except in conformity with the provisions of this Chapter, the Lebanon County Floodproofing Building Code, and any other applicable ordinance.  
(Ord. 6-4-84, 6/4/1984, §14.07)

§1108. Lot Area, Yard and Sign Requirements. The lot area, yard, sign and other district requirements of the land in question shall be the same as the district requirements of the nearest zoning district. (Ord. 6-4-84, 6/4/1984, §14.08)

§1109. Additional Administrative Requirements.

1. To insure that all construction and development within identified flood plain areas will be conducted employing flood damage controls, the Zoning Administrator shall require the following specific information to be included as part of an application for a permit:

   A. A plan which accurately locates the proposed construction and/or development with respect to the flood plain area boundaries, stream channel, existing flood plain development and all proposed subdivision and land development to assure that:

      (1) All such proposals are consistent with the need to minimize flood damage; and

      (2) All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and

      (3) Adequate drainage is provided to reduce exposure to flood hazard.

   B. Such plan shall also include existing and proposed contours and elevations of the grounds, regulatory flood elevations, structure elevation, lowest flood elevation, size of structure, location and elevations of streets, water supply, sanitary sewage facilities, soil types and floodproofing measures.

   C. A document certified by a registered professional engineer or architect that adequate precautions against flood damage have been taken with respect to the design of any building or structure, and that the plans for the development of the site adhere to the restrictions cited in this Chapter, the Lebanon County Floodproofing Building Code, and other applicable ordinances.

2. Review of Application by County Conservation District. A copy of all plans and application for construction and/or development in the identified flood plain areas to be considered for approval shall be submitted by the applicant to the County Conservation District for review and comment prior to the issuance of a building permit. The recommendations of the Conservation District shall be considered by the Zoning Administrator for possible incorporation into the proposed plan.

3. Review of Application by Others. A copy of all plans and
specifications for construction and/or development in the identified flood plain areas to be considered for approval may be submitted by the applicant at the discretion of the Zoning Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment prior to the issuance of a building permit.

4. A record of all variances granted, including their jurisdiction, shall be maintained by the community as well as reported in the annual report to the Flood Insurance Administrator.

(Ord. 6-4-84, 6/4/1984, §14.09)

§1110. Conflicting Ordinances. Ordinances or parts of ordinances in conflict with this Part, or inconsistent with the provisions of this Part are hereby repealed to the extent necessary to give the Flood Plain District full force and effect. (Ord. 6-4-84, 6/4/1984, §14.10)

§1111. Statement of Disclaimer. The degree of flood protection sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study; however, larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside the flood plain districts or that land uses permitted within such districts will be free from flooding or flood damages. This Chapter shall not create liability on the part of this municipality or any officer or employee thereof for any flood damage that results from reliance on this Chapter or any administrative decision made thereunder. (Ord. 6-4-84, 6/4/1984, §14.11)

§1112. Building Permits Required. Building permits shall be required before any proposed construction, substantial improvement, or development is undertaken within any identified flood prone area of the municipality. Prior to issuance of any building permit, the applicant shall submit to the Zoning Administrator copies of all other required State and Federal permits. (Ord. 6-4-84, 6/4/1984, §14.12)
Part 12

Supplementary District Regulations

§1201. Intent. The Supplementary District Regulations are designed to contain a list of complementary and general requirements which augment and clarify regulations listed elsewhere in this Chapter. Where applicable, these regulations shall apply uniformly to every use, activity, building or structure hereafter erected, altered, established or expanded. These regulations apply to all zoning districts and are listed comprehensively herein to avoid duplication and repetition throughout the remainder of this Chapter. (Ord. 6-4-84, 6/4/1984, §15.01)

§1202. Accessory Buildings and Structures. Any building or structure attached to a principal building in any manner shall comply in all respects with the yard requirements of this Chapter for a principal building. No detached building or structure shall be placed closer to the front yard setback than the principal structure. Accessory buildings located in the R-2 District shall not be permitted within five (5) feet of any side or rear lot line; in all other residential or commercial districts, accessory buildings shall not be less than ten (10) feet from a side or rear lot line. In all districts, where the entrance to a garage abuts a public alley, said garage entrance shall be no less than fifteen (15) feet from the right-of-way of such alley. (Ord. 6-4-84, 6/4/1984, §15.02; as amended by Ord. 2-1992, 4/20/1992, §VI)

§1203. Accessory Uses.

1. Private, non-commercial swimming pools which are designed to contain a water depth of twenty-four inches (24") or more, regardless of whether they are permanently affixed or movable, shall be located on the same lot or tract as the dwelling and shall be permitted neither in the required front yard nor closer to any street line than the dwelling. In all other yards, a pool shall not be closer than fifteen feet (15') to any lot line, as measured from the water's edge. All pools shall be completely enclosed with a continuous, impenetrable fence or barrier no less than four feet (4') in height above the ground level and shall be equipped with a lockable gate or retractable ladder. Any deck, patio, or impermeable surface, not under roof or otherwise enclosed, which surrounds, is attached to, or associated with a pool shall be no closer than ten feet (10') to the side or rear lot line.

2. Private tennis courts shall be permitted within side or rear yards provided that such facility shall not be less than fifteen feet (15') from side or rear lot lines.

3. Nothing in this section shall be construed to limit other uses not mentioned so long as they are clearly accessory to the principal permitted use of the land and do not create a threat to the public health, safety, and/or welfare of the community. (Ord. 6-4-84, 6/4/1984, §15.03)

§1204. Projections Into Yards. The following projections shall be attached to a building, may be permitted in required yards, and shall not be considered in the determination of yard size.
A. Patios, paved terraces, decks, or open, unroofed porches shall be permitted in all yards provided that such structures shall be no closer than five feet (5') to any lot line and not greater than five feet (5') above finished grade.

B. Projecting architectural features - bay windows, cornices, eaves, fireplaces, chimneys, window sills, or other architectural features, provided they do not extend more than five feet (5') into any required yard nor closer than three feet (3') to any adjacent property lines; however, any canopies, porte cocheres or other roofs that extend more than five feet (5') from the building line as defined in Part 1 of this Chapter, shall be subject to the yard requirements applied from the lot line to the edge of the roof.

C. Stairs, landings, and decks which are unroofed, provided that they are no closer than five feet (5') to any lot line. D. Open balconies or fire escapes provided such balconies or fire escapes are not supported on the ground and do not project more than five feet (5') into any required yard nor closer than three feet (3') to any adjacent property line.

(Ord. 6-4-84, 6/4/1984, 115.04)

§1205. Home Occupation Regulations. A home occupation as defined in Part 1 may be permitted in any district under the following conditions:

A. The proprietor of the home occupation shall reside on the premises and shall be the property owner or a member of the immediate family of the property owner. The home occupation shall be incidental to the use of the property as a residence, and there shall be no exterior evidence of the occupation nor change to the appearance of the dwelling to facilitate the operation of the occupation, other than one (1) small sign as provided in Part 15 of this Chapter.

B. The home occupation shall be conducted wholly within the dwelling and shall not occupy more than twenty-five percent (25%) of the habitable floor area nor more than seven hundred fifty (750) square feet. This area shall include all functions or activities of the home occupation.

C. The proprietor may employ not more than one (1) assistant who does not reside within the dwelling used for the home occupation.

D. In addition to the parking required for the residence, two (2) off-street parking spaces shall be provided for the home occupation plus one (1) additional space for any assistant. Off-street parking improvements shall comply with Part 14 of this Chapter.

E. Any home occupation or accessory function of a home occupation which may create objectionable noise, fumes, odor, dust, electrical interference, or substantially more than normal residential traffic shall be prohibited.

(Ord. 6-4-84, 6/4/1984, §15.05)

§1206. Visibility at Intersections. On a corner lot in any district a clear sight triangle shall be provided at all street intersections. Within such triangles, no vision obstructing objects (other than utility poles) shall be permitted which obscure vision above the height of thirty
inches (30") and below ten feet (10') as measured from the center line grade of intersecting streets. Such triangle shall be established from a distance of:

A. Seventy-five feet (75') from the point of intersection of the center lines of intersecting streets, except that,

B. Clear sight triangles of one hundred feet (100’) shall be provided for all intersections with arterial and major streets.

(Ord. 6-4-84, 6/4/1984, §15.06)

§1207. Fences, Walls, and Hedges. Unless otherwise regulated, fences, walls, and hedges may be permitted in any required yard or along the edge of any yard. However, no fence, wall, or hedge along the sides or front edge of any front yard shall be over thirty inches (30") in height and do not obstruct visibility. (Ord. 6-4-84, 6/4/1984, §15.07)

§1208. Erection of More Than One (1) Principal Structure on a Lot. In any district, more than one (1) structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Chapter and the North Lebanon Township Land Subdivision Regulations shall be met for each structure as though it were on an individual lot. (Ord. 6-4-84, 6/4/1984, §15.08)

§1209. Structures to Have Access. Every building hereafter erected shall be on a lot adjacent to and accessible with an improved public street as determined in the District Regulations. All structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking. (Ord. 6-4-84, 6/4/1984, §15.09; as amended by Ord. 1-1986, 11/3/1986, §1)

§1210. Water Supply and Sewerage Facilities Required. In the interest of protecting the public health, safety, and welfare, every building or structure hereafter erected, altered or moved upon any premises and used in whole or in part for dwelling, commercial or recreational business, or industrial purpose shall be provided with both a safe and sanitary water apply and a safe and sanitary means of collection and disposal of residential, commercial, or industrial sewage. Such facilities shall conform to the minimum requirements set forth by the Department of Environmental Resources. (Ord. 6-4-84, 6/4/1984, §15.10)

§1211. Minimum Floor and Lot Area Requirements. Unless otherwise regulated in this Chapter, every dwelling unit hereafter designated, established or erected shall contain a minimum habitable floor area of seven hundred (700) square feet or a total of one hundred seventy five (175) square feet per person residing in the dwelling, whichever is greater. Existing two-family or multi-family developments shall only be expanded or enlarged provided that a minimum lot area of three thousand (3,000) square feet is provided for each dwelling unit located on the said property. (Ord. 6-4-84, 6/4/1984, §15.11; as amended by Ord. 1-1997, 1/20/1997, §VII)

§1212. Foundations. All dwelling units and accessory structures shall have a perimeter footing in accordance with the rules and regulations as established from time to time by the Board of Supervisors of North Lebanon Township by resolution adopted at a regular meeting of the Board of Supervisors. (Ord. 6-4-84, 6/4/1984, §15.12; as amended by Ord. 1-1988, 8/22/1988, §2)
§1213. Corner Lot Restrictions. In all districts, corner lots shall have no required rear yards, but shall have two (2) required front yards as measured from the road right-of-way line and two (2) required side yards as measured from the lot line. (Ord. 6-4-84, 6/4/1984, §15.13)

§1214. Required Front Yard Exceptions. Where an unimproved lot of record is situated between two (2) improved lots, the front yard requirements for the district may be modified so that the front yard may be an average of the adjacent existing front yards. Where an unimproved lot of record is adjacent to one (1) improved lot which was developed prior to the enactment of this Chapter, the front yard requirements of the unimproved lot may be reduced to the average of the existing improved lot setback and required front yard. (Ord. 6-4-84, 6/4/1984, §15.14)

§1215. Animals. Customary household pets shall be permitted in any district; however, novelty pet kennels, and uses involving animal husbandry shall be permitted only as indicated in the appropriate district regulations. (Ord. 6-4-84, 6/4/1984, §15.15)

§1216. Dangerous Structures. Upon notification and request by the Zoning Administrator, any building or structure which has deteriorated to the state where it is dangerous and/or unsafe for human occupancy, constitutes a fire hazard, endangers surrounding buildings, shelters rats or vermin, or endangers the safety of children playing thereabouts, shall be repaired, altered or removed to eliminate the dangerous conditions. Such improvements shall commence within thirty (30) days and be completed within ninety (90) days of notification by the Zoning Administrator. (Ord. 6-4-84, 6/4/1984, §15.16)

§1217. Gasoline Pumps and All Other Equipment. Gasoline pumps, tanks, and other service equipment shall be located not less than thirty-five feet (35') from any lot line and/or right-of-way and located such that vehicles stopped for service will not extend over the property line. (Ord. 6-4-84, 6/4/1984, §15.17)

§1218. Parking and Storage of Certain Vehicles. Automotive vehicles or trailers of any kind without current, valid license plates and/or state inspection shall not be parked or stored on any property other than in completely enclosed buildings or properly approved junk yards. Additionally, such vehicles shall not be parked or stored along public streets in any zoning district. (Ord. 6-4-84, 6/4/1984, §15.18)

§1219. Parking, Storage, or Use of Major Recreational Equipment. For purposes of these regulations, major recreational equipment and/or tractor trailers, rigs, or cabs as defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district except in a carport, an enclosed building, in a rear yard or on that portion of a private residential driveway not within the road right-of-way. No such equipment
shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. Additionally, no such equipment shall be parked for loading and unloading along public streets in any zoning district for a period of time exceeding twenty-four (24) hours. (Ord. 6-4-84, 6/4/1984, §15.19)

§1220. Mobile Home Parks and Mobile Home Subdivisions. All mobile home parks and mobile home subdivisions hereafter erected, established, substantially altered, or expanded shall comply with the requirements of Part 6 of this Chapter. However, alterations or expansion of said parks or subdivisions shall not require Special Exception approval before the issuance of a Building and Zoning Permit. (Ord. 6-4-84, 6/4/1984, §15.20)

§1221. Exceptions to Height Regulations. The height limitations of this Chapter shall not apply to church spires; farm structures when permitted by other provisions of this Chapter (e.g. silos, barns, etc); belfries, cupolas, penthouses and domes not used for human occupancy; chimneys, ventilators, skylights, water tanks, bulkheads and similar features; utility poles and standards; and necessary mechanical appurtenances usually carried above the roof level. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve and then only in accordance with any other governmental regulations. (Ord. 6-4-84, 6/4/1984, §15.21)

§1222. Public Utilities Exemptions. For the purposes of this Chapter, public utilities exemptions to district requirements shall extend only to accessory support and maintenance structures and buildings not requiring human occupancy. Such uses and structures including fences shall be located no closer than ten feet (10') to any lot line or road right-of-way line. Principal utility structures (e.g. sewage treatment plants, electrical power plants, etc.) shall be permitted in any district but shall comply in all respects with the requirements for a principal use of the district in which it will be located. In either case, said utility corporation shall secure a Building and Zoning Permit from the Zoning Administrator prior to the start of construction. Said permit application shall include any and all approvals required by other agencies, etc., for the use specified. (Ord. 6-4-84, 6/4/1984, §15.22)

§1223. Exception to Frontage Requirements. Lots proposed for subdivision not having their principal frontage on an improved public road will be considered by the Planning Commission so long as the subdivider can provide information identifying the particular lot as having adverse topographical conditions or having been the result of development prior to the Zoning Ordinance making the remaining homestead, or existing dwellings, non-conforming to the District Regulations in which it is located. (Ord. 1-1986, 11/3/1986, §2)

§1224. Steeply Sloped Lots and Environmental Safeguards. In any district, development on any steeply sloped lots (in excess of fifteen (15) percent slope) shall include appropriate design and implementation of measures to prevent and/or control environmental damage, erosion and destruction to vegetation and natural habitat. The following specific criteria shall apply to development on steeply sloped lots:

A. Less than Twenty-Five (25) Percent of Lot Steeply Sloped. Development of lots which contain slopes in excess of fifteen (15)
percent shall be designed and located to limit or avoid disturbance of the steeply sloped portions of the lot. Removal of trees and vegetation shall be limited to the areas where slope is less than fifteen (15) percent, except when absolutely necessary for buildings, driveways and other essential lot improvements.

B. Twenty-Five (25) Percent or More of Lot Steeply Sloped. Development of lots where twenty-five (25) percent or more of the lot is steeply sloped in excess of fifteen (15) percent requires careful design and minimal disturbance of the terrain and natural features. Within the residential districts, minimum lot size shall be increased to one hundred fifty (150) percent of that specified by the District Requirements listed in this Chapter. Within all districts, approval of the lot development is required from the Lebanon County Conservation District to insure adequate erosion and sedimentation control, slope stabilization and revegetation. Specifically, development of these steeply sloped lots shall require:

1. Design and implementation of adequate erosion and sedimentation control facilities.

2. Design and implementation of effective stormwater management facilities to control surface water runoff and the damaging effects of surface water flows on steep slopes.

3. Minimal disturbance of steep slopes, with limited cut and fill, grading and excavation only where directly related to construction of buildings, driveways and other essential lot improvements and effective temporary and permanent stabilization of disturbed areas.

4. No more than twenty-five (25) percent of the total vegetation cover of the lot, including trees, shrubs and natural ground cover, shall be removed. Where removal occurs on steep slopes in conjunction with development activities permitted elsewhere herein, the steep slopes shall be replanted and revegetated with similar trees, shrubs and ground cover to obtain equivalent soil stabilization, moisture retention and protection from ecological damage.

(Ord. 6-4-84, 6/4/1984; as added by Ord. 1-1999, 8/16/1999, §XXXIV)
Part 13

Environmental Improvements and Energy Conservation Requirements

§1301. Intent. The environmental improvements and energy conservation requirements are designed to recognize the need for conservation of energy and natural resources and to facilitate the utilization of renewable resources. Environmental improvements are intended to moderate the effects of solar radiation, conserve energy, improve air quality, reduce glare and noise, and control erosion, largely through the planting of trees, shrubs, and other vegetative cover. Energy conservation requirements are designed to allow the installation of renewable energy devices and provide the opportunity for individuals to reduce energy dependence by encouraging the productive use of solar and wind energy components. (Ord. 6-4-84, 6/4/1984, §16.01)

§1302. Definitions. The following terms are specifically defined for use within this Part:

ACTIVE SOLAR ENERGY SYSTEM - A solar energy system that requires external mechanical power to move collected heat.

DENSE SCREEN PLANTING - A landscaped barrier consisting of predominantly (80% or more) coniferous trees and shrubs, hedges, earth mounding, walls, or a combination thereof established at a minimum height of six feet (6'). Such environmental buffer shall provide a solid visual, noise and pollutant barrier between potentially incompatible uses. Dense screen plantings shall be at least five feet (5') in width with irregularly spaced double or triple rows of plants and shrubs to obtain a dense, solid mass.

ENERGY STORAGE FACILITY - Equipment consisting of containers, heat exchangers, piping, and other transfer mechanisms (including fluids, gases or solids), controls, and related structural support for transporting and storing collected energy (from solar energy systems), including structural elements designed for use in passive solar energy systems.

INTERIOR ISLAND PLANTING - A durable landscaped planting area located within a vehicular use area or parking lot. Design and location shall provide shade and visual separation of parking and pedestrian areas, improve air quality, and control stormwater runoff from large paved areas. An island or strip shall be a minimum of fifty (50) square feet in area, at least five feet (5') in width and contain at least one (1) shade tree, per forty (40) lineal feet of island or fraction thereof. Islands of forty feet (40') or less in length shall contain at least one (1) shade tree. The remaining area within the island or strip shall be appropriately landscaped with grass, mulch, stones, plants, or other materials not exceeding three feet (3') in height.

PASSIVE SOLAR ENERGY SYSTEM - A solar energy system that uses natural and architectural components to collect and store energy without using any external mechanical power.

PERIMETER PLANTING - A landscaped planting consisting of trees and shrubs established at less than three feet (3') or greater than six feet (6') in height, so as not to interfere with any clear sight triangle. Such planting shall separate streets and vehicular use areas from parking lots,
buildings, and other interior improvements. Perimeter plantings shall consist of individual trees or shrubs spaced a maximum of fifty feet (50') apart to form a linear vegetative border, with grass or ground cover continuously thereunder.

SCREEN PLANTING - A landscaped planting consisting of a mixture of coniferous trees or shrubs, shade trees, ornamental trees or shrubs, earth mounding, hedges or combination thereof established at a minimum height of six feet (6'). Such planting shall separate and protect uses from noise, odor and dust, as well as moderating the effects of winter winds and summer heat. Screen plantings shall be at least three feet (3') in width with regularly spaced trees and shrubs to obtain a pervious, moderately dense planting.

SOLAR COLLECTOR - A free standing or fixed device, or combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy that contributes significantly to a structure's energy supply.

SOLAR ENERGY - Radiant energy (direct, diffuse and reflected) received from the sun.

SOLAR ENERGY SYSTEM - A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy.

SKYSPACE - The open space between a solar or wind collector and the sun or prevailing wind which must be free of obstructions that may shade or impede the collector to an extent that would reduce its cost-effective operation.

WIND ENERGY CONVERSION SYSTEM - A device which converts wind energy to mechanical or electrical supply; commonly referred to as windmills.

WIND ROTOR - The blades, plus hub to which the blades are attached, that are used to capture wind for the purpose of energy conversion. The wind rotor is used on a pole or tower along with other generating and electrical storage equipment and forms a wind energy conversion system.

§1303. Requirement for Environmental and Energy-Conserving Improvements.
Environmental and energy-conserving improvements shall be required for the following:

A. All new subdivisions and developments.

B. All new uses or buildings erected or established, including said uses or buildings which are to be located on previously subdivided lots or unsubdivided property.

C. Expansion of all buildings or uses except single and two-family dwellings.

D. To separate commercial, industrial, institutional and other non-residential uses from adjoining residential uses or residential districts.

E. Around parking lots with ten (10) or more parking spaces and within the interior of parking lots with twenty-five (25) or more parking spaces.
spaces, including parking lots expanded beyond these sizes.

F. Areas between parking lots and buildings.

G. Building wall expanses in excess of seventy-five feet (75')
which are exposed to westerly winds, except singles and two-family
dwellings.

H. New streets.

(Ord. 6-4-84, 6/4/1984, §16.03)

§1304. Environmental and Energy Conserving Standards. Environmental
improvements shall satisfy the following minimum standards:

A. General Standards.

1. A minimum of fifteen percent (15%) of each developed lot shall
be landscaped with appropriate ground cover or plantings.

2. Land areas with slopes in excess of fifteen (15) percent
shall be restricted to the removal of not more than twenty-five
(25) percent of the total vegetative cover of the lot, including
trees, shrubs and natural ground cover. Where removal occurs on
steep slopes in conjunction with development activities permitted
by this Chapter, the steep slopes shall be replanted and
revegetated with similar trees, shrubs and ground cover to obtain
equivalent soil stabilization, moisture retention and protection
from ecological damage. [Ord. 1-1999]

3. Existing plant materials shall be preserved, wherever
possible, during development. Such existing plants shall be
credited toward required plantings. Where topographic, vegetative
or engineering features on or adjacent to the site may provide the
desired conservation and environmental protection, the design plan
may be adjusted to credit use of the alternative protective
features, provided the Zoning Officer approves the design. [Ord.
1-1999]

4. All required trees shall be a minimum one and one-half inch
(1½") caliper and trees, shrubs and plants shall be disease
resistant, saline tolerant, winter hardy and of a species suitable
for this geographic region.

5. All landscaping and plantings shall be installed using good
planting procedures, utilizing quality plant material.

6. Plantings should not be designed to interfere with southern
exposure to solar radiation.

B. Specific Standards.

1. Buffer areas - Dense screen plantings shall be required
within all specified buffer areas. Said plantings shall be centered
within the yard space to provide for growth without infringement
upon the property line.

2. Streets - Perimeter plantings shall be required along each
side of all new streets, a maximum distance of ten feet (10') from
the street right-of-way line. Planting strips of five feet (5') or
more in width between the sidewalk and the street may be approved
for perimeter plantings utilizing appropriate tree species. When
divided streets are proposed, perimeter plantings shall also be required within the median strip.

3. Buildings - Screen plantings shall be required, except for residential buildings, around and along buildings in accordance with the following:

   (a) Parking lots of ten (10) or more parking spaces shall be a minimum of twenty feet (20') from the building line of any principal building or structure. The twenty foot (20') setback shall contain appropriate screen plantings.

   (b) Building walls over seventy-five feet (75') in length which face westerly, southwesterly or northwesterly shall be bordered by a parallel screen planting which is equal in length to the wall length and is located a maximum of fifty feet (50') from the face of the wall.

(Ord. 6-4-84, 6/4/1984, §16.04; as amended by Ord. 1-1999, 8/16/1999, §XXXV)

§1305. Solar, Wind and Alternate Energy Standards. The use of solar, wind and alternate energy systems is encouraged within these regulations and permitted within any zoning district. Although the installation of such systems is not mandatory, where they are utilized, the following standards shall apply:

A. Active and passive solar systems, wind energy systems and similar alternate energy systems, including customary energy storage accessories, shall be permitted for the production, collection, movement, distribution or storage of heated water, air or other medium which is intended for conveyance to a principal or accessory building. Systems may include the following subject to the requirements contained herein:

1. Solar panels with a combined glazing area of sixty-five (65) square feet or less, provided that:

   (a) The solar panels shall not extend more than five feet (5') into any required yard when attached to a principal structure; and

   (b) The solar panels shall be a minimum of three feet (3') from any property line, whether freestanding or attached.

2. Solar panels with a combined glazing area in excess of sixty-five (65) square feet, provided that:

   (a) Solar panels attached to a principal structure shall comply with the zoning setbacks prescribed for a principal structure in the applicable zoning district;

   (b) Solar panels which are freestanding or attached to an accessory structure shall comply with the accessory structure requirements of §1302 of this Chapter.

3. Solar greenhouses attached to principal structures shall meet all yard requirements for a principal structure in the applicable zoning district. Solar greenhouses attached to accessory structures shall meet all yard requirements specified for accessory structures in §1302 of this Chapter.
4. Detached solar greenhouses shall meet all yard requirements specified for accessory structures in §1302 of this Chapter.

5. Wind energy conversion systems, provided that:
   (a) The structure supporting the wind rotor unit shall be located a minimum distance of the tower height (measured from the
ground to the top of the blade) plus fifteen feet (15’) from any property line or road right-of-way. The height of such structure shall not exceed seventy-five feet (75’).

(b) Towers may be ground-or-roof-mounted and shall be securely fastened as per manufacturer’s specifications or a demonstrable equivalent to achieve maximum safety and prevent collapse or fall. Any propeller or turning device that reacts to wind velocity shall have a governor to control the speed of revolutions. Such governors may include a rudder that turns the propeller away from the wind, individually spring-mounted paddles that turn away from the wind, or other suitable manufacturer’s tested device. Towers shall be locked or secured to prevent unauthorized access, and in no case shall a permanently mounted ladder be affixed less than ten feet (10’) from grade level.

(Ord. 6-4-84, 6/4/1984, §16.05)

§1306. Maintenance and Protection Assurances. The improvements required and permitted within this Part shall be maintained and protected to assure their environmental benefits. The following specific requirements shall apply:

A. Maintenance

1. Plantings - All required plantings shall be maintained in a good condition to present, a healthy, neat and orderly appearance. Such plantings shall be kept free from refuse and debris. Plants damaged by insects, disease, vehicular traffic, acts of nature or vandalism shall be replaced by the next planting period.

2. Energy System - Energy systems shall be maintained in a safe manner. Broken glass or other potentially hazardous conditions shall be promptly repaired. A disconnected or abandoned energy system shall be removed from the property within sixty (60) days of such abandonment.

B. Protection

1. Plantings - Required plantings shall not be removed except to facilitate the planting of acceptable replacement plants. Property improvements shall be protected at all times by such environmental plantings and extensive trimming or pruning of the plantings to reduce or eliminate the protection shall not be permitted.

2. Energy System - Where a solar or wind energy system has been installed, it shall be the responsibility of the property owner to secure any easements or restrictive covenants necessary to protect the skyspace affecting the solar and wind system. Such an agreement shall be negotiated between owners of affected properties, but it is not a requirement for approval of a Building and Zoning Permit for the solar and wind energy system.

(Ord. 6-4-84, 6/4/1984, §16.06)
§1307. Variances. The following factors shall be considered, in addition to those within 2003 of this Chapter, when reviewing petitions for Variances to the provisions of Part 13:

A. Variances shall be granted only for minimum relief and not for purely financial reasons.

B. Variances to planting requirements shall not request relief from planting height, quality of maintenance.

C. Variances for energy systems shall allow for effective placement of energy systems, provided the skyspace of adjoining property owners is not restricted.

D. Variances shall consider the resulting effect on the microclimate on the property.

E. Variances shall consider possible damage to utilities.

(Ord. 6-4-84, 6/4/1984, §16.07)

§1308. Plans and Permits.

1. Plans - Plans depicting environmental and energy improvements shall be submitted at the time of application for a Building and Zoning Permit. Information may be included on the required plot plan specified in §1803 of this Chapter or submitted on a separate plan. In addition to the information required within §1803 of this Chapter, plans shall include:

   A. Location, size, and species of existing plant material.

   B. Delineation of plants to be removed and plants to be retained.

   C. Location, planting size, mature size, and species of all plants within required plantings.

   D. Proposed treatment of all ground surfaces (e.g. paving, grass, gravel, mulch, stone).

2. Building and Zoning Permits - A building and Zoning Permit shall be required for installation, expansion or alteration to any of the environmental improvements and energy systems described within this Part. Applicable procedures of Part 18 of this Chapter shall apply during the processing of such permit applications. Where desired, the Zoning Administrator may refer plans to the Soil Conservation Service, the Planning Department Site Review Committee, or to other applicable agencies for review and comment prior to formal action on the permit application.

(Ord. 6-4-84, 6/4/1984, §16.07)
Part 14

Off-street Parking Requirements

§1401. Intent. The regulations concerning off-street parking are intended to ensure that adequate, well-designed parking facilities are provided for all new, altered or expanded buildings and uses. The general intent shall be to require off-street parking spaces, loading and unloading areas, driveway and accessways to (1) satisfy the minimum standards contained within this Part and (2) be designed to prevent overcrowding and congestion and impairment of traffic circulation and accesses. (Ord. 6-4-84, 6/4/1984, §17.01)

§1402. Definitions. For the purpose of determining accessory off-street parking requirements, definitions and standards shall be as follows:

A. PARRING SPACE - An open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers or tenants of the principal structure or use. Each parking space shall be not less than ten (10) feet wide and not less than twenty (20) feet long, exclusive of all drives, curbs and turning space. [Ord. 2-1995]

B. FLOOR AREA - The total area of all the floors measured from the exterior faces of the structure or, where set forth in the schedule in §1405, only the floor area used by a specific use.

C. SEAT - The number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews or space for loose chairs or similar seating facilities; spacing of rows shall be thirty (30) inches on center.

(Ord. 6-4-84, 6/4/1984, §17.02; as amended by Ord. 2-1995, 12/18/1995, §X)

§1403. Requirement for Off-Street Parking Facilities. Accessory off-street parking facilities, including access driveways and loading/unloading areas, shall be required in accordance with the provisions of this Part as a condition precedent to the occupancy of such building or use. Facilities shall be provided for the entire building or use as follows:

A. Whenever a structure is constructed or a new use established, or

B. Whenever the use of an existing structure is changed to a use requiring more parking facilities, or

C. Whenever an existing structure is altered or enlarged so as to increase the amount of parking spaces required under this Part.

(Ord. 6-4-84, 6/4/1984, §17.03)

§1404. General Standards. Off-street parking facilities shall satisfy the following general requirements:

A. Off-street parking areas shall have safe access to and from a street. However, no portion of any street or road right-of-way shall be utilized for off-street parking.
B. Off-street parking spaces shall be designed to prevent any maneuvering necessary to park a vehicle from infringing upon any street, road right-of-way, alley or sidewalk. Parking spaces shall also be designed so that vehicles may have access to and from spaces without moving another vehicle.

C. Off-street parking spaces shall be readily accessible to, and a reasonable distance from, the structures and uses served. Such spaces shall be on the same lot as the principal structure or use, except where otherwise permitted in accordance with §1406.

D. All parking spaces shall be available to patrons, customers or visitors throughout the hours of operation of the structure or use for which the spaces are provided. Carnivals, displays, promotions or other events held on parking lots shall not utilize parking spaces required for customers. Adequate additional parking spaces shall be available for the supplemental use.

E. Parking spaces shall be improved and individually delineated in accordance with §1410. Additionally, special purpose spaces and areas such as "handicapped" parking, "visitor only" parking, "limited time" parking and fire and police spaces shall be clearly labeled.

F. Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements of this Part are provided and improved. Parking spaces may not thereafter be reduced below the minimum requirements as long as the principal structure or use remains, unless an equivalent number of spaces is provided for use in another approved location.

G. Unless otherwise specifically regulated, improved, hard surface off-street parking for all uses shall be limited to portions of the lot as follows:

1. Parking shall not be permitted within twenty-five (25) feet of any street or road right-of-way. However, provided the minimum twenty-five (25) feet is satisfied, up to fifty percent (50%) of the required front yard may be utilized for parking.

2. Required side and rear yards may be utilized for parking provided:

   (a) A minimum setback of ten (10) feet from the property line is maintained in all cases where more prohibitive regulations do not appear herein.

   (b) Minimum setbacks of forty (40) feet in all Commercial Districts and one hundred (100) feet in the Industrial District are maintained in all yards abutting a residential district boundary.

3. Loading and unloading areas shall not be permitted in the required front yard.

(Ord. 6-4-84, 6/4/1984, §17.04)

§1405. Schedule of Required Off-Street Parking Spaces. The minimum number of off-street parking spaces required for a specific use is listed in the following chart. Where appropriate when computing the number of required parking spaces, the Zoning Administrator may exclude floor area of
structures (e.g. storage, employee lounge, bathroom) which does not bear any relationship to the parking needs of the use.

<table>
<thead>
<tr>
<th>Structure or Use</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Institutional</strong></td>
<td></td>
</tr>
<tr>
<td>A. Civic and educational; primary and secondary school; primary places for public assembly</td>
<td>1 space for each employee plus 1 space for each 6 seats in assembly rooms</td>
</tr>
<tr>
<td>B. Governmental; municipal building used for administrative functions</td>
<td>1 space for each for each 200 sq. ft. of office floor area plus 1 space for each 4 seats in assembly room</td>
</tr>
<tr>
<td>C. Place of worship</td>
<td>1 space for each 3 seats in principal assembly room</td>
</tr>
<tr>
<td>D. Welfare: Hospital</td>
<td>1 space per 2 beds plus 1 space for each employee</td>
</tr>
<tr>
<td></td>
<td>1 space per 150 sq. ft. floor area</td>
</tr>
<tr>
<td></td>
<td>1 space per each 4 guests rooms or apartment units plus 1 space for each employee</td>
</tr>
<tr>
<td><strong>Residential</strong></td>
<td></td>
</tr>
<tr>
<td>E. One and two-family dwellings</td>
<td>2 spaces per dwelling unit; must be off-street, but need not be improved with hard surface</td>
</tr>
<tr>
<td>F. Multi-family residence (including townhouses and garden apartments)</td>
<td>2 spaces per dwelling unit</td>
</tr>
<tr>
<td><strong>Home Occupation</strong></td>
<td></td>
</tr>
<tr>
<td>G. Home Occupation</td>
<td>In addition to parking required for the residence, 2 spaces plus 1 additional space for any assistant; must be off-street, but need not be improved with hard surface</td>
</tr>
<tr>
<td><strong>Commercial</strong></td>
<td></td>
</tr>
</tbody>
</table>

Page Revised 12/18/1989
(27, §1405, cont'd)

H. Medical and dental offices, clinics, professional offices and banks
   1 space per 150 sq. ft. of floor area plus 1 space for each doctor and dentist

I. Other offices
   1 space per 200 sq. ft. of ground floor area

J. Motel, hotel
   1 space per 300 sq. ft. of floor area of upper floors

K. Mortuary
   1 space per 30 sq. ft. of assembly rooms, or 1 space for each 4 seats whichever requires the greater number, but in no case less than 20 spaces

L. Retail stores, service establishments and shopping centers
   1 space per 200 sq. ft. of ground floor area; 1 space per 300 sq. ft. of floor area of upper floors

M. Eating places, bars, taverns
   1 space per 50 sq. ft. of floor area, or 1 space per 4 seats whichever requires the greater number of spaces

N. Club, lodge, or other assembly halls
   1 space per 4 seats in building

O. Indoor theater
   1 space per 4 seats in building

P. Dance hall, skating rink, swimming pool
   1 space per 100 sq. ft. of area used for dancing, skating, or swimming

Q. Carnivals, racetracks and other outdoor amusement of recreation uses
   1 space for each 4 seats or 4 visitors at maximum capacity

R. Bowling alley
   6 spaces per bowling lane

S. Service and storage establishments
   1 space for every 2 employees on the combined employment of the 2 largest successive shifts

T. Gas station, repair garage
   1 space per employee plus 1 space per 200 sq. ft. of floor area

U. Auto Body Shop
   1 space per employee plus
2 spaces per repair bay

Manufacturing

V. Service and storage establishments, laboratories, manufacturing plants, and other uses permitted in a manufacturing district
   1 space for every 2 employees on the largest shift

W. Executive offices, sales offices and outlet stores
   1 space per 200 sq. ft. of executive and sales office floor area in addition to parking requirements for manufacturing area

Other Structures or Uses

X. For a specific structure or use not scheduled, the Zoning Administrator shall apply the unit or measurement of the above schedule deemed to be most similar to the proposed structure or use.

(Ord. 6-4-84, 6/4/1984, §17.05)

§1406. Separate or Combined Use of Facilities. A structure containing one use shall provide the off-street parking spaces as required for the one specific use. A structure or group of structures containing two (2) or more uses, operating normally during the same hours, and which have different off-street parking requirements, shall provide spaces for not less than the sum of the spaces required for each use. Where the applicant can demonstrate that adequate off-street parking capacity is not feasible on the same lot as the proposed non-residential use or structure, the new use or structure may be permitted if the applicant:

A. Provides written authorization from an adjoining or nearby property owner to allow establishment and/or use of parking facilities meeting the requirements of this Part on that property; and

B. Obtains authorization on said other property to establish and use parking facilities which will be a maximum of six hundred feet (600') from the use or building proposed by the applicant.

(Ord. 6-4-84, 6/4/1984, §17.06)

§1407. Access Drives to Parking. The location and width of entrance and exit driveways to paved, hard surface parking facilities shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The center line of the access driveways on the frontage street shall be at least eighty feet (80') from the right-of-way line of the nearest intersecting street or any other driveway. Where there is more than one driveway to a parking area, the driveways, whenever possible, shall be limited to one-way travel, either as an entrance to or exit from the parking area. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the street property line, shall conform with the following schedule:
In all cases, the radius of the edge of the driveway apron shall be at least fifteen feet (15') so that a car entering or leaving may not obstruct vehicles in other traffic lanes in the driveway or street.

Whenever parking spaces are opposite each other and separated by a driveway or aisle, said area shall be a minimum of twenty feet (20') in width.

(Ord. 6-4-84, 6/4/1984, §17.07)

§1408. Loading and Unloading Space. Each use in a Commercial or Industrial District shall provide off-street loading and unloading space at the side or rear of the principal structure according to the following table. Such space or spaces shall be not less than six hundred sixty (660) square feet in area with dimension of 12' x 55' per space, which shall be located exclusive of any public right-of-way. Each space shall have a vertical clearance of not less than fifteen feet (15'). Additionally, any loading and unloading spaces necessitated by uses in other districts shall also comply with the specifics of this Section.

GROSS FLOOR AREA | LOADING/UNLOADING SPACES REQUIRED
-------------------|-------------------------------------------
0 to 2000 sq. ft. | 0, provided all loading/unloading can be accomplished on-site without restricting traffic flow or disrupting off-street parking access.

GROSS FLOOR AREA | LOADING/UNLOADING SPACES REQUIRED
-------------------|-------------------------------------------
2001 to 10,000 sq. ft. | One (1) space
10,001 to 50,000 sq. ft. | Two (2) spaces
50,001 sq. ft. and over | Three (3) spaces plus one (1) additional space for each 40,000 sq. ft. in excess of 50,000 sq.

Upon application to the Board of Supervisors of North Lebanon Township and upon a showing that the actual use of the building does not require unloading spaces as provided in this Section, the Township Supervisors may, but are not required, to give a waiver of the loading space requirements so that there is sufficient provisions for the intended activities within the building. [Ord. 2-1992]
§1409. Illumination of Parking and Loading Areas. Parking and loading areas shall be illuminated whenever necessary to protect the public safety. Such illumination shall be so designed and located that the light sources are shielded from adjoining residences and streets, and shall not be of excessive brightness or cause a glare hazardous to pedestrians or drivers. (Ord. 6-4-84, 6/4/1984, §17.09)

§1410. Improvements to Parking and Loading Areas. All parking areas, loading areas, and access driveways, except for single and two-family dwellings and home occupations, shall have an asphalt, concrete, or other similar hard surface, in accordance with resolution requirements of the Township Supervisors, however, upon application to the Board of Supervisors in cases where twenty (20) or less parking spaces are required, the Township Supervisors may permit other types of surfaces as the Supervisors deem appropriate taking into account the use of the property, traffic patterns and other relevant factors. Improved hard surface off-street parking areas for three (3) or more automobiles shall have individual spaces painted or marked. Surface water shall not be permitted to discharge over the public sidewalks or roadways or onto other premises. The maximum grade of the parking area shall not exceed four percent (4%). Appropriate bumper guards or curbs shall be provided in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required yards. The Zoning Administrator may require landscaping in accordance with Part 13 of this Chapter. All curbs and bumper guards shall be constructed in accordance with standards established by the Township Supervisors. (Ord. 6-4-84, 6/4/1984, §17.10; as amended by Ord. 9-1990, 7/23/1990, §VI; and by Ord. 2-1992, 4/20/1992, §VI)

§1411. Approval of Parking and Loading Plans. Detailed, scaled drawings of off-street parking and loading areas (except for single and two-family dwellings) shall be submitted to the Zoning Administrator for approval prior to their construction. The drawings shall show each space, dimensions of driveways, aisles and other features required under the provisions of this Chapter. (Ord. 6-4-84, 6/4/1984, §17.11)
Part 15
Signs and Advertising Structures

§1501. Intent. The purpose of these regulations is to permit signs or advertising structures that will not, by reason of their size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety, and morals; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in this Chapter. Signs may be permitted only when in compliance with the provisions of this Chapter and any and all ordinances and regulations relating to the erection, construction, reconstruction, enlargement, relocation, replacement, alteration or maintenance of signs and similar devices. (Ord. 6-4-84, 6/4/1984, §18.01)

§1502. Area of Sign. The area of a sign shall be construed to include the entire display surface and background, whether open or enclosed, which encompasses lettering, wording, designs, and symbols, but not including any supporting framework and bracing which is incidental to the display itself. The area shall be determined using the largest visible sign or silhouette area. When the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangular shape or shapes which can be drawn together to encompass all of the letters and symbols. All double face signs shall be considered as having one (1) sign area, except double-faced "V" signs that have interior angles greater than forty-five degrees (45°). (Ord. 6-4-84, 6/4/1984, §18.02)

§1503. General Regulations. All signs and/or advertising structures, where permitted under the terms of this Chapter, are subject to the following:

A. No sign shall be erected, constructed, reconstructed, replaced, altered, removed for repair, enlarged, or relocated until a permit is obtained from the Zoning Administrator, except that no permit shall be required by this Chapter for the following signs:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, postal box numbers or names of the occupants of the premises.

2. Flags and insignia of any government, except when displayed in connection with commercial promotion.

3. Legal notices, official traffic signs, community facilities signs, municipality identification signs, non-commercial historical or geographical identification information, or directional signs erected by government bodies. Such signs may be placed within the road right-of-way.

4. Geographical identification and greeting signs erected by civic and service organizations provided that they do not exceed four (4) square feet in area and are comprised of the organization’s
5. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.

6. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

7. Temporary signs as described in §1504 of this Chapter.

8. Signs identifying farms, farm associations, and agricultural products, provided that no farm or association identification sign exceeds ten (10) square feet in area and no more than one (1) sign shall be erected per road frontage. Signs identifying agricultural products shall not exceed two (2) square feet in area.

9. Hunting, fishing, and trespassing signs and signs indicating private ownership of roadways or property, provided that such signs do not exceed two (2) square feet in area and when erected along street frontage the signs shall be spaced at intervals of not less than one hundred feet (100').

10. Signs up to four (4) square feet in area which are necessary for the identification, protection, and operation of public utility facilities.

B. Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. The Zoning Administrator shall require such maintenance, and in the event the sign owner fails to comply with said requirements, the Zoning Administrator shall proceed against him as provided in §2106 of this Chapter. Any sign which pertains to a time, event, or purpose which no longer applies and has been abandoned, as specified in §1504 of this Chapter, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

C. All signs not owned by the person, firm or organization advertising thereon shall carry a clearly legible imprint showing the owner's name.

D. No sign shall be so illuminated so as to have a glare effect upon vehicular traffic. No sign shall be illuminated so as to constitute a nuisance. No sign shall contain moving parts or use flashing or intermittent illumination. The source of the light shall be steady and stationary.

E. No sign shall be higher than thirty-five feet (35') from the ground to the highest part of the sign.

F. No sign shall be erected so as to obstruct entrance to or exit from a required door, window, fire escape or other required exitway.

G. No sign shall be erected that screens traffic signals or signs or utilizes red, green or amber lights or reflectorized material that creates a flashing action and is so located as to render ineffective any traffic sign or signal. Any sign which resembles an official traffic sign or signal, by way of its appearance or content, shall be prohibited.

H. Unless otherwise provided, no sign shall be painted, pasted, or otherwise affixed to any tree, rock, utility pole, hydrant, bridge,
sidewalk, curb or street.

I. Unless otherwise provided, no portion of any sign shall be erected within or placed on an existing structure in the road right-of-way. Additionally, no portion of any sign shall be erected in the "clear sight triangle" as specified in §1206.

J. Unless otherwise specified, all signs shall be on-premises, and no sign shall be erected until a permit has been secured from the Zoning Administrator and approval has been received from any other applicable state or local agencies.

K. No sign shall contain obscene material.

L. **Ground Signs.** In addition to the general regulations of this Part, the following regulations shall apply to every ground sign:

(1) No ground sign shall exceed fifteen (15) feet in height nor be located closer than fifteen (15) feet from any street or road right-of-way line, and shall be limited to one (1) such sign per premises. [Ord. 1-1997]

(Ord. 6-4-84, 6/4/1984, §18.03; as amended by Ord. 1-1997, 1/20/1997, §VIII)

§1504. Signs Permitted in All Districts. The following signs are permitted in any zoning district:

A. Temporary signs which do not require a permit:

1. Temporary signs of painters, mechanics, contractors, realtors, and the like not exceeding a total of sixteen (16) square feet in area, provided such signs are removed as soon as the work has been completed.

2. Temporary signs and banners of a non-commercial nature across a public right-of-way are permitted provided (a) permission is obtained from the Township Supervisors, (b) they are erected in a location which will not cause a traffic hazard, (c) they meet safety standards and are maintained, and (d) they are removed when their temporary use is completed.

3. Temporary signs announcing a campaign, drive, or event of civic, philanthropic, educational or religious organization. Such signs shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours after completion of the campaign, drive or event.

4. Temporary signs directing patrons, members, audience or customers to temporary exhibits, shows, events, or activities (e.g. yard sales, fruit sales, conventions, etc.). Such signs shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours after completion of the campaign, drive or event.

5. Signs erected in conjunction with a political election provided that all signs are removed within forty-eight (48) hours after the date of the election.
B. Off-premises directional signs which require issuance of a permit:

1. Off-premises directional signs which are used to direct patrons, members, audience, customers, clients to service clubs, churches, commercial, industrial, institutional or other organizations may be erected subject to the following requirements:

   (a) A sign shall indicate only the name of the organization and the direction to the facility.

   (b) Except at intersections, no sign shall be placed within two hundred feet (200') of another sign associated with the same principal use.

   (c) All signs shall be placed within two (2) miles of the use and no more than six (6) signs for each principal use may be erected within the borders of the municipality.

   (d) All signs shall consist of dark lettering on a light background, excluding standard issue signs. The signs shall not exceed three (3) square feet in area, and no moving parts, flashing lights, or any type of illumination shall be permitted.

   (e) At intersections of public streets, no more than one (1) sign post accommodating all directional signs may be erected per corner. Said posts shall not exceed six inches (6") in width and shall not be less than three feet (3') nor greater than eight feet (8') in height above ground. No more than one (1) sign per principal use may be attached to any sign post and no portion of any sign shall be erected within the "clear sight triangle" as specified in §1206 of this Chapter.

   (f) Application for off-premises directional sign permits shall include a map indicating location of placement requests and the land owner's written approval, name to be placed on sign, and distances from the facility to each sign.

C. One (1) name plate for a home occupation, provided that the sign does not exceed four (4) square feet in size and identifies only the name of the occupant and title of the occupation. If lighted, the sign shall be illuminated without objectionable glare. No displays or change in facade shall indicate from the exterior that the building is being used for any purpose other than that of a dwelling.

D. One (1) institutional sign and/or one (1) bulletin board, for places of worship, schools, hospitals, libraries, museums, social clubs, and similar uses, provided each sign or bulletin board does not exceed sixteen (16) square feet in area and is located no closer to a road right-of-way than half the depth of the existing front yard or twenty-five feet (25') whichever is less. If lighted, it shall be illuminated without objectionable glare. Additionally, if such property fronts on more than one (1) street, each street frontage may contain the above mentioned signs.

E. Subdivision signs -
1. Temporary - a sign advertising lots for sale, giving prices, dimensions, services, etc., and which shall be removed within thirty (30) days of the sale date of the last lot.

2. Permanent - a sign containing only the name of the development or subdivision and designed to be permanently affixed to the land.

One (1) sign per road frontage may be permitted provided the sign placed at an entrance to the subdivision, is located on the property to subdivided, and does not exceed twenty-four (24) square feet in area portion of any sign shall be erected within the "clear sight triangle" specified in §1206.

(Ord. 6-4-84, 6/4/1984, §18.04)

§1505. Signs in Residential and Agricultural Districts. The following types of on-premises signs may be permitted in residential and agricultural districts unless otherwise prohibited:

A. Signs for the advertisement of agricultural businesses as follows:

1. For each property involved in agri-business, one sign may be erected, provided no sign or portion thereof shall be located closer to the road right-of-way than half the depth of the existing front yard or twenty-five feet (25'), whichever is less.

   (a) Wall, or projecting sign - maximum sign area shall not exceed sixteen (16) square feet.

   (b) Freestanding sign - maximum sign area shall not exceed twenty-five (25) square feet.

   (c) Ground sign - maximum sign area shall not exceed twenty-five (25) square feet. [Ord. 1-1997]

   (d) Freestanding or ground sign - maximum sign area shall not exceed sixteen (16) square feet. [Ord. 1-1997]

   Additionally, all ground signs shall be located a minimum of fifteen (15) feet from the street or road right-of-way. [Ord. 1-1997]

B. Signs for nonconforming commercial or industrial uses as follows:

1. For each property involved in a commercial or industrial use, a total sign area of thirty (30) square feet shall be permitted. No sign or portion thereof shall be located no closer to the road right-of-way than half the depth of the existing front yard or fifteen feet (15'), whichever is less.

   (a) Projecting sign - maximum sign area shall not exceed twelve (12) square feet.

   (b) Freestanding sign or ground sign - maximum sign size shall not exceed sixteen (16) square feet. Additionally, all ground signs shall be located a minimum of fifteen (15) feet from the street or road right-of-way. [Ord. 1-1997]
(c) Wall or Window sign - maximum sign size shall not exceed twelve (12) square feet.

C. Signs as permitted in §1504 of this Chapter.

D. Upon approval of the Board of Supervisors of North Lebanon Township, the following conditional sign uses are permitted. The Supervisors may permit an additional sign or signs in excess of the requirements, provided that the Township finds that the proposed sign and/or signs is in keeping with the residential and agricultural district in question and does not create a traffic hazard. [Ord. 1-1997]

§1506. Signs in Commercial and Industrial Districts. Unless otherwise specified, only on-premises signs may be permitted, provided the maximum sign area shall not exceed two hundred fifty (250) square feet per street frontage. All wall, projecting, roof or freestanding signs must be erected in compliance with the following standards:

A. Signs for the advertisement of agri-business as permitted in §1505 of this Chapter.

B. Signs for commercial, office, institutional, and industrial uses as follows:

1. One (1) wall sign for each road frontage provided it is attached to the wall of the principal building and projects horizontally not more than twelve inches (12") therefrom and occupies not more than fifteen percent (15%) of the total area of the front of the principal building. It shall not project more than three feet (3') above the roof line or parapet wall.

2. One (1) projecting or roof sign for each road frontage provided it shall not project beyond a vertical plane two feet (2') inside the road right-of-way line and does not exceed twenty (20) square feet in area. Said signs shall not exceed a height of thirty five feet (35').

3. One (1) freestanding or ground sign for each road frontage, provided it does not exceed sixty (60) square feet in area. The freestanding sign shall not extend beyond a vertical plane of two (2) feet inside the lot from the road right-of-way line and shall not exceed a height of thirty-five (35) feet. The ground sign shall be a minimum of fifteen (15) feet from any street or road right-of-way. [Ord. 1-1997]

4. General shopping district identification signs, provided they are separate and not attached to any building. Maximum of two (2) such signs for any one (1) general shopping district. The height of signs shall be a maximum of thirty-five feet (35') measured from the ground, and the maximum size of the sign portion itself shall not exceed one hundred (100) square feet.
C. Off-premises billboards and advertising sign boards may be erected and maintained, provided the total display area of all such signs shall not exceed twenty (20) square feet for each ten feet (10') of road frontage, and the total display area of any sign shall not exceed two hundred (200) square feet in area. Said signs shall not be placed less than one hundred (100) feet apart nor within one hundred feet (100') of existing billboards or advertising sign boards. No sign or portion thereof shall be located closer than twenty-five feet (35') to the road right-of-way and shall not exceed thirty-five feet (35') in height.

D. Signs as permitted in §1504 of this Chapter.

E. Upon approval by the Board of Supervisors of North Lebanon Township, the following conditional sign uses are permitted. The Supervisors may permit an additional sign or signs in excess of the requirements provided the Township finds that the proposed sign and/or signs is in keeping with the commercial or industrial district in question and does not create a traffic hazard. [Ord. 1-1999]

§1507. Nonconforming Signs. Any sign erected, constructed, replaced, altered, enlarged, or relocated before the effective date of this Chapter, that would not otherwise be permitted under the terms of this Chapter, may remain and continue to be used, maintained and repaired provided:

A. A nonconforming sign shall not be replaced, altered, relocated, or reconstructed except to bringing the sign into total compliance with the provisions of this Chapter.

B. A nonconforming sign may be used, maintained and repaired subject to the following requirements:

1. Maintenance and repair of a nonconforming sign is permitted when said activities are necessary to maintain the sign in a presentable, functionable condition. Maintenance and repair activities shall not include alterations, relocation or reconstruction but may include: replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. Prior to the removal of a nonconforming sign for maintenance, repair or message change, a permit shall be secured from the Zoning Administrator. Said permit shall allow the applicant to reerect the repaired or re-messaged nonconforming sign within thirty (30) days of issuance. If the nonconforming sign is not erected within the specified time, it shall lose its nonconforming status and any successive sign shall conform with all applicable ordinance requirements.

2. Nothing in this Chapter shall prohibit the change in advertising, identifying, or directional message of a nonconforming sign so long as the change does not involve any alterations, relocation or reconstruction of the nonconforming sign. Message changes of a nonconforming sign that are a result of a transfer in ownership of the premises or which the principal use is located, excluding contract advertising signs, shall be prohibited and any successive sign shall
conform to the Chapter requirements. If the message change requires removal of the sign, a permit shall be secured as in the above subsection.

3. A nonconforming sign, which has been damaged or destroyed by fire, explosion, accident, or calamity, to an extent which is greater than fifty percent (50%) of the sign or sign value, may not be repaired except in compliance with the provisions of this Chapter. A nonconforming sign which has sustained less than fifty percent (50%) damage of the sign or sign value may be repaired provided:

(a) The repaired sign is virtually unchanged, except for building materials and message, or is less nonconforming than the original sign; and

(b) Repair is completed within sixty (60) days from the date of damage. Failure to repair within sixty (60) days shall result in the loss of nonconforming sign rights and any successive sign shall conform with all applicable Chapter requirements.

4. When a nonconforming sign has been demolished or destroyed by deterioration or removal, or has been moved from its location for reasons other than for an approved repair, maintenance or a change in message, said sign shall not be reconstructed or replaced except in complete conformity with the provisions of this Chapter.

C. A nonconforming sign which pertains to a time, event, purpose or use which no longer applies, has been abandoned or changed, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

D. Proposed signs that are associated with a nonconforming use shall conform to the regulations of the district in which the sign is located.

(Ord. 6-4-84, 6/4/1984, §18.07)
Part 16
Nonconforming Lots, Uses and Structures

§1601. Intent. Within any zoning district established by this Chapter or any subsequent amendment thereto there exist:

A. Lots

B. Uses of land

C. Structures, or

D. Uses of structures or land and structures in combination which were lawful prior to the passage or amendment of this Chapter, but which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendment, and are hereinafter referred to as nonconforming. It is the intent of this Chapter to permit these nonconformities to remain or continue until they are brought into compliance. It is further the intent of this Chapter that nonconformities shall not be used as grounds for adding other structures or additional uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this Chapter to be incompatible with permitted uses within the same zoning district. Any nonconforming use of a structure, of land, or structure and land in combination may be extended or enlarged only as provided within this Chapter. Extension or enlargement of a nonconforming use by addition of uses not normally accessory to the existing nonconforming uses shall not be permitted.

To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual construction has been carried on diligently. Additionally, where excavation, demolition or removal of an existing building has begun preparatory to rebuilding, such activities shall be deemed actual construction provided that work is carried on diligently.

(Ord. 6-4-84, 6/4/1984, §19.01)

§1602. Nonconforming Lots of Record. Following the effective date of adoption of this Chapter, a permitted principal structure and accessory structure(s) may be erected upon any single nonconforming lot of record. Said lot must be in separate ownership and not of continuous frontage with other lots in the same ownership at the time of adoption of this Chapter. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district. However, yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of any prescribed requirements shall be obtained only through action of the Zoning Hearing Board. If two (2) or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of Deeds of Lebanon County for no more
than three (3) years before the date of adoption of this Chapter, such lots may be developed, as recorded, provided that yard dimensions and requirements other than those applying to area or width shall conform to the regulations for the district in which such lots are located.

If two (2) or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of Deeds of Lebanon County for more than three (3) years before the date of adoption of this Chapter, such lots may be developed, provided that:

A. The lot area and lot width of all lots is seventy-five percent (75%) or more of the required lot area and width; and

B. All yard, lot coverage and other applicable requirements of the district can be satisfied; and

C. Contiguous nonconforming lots which cannot satisfy requirements A and B of this subsection shall be combined, enlarged or resubdivided to satisfy requirements A and B.

No portion of a nonconforming lot shall be sold or used in a manner which further diminishes compliance with the lot area and lot width requirements of this Chapter, nor shall a portion of a conforming lot be sold or used in a manner which creates a nonconforming lot.

(Ord. 6-4-84, 6/4/1984, §19.02)

§1603. Nonconforming Uses of Land. Where lawful use of land exists at the time of passage of this Chapter which would not be permitted by the regulations imposed by this Chapter, and where such use involves no principal structure, the use may be continued, provided that:

A. No such nonconforming use of land which is ceased, removed, discontinued or abandoned for a period of one hundred eighty (180) consecutive dates shall thereafter be reestablished. This cessation, discontinuance or abandonment time limit may be extended by an additional one hundred eighty (180) day time period where contracts or agreements are being negotiated, provided (1) the property owners makes written application for an extension, citing the reasons necessary for the extension and the length of extension required and (2) the Zoning Administrator issues a Temporary Certificate of Zoning Compliance to register the reasons for extension, the length of extension, and the nature of the nonconformity.

B. No principal structures shall be erected in connection with such nonconforming use of land.

C. Expansion of nonconforming uses shall be limited to a maximum aggregate enlargement of fifty percent (50%) of the area of land so used, as compared to the land in nonconforming use at the date of adoption of this Chapter. Contiguous land owned at the effective date of this Chapter may be used for expansion of the nonconforming use. However, for purposes of this Chapter, approved streets or road rights-of-way define the limit of expansion of any nonconforming use of land, and such uses shall not extend across said streets or road rights-of-way.

(Ord. 6-4-84, 6/4/1984, §19.03)

§1604. Nonconforming Structures. A lawful structure existing at the
effective date of adoption of this Chapter that could not otherwise be built due to restrictions on lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, may remain, subject to the following provisions:

A. A nonconforming structure shall not be enlarged or altered in a way which increases its nonconformity, but a structure or portion thereof may be altered to decrease its nonconformity.

B. A nonconforming structure or portion thereof may be extended along established, existing building lines provided:
   1. The extension meets all other applicable yard, lot coverage and height regulations; and
   2. Extension or enlargement along the nonconforming setback shall be limited to a maximum one hundred percent (100%) increase of the area of land covered by the portion of structure which is in a nonconforming status. Extension or enlargement in a conforming manner shall not be subject to the one hundred percent (100%) limitation. Any extension or enlargement shall be regulated by other applicable yard, lot coverage and height restrictions.

C. A nonconforming structure which has been damaged or destroyed to any extent by fire, explosion, accident or calamity may be repaired or reconstructed provided:
   1. The rebuilt structure is unchanged in its original size or location, or is less nonconforming than the original structure: and
   2. Repair or reconstruction is commenced within one (1) year from the date of damage or destruction. Failure to repair or reconstruct within one (1) year shall result in loss of nonconforming rights and any successive structure shall conform with all applicable Chapter requirements.

D. A nonconforming structure which has been demolished or destroyed to any extent by deterioration or removal shall not be reconstructed or structurally replaced, except that:
   1. Any conforming portion of the nonconforming structure may be reconstructed or replaced; and
   2. Repairs and maintenance shall be permitted to maintain the nonconforming structure in a safe condition; however:
      (a) Restoration and repairs shall be limited to protective exterior improvements; and
      (b) A maximum aggregate of fifty percent (50%) of the structural or weight bearing components of the nonconforming structure may be replaced, during structural alterations, so that repairs and maintenance do not actually involve replacement of the old structure with a new one over any period of time.

E. Should a nonconforming structure be moved for any reason, then:
   1. Relocation on part of the same land area previously
covered by the structure shall equal or decrease the nonconformity; or

2. Relocation to a previously unoccupied area shall conform to all applicable Chapter requirements. (Ord. 6-4-84, 6/4/1985, §19.04)

§1605. Nonconforming Uses of Structures or Land and Structures in Combination. If lawful use involving principal structures or land and structures in combination exists at the effective date of adoption of this Chapter, the use may be continued so long as it remains otherwise lawful, subject to the following:

A. Abandonment of a nonconforming use of a structure (or land and structure in combination) shall remove the nonconforming status of the structure (or land and structure in combination) so that the nonconforming use may not thereafter be reestablished. Furthermore, use of the structure (or structure and land in combination) shall thereafter conform with the regulations for the zoning district in which it is located. Abandonment shall be deemed to have occurred when the nonconforming use is ceased, removed or discontinued for a period of one hundred eighty (180) consecutive days. However, this cessation, discontinuance or abandonment time limit may be supplemented by an additional one hundred eighty (180) day time period where contracts or agreements are being negotiated, provided (1) the property owner makes written application for an extension, citing the reasons necessary for the extension and the length of extension requested and (2) the Zoning Administrator issues a Temporary Certificate of Zoning Compliance to register the reasons for extension, the length of extension, and the nature of the nonconformity.

B. Extension or enlargement of (1) the structure containing the nonconforming use or (2) the area of land used for storage, display or sales of products or materials in combination with the nonconforming use, shall be subject to the following:

1. Expansion of the nonconforming use shall be limited to a maximum aggregate enlargement of fifty percent (50%) of the area of land so used at the date of adoption of this Chapter, subject to the requirements that:

   (a) The structure containing the nonconforming use may be enlarged to cover fifty percent (50%) additional land area (lot coverage); and,

   (b) Expansion may include only the same number of stories existing on the structure at the effective date of this Chapter. Additional stories shall not be permitted; and

   (c) The area of land used for storage, display or sales of products or materials in combination with the nonconforming use may be enlarged to cover fifty percent (50%) additional land area; and,

   (d) Contiguous land may be used for the maximum fifty percent (50%) expansion, provided the land so used was owned at the effective date of this Chapter and expansion does not extend across any street or road right-of-way.
C. Any nonconforming use of a structure (or land and structure in combination) may, as a Special Exception, be changed to another nonconforming use provided the Zoning Hearing Board finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.

D. Where the nonconformity applies to use of structure (or land and structure in combination), removal or destruction of the structure shall eliminate the nonconforming status of the land. Removal or destruction, for the purposes of this subsection, shall include the removal or destruction of an aggregate of seventy-five percent (75%) or more of the structural or weight bearing components of the structure.

(Ord. 6-4-84, 6/4/1984, §19.05)

§1606. Uses Under Special Exception Provisions Not Nonconforming Uses. Any existing use which is permitted as a Special Exception in a district under the terms of this Chapter (other than a change through Zoning Hearing Board action from one nonconforming use to another nonconforming use not generally permitted in the district) shall not be deemed a nonconforming use in such district. However, expansion, enlargement or change to that existing use shall be subject to the same criteria specified for Special Exception approval within the district and administrative sections of this Chapter, although Zoning Hearing Board action shall not be required. (Ord. 6-4-84, 6/4/1984, §19.06)

§1607. Nonconforming Signs. Any sign erected, constructed, or placed before the effective date of this Chapter which does not conform to the applicable provisions of Part 15 of this Chapter is a nonconforming sign. No such sign shall be replaced, relocated or otherwise changed until approval is obtained in accordance with the requirements of Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §19.07)
Part 17
Planned Residential Development

§1701. Intent. In order to provide for a wide range of housing types and new design innovations in the field of residential development and at the same time assure the necessary amenities for residential living as provided for in all residential districts, the following section is included to assure the necessary ordinance flexibility for this kind of development. This section shall apply only to residential or agricultural districts. (Ord. 6-4-84, 6/4/1984, §20.01)

§1702. Site Standards. The following standards will be used as guidelines in evaluating a planned residential development application.

A. Minimum Site Size - Minimum site size shall be twenty (20) acres.

B. Dwelling Units Permitted - The number of dwelling units permitted shall be determined by dividing the net development area by the minimum lot area per family required by the zoning district in which the area is located. Net development area shall be determined by subtracting the area set aside for churches and school use from the gross development area and deducting fifteen percent (15%) of the remainder for streets, regardless of the amount of land actually required for streets. The area of land set aside for common open space recreational use shall be included in determining the number of dwelling units permitted. The Township shall determine the appropriate percentage of multi-family dwellings and/or commercial uses permitted in the development depending upon the size of the development and the character of the area in which the development is located; provided, however, that in no case shall more than fifty percent (50%) of the net developable land area be developed into multiple dwellings and no more than six percent (6%) of the net developable land area shall be developed into commercial uses.

C. Lot Area and Frontage - The minimum lot area and minimum lot width of dwelling lots established within the development shall not be less than one-half (1/2) of the normal minimum lot area or minimum lot width of the zoning district in which the lot is located. However, in no case shall a single family lot be created with an area of less than five thousand (5,000) square feet or a lot width of less than fifty feet (50').

D. Utilities - Public water and public sewer facilities shall be supplied to each dwelling unit.

E. Design - The Township shall review the application for compliance with all pertinent Township comprehensive plans. Additionally, the Department shall insure that buildings and access streets are designed to avoid a repetitive, monotonous pattern of construction. Furthermore, when applicable to a particular site, additional standards shall be applied by the Township to protect and preserve health, safety and general welfare of the community.

F. Common Open Space - The Township may accept dedication of open space land for public use and maintenance. Areas not dedicated to the general public shall be held in corporate ownership by private owners.
of the lots or parcels of land in the planned residential-development. In such case, the developer shall incorporate into the deeds of the owners an interest in such common open space, indicating the use to be made of such common open space and providing a means of permanent maintenance of this common space. All common open space areas which, in the opinion of the municipality, are necessary to the development of the planned residential development or section thereof shall be improved by the developer and accepted by the municipality prior to final plan approval of the planned residential development or section thereof.

§1703. Procedure.

1. An application for an approval authorizing a modification of the requirements of this Chapter for a planned residential development must be made to the Township Supervisors in three (3) copies. This application shall contain the following information:

   A. A legal description of the property under consideration which shall be a minimum of fifteen (15) acres in area.

   B. A scaled topographic map of the entire parcel with a contour interval of not less than two feet (2').

   C. A site plan showing the location of all existing and proposed buildings and structures, parking lots, buffer strips, plantings, streets, public ways, and curb cuts.

   D. Proposed reservations for parks, parkways, playgrounds, school sites and other open spaces with indication of the organization to own and maintain such open space.

   E. A location map showing the location of the site in relation to the surrounding area.

   F. Architectural sketches, at the appropriate scale, showing building height, bulk, interior layout, and proposed use.

   G. A feasible proposal for sanitary sewers and storm water control.

   H. The substance of covenants, grants of easement, or other restrictions proposed to be imposed upon the use of the land, buildings, and structures, including proposed easements of grants for public utilities.

   I. The required modifications in the land use regulations otherwise applicable to the subject property.

   J. A schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed if the development plans call for development over a period of years. This schedule must be updated annually until the development is completed and accepted.

   K. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors that the subdivision is to be
supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable. [Ord. 4-1989]

2. The Township Supervisors shall refer the application to the Township Planning Commission and the County Planning Department for study and recommendation. The two (2) agencies shall be required to make comment to the Township Supervisors within thirty (30) days or the right to review will be considered forfeited.

3. Public Hearings.

A. Within sixty (60) days after the filing of an application for tentative approval of a planned residential development pursuant to this Chapter, a public hearing pursuant to public notice on said application shall be held by the Board of Supervisors.

B. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board of Supervisors. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.

C. The parties to the hearing shall be the Township of Lebanon, any person affected by the application who has made timely appearance of record before the Board of Supervisors, and any other person including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board of Supervisors for that purpose.

D. The chairman, or acting chairman in the absence of the chairman, of the Board of Supervisors shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

E. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

G. The Board of Supervisors shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by the Board of Supervisors or shall be paid by the person appealing from the decision of the Board of Supervisors if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party
requesting the original transcript shall bear the cost thereof.

H. The Board of Supervisors shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

I. The Board of Supervisors may continue the hearing from time to time, and may refer the matter back to the Planning Commission for a report, provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing. [Ord. 4-1989]

4. The Findings.

A. The Board of Supervisors within sixty (60) days following the conclusion of the public hearing shall, by official written communication to the landowner, either:

1. Grant tentative approval of the development plan as submitted:

2. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or

3. Deny tentative approval to the development plan.

B. Failure to so act within said sixty (60) day period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Board of Supervisors notify such Board of Supervisors of his refusal to accept all said conditions, in which case, the Board of Supervisors shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the Board of Supervisors of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.

C. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial, and said communication shall set forth with particularity in what respects the development plan would or would not be in the public interest, including, but not limited to findings of fact and conclusions on the following:

1. In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of the Township of Lebanon:
2. The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest;

3. The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

4. The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment;

5. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and

6. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.

D. In the event a development plan is granted tentative approval, with or without conditions, the Board of Supervisors may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of development plan which provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than three (3) months and, in the case of development over a period of years, the time between applications for final approval of each part of a plan shall be not less than twelve (12) months. [Ord. 4-1989]

5. Status of Plan After Tentative Approval.

A. The official written communication shall be certified by the Township Secretary and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the zoning map.

B. Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval as submitted, to which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by the action of the Township of Lebanon pending an application or applications for final approval,
without the consent of the landowner, provided an application or applications for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.

C. In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the Board of Supervisors in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the zoning map and in the records of the Township Secretary. [Ord. 14-989]

6. A development plan or any part thereof which has received final approval shall be certified by the Township Supervisors and filed within ninety (90) days with the Lebanon County Recorder of Deeds. Should the plan not be recorded within such period, the action of the Township Supervisors shall become null and void. No development shall take place until the plan has been recorded, and from that point of time, no modification of the provisions of said plan or part thereof as finally approved shall be made without the consent of the landowner.

7. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, the landowner shall so notify the Township Supervisors in writing; or, in the event the landowner shall fail to commence and carry out the planned residential development, no further development shall take place on the property included in the development plan after said property is resubdivided and is reclassified by enactment of an amendment to the North Lebanon Township Zoning Ordinance.

8. Any decision of the Township Supervisors under this Part granting or denying tentative or final approval of a development plan shall be subject to appeal to court in the same manner and within the same time limitation provided for zoning appeals. (Ord. 6-4-84, 6/4/1984, §20.02; as amended by Ord. 4-1989, 12/18/1989)

§1704. Planned Development Standards.

1. Dwelling Units Permitted. The number of dwelling units permitted shall be determined by dividing the net development area by the minimum lot area per family required by the district in which the area is located. Net development area shall be determined by subtracting the area set aside for churches and school use from the gross development area and deducting area and deducting fifteen percent (15%) of the remainder for streets, regardless of the amount of land actually required for streets. The area of land set aside for common open space or recreational use shall be included in determining the number of dwelling units permitted. The Township Supervisors shall determine the appropriate percentage of multi-family dwellings and/or commercial uses permitted in the development depending
upon the size of the development and the character of the area in which such development is located; however, in no case shall more than fifty percent (50%) of the net developable land area be developed into multiple dwellings and no more than six percent (6%) of the net developable land area shall be developed into commercial uses.

2. **Lot Area and Frontage** - The minimum lot area and minimum lot frontage of dwelling lots established within the development shall not be less than one-half (%) of the normal minimum lot area or minimum lot frontage of the district in which the lot is located.

3. **Other Requirements** - All other applicable provisions of this Zoning Chapter such as off-street parking regulations and limitations of signs shall apply to the planned unit development. Layout and improvements of streets and driveways shall conform to the Land Subdivision Regulations and other regulations pertaining thereto established by the Township Supervisors.

(Ord. 6-4-84, 6/4/1984, §20.03)
§1801. Appointment and Powers of Zoning Officer.

1. For the administration of this Chapter, a zoning officer, who shall not hold any elective office in the Township of North Lebanon, shall be appointed.

2. The zoning officer shall meet the qualifications established by the Township of North Lebanon and shall be able to demonstrate to the satisfaction of the Township of North Lebanon a working knowledge of municipal zoning.

3. The zoning officer shall administer this Chapter in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter.

4. The zoning officer is hereby authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

§1802. Building and Zoning Permits Required. No building, structure, sign or land shall be erected, constructed, reconstructed, altered, converted, removed, maintained, moved, added to, used, or the use therein changed unless and until a Building and Zoning Permit is obtained from the Zoning Administrator. The permit requirements shall apply to all permanent, temporary, seasonal, part-time or movable buildings, structures, signs or uses, unless exempted elsewhere in this Chapter. No Building and Zoning Permit shall be issued by the Zoning Administrator except in conformity with the provisions of this Chapter, unless he receives a written order from the Zoning Hearing Board in the form of an Administrative Review, Special Exception or Variance as provided by this Chapter. (Ord. 6-4-84, 6/4/1984, §21.01; as amended by Ord. 4-1989, 12/18/1989)

§1803. Application For a Building and Zoning Permit. Applications for a Building and Zoning Permit shall be filed by the property owner, his authorized agent or an individual with a proprietary interest in the property, said individual to hereafter be known as the applicant.
Applications shall be submitted to the Zoning Administrator and contain the following:

A. Building and Zoning Permit Application Form - On a form supplied by the Zoning Administrator, the applicant shall provide information to describe the size, location and nature of the proposed building, structure or use. The applicant shall sign the application form to verify the accuracy of the information.

B. Plot Plan - All applications for a Building and Zoning Permit shall be accompanied by a plot plan in accordance with the following:

1. Three (3) copies of the plot plan shall be submitted. In lieu thereof, an 8½ x 11'' plot plan is acceptable, provided it is suitable for photocopying.

2. The plot plan shall show, where applicable, size, shape, and dimensions of the lot; size and location of all existing buildings; size, location and use of all proposed buildings, additions or alterations; parking lots, parking spaces, driveways, signs and other site improvements; and other information as may be necessary to determine conformance with this Chapter.

3. Engineering, architectural or surveyor's plans may be required by the Zoning Administrator where necessary to accurately depict the proposed work on a property.

4. The Zoning Administrator may waive the plot plan requirement where the applicant satisfactorily demonstrates that minimum standards are greatly exceeded.

C. Other Permit Prerequisites - At the time of application, the applicant shall produce, where applicable, a valid sewage permit, road encroachment permit, Labor and Industry approval, subdivision approval or other approval preliminary to issuance of the Building and Zoning Permit.

D. Application Fee - All applications for a Building and Zoning Permit shall be accompanied by a fee in accordance with the current schedule of fees adopted by resolution by the Supervisors of North Lebanon Township.

§1804. Incomplete Applications. When an applicant fails to: (1) complete and sign the Building and Zoning Permit application form, (2) submit a plot plan, (3) pay the required application fee, (4) secure and produce other permit prerequisites, or (5) submit other information required by the Zoning Administrator, the application for a Building and Zoning Permit shall be deemed incomplete. The Zoning Administrator may notify the applicant to request supplemental information to complete the application. Such notice shall prescribe a time period, not to exceed thirty (30) days, for completion of the application by submission of the supplementary information. Failure to complete the application shall result in written disapproval, in accordance with §1805 of this Chapter. (Ord. 6-4-84, 6/4/1984, §21.03; as amended by Ord. 4-1989, 12/18/1989)

§1805. Issuance of a Building and Zoning Permit. After an application has been determined to be complete, the Zoning Administrator shall take official action to approve or disapprove the permit application in
accordance with the following:

A. Approval - When a completed application is found to conform with the provisions of the Zoning Chapter the Zoning Administrator, within twenty (20) days of application completion, shall issue an approved Building and Zoning Permit. Issuance of the permit shall be accompanied by an approved plot plan, where applicable, and a placard for display on the premises during the construction or alteration period. Building and Zoning Permits are nontransferable and are valid for work authorized therein only for the owner and property so designated.

B. Disapproval - When a completed application is found not to conform with the provisions of the Zoning Chapter the Zoning Administrator, within twenty (20) days of application completion, shall disapprove the application for a Building and Zoning Permit. Plot plans submitted with the application shall also be disapproved. The disapproval shall be in writing, citing the deficiencies of the application. Appeals from a disapproval by the Zoning Administrator shall be taken in the manner set forth in Part 20 of this Chapter.

§1806. Revocation of a Building and Zoning Permit. Building and Zoning Permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, arrangement and construction set forth in such approved plans. A Building and Zoning Permit shall be revoked, in writing, by the Zoning Administrator for any of the following reasons:

A. When use, alteration or construction does not comply with or exceeds the scope of that authorized by the Building and Zoning Permit; or

B. When information pertinent to the application for a Building and Zoning Permit has been falsified or misrepresented; or

C. When other provisions of this Chapter are violated in conjunction with the use, alteration or construction authorized by the Building and Zoning Permit; or

D. When the original decision of the Zoning Administrator did not conform to the requirements of this Chapter. Written revocation shall be provided to the applicant and shall indicate the reasons for such action. Additionally, the revocable offenses shall be deemed a violation of this Chapter and subject to the violator to the penalties provided by §2106 of this Chapter.

§1807. Expiration of a Building and Zoning Permit. An approved Building and Zoning Permit shall expire:

A. If work described therein has not begun within ninety (90) days from the date of issuance; or

B. If the work described therein has not been completed within one (1) year from the date of issuance. [Ord. 2-1992]

Upon expiration of a Building and Zoning Permit work shall cease and shall not thereafter be commenced unless and until a new Building and
Zoning Permit is obtained.
(Ord. 6-4-84, 6/4/1984, §21.07; as amended by Ord. 2-1992, 4/20/1992, §VI)

§1808. Certificate of Zoning Compliance. The Zoning Administrator shall maintain Certificate of Zoning Compliance forms which shall be utilized to record the following:

A. Nonconformities - Owners or occupants of nonconforming uses of land or structures and land in combination shall obtain a Certificate of Zoning Compliance to document wherein the use differs from the provisions of this Chapter. Authorization to renew, change, extend, enlarge or alter the nonconformity shall not be granted unless and until the specifics of the nonconformity are first recorded on a Certificate of Zoning Compliance and the change or alteration is found to comply with Part 16 of this Chapter. The Zoning Administrator may require written documentation to verify the characteristics of the use and the dates of establishment.

B. Approved Uses and Structures. Owners or occupants of uses or structures authorized by approved Building and Zoning Permits may request a Certificate of Zoning Compliance to verify that the use or construction completed is in compliance with the approved permit and the provisions of this Chapter. Similarly, owners or occupants of pre-existing conforming uses or structures may request a Certificate of Zoning Compliance. Upon receipt of such a request, the Zoning Administrator shall inspect the premises and approve or disapprove a Certificate of Zoning Compliance. Nothing contained herein shall preclude the Zoning Administrator from conducting routine inspections and investigations to determine zoning compliance, nor shall it prevent him from responding to complaints on zoning violations. Furthermore, violations of the conditions, uses or construction approved within a Certificate of Zoning Compliance shall be a violation of this Chapter, punishable in accordance with §2106 of this Chapter.

(Ord. 6-4-84, 6/4/1984, §21.08)
§1900. Zoning Hearing Board.

1. There is hereby created for the Township of North Lebanon a Zoning Hearing Board in accordance with the provisions of Article IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §10901 et seq.

2. The membership of the Board shall consist of three (3) residents of the Township of North Lebanon appointed by resolution by the Board of Supervisors. The terms of office shall be for three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township of North Lebanon.

3. Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors which appointed the member, taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

4. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in this Chapter.

5. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Township of North Lebanon and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the Township of North Lebanon and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

6. Within the limits of funds appropriated by the Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

(Ord. 4-1989, 12/18/1989)

§1901. Hearings. The Zoning Hearing Board shall conduct hearings and made decisions in accordance with the following requirements:
1. Public notice shall be given and written notice shall be given to the applicant, the zoning officer and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearings.

2. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.

3. The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board, however, the appellant or the applicant, as the case may be, in addition to the Township of North Lebanon, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

4. The parties to the hearing shall be the Township of North Lebanon, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

5. The chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

6. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

7. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

8. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

9. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed.
and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

10. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this Chapter or of any law, ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this subsection, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of the said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in subsection (1) of this Section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

11. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

12. The Board of Supervisors shall establish, by resolution, fees with respect to hearings before the Zoning Hearing Board.

(Ord. 4-1989, 12/18/1989)

§1902. Stay of Proceedings.

1. Upon filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the zoning officer or of any agency or body, and all official action thereunder, shall be stayed unless the zoning officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action
shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the zoning officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board.

2. After the petition is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the applicant for a bond to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for a bond. The right to petition the court to order the appellants to post bond may be waived by the appellee, but such waiver may be revoked by him if an appeal is taken from a final decision of the court.

3. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the responding party to post a bond shall be interlocutory.

4. If an appeal is taken by a respondent to the petition for a bond from an order of the court dismissing a zoning appeal for refusal to post a bond and the appellate court sustains the order of the court below to post a bond, the respondent to the petition for a bond, upon motion of the petitioner and after hearing in the court having jurisdiction of zoning appeals, shall be liable for all reasonable costs, expenses and attorney fees incurred by the petitioner.

(Ord. 4-1989, 12/18/1989)
Part 20

Zoning Hearing Board: Powers and Duties


1. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

   A. Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Supervisors pursuant to §§609.1 and 916.1(a)(2) of the Pennsylvania Municipalities Planning Code (hereinafter "MPC"), 53 P.S. §§10609.1, 10916.1.

   B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance. Where the ordinance appealed from is the initial zoning ordinance of the Township of North Lebanon and a Zoning Hearing Board has not been previously established, the appeal raising procedural questions shall be taken directly to court.

   C. Appeals from the determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal or register any nonconforming use, structure or lot.

   D. Appeals from a determination by the Township engineer or the zoning officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.

   E. Applications for variances from the terms of this Chapter and flood hazard ordinance or such provisions within a land use ordinance, pursuant to §910.2 of the MPC, 53 P.S. §10910.2.

   F. Applications for special exceptions under this Chapter or floodplain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to §912.1 of the MPC, 53 P.S. §10912.1.

   G. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Chapter.

   H. Appeals from the zoning officer's determination under §916.2 of the MPC, 53 P.S. §10916.2.

   I. Appeals from the determination of the zoning officer or Township engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving applications under Article V or VII of the MPC, 53 P.S. §10501 et seq., §10701 et seq.

2. The Board of Supervisors, shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
A. All applications for approvals of planned residential developments under Article VII of the MPC pursuant to the provisions of §702 of the MPC, 53 P.S. §10702.

B. All applications pursuant to §508 of the MPC, 53 P.S. §10508, for approval of subdivisions or land developments under Article V of the MPC, 53 P.S. §10501 et seq.

C. Applications for conditional use under the express provisions of this Chapter.

D. Applications for curative amendment to this Chapter or pursuant to §§609.1 and 916.1(a) of the MPC, 53 P.S. §§10609.1, 10916.1(a).

E. All petitions for amendments to land use ordinances, pursuant to the procedures set forth in §609 of the MPC, 53 P.S. §10609.

F. Appeals from the determination of the zoning officer or the Township engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to applications for land development under Articles V and VII of the MPC, 53 P.S. §10501 et seq., §10701 et seq. Where such determination relates only to development not involving an Article V or VII application, the appeal from such determination of the zoning officer or the Township engineer shall be to the Zoning Hearing Board pursuant to this Section. Where the applicable land use ordinance vests jurisdiction for final administration of subdivision and land development applications in the Planning Commission, all appeals from determinations under this subsection shall be to the Planning Commission and all appeals from the decision of the Planning Commission shall be to court.

§2002. Special Exceptions. Where the Board of Supervisors, in this Chapter, has stated special exceptions to be granted or denied by the Zoning Hearing Board pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq. [Ord. 4-1989]

A. The Special Exception shall be compatible with adjacent and nearby properties and shall not adversely affect the public health, safety or interest; and

B. The Special Exception use shall be designed to provide satisfactory arrangement for:

1. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and conveniences, traffic flow and control, and the access in case of fire or catastrophe; and,

2. Off-street parking and loading areas where required, with
particular attention to the items in #1 above, the requirements of Part 14 of this Chapter, and the noise, glare, or odor effects of the Special Exception on adjoining properties in the district; and,

3. Refuse and service areas to be located and maintained in a safe and sanitary manner, well screened on three (3) sides. Trash and rubbish shall be stored in covered vermin-proof containers; and,

4. Utilities to be located underground where possible and to be compatible with the surrounding area. Availability, ease of access and safety precautions shall be considered; and,

5. Screening and buffering with reference to type, dimensions, and character. in accordance with Part 13 of this Chapter; and,

6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district and compliance with Part 15 of this Chapter; and

7. Required yards and other open spaces as specified elsewhere in this Chapter.

(Ord. 6-4-84, 6/4/1984, §23.03; as amended by Ord. 4-1989, 12/18/1989)


1. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the zoning officer. The Board may grant a variance, provided are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least
modification possible of the regulation in issue.

2. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq.

(Ord. 4-1989, 12/18/1989)

§2004. Parties Appellant Before the Board. Appeals raising the substantive validity of any land use ordinance (except those to be brought before the Board of Supervisors pursuant to the Pennsylvania Municipalities Code, procedural questions or alleged defects in the process of enactment or adoption of a land use ordinance; or from the determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot; from a determination by the Township engineer or the zoning officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance; from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Chapter; from the determination of the zoning officer or Township engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving subdivision and land development or planned residential development may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the Township of North Lebanon, or any person aggrieved. Requests for a variance and for special exception may be filed with the Board by any landowner or any tenant with the permission of such landowner. (Ord. 4-1989, 12/18/1989)


1. No person shall be allowed to file any proceeding with the Zoning Hearing Board later than thirty (30) days after an application for development, preliminary or final, has been approved by the Township of North Lebanon if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan or from an adverse decision by the zoning officer on a challenge to the validity of this Chapter or an amendment hereto or map or an amendment thereto shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

2. All appeals from determinations adverse to the landowner shall be filed by the landowner within thirty (30) days after notice of the determination is issued. (Ord. 4-1989, 12/18/1989)
§2006. Appeals From the Zoning Hearing Board. Any person or persons are agent of the Township aggrieved by any decision of the Zoning Hearing Board may appeal to the Court of Common Pleas. Appeal shall be taken in accordance with Act 247, and other prevailing laws of the state of Pennsylvania. (Ord. 6-4-84, 6/4/1984, Art. 24)


1. The granting or approval of a special exception or variance shall be valid only for the petitioner and the property specified in the petition. Alterations or changes to the use or building authorized by the Zoning Hearing Board shall require reapplication to the Board. If the special exception or variance has not been implemented within one (1) year of the date of the Zoning Hearing Board decision, said approval shall expire and become null and void. If the property affected by the special exception or variance is transferred in ownership prior to the implementation of the special exception or variance, said approval shall immediately become invalid upon such transfer or ownership.

2. The Zoning Hearing Board may revoke approval of a variance or special exception where:

   A. The petitioner repeatedly violates conditions or safeguards specified in the Board’s decisions; or

   B. The petitioner initiates use or construction contrary to the Board’s decision; or

   C. The petitioner is found to have misrepresented or falsified information pertinent to the Board’s decision; or

   D. The Board’s original decision was in error and the revocation is instituted within thirty (30) days of the original decision or prior to substantial reliance thereon by the petitioner.

3. Violation of the conditions and safeguards or use or construction contrary to that specified by the Zoning Hearing Board decision shall be deemed a violation of this Part, punishable under §2107 "Enforcement Remedies" of this Part. Revocation of the Zoning Hearing Board approval shall not preclude the Township from proceeding in courts of law or equity to prevent or remedy violation of this Part.

(Ord. 6-4-84, 6/4/1984; as added by Ord. 1-1999, 8/16/1999, §XXXVII)
$2101. Duties of Administration Official, Zoning Hearing Board, Township Supervisors and Courts on Matters of Appeal. It is the intent of this Chapter that all questions of interpretation and enforcement shall be first presented to the Zoning Administrator and then the Zoning Hearing Board. Recourse from the decisions of the Zoning Hearing Board shall be to the courts as provided in §2007.

It is further the intent of this Chapter that the duties of the Township Supervisors in connection with this Chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Chapter. Under this Chapter the Township Supervisors shall have only the duties (1) of considering and adopting or rejecting proposed amendments or the repeal of this Chapter, as provided by law, (2) of establishing a schedule of fees and charges as stated in §2102, and (3) those duties specifically noted in other articles of this Chapter.

(Ord. 6-4-84, 6/4/1984, Art. 25)

$2102. Schedule of Fees, Charges, and Expenses. The Township Supervisors shall establish a schedule of fees, charges, and expenses and a collection procedure for Building and Zoning Permits, Certificates of Zoning Compliance, appeals, petitions, and other matters pertaining to this Chapter. The schedule of fees shall be posted in the office of the Zoning Administrator, and may be altered or amended only the Township Supervisors. (Ord. 6-4-84, 6/4/1984, Art. 26)

$2103. Enactment of Zoning Ordinance Amendments.

1. The Board of Supervisors may from time to time amend, supplement, or repeal any of the regulations and provisions of this Chapter. The procedure for the preparation of a proposed zoning ordinance as set forth in §607 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10607, is hereby declared optional.

2. Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township of North Lebanon at points deemed sufficient by the Township of North Lebanon along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.

3. In the case of an amendment other than that prepared by the Planning Commission the Board of Supervisors shall submit each such amendment to the Planning Commission at least thirty (30) days prior to the enactment. 

---

'Part 21 includes Articles 25 through 32 of Ord. 6-4-84, 6/4/1984.'
hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations.

4. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

5. At least thirty (30) days prior to the public hearing on the amendment by the Board of Supervisors, the Township of North Lebanon shall submit the proposed amendment to the county planning agency for recommendations.

6. Within thirty days after enactment, a copy of the amendment to this Chapter shall be forwarded to the county planning agency.

(Ord. 4-1989, 12/18/1989)

§2104. Procedure for Landowner Curative Amendments.

1. A landowner who desires to challenge on substantive grounds the validity of this Chapter or the Zoning Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in §916.1 of the Pennsylvania Municipalities Planning Code (hereinafter "MPC"), 53 P.S. §10916.1. The curative amendment and challenge shall be referred to the Planning Commission and the county planning agency as provided in §609 and notice of the hearing thereon shall be given as provided in §§610 and 916.1 of the MPC, 63 P.S. §§10609, 10610, and 10916.1.

2. The hearing shall be conducted in accordance with §908 of the MPC and all references therein to the Zoning Hearing Board shall, for purposes of this Section be references to the Board of Supervisors. If the Township of North Lebanon does not accept a landowner’s curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court’s decision shall not result in a declaration of invalidity for this entire Chapter and Zoning Map, but only for those provisions which specifically relate to the landowner’s curative amendment and challenge.

3. The Board of Supervisors, if it determines that a validity challenge has merit, may accept a landowner’s curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. The Board of Supervisors shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:

A. the impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;

B. if the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by
the challenged provisions of this Chapter or Zoning Map.

C. the suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, flood plains, aquifers, natural resources and other natural features;

D. the impact of the proposed use on the site's soils, slopes, woodlands, wetlands, flood plains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and

E. the impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

(Ord. 4-1989, 12/18/1989)

§2105. Provisions of Ordinance Declared to be Minimum Requirements. In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this Chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the applicant shall be liable only to follow regulations prescribed by this Chapter under the authority of the Zoning Administrator. It is intended and understood by the Township Supervisors that the applicant is subject to any and all covenants and laws but that there is no authority beyond zoning regulations to be applied by the Zoning Administrator. (Ord. 6-4-84, 6/4/1984, Art. 28)

§2106. Causes of Action. In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the Township of North Lebanon, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township of North Lebanon at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given. (Ord. 4-1989, 12/18/1989)

§2107. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township of North Lebanon, pay a judgment of not more than five hundred ($500.00) dollars plus all court costs, including reasonable attorney fees incurred by the Township of North Lebanon as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the
determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township of North Lebanon may enforce the judgment 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 this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township of North Lebanon the right to commence any action for enforcement pursuant to this Section.

4. District justices shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 4-1989, 12/18/1989)

§ 2108. Separability Clause. Should any section or provision of this Chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Chapter as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

(Ord. 6-4-84, 6/4/1984, Art. 31)

§ 2109. Repeal of Conflicting Ordinances; Effective Date. All ordinances or parts of ordinances in conflict with this Zoning Chapter, or inconsistent with the provisions of this Chapter, are here repealed to the extent necessary to give the ordinance full force and effect. The Ordinance shall become effective on June 9, 1984.

(Ord. 6-4-84, 6/4/1984, Art. 32)
Part 22

Schedule of Fees

§2201. Schedule of Fees.

1. Building Permit Fees. Building/zoning permit fees shall be in accordance with the current fees of the Lebanon County Planning Department and as amended from time to time by the Lebanon County Commissioners. [Res. 6-1994]

2. Zoning Amendment Hearings.

   A. Each petitioner requesting a zoning amendment hearing before the Board of Supervisors shall, upon presentation of his/her petition to the Lebanon County Planning Department, submit a sum of seven hundred fifty dollars ($750.00) to North Lebanon Township along with all applicable fees of the Lebanon County Planning Department.

   B. Any expenses incurred by the Township above the deposit fee of seven hundred fifty dollars ($750.00) shall be reimbursed by the petitioner upon presentation of an invoice by the Township. [Res. 15-1999]

3. Appeals to the Zoning Hearing Board. For each application or appeal submitted to the Lebanon County Planning Department, the applicant shall submit the sum of one hundred dollars ($100.00) along with other applicable fees of the Lebanon County Planning Department at the time of submission of their request/application for a hearing before the North Lebanon Township Zoning Hearing Board. [Res. 15-1999]

Part 23

Adult Book Stores, Adult Motion Picture Theaters and Cabarets

§2301. Definitions.

ADULT BOOK STORE - a commercial establishment having as a substantial or significant portion of its stock in trade, books, magazines, photographs or other materials which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" (as defined below), or an establishment with a segment or section devoted to the sale or display of such material.

ADULT MOTION PICTURE THEATER - an establishment used for presenting motion pictures distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified anatomical areas" (as defined below) for observation by patrons therein.

CABARET - a club, bar, tavern, theater, hall or similar place which features topless or bottomless dancers, entertainers, or employees, strippers, simulated sex acts, live or actual sex acts, or similar entertainers or entertainments.

SPECIFIED SEXUAL ACTIVITIES -
A. Human genitals in a state of sexual stimulation or arousal.
B. Acts of human masturbation, sexual intercourse, or sodomy.
C. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

SPECIFIED ANATOMICAL AREAS -
A. Less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola.
B. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

(Ord. 6-4-84, 6/4/1984; as added by Ord. 01-1991, 3/1/1991, §3)

§2302. Prohibition in Residential Zones. It shall be unlawful to establish an adult book store or adult motion picture theater or cabaret in any residential zone. (Ord. 6-4-84, 6/4/1984; as added by Ord. 1-1991, 3/1/1991, §3)

§2303. One Thousand (1,000) Feet Separation Required. It shall be unlawful to establish an adult book store, an adult motion picture theater, or cabaret within one thousand (1,000) lineal feet of any existing adult book store, adult motion picture theater, or cabaret. (Ord. 6-4-84, 6/4/1984; as added by Ord. 1-1991, 3/1/1991, §3)

§2304. Allowance as Special Exception. It shall be unlawful to establish an adult book store, adult motion picture theater, or cabaret within one thousand (1,000) feet of any school, church, or residential zone, except as a special exception in accordance with the procedure set forth in §2302. The Zoning Hearing Board may authorize the establishment.
of an adult book store, adult motion picture theater, or cabaret within one thousand (1,000) feet of a school, church, or residential zone as a special exception only if the following findings are made by the Board:

A. The applicant has presented to the Board a petition which indicates approval of the proposed use by fifty-one (51%) percent of the persons owning, residing or doing business within the radius of one thousand (1,000) feet of the location of the proposed use. The applicant shall have attempted to contact all eligible locations within this radius, and must supply a list of all addresses at which no contact was made. The circulator of the petition shall have subscribed to an affidavit attesting to the fact that the circulator personally witnessed the signatures on the petition and that the same were affixed to the petition by the person whose names appear thereon.

B. The proposed use will not adversely affect the safe and comfortable enjoyment of properties in the neighborhood and will not be detrimental to the general character of the area.

C. The establishment of the proposed use in the area will not be contrary to any program of neighborhood conservation and will not interfere with any program of urban renewal.

D. The conditions set forth in §2304 relating to special exceptions will be met.

E. All other applicable regulations of this Chapter will be observed including §§2302 and 2303 of this Part.

(Ord. 6-4-84, 6/4/1984; as added by Ord. 01-1991, 3/1/1991, §3)
NORTH LEBANON INDEX

- A -

A, AGRICULTURAL DISTRICTS
  Area, yard and bulk regulations, Ch. 27, Sec. 304
  Environmental improvements/energy conservation requirements, Ch. 27, Sec. 308
  General requirements, Ch. 27, Sec. 307
  Intent, Ch. 27, Sec. 301
  Minimum off-street parking, Ch. 27, Sec. 305
  Permitted uses, Ch. 27, Sec. 302
  Signs, Ch. 27, Sec. 306
  Supplementary regulations, Ch. 27, Sec. 307
  Zoning, Ch. 27, Secs. 301 - 308

ABBREVIATIONS
  BOD, Ch. 18, Sec. 603
  CFR, Ch. 18, Sec. 603
  COD, Ch. 18, Sec. 603
  EPA, Ch. 18, Sec. 603
  I, Ch. 18, Sec. 603
  mg, Ch. 18, Sec. 603
  mg/l, Ch. 18, Sec. 603
  N, Ch. 18, Sec. 603
  NPDES, Ch. 18, Sec. 603
  P, Ch. 18, Sec. 603
  pH, Ch. 18, Sec. 603
  POTW, Ch. 18, Sec. 603
  SIC, Sec. 18, Sec. 603
  SWDA, Ch. 18, Sec. 603
  TSS, Ch. 18, Sec. 603
  USC, Ch. 18, Sec. 603

ADMINISTRATION AND GOVERNMENT
  Drug and alcohol program for nonuniform employees, Ch. 1, Secs. 601 - 608
  Intermunicipal Mutual Aid agreements, Ch. 1, Sec. 701

ADULT BOOKSTORES AND MOTION PICTURE THEATERS AND CABARETS
  Allowance as special exceptions, Ch. 27, Sec. 2304
  Definitions, Ch. 27, Secs. 101, 102, 2301
  Environmental improvements/energy conservation requirements, Ch. 27, Secs. 1301 - 1308
  One thousand feet separation required, Ch. 27, Sec. 2301
  Prohibition in residential zones, Ch. 27, Sec. 2302
  Zoning, Ch. 27, Secs. 2301 - 2304

ADVERTISING STRUCTURES, see SIGNS

ALARM DEVICES
  Administration/enforcement, Ch. 13, Sec. 407
  Appeals, Ch. 13, Sec. 408
  Definitions, Ch. 13, Sec. 401
  False alarms, Ch. 13, Sec. 404
  Liability of municipality, Ch. 13, Sec. 406
  Maintenance, Ch. 13, Sec. 403
  Permits, Ch. 13, Sec. 402
  Tests, Ch. 13, Sec. 405
  Penalty, Ch. 13, Sec. 409
  See also FIRE PREVENTION and SMOKE DETECTORS

ALCOHOLIC BEVERAGES
  Consumption, Ch. 6, Sec. 102
  Definitions, Ch. 6, Sec. 101
  Exceptions, Ch. 6, Sec. 104
  Possession, Ch. 6, Sec. 103
  Penalty, Ch. 6, Sec. 105
  See also DRUG AND ALCOHOL PROGRAM FOR NONUNIFORM EMPLOYEES

ANIMALS
  Animal waste, Ch. 2, Secs. 301 - 313
  Application form, Ch. 2, Sec. 308
  Cease-and-desist order, Ch. 2, Sec. 309
  Definitions, Ch. 2, Secs. 101, 302
  Fees, Ch. 2, Sec. 304
  Household pets, Ch. 2, Sec. 103
  Injunction relief, Ch. 2, Sec. 311
  Keeping, Ch. 2, Secs. 101 - 105
  Location exceptions, Ch. 2, Sec. 307
  Noise, Ch. 2, Secs. 201, 202
  Permits, Ch. 2, Secs. 303 - 305
  Regulated, Ch. 2, Sec. 102
  Regulations, Ch. 2, Sec. 306
  Severability, Ch. 2, Sec. 312
  Penalty, Ch. 2, Secs. 105, 202, 310
  Violations of State law, Ch. 2, Sec. 104
  When effective, Ch. 2, Sec. 313

APPEALS
  Alarm devices, Ch. 13, Sec. 408
  APPOINTMENTS, see specific boards, departments, officers, etc.

AREA, YARD AND BULK REGULATIONS
  A, Agricultural Districts, Ch. 27, Sec. 304
  C-1, Neighborhood Commercial Districts, Ch. 27, Sec. 703
  C-2, General Commercial Districts, Ch. 27, Sec. 804
  Floodplain Districts (F-1, F-2 and F-3), Ch. 27, Sec. 1108
  1-1, Industrial District, Ch. 27, Sec. 1003
  R-1, Low Density Residential District, Ch. 27, Sec. 503
  Zoning, Ch. 27, Secs. 1211, 1204, 1214

AUTHORITIES
  Greater Lebanon Refuse Authority, Appendix Ch., Secs. C-79, C-147
  Municipal Authority, Ch. 1, Secs. 301 - 304
  Redevelopment Authority of Lebanon County, Appendix Ch., Sec. C-70

AUTOMOBILES, see MOTOR VEHICLES; PARKING; and TRAFFIC

- B -

BICYCLES
  Pedalcycles, Ch. 15, Secs. 601 - 609

BOARDS AND COMMISSIONS
  Parks and Recreation Board, Ch. 1, Secs. 201 - 206
  Planning Commission, Ch. 1, Secs. 221, 231

BUILDINGS
  Dangerous structures, Ch. 1, Secs. 101-108

BULK REGULATIONS, see AREA, YARD AND BULK REGULATIONS

- C -

C-1, NEIGHBORHOOD COMMERCIAL DISTRICTS
  Area, yard and bulk regulations, Ch. 27, Sec. 703
  Environmental improvements/energy conservation requirements, Ch. 27, Sec. 707
  Intent, Ch. 27, Sec. 701
  Parking/loading requirements, Ch. 27, Sec. 704
  Permitted uses, Ch. 27, Sec. 702
  Signs, Ch. 27, Sec. 705
  Supplementary regulations, Ch. 27, Sec. 706
  Zoning, Ch. 27, Secs. 701 - 707

C-2, GENERAL COMMERCIAL DISTRICTS
  Application of regulations, Ch. 27, Sec. 204
  Area, yard and bulk regulations, Ch. 27, Sec. 804
  Boundaries, rules for interpreting, Ch. 27, Sec. 203
  Environmental/energy conservation requirements, Ch. 27, Sec. 808
  Height regulations, Ch. 27, Sec. 804
  Intent, Ch. 27, Sec. 801
NORTH LEBANON INDEX

CONDUCT, see DISORDERLY
CONDUCT or PARKS AND
RECREATION
CURFEW
Established, Ch. 6, Sec. 201
Parent/guardian, responsibilities,
Ch. 6, Sec. 202
Penalty, Ch. 6,
Secs. 203, 204

DEBT, Appendix Ch., Sec. A
DISORDERLY CONDUCT
Prohibited, Ch. 6, Sec. 301
Penalty, Ch. 6,
Sec. 302

DROP-OFF SITES, see LICENSES,
PERMITS AND GENERAL
BUSINESS REGULATIONS

DRUG AND ALCOHOL
PROGRAM FOR
NONUNIFORM EMPLOYEES
Administration and government,
Ch. 1, Secs. 801 - 808
Conflicts, Ch. 1, Sec. 808
Findings, Ch. 1, Sec. 802
Modifications, Ch. 1, Sec. 808
Policy established, Ch. 1, Sec. 803
Purpose, Ch. 1, Sec. 801
Questions, Ch. 1, Sec. 803
Records, Ch. 1, Sec. 807
Searches, Ch. 1, Sec. 808
Testing requirements, Ch. 1, Sec. 804
Training program, Ch. 1, Sec. 806
Penalty, Ch. 1,
Secs. 803, 805

DUTIES, see specific boards,
departments, of officers, etc.

EARNED INCOME TAX
Deductions, Ch. 24, Sec. 106
Enabling act, Ch. 24, Sec. 109
Estimated returns, Ch. 24, Sec. 102
Filing of returns, Ch. 24, Sec. 103
Imposition, Ch. 24, Sec. 101
Income Tax Officer, Ch. 24, Sec. 104
Interest/penalties, Ch. 24, Sec. 105
Legal powers of township, Ch. 24,
Sec. 108
Persons under sixteen years, Ch. 24,
Sec. 107
Taxation, special, Ch. 24, Secs. 101 - 109

EMERGENCY REGULATIONS
Traffic control, Ch. 15, Sec. 104

EMPLOYEE WAGES AND
BENEFITS, Appendix Ch., Secs. 
C-140, C-159

ENVIRONMENTAL
IMPROVEMENTS/ ENERGY
CONSERVATION
REQUIREMENTS
Adult bookstores and motion picture
theaters and cabarets, Ch. 27,
Secs. 1301 - 1308
Definitions, Ch. 27, Sec. 1301
Intent, Ch. 27, Sec. 1301
Maintenance/ protection assurances,
Ch. 27, Sec. 1306
Plans/permits, Ch. 27, Sec. 1306
Requirements, Ch. 27, Sec. 1303
Solar/wind/ alternate energy, Ch. 27,
Sec. 1305
Standards, Ch. 27, Sec. 1304
Variances, Ch. 27, Sec. 1307

ESCORT SERVICE, see POLICE

FIREARMS
Authorized persons only, Ch. 6,
Sec. 402
Discharging, Ch. 6, Sec. 401
Penalty, Ch. 6,
Sec. 403

FALSE ALARMS
Alarm devices, Ch. 13, Sec. 404

FEES
Code enforcement, Ch. 5, Sec. 103
Park rental fee, Appendix Ch.,
Sec. C-141
Second time inspections, Appendix
Ch., Sec. C-142
Sewer fees/rates, Appendix Ch.,
Sec.F

FINES, see VIOLATIONS AND
PENALTIES

Zoning amendments, Appendix Ch.,
Sec. C-158

FIRE PREVENTION AND FIRE
PROTECTION
Fire prevention and fire protection,
Ch. 7, Secs. 101 - 107

FIRE LINES
Fire prevention and fire protection,
Ch. 7, Secs. 101 - 107

FIREMEN’S RELIEF
ASSOCIATION
Annual appropriation, Ch. 1, Sec.
503
Foreign fire insurance, Ch. 1, Sec.
502
Recognition, Ch. 1, Sec. 501

LOADING/UNLOADING
Unloading, Ch. 7, Secs. 101 - 107

MUNICIPAL CERTIFICATES
Fire line certificates, Ch. 7, Secs. 102, 103

OFFENSES
Adult bookstores and motion picture
theaters and cabarets, Ch. 27,
Secs. 1301 - 1308
Definitions, Ch. 27, Sec. 1301
Maintenance/ protection assurances,
Ch. 27, Sec. 1306
Plans/permit, Ch. 27, Sec. 1306
Requirements, Ch. 27, Sec. 1303
Solar/wind/ alternate energy, Ch. 27,
Sec. 1305
Standards, Ch. 27, Sec. 1304
Variances, Ch. 27, Sec. 1307

PERMITS AND GENERAL
BUSINESS REGULATIONS

PICKUP/DELIVERY OF CONSUMER
COMMODITIES, Appendix Ch.,
Secs. C-112, C-113

POLICE AND FIRE
PERMITS AND GENERAL
BUSINESS REGULATIONS

POLLUTION CONTROL
DEPARTMENT, Appendix Ch.,
Sec. C-203

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.

POLLUTION CONTROL
DEPARTMENT, APPENDIX
CH.
Open burning, Ch. 7, Secs. 201 - 204
Parking, lawful, Ch. 7, Secs. 102, 103
Signs, Ch. 7, Sec. 105
Smoke detectors, Ch. 7, Secs. 301 - 306
Stands/displays, Ch. 7, Sec. 104
Township disclaims responsibility, Ch. 7, Sec. 106
Penalty, Ch. 7, Secs. 107 - 203
FLOODPLAIN DISTRICTS (F-I, F-2 AND F-3)
Additional administrative requirements, Ch. 27, Sec. 1109
Area, yard and bulk regulations, Ch. 27, Sec. 1108
Building permits, Ch. 27, Secs. 1112
Conflicting ordinances, Ch. 27, Sec. 1110
Definitions, Ch. 27, Sec. 1102
Delineation, Ch. 27, Sec. 1103
Intent, Ch. 27, Sec. 1101
Nonconformities, Ch. 27, Sec. 1107
Provisions, Ch. 27, Sec. 1104
Signs, Ch. 27, Sec. 1108
Special exceptions/variances, Ch. 27, Sec. 1106
Statement of disclaimer, Ch. 27, Sec. 1111
Zoning, Ch. 27, Secs. 1101 - 1112
FLOODPLAIN ADMINISTRATION
Administration, Ch. 8, Sec. 102
Construction, Ch. 8, Secs. 101 - 103
Definitions, Ch. 8, Sec. 103
Flood damage control regulations, Ch. 8, 101
See also SUBDIVISION AND LAND DEVELOPMENT
FRANCHISES AND SERVICES
Cable TV, Appendix Ch., Sec. B
FUNCTIONS, see specific boards, departments, officers, etc.

- G -

GARBAGE AND REFUSE DISPOSAL
Application and quarterly report
Ch. 20, Secs. 111, 112
Certain refuse unlawful, Ch. 20, Sec. 106
Collection, Ch. 20, Sec. 102
Definitions, Ch. 20, Sec. 103
Landfill, Ch. 20, Sec. 105
Preparation, Ch. 20, Sec. 108
Purpose, Ch. 20, Sec. 101
Receptacles, Ch. 20, Secs. 109, 131
Recyclable materials, Ch. 20, Sec. 121
Unlawful activities, Ch. 20, Sec. 104
Penalty, Ch. 20, Sec. 110
Waste management plan for county, Appendix Ch., Sec. C
See also RECYCLING

GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS, Appendix C
GRACE COMMUNITY INC.
Project funding, Appendix Ch., Sec. 1110
GUNS, see FIREARMS

- H -

HANDICAPPED NON-DISCRIMINATION POLICY,
Appendix Ch., Sec. C-72
HEARING BOARDS, see ZONING
HEARING BOARD
HOLDING TANKS
Sewers and sewage disposal, Ch. 18, Secs. 501 - 510

- I -

I-I, INDUSTRIAL DISTRICT
Area, yard and bulk regulations, Ch. 27, Sec. 1003
Environmental energy conservation requirements, Ch. 27, Sec. 1007
Intent, Ch. 27, Sec. 1001
Parking/lopping requirements, Ch. 27, Sec. 1004
Permitted uses, Ch. 27, Sec. 1002
Signs, Ch. 27, Sec. 1005
Supplementary regulations, Ch. 27, Sec. 1006
Zoning, Ch. 27, Secs. 1101 - 1107
INTERMUNICIPAL MUTUAL AID AGREEMENTS
Administration and government, Ch. 1, Sec. 701

- J -

JUNKYARDS
Burning restricted, Ch. 13, Sec. 206
Definitions, Ch. 13, Sec. 201
Enforcement remedies, Ch. 13, Sec. 213
Exceptions, Ch. 13, Sec. 210
Fees, Ch. 13, Sec. 202
Fencing/screening, Ch. 13, Sec. 208
Licensees, Ch. 13, Secs. 202, 203
Materials not be received/stored, Ch. 13, Sec. 207
Right of entry, Ch. 13, Sec. 209
Storage of junk, Ch. 13, Sec. 203
Time limits, Ch. 13, Secs. 205, 211
Penalty, Ch. 13, Sec. 212

- L -

LEBANON VALLEY COUNCIL OF GOVERNMENTS, Appendix Ch., Secs. C-71, C-80
LEWD MATERIALS
Definitions, Ch. 6, Sec. 501
Disseminating/promoting, Ch. 6, Sec. 502
Injunction, Ch. 6, Sec. 504
Penalty, Ch. 6, Sec. 503
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS
Drop-off sites, Ch. 13, Secs. 501 - 508
Enforcement remedies, Ch. 13, Sec. 508
Fees, Ch. 13, Sec. 501
Licensee posting bond or other security, Ch. 13, Sec. 503
License required, Ch. 13, Sec. 501
Rules and regulations, Ch. 13, Secs. 502, 505
Sewers and sewage disposal, Ch. 18, Sec. 208
Termination of license, Ch. 13, Sec. 504
Township's right to remove and dispose of items, Ch. 13, Sec. 506
Penalty, Ch. 13, Sec. 507
Permits, Ch. 13, Secs. 601-604
See also ALARM DEVICES; ANIMALS; CABLE TELEVISION; JUNKYARDS; and PEDDLING

LOCAL GOVERNMENT INVESTMENT TRUST, Appendix Ch., Sec. C-168
LOITERING
Certain types, prohibited, Ch. 6, Sec. 602
Definitions, Ch. 6, Sec. 601
Request to leave, Ch. 6, Sec. 603
Penalty, Ch. 6, Sec. 604
LOTS, see AREA, YARD AND BULK REGULATIONS
- M -

MEMBERSHIP, see specific boards, departments, commissions, etc.
NORTH LEBANON INDEX

MINORS, see CURFEW and EARNED INCOME TAX

MOBILE HOME PARKS
Fees, Ch. 14, Sec. 102
Permits, Ch. 14, Sec. 101
Penalty, Ch. 14, Sec. 103

MOTOR VEHICLES
Parking, Ch. 15, Secs. 110 - 113
Snow emergency parking, Ch. 15, Secs. 110 - 113
Penalty, Ch. 15, Sec. 113
Weight/size restrictions, Ch. 15, Secs. 301 - 303
See also PARKING and TRAFFIC

MR-I, MUNICIPAL RECREATION DISTRICT
Additional requirements, Ch. 27, Secs. 102, 103
Area, yard and bulk regulations, Ch. 27, Sec. 904
Intent, Ch. 27, Sec. 901
Performance required, Ch. 27, Sec. 903
Permitted uses, Ch. 27, Sec. 902

MUNICIPAL AUTHORITY
Articles of incorporation, Ch. 1, Secs. 302, 304
Authorities, Ch. 1, Secs. 301 - 304
Creation, Ch. 1, Sec. 301
Notice of substance, Ch. 1, Sec. 303

- N -

NOISE
Animals, Ch. 2, Secs. 201, 202

NONCONFORMING LOTS/USES/STRUCTURES
Intent, Ch. 27, Sec. 1601
Signs, Ch. 27, Sec. 1607
Special exception uses, Ch. 27, Sec. 1606
Zoning, Ch. 27, Secs. 1601 - 1607

- O -

OCCUPATIONAL PRIVILEGE TAX
Administration/ enforcement, Ch. 24, Sec. 208
Dates, liability/ payment, Ch. 24, Sec. 205
Definitions, Ch. 24, Sec. 201
Employers, duty of, Ch. 24, Sec. 203
Levy - amount/ exemptions, Ch. 24, Sec. 202

More than one occupation, Ch. 24, Sec. 206
Returns, Ch. 24, Sec. 204
Self-employed individuals, Ch. 24, Sec. 207
Taxation, special, Ch. 24, Secs. 201 - 209
Penalty, Ch. 24, Sec. 209

OFFENSES, see VIOLATIONS AND PENALTIES

OFF-STREET PARKING
Access drives, Ch. 27, Sec. 1407
Approval of plans, Ch. 27, Sec. 1411
Definitions, Ch. 27, Sec. 1402
General standards, Ch. 27, Sec. 1404
Illumination of area, Ch. 27, Sec. 1409
Improvements to areas, Ch. 27, Sec. 1410
Intent, Ch. 27, Sec. 1401
Loading/unloading space, Ch. 27, Sec. 1408
Requirements, Ch. 27, Sec. 1403
Schedule, Ch. 27, Sec. 1405
Separate/combined use, Ch. 27, Sec. 1406
Zoning, Ch. 27, Secs. 1401 - 1411

OPEN BURNING
Fire prevention and fire protection, Ch. 7, Secs. 201 - 203, 211-212

- P -

PARKING
Angle parking, Ch. 15, Sec. 402
Applicability, Ch. 15, Sec. 501
C-1, Neighborhood Commercial Districts, Ch. 27, Sec. 704
C-2, General Commercial Districts, Ch. 27, Sec. 805
Construction/ maintenance, streets closed, Ch. 15, Sec. 106
Definitions, Ch. 15, Sec. 502
Definitions/ interpretation, Ch. 15, Sec. 101
Existing regulations, Ch. 15, Sec. 103
Experimental regulations, Ch. 15, Sec. 105
General regulations, Ch. 15, Secs. 101 - 108
Loading/unloading, Ch. 15, Sec. 408
Within marked spaces, Ch. 15, Sec. 401
Motor vehicles, Ch. 15, Secs. 110 - 113
PA Motor Vehicle Code, as provided in, Ch. 15, Sec. 409
Permanent, Ch. 15, Sec. 102

Police officers, authority of, Ch. 15, Sec. 108
Processions/ assemblages, Ch. 15, Sec. 107
Prohibited, Ch. 15, Secs. 403, 404, 407
Redemption costs, Ch. 15, Sec. 506
Records, Ch. 15, Sec. 507
Removal by police, Ch. 15, Sec. 503
Restrictions, Ch. 15, Sec. 508
Special purpose zones, Ch. 15, Sec. 407
Storage garages, Ch. 15, Sec. 504
Temporary/ emergency, Ch. 15, Sec. 104
Time limited, Ch. 15, Sec. 406
Towing/storage charges, Ch. 15, Sec. 505
Trucks/buses, Ch. 15, Sec. 405
Penalty, Ch. 15, Secs. 409, 509
See also FIRE PREVENTION and TRAFFIC

PARKS AND RECREATION
Adoption of City's rules and regulations, Appendix Ch., Secs. 1-4
Authority to close areas, Ch. 16, Sec. 107
Authority to promulgate additional rules, Ch. 16, Sec. 106
Definitions, Ch. 16, Sec. 101
Enforcement, Ch. 16, Sec. 108
Fee in lieu of dedication, Ch. 16, Secs. 202, 16, Sec. 202
Fishing, Ch. 16, Sec 104
Hours, Ch. 16, Sec. 102
Mandatory dedication of park and recreation land dedication required, Ch. 16, Secs. 201, 202
Minimum reservation, Ch. 16, Secs. 213, 212
Reservation, Ch. 16, Sec. 105
Rules and regulations, Ch. 16, Secs. 103, 111, 121
Stoefer's Dam and Union Canal Tunnel, Ch. 16, Sec. 106A
Violations and penalties, Ch. 16, Sec. 109

PARKS AND RECREATION BOARD
Annual budget, Ch. 1, Sec. 205
Appointments, Ch. 1, Sec. 202
Authority, restrictions on, Ch. 1, Sec. 206
Boards and commissions, Ch. 1, Secs. 201 - 216
Membership, Ch. 1, Sec. 201
Officers/directors, Ch. 1, Sec. 204
Service without pay, Ch. 1, Sec. 203
Terms of office, Ch. 1, Sec. 202
Vacancies, Ch. 1, Sec. 203

I-4  Page Revised 12/20/1999
NORTH LEBANON INDEX

Administration/enforcement, Ch. 27, Secs. 2101 - 2107
Adult bookstores and motion picture theaters and cabarets, Ch. 27, Secs. 2301 - 2304
Animals, Ch. 27, Sec. 1215
Area, yard and bulk regulations, Ch. 27, Sec. 1211
Buildings/structures, Ch. 27, Sec. 1202
C-1, Neighborhood Commercial Districts, Ch. 27, Secs. 701 - 707
C-2, General Commercial Districts, Ch. 27, Secs. 801 - 808
Causes of action, Ch. 27, Sec. 2107
Corner lot restrictions, Ch. 27, Sec. 701 - 707
Duty of officials, Ch. 27, Sec. 2101
Enactment of zoning ordinance amendments, Ch. 27, Sec. 2103
Enforcement remedies, Ch. 27, Sec. 2105
Fences/walls/hedges, Ch. 27, Secs. 2301 - 2304
Floodplain Districts (F-1, F-2 and F-3), Ch. 27, Secs. 1101 - 1112
Foundations, Ch. 27, Sec. 1212
Frontage requirements, exceptions, Ch. 27, Sec. 1221
Gasoline pumps/all other equipment, Ch. 27, Sec. 1217
Height regulations, exceptions, Ch. 27, Sec. 1221
Home occupation regulations, Ch. 27, Secs. 1101 - 1107
Intent, Ch. 27, Sec. 1201
Minimum requirements, Ch. 27, Sec. 2102
Mobile home parks/subdivisions, Ch. 27, Sec. 1220
More than one principal structure, Ch. 27, Sec. 1208
MR-1, Municipal Recreation District, Ch. 27, Secs. 901 - 903
Nonconforming lots/uses/structures, Ch. 27, Secs. 1601 - 1607
Off-street parking, Ch. 27, Secs. 1401 - 1411
Parking/storage/use, Ch. 27, Secs. 1218, 1219
Permits/certificates of compliance, Ch. 27, Secs. 1810 - 1808
Planned residential development, Ch. 27, Secs. 1701 - 1704
Procedure for landowner curative amendments, Ch. 27, Sec. 2104
Projections into yards, Ch. 27, Sec. 1204
Public utilities, exceptions, Ch. 27, Sec. 1222
R-1, Low Density Residential District, Ch. 27, Secs. 501 - 505
R-2, High Density Residential Districts, Ch. 27, Secs. 601 - 608
Reclassification, Appendix Ch., Sec. 1
Repeal, conflicting ordinances, Ch. 27, Sec. 2109
Required front yard exceptions, Ch. 27, Sec. 1214
Rezoning land from Agricultural A to Low-Density Residential R-1 District, Appendix Ch., Sec. 1-14
R-R, Rural Residential Districts, Ch. 27, Secs. 401 - 406
Schedule of fees/charges/expenses, Ch. 27, Sec. 2102
Signs, Ch. 27, Secs. 1501 - 1507
Steeply sloped lots and environmental safeguards, Ch. 27, Sec. 1224
Structures to have access, Ch. 27, Sec. 1209
Uses, Ch. 27, Sec. 1203
Visibility at intersections, Ch. 27, Sec. 1206
Water supply/sewerage facilities, Ch. 27, Sec. 1210
Zoning Administrator, Ch. 27, Sec. 1801
Zoning Hearing Board, Ch. 27, Secs. 1900 - 1902, 2001 - 2006
Zoning Map, Appendix Ch., Sec. 1-15
ZONING ADMINISTRATOR
Appointments, Ch. 27, Sec. 1801
Powers and duties, Ch. 27, Sec. 1801
Zoning, Ch. 27, Sec. 1801
ZONING HEARING BOARD
Appeals, Ch. 27, Sec. 2006
Establishment procedure, Ch. 27, Secs. 1900 - 1902
Hearings, Ch. 27, Sec. 1901
Jurisdiction, Ch. 27, Sec. 2001
Parties appellant before the board, Ch. 27, Sec. 2004
Powers and duties, Ch. 27, Secs. 2001 - 2006
Special exception, Ch. 27, Sec. 2002
Stay of proceedings, Ch. 27, Sec. 1902
Time limitations, Ch. 27, Sec. 2005
Variances, Ch. 27, Sec. 2003
Zoning, Ch. 27, Secs. 1900 - 1902, 2001 - 2006

I-8
Page Revised 12/20/1999
NORTH LEBANON TOWNSHIP
ORDINANCE NO. 1-2001

WHEREAS, the Board of Supervisors of North Lebanon Township
have deemed it necessary for the protection, health and welfare
of the residents of the Township of North Lebanon to amend the
Codified Ordinances of North Lebanon Township.

NOW, THEREFORE, be it enacted and ordained by the Board of
Supervisors of North Lebanon Township as follows:

I. CHAPTER 6 - CONDUCT - PART 2 - CURFEW - SECTIONS 201, 202
AND 203

Sections 201, 202 and 203 shall be amended to read as
follows:

§201. Curfew Established. No minor under the age of
eighteen (18) years shall be upon any of the streets, highways,
alleys, parks or public places in the Township between 11:00
P.M. and 5:00 A.M., . . . .

§202. Responsibilities of Parent or Guardian. No
parent, guardian or other person having the legal care or
custody of any minor child under eighteen (18) years of age
shall allow or permit any such minor to go or to be in or upon
any of the streets, highways, alleys, parks or public places of
the Township from 11:00 P.M. to 5:00 A.M., except as specified
herein, or unless reasonable necessity can be shown therefore.

§203. Procedure Upon Violation. Policemen finding
any such minor under the age of eighteen (18) years of age in or
upon any of the streets, highways, alleys, parks or public
places of the Township in violation of any of the provisions of this Part 2, between the hours of 11:00 P.M. and 5:00 A.M., shall issue a citation to the minor under the provisions of this Ordinance and shall issue a written notice and warning to the parent, guardian or other person having legal custody of the said minor child, and after the first written notice, the parent, guardian or other person having legal care or custody of said minor child shall be issued a citation under the provisions of this Ordinance. The minor shall be released to the parent, guardian or other person have legal care or custody of the said minor, which may include a relative of the minor in such cases where the parent, guardian, or other person having legal care or custody cannot be found. If the minor is under ten (10) years of age and if no parent, guardian or other person having legal care or custody of the minor child cannot be located, the child may be turned over to the appropriate public agency.

II. CHAPTER 6 - CONDUCT - PART 3 - DISORDERLY CONDUCT - SECTION 301

Section 301 of the Code of Ordinances of North Lebanon Township shall be amended to include the following provision for disorderly conduct:

§301. Disorderly Conduct Prohibited.

Section 301 shall be amended to add the following provision:

6. engage in the following conduct towards a police officer or an employee of North Lebanon Township while working for the Township:
A. By violent, tumultuous or obstreperous conduct or carriage, or by loud and unusual noises, by abusive language or other action directed to any police officer or employee of the Township in the discharge of his/her duty or work.

B. By any person assaulting, striking, or fighting with any police officer or employee of the Township in the discharge of his/her duty or work, or by knowingly permitting such conduct in or about any house or premises owned or possessed by any person or under that person's management or control.

C. By any person interfering with, resisting, delaying, obstructing, molesting, or threatening to do any of the foregoing to any police officer or employee of the Township in the exercise of his/her official duties.

III. CHAPTER 6 - CONDUCT - PART 6 - LOITERING - SECTION 602 - CERTAIN TYPES OF LOITERING PROHIBITED

This Section shall be amended to provide for an additional type of loitering that shall be prohibited:

§602. Certain Types of Loitering Prohibited.

5. Loitering shall not be permitted where a "No Loitering" sign has been posted or where a direct warning has been given by written or verbal communication.

IV. CHAPTER 7 - FIRE PREVENTION AND FIRE PROTECTION - PART 2 - OPEN BURNING - SECTION 202 - REGULATION OF OUTDOOR FIRES

This Section shall be amended to provide the following:
5202. Regulation of Open Fires.

1. Every out-of-door fire shall be built in and confined to a noncombustible container as approved by resolution of the Board of Supervisors of North Lebanon Township covered with a screen of one-quarter inch (¼").

4. Notwithstanding... the permitted open burning as provided in this Section shall be limited to where the matter to be burned is stacked in an area no wider than ten feet (10'), no longer than ten feet (10'), and no higher than five feet (5'). If a party desires to have open burning beyond this size, the party shall first obtain approval by the appropriate fire chief or designee before burning takes place. This section shall not apply to open burning that takes place on a farm, consisting of ten (10) acres or more.

V. CHAPTER 10 - HEALTH AND SAFETY - PART 1 - GRASS, WEEDS AND OTHER VEGETATION - SECTION 103 - NOTICE TO REMOVE, TRIM OR CUT, MUNICIPALITY MAY DO WORK AND COLLECT COSTS AND ADDITIONAL AMOUNT

The following additional provision shall be added:

"For the purpose of the sub section, whenever an owner, occupant, firm or corporation has been provided with a notice, such notice shall be effective for twelve (12) months from the date of the issuance or posting of such notice, and it shall be the responsibility of the owner, occupant, firm or corporation to continually maintain the property in conformance with the provisions of this Ordinance during that twelve (12) month period."
VI. CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS - PART 2 - JUNKYARDS - §204 and §212

The following amendments shall be added:

§204. Manner of Storage of Junk in Junkyards. All junk and junkyards licensed under this Part 2 shall be stored as herein provided.

1. The first sentence shall remain unchanged, and the following paragraph shall be added thereto: All...If approved by the Township, as a nonconforming use, all junk shall be stored five feet (5') back from the fence. The area and the fence shall be maintained and shall be free of weeds and growth.

§212. Penalty. Any person who violates or permits a violation of this provision of the Code of Ordinances of North Lebanon Township shall, upon conviction thereof, be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00, and/or be imprisoned for a period not exceeding ninety (90) days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.

VII. CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS - PART 3 - PEDDLING - SECTION 309 - PENALTY

Section 302 is hereby repealed, and the following section shall be enacted.

§309. Penalty. Any person who violates or permits a violation of this provision of the Code of Ordinances of North Lebanon Township shall, upon conviction thereof, be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00, and/or be imprisoned for a period not exceeding ninety (90)
days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.

VIII. CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS - PART 4 - ALARM DEVICES - §401 - DEFINITIONS - §404 - FALSE ALARMS - (FIRE ALARM)

This Section shall be amended to include fire departments within certain provisions of the regulations to provide as follows:

§401. Definitions.

FALSE ALARM - An alarm to which the police and/or fire department responds....

INTENTIONAL FALSE ALARMS - A false alarm...by the police department and/or fire department has occurred or is occurring.

IX. CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS - PART 4 - ALARM DEVICES - SECTION 409 - PENALTY

Section 409 is hereby repealed, and the following section shall be enacted.

§409. Penalty. Any person who violates or permits a violation of this provision of the Code of Ordinances of North Lebanon Township shall, upon conviction thereof, be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00, and/or be imprisoned for a period not exceeding ninety (90) days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.
X. CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS - PART 5 - DROP-OFF SITES - SECTION 507 - PENALTY

Section 507 is hereby repealed, and the following section shall be enacted.

§507. Penalty. Any person who violates or permits a violation of this provision of the Code of Ordinances of North Lebanon Township shall, upon conviction thereof, be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00, and/or be imprisoned for a period not exceeding ninety (90) days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.

XI. CHAPTER 14 - MOBILE HOMES AND MOBILE HOME PARKS - PART 1 - MOBILE HOME PARKS - SECTION 101 - PERMITS FOR OPERATION

This Section shall be amended to provide the following additional provision:

§101. Permits for Operation. No person.... Whenever a mobile home is being removed from a park where there are delinquent real estate taxes owing to the Township, another mobile home shall not be set in its place within the mobile home park until the owner of the park pays the delinquent real estate taxes owed to North Lebanon Township.

XII. CHAPTER 15 - MOTOR VEHICLES - PART 2 - MAXIMUM SPEED LIMITS ESTABLISHED ON CERTAIN STREETS

§201. Maximum Speed Limits Established on Certain Streets.

<table>
<thead>
<tr>
<th>STREET</th>
<th>BETWEEN</th>
<th>MAXIMUM SPEED LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Drive</td>
<td>Water Street and Ashton Drive</td>
<td>25 mph</td>
</tr>
<tr>
<td>Mae Avenue</td>
<td>Ashton Drive and Lake Drive</td>
<td>25 mph</td>
</tr>
</tbody>
</table>
XIII. CHAPTER 15 - MOTOR VEHICLES - PART 2 - STOP INTERSECTIONS ESTABLISHED ON CERTAIN STREETS

§214. Stop Intersections Established.

<table>
<thead>
<tr>
<th>STOP STREET</th>
<th>INTERSECTION OR THRU STREET</th>
<th>DIRECTION OF TRAVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Drive</td>
<td>Water Street</td>
<td>West</td>
</tr>
<tr>
<td>Lake Drive</td>
<td>Ashton Drive</td>
<td>East</td>
</tr>
<tr>
<td>Mae Avenue</td>
<td>Lake Drive</td>
<td>South</td>
</tr>
<tr>
<td>Rebecca Street</td>
<td>New Street</td>
<td>South</td>
</tr>
<tr>
<td>Rebecca Street</td>
<td>Route 72</td>
<td>North</td>
</tr>
</tbody>
</table>

XIV. CHAPTER 15 - MOTOR VEHICLES - PART 2 - TRAFFIC REGULATIONS - SECTION 218 - DRAGGING GROUND OR OTHER MATERIAL UPON THE ROAD OR HIGHWAY

Section 218 is hereby repealed, and the following section shall be enacted.

§218. Penalty. Any person who violates or permits a violation of this provision of the Code of Ordinances of North Lebanon Township shall, upon conviction thereof, be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00, and/or be imprisoned for a period not exceeding ninety (90) days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist.

XV. CHAPTER 15 - MOTOR VEHICLES - PART 4 - GENERAL PARKING REGULATIONS - SECTION 403 - PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS

Section 403 shall be amended to add the following area of
prohibited parking:

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>BETWEEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>N. 7th Street</td>
<td>West</td>
<td>Maple Lane and Willow Lane</td>
</tr>
<tr>
<td>Pershing Street</td>
<td>East</td>
<td>At Intersection of E. Maple St. &amp; Pershing St., North on the East side of Pershing St. for 211 feet</td>
</tr>
<tr>
<td>Route 72</td>
<td>East</td>
<td>From the northern entrance at Blouchs Mobil Mini Mart - 1730 Rt. 72 to a point 250 ft. south of the southern entrance</td>
</tr>
</tbody>
</table>

XVI. CHAPTER 15 - MOTOR VEHICLES - PART 4 - GENERAL PARKING REGULATIONS - SECTION 404 - PARKING PROHIBITED IN CERTAIN LOCATIONS, CERTAIN DAYS AND HOURS

The current Section between Kochenderfer Road and Maple Lane is hereby repealed.

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>BETWEEN</th>
<th>DAYS</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>N. 7th St.</td>
<td>West</td>
<td>Kochenderfer Rd. &amp; Willow Lane</td>
<td>7</td>
<td>2</td>
</tr>
</tbody>
</table>

XVII. CHAPTER 15 - MOTOR VEHICLES - PART 4 - GENERAL PARKING REGULATIONS - SECTION 407 - SPECIAL PURPOSE PARKING ZONES ESTABLISHED, PARKING OTHERWISE PROHIBITED

The following shall be added:

<table>
<thead>
<tr>
<th>STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
<th>AUTHORIZED PURPOSE OF VEHICLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elias Avenue</td>
<td>North</td>
<td>30' east of Emma Road to 22' east of sign</td>
<td>Handicapped Parking</td>
</tr>
</tbody>
</table>

§407. It shall be unlawful for a person to park a motor vehicle in an area designated and marked for handicapped parking without having a "Handicapped Parking" permit as issued by the Commonwealth of Pennsylvania. A "Handicapped Parking" permit shall be displayed in the manner prescribed by law. If a person parks a motor vehicle in a handicapped parking space
without having a "Handicapped Parking" permit, such person, upon conviction, shall be sentenced to a fine of $50.00 plus costs. If a person parked a motor vehicle in an area designated for handicapped parking without displaying a valid "Handicapped Parking" permit as provided by law, such person, upon conviction, shall pay a fine of $15.00 plus costs.

XVIII. CHAPTER 22 - SUBDIVISION AND LAND DEVELOPMENT - PART 1 - APPLICATION PROCEDURE - §102 - NOTICE TO RESIDENTS OF FILING LAND DEVELOPMENT AND/OR SUBDIVISION PLAN

The following provision is hereby adopted to the Code of Ordinances of North Lebanon Township:

§102. Notice to Surrounding Property Owners. Within twenty (20) days after filing a subdivision plan and/or land development plan for property located in North Lebanon Township, the party submitting the plan shall submit proof to North Lebanon Township and the Lebanon County Planning Department a copy of a letter of transmittal that has been mailed to property owners within a radius of 300 feet of the subject property notifying such property owners of such filing and notifying such property owners that the filing is available for inspection at the North Lebanon Township Building on any Monday through Friday from 8:00 a.m. to 3:00 p.m., and the applicant shall also provide to Lebanon County Planning and North Lebanon Township with a list and a map containing the names and addresses of the property owners who have been notified.

XIX. CHAPTER 27 - ZONING - PART 6 - R-2, HIGH DENSITY RESIDENTIAL DISTRICTS - SECTION 602 - PERMITTED USES - 12B. SPECIAL EXCEPTIONS FOR MOBILE HOME PARKS
The following amendments shall be made:

4. **Density** - Each new park or an addition to an existing park shall have a maximum density of four (4) mobile homes per acre of land included in the tract to be laid out for mobile home use, and an area of not less than 6,500 square feet shall be provided for each mobile home lot. For those mobile home parks that were established prior to the adoption of the amendment (February 19, 2001), the maximum density shall be eight (8) mobile homes per acre of land included in the tract to be laid out for mobile home use and an area of not less than 2,500 square feet shall be provided for each mobile home lot.

9. **Off-Street Parking** -

e. For each new park or additions to an existing park that are established after the effective date of this amendment (February 19, 2001), there shall be established visitor parking which shall be centrally located within the park providing for one-quarter parking space for each mobile home lot.

**XX. CHAPTER 27 - ZONING - PART 11 - FLOOD PLAIN DISTRICTS**

Part 11 dealing with the Flood Plain Districts is hereby repealed, and the following provision as attached hereto is hereby enacted.

**XXI. CHAPTER 27 - ZONING - PART 12 - SUPPLEMENTARY DISTRICT REGULATIONS - SECTION 1207 - FENCES, WALLS AND HEDGES**

$1207 shall be amended to read as follows:

$1207. Fences, Walls and Hedgerows. Unless otherwise regulated, fences, walls and hedges may be permitted in any
required yard or along the edge of any yard. However, walls or
heapes along the sides or front edge of any front yard shall not
be over thirty inches (30") in height and shall not obstruct
visibility. A fence in a front yard may be up to forty-eight
inches (48") in height if seventy-five percent (75%) of the
fence area is open and does not create a hazard for drivers.
(Ord. 6-4-84, 6/4/1984, §15.07)

XXII. CHAPTER 27 - ZONING - PART 12 - SUPPLEMENTARY DISTRICT
REGULATIONS - SECTION 1225 - YARD SALES

The Ordinance shall be amended to provide for the
following:

§1225. Yard Sales. Each residential building shall
be permitted four (4) yard sales per year.

XXIII. CHAPTER 27 - ZONING - PART 12 - SUPPLEMENTARY DISTRICT
REGULATIONS - SECTION 1226 - GROUP CARE FACILITIES

§1226. Group Care Facilities. Group care facilities
shall be permitted in the following zoning districts provided
that the following requirements are met: R-R, Rural Residential
Districts; R-1, Low Density Residential Districts; R-2, High
Density Residential Districts.

A. The owner and operator of the group care
facilities shall complete and application form as approved and
provided by North Lebanon Township and shall submit to the
Township such supporting information as required by the Township
and the application.

B. If the application meets the requirements of
the law and the Township requirements, an occupancy certificate
shall be issued by the Township or its designated agent subject to such conditions as the Township may require as are permitted by law.

3. The applicant shall pay an application and processing fee as determined by the Township.

4. In the event that the application is refused by the Board of Supervisors of North Lebanon Township, or if the conditions are not acceptable to the applicant, the applicant shall have thirty (30) days from the date of the denial to file an appeal to the Board of Supervisors of North Lebanon Township and to pay the applicable appeal fee as determined by the Township. Within thirty (30) days of the date of the appeal, the Board of Supervisors shall hold a hearing to determine whether or not the permit shall be issued and if conditions should be imposed. If the appeal is denied, the applicant shall have the right to appeal the decision to the Court of Common Pleas of Lebanon County as provided by law.

5. A violation of the conditions of the permit shall give North Lebanon Township the right of prosecution under the provisions of this Ordinance, and/or under the provisions of the law, and in addition thereto, North Lebanon Township shall have the right to proceed in an equitable proceeding before the appropriate Court to seek enforcement of the permit and/or conditions. North Lebanon Township shall also have the right to the suspension and revocation of the permit for the violation of the permit, and in such case, the permit holder shall be given
the same right of appeal first to the Board of Supervisors and
next to the Court of Common Pleas of Lebanon County,
Pennsylvania.

XXIV. CHAPTER 27 - ZONING - PART 1 - DEFINITIONS - §102 SPECIFIC
DEFINITIONS AND PART 8 - C-2, GENERAL COMMERCIAL DISTRICT
- §802. PERMITTED USES - 17

The following Section shall be amended to read as follows:

§102. Specific Definitions.

SEXUALLY ORIENTED BUSINESS - Sexually oriented
business is an adult arcade, adult book store, adult video
store, adult cabaret, adult motel, adult motion picture theater,
escort agency, nude model studio, or sexual encounter center.

§102. Permitted Uses.

17. All other uses, including sexually oriented
businesses, which in the opinion of the Zoning Administrator are
similar to the above uses and in harmony with the intent of the
regulations of this district. When a proposed use is not
sufficiently similar to enable the Zoning Administrator to make
a ruling, the Zoning Hearing Board may make a determination as
authorized in §104(E) of this Chapter.

XXV. CHAPTER 27 - ZONING - PART 2 ESTABLISHMENT OF DISTRICT:
PROVISIONS FOR OFFICIAL ZONING MAP - §204 - APPLICATION OF
DISTRICT REGULATIONS - E.

§204. Application of District Regulations.

E. When a specific use is neither permitted nor
prohibited in the schedule of District Regulations, the Zoning
Hearing Board shall make a determination, as to the similarity
or compatibility of the use in question to the permitted uses in
the district, basing the decision on the overall intent stipulated for the district. If the Zoning Hearing Board grants the permitted use, it may attach such conditions as it deems appropriate.

XXVII. CHAPTER 27 - ZONING - PART 12 - SUPPLEMENTARY DISTRICT REGULATIONS - SECTION 1227 - UNITS PER ACRE

§1227.

Whenever in this Zoning Ordinance there is a section that provides for the number of units permitted per acre or gross acre, the calculation of the "acre" shall only include the building area and the applicable set-back lines.

XXVII. CHAPTER 27 - ZONING - PART 2 - ESTABLISHMENT OF DISTRICTS: PROVISIONS FOR OFFICIAL ZONING MAP - §206 - MINIMUM LOT SIZE - TRANSFERRED TO CHAPTER 27 - ZONING - PART 12 - SUPPLEMENTARY DISTRICT REGULATIONS - §1228 - MINIMUM LOT SIZE

§1228. Minimum Lot Size.

In interpreting the provisions of this Chapter, the minimum square foot for a lot within any district shall be calculated by excluding any area where a structure or a portion of a structure is not permitted, excluding the applicable setback lines. (Ord. 6-4-64, 6/4/1964; as added by Ord. 1-1-1999, 6/15/99, §XXXI; as added by Ord. 1-2001, 2/19/2001 §XXVII)

XXVII. CHAPTER 27 - ZONING - PART 11 - FLOOD PLAIN DISTRICTS - SECTION 1113 - FLOOD PLAIN BUILDING CODE

Section 1113 of the Code of Ordinances of North Lebanon Township shall be amended to include the following provision:

§1113. Flood Proofing Building Code. The Lebanon County Flood Proofing Building Code adopted May 27, 1999 is
hereby adopted as the Flood Proofing Building Code of North Lebanon Township.

XXIX. REPEALER

All other Ordinances or provisions of Ordinances that are in conflict with the Ordinance provisions that are provided herein are hereby repealed.

ENACTED AND ORDAINED this 19th day of February, 2001.

ATTEST:

Secretary

NORTH LEBANON TOWNSHIP

By: Chairman
AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA: ss.
COUNTY OF LEBANON : ss.

On the 20th day of February, 2001, before me the undersigned officer, personally appeared Cheri F. Grumbine, known to me to be the Secretary of North Lebanon Township, and as such person is entitled to sign the within Certification on behalf of North Lebanon Township, and acknowledged that she executed the same for the purposes therein contained, and desire the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Signature]
Notary Public

[Notarial Seal]
CATHY A. KIRK, NOTARY PUBLIC
NORTH LEBANON TWP, LEBANON CO.
MY COMMISSION EXPIRES FEB. 1, 2005.
CERTIFICATION

I, Cheri F. Grumbine, Secretary of North Lebanon Township, Lebanon County, Pennsylvania, do hereby certify that the attached Resolution is a true and correct copy of the original Resolution enacted by the Board of Supervisors of said Township on February 19, 2001.

Cheri F. Grumbine
NORTH LEBNON TOWNSHIP

ORDINANCE NO. 2 - 2001

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF NORTH LEBANON TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF THE MUNICIPALITY OF NORTH LEBANON TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA, AS FOLLOWS:

I. CHAPTER 27 - PART 2 - SECTION 05 - USE DISTRICTS

The following shall be added to the schedule of Zoning Districts:

Class C - 2A & B General Commercial Districts A and B

II. CHAPTER 27 - PART 8 - C-2 GENERAL COMMERCIAL DISTRICTS

This Section of the Zoning Ordinance shall be amended to provide for a General Commercial District A and a General Commercial District B and Sexually Oriented Businesses shall only be permitted in General Commercial District B. The following Sections will be amended to provide as follows:

Part 8
C-2A, General Commercial Districts - A

§801. Intent. The regulations of this district are designed to accommodate commercial activity within the Township. Since these enterprises are for the most part dependent on traffic generated by a major thorough fare, these uses are grouped together to facilitate shopping via automobile. The requirements contained in this Part are designed to promote safe and expedient conveyance of the resulting high traffic volumes. (Ord. 6-4-84, 6/4/1984, §11.01)

§802. Permitted Uses.

1. Stores for the retailing of all consumer goods not otherwise prohibited by law.

2. Multiple commercial use complexes and shopping centers provided that the following conditions are met:

   A. The multiple commercial use complex or shopping center shall consist of a group of two (2) or more commercial uses, planned, designed, and constructed as one (1) principal structure.
Each commercial establishment within the complex shall share at least one (1) party wall with another establishment.

B. The minimum lot size shall be determined by the total gross floor area of the principal structure, according to the following table:

<table>
<thead>
<tr>
<th>TOTAL GROSS FLOOR AREA</th>
<th>MINIMUM LOT AREA REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20,000 sq. ft.</td>
<td>1 acre</td>
</tr>
<tr>
<td>20,001 — 40,000 sq. ft.</td>
<td>2 acres</td>
</tr>
<tr>
<td>Greater than 40,000 sq. ft.</td>
<td>2 acres plus 1 acre for each 15,000 sq. ft. (or fraction thereof) in excess of the initial 40,000 sq. ft. of floor area.</td>
</tr>
</tbody>
</table>

C. Such use shall comply in all respects with the lot width, lot coverage, yard and building height requirements of §804 of this Part.

3. Personal service shops including barber shops, beauty parlors, tailors, shoe repair, dry cleaning, laundromats, etc.


5. Banks, savings and loan associations, finance agencies, and other offices providing business or professional services.

6. Messenger, dispatch, express, and courier services.

7. Taxi and bus passenger stations, and transfer trucking facilities.

8. Mortuary and undertaking establishments.

9. Indoor amusement enterprises such as arenas, bowling alleys, dance halls, and other recreation or entertainment establishments.

10. Drive-in movie theaters.

11. Restaurant facilities of all types, including drive-in, drive through or fast food, tea rooms, cafes, and other places serving food or beverages, including private, membership, or social clubs and beverage distribution centers.

12. Printing and publishing firms.

13. Shops for contractors, plumbers, heating, painting, and upholstering specialists.


15. Automobile dealers and automobile washes.
16. Gasoline stations and repair garages subject to the following regulations:

   A. No repair work shall be performed out-of-doors.

   B. All automotive parts, dismantled and derelict vehicles, and similar articles shall be stored only within an enclosed building.

   C. All gasoline and petroleum pumps shall be located outside of buildings, no less than thirty-five feet (35') from any right-of-way line or property line.

   D. All fuel, oil, or similar combustible petroleum product storage tanks shall be located underground at least thirty-five feet (35') from any road right-of-way line or lot line.

   E. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to §1318 of this Chapter.

17. All other uses, which in the opinion of the Zoning Administrator are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Administrator to make a ruling, the Zoning Hearing Board may make a determination as authorized in §204(5) of this Chapter.

18. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this Chapter.

   A. Automobile body shops provided that the following conditions are met:

      (1) All work shall be conducted indoors.

      (2) Paint booths shall be adequately filtered and vented to minimize exhaust of noxious fumes.

      (3) Flammable and/or combustible materials shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty feet (50') from any lot line.

      (4) Outdoor storage of auto parts or equipment shall not be permitted at any time.

   B. Lumber, coal and fuel distribution yards provided the following conditions are met:

      (1) All principal and accessory buildings, storage areas, scales, distribution areas, and parking facilities shall be a minimum of one hundred feet (100') from any lot line or road right-of-way line.

      (2) Fuel storage tanks shall be placed underground at least fifty feet (50') from any lot line or road right-of-way line or above ground at least one hundred feet (100') from any lot line or road right-of-way line. (Ord. 6—4—84, 6/4/1984, §11.02)
§803. **Performance Required.** All of the above listed uses must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole. Should the Zoning Administrator feel there is any possibility of the above mentioned dangers, the applicant must prove the contrary to the Zoning Hearing Board as an Administrative Review procedure before a permit is issued. (Ord. 6-4-84, 6/4/1984, §11.03)

§804. **Lot Area, Building Height and Yard Requirements.** A lot area, lot width, lot coverage, yard depth, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in 802 and 805, shall be provided for every dwelling unit and/or principal non-residential building or use hereafter erected, altered, or established in this district.

<table>
<thead>
<tr>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Area</td>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>1 acre</td>
<td>200'</td>
</tr>
</tbody>
</table>

A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty feet (50').

B. No building shall exceed two and one-half (2-1/2) stories or thirty-five feet (35') in height unless authorized as a Special Exception by the Zoning Hearing Board. (Ord. 6-4-84, 6/4/1984, §11.04)

§805. **Minimum Off-Street Parking and Loading Requirements.** Off-street parking and loading shall be provided in accordance with Part 14 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.05)

§806. **Signs and Advertising Structures.** Signs shall be permitted in accordance with Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.06)

§807. **Supplementary District Regulations.** The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.07)

§808. **Environmental Improvements and Energy Conservation Requirements.** The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.08)

C-2B, General Commercial Districts - B

§801. **Intent.** The regulations of this district are designed to accommodate commercial activity within the Township. Since these enterprises are for the most part dependent on traffic generated by a major thoroughfare, these uses are grouped together to facilitate shopping via automobile. The
requirements contained in this Part are designed to promote safe and expedient conveyance of the resulting high traffic volumes. (Ord. 6-4-84, 6/4/1984, §11.01)

§802. Permitted Uses. 17. All other uses, including sexually oriented businesses, which in the opinion of the Zoning Administrator are similar to the above uses and are in harmony with the intent of the regulations for this District. When a proposed use is significantly similar to enable the Zoning Administrator to make a ruling, the Zoning Hearing Board may make a determination as authorized in Section 204(E) of this Chapter.

§802. Permitted Uses.

1. Stores for the retailing of all consumer goods not otherwise prohibited by law.

2. Multiple commercial use complexes and shopping centers provided that the following conditions are met:
   
   A. The multiple commercial use complex or shopping center shall consist of a group of two (2) or more commercial uses, planned, designed, and constructed as one (1) principal structure. Each commercial establishment within the complex shall share at least one (1) party wall with another establishment.

   B. The minimum lot size shall be determined by the total gross floor area of the principal structure, according to the following table:

<table>
<thead>
<tr>
<th>TOTAL GROSS FLOOR AREA</th>
<th>MINIMUM LOT AREA REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20,000 sq. ft.</td>
<td>1 acre</td>
</tr>
<tr>
<td>20,001 — 40,000 sq. ft.</td>
<td>2 acres</td>
</tr>
<tr>
<td>Greater than 40,000 sq. ft.</td>
<td>2 acres plus 1 acre for each 15,000 sq. ft. (or fraction thereof) in excess of the initial 40,000 sq. ft. of floor area.</td>
</tr>
</tbody>
</table>

   C. Such use shall comply in all respects with the lot width, lot coverage, yard and building height requirements of §804 of this Part.

3. Personal service shops including barber shops, beauty parlors, tailors, shoe repair, dry cleaning, laundromats, etc.


5. Banks, savings and loan associations, finance agencies, and other offices providing business or professional services.

6. Messenger, dispatch, express, and courier services.

7. Taxi and bus passenger stations, and transfer trucking facilities.

8. Mortuary and undertaking establishments.
9. Indoor amusement enterprises such as arenas, bowling alleys, dance halls, and other recreation or entertainment establishments.

10. Drive-in movie theaters.

11. Restaurant facilities of all types, including drive-in, drive through or fast food, tea rooms, cafes, and other places serving food or beverages, including private, membership, or social clubs and beverage distribution centers.

12. Printing and publishing firms.

13. Shops for contractors, plumbers, heating, painting, and upholstering specialists.


15. Automobile dealers and automobile washes.

16. Gasoline stations and repair garages subject to the following regulations:
   A. No repair work shall be performed out-of-doors.
   B. All automotive parts, dismantled and derelict vehicles, and similar articles shall be stored only within an enclosed building.
   C. All gasoline and petroleum pumps shall be located outside of buildings, no less than thirty-five feet (35') from any right-of-way line or property line.
   D. All fuel, oil, or similar combustible petroleum product storage tanks shall be located underground at least thirty-five feet (35') from any road right-of-way line or lot line.
   E. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to §1318 of this Chapter.

17. All other uses, including sexually oriented businesses, which in the opinion of the Zoning Administrator are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Administrator to make a ruling, the Zoning Hearing Board may make a determination as authorized in §204(5) of this Chapter. Any adult bookstores, adult motion picture theaters and cabarets shall comply with Chapter 27, Part 23 of the Code of Ordinances of North Lebanon Township.

18. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Part 20 of this Chapter.
   A. Automobile body shops provided that the following conditions are met:
      (1) All work shall be conducted indoors.
Paint booths shall be adequately filtered and vented to minimize exhaust of noxious fumes.

Flammable and/or combustible materials shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty feet (50’) from any lot line.

Outdoor storage of auto parts or equipment shall not be permitted at any time.

B. Lumber, coal and fuel distribution yards provided the following conditions are met:

1. All principal and accessory buildings, storage areas, scales, distribution areas, and parking facilities shall be a minimum of one hundred feet (100’) from any lot line or road right-of-way line.

2. Fuel storage tanks shall be placed underground at least fifty feet (50’) from any lot line or road right-of-way line or above ground at least one hundred feet (100’) from any lot line or road right-of-way line. (Ord. 6—4—84, 6/4/1984, §11.02)

§803. Performance Required. All of the above listed uses must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole. Should the Zoning Administrator feel there is any possibility of the above mentioned dangers, the applicant must prove the contrary to the Zoning Hearing Board as an Administrative Review procedure before a permit is issued. (Ord. 6—4—84, 6/4/1984, §11.03)

§804. Lot Area, Building Height and Yard Requirements. A lot area, lot width, lot coverage, yard depth, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in 802 and 805, shall be provided for every dwelling unit and/or principal non-residential building or use hereafter erected, altered, or established in this district.

| District Requirements |
|------------------------|-----------------|------------------|
| **Lot Requirements**   | **Yard Requirements** |
| Min. Lot Area | Min. Lot Width | Max. Lot Coverage | Front | One Total Side | Side | Rear |
| 1 acre | 200’ | 50’ | 60’ | 30’ | 60’ | 30’ |

A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty feet (50’).

B. No building shall exceed two and one-half (2-1/2) stories or thirty-five feet (35’) in height unless authorized as a Special Exception by the Zoning Hearing Board. (Ord. 6—4—84, 6/4/1984, §11.04)
§805. Minimum Off-Street Parking and Loading Requirements. Off-street parking and loading shall be provided in accordance with Part 14 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.05)

§806. Signs and Advertising Structures. Signs shall be permitted in accordance with Part 15 of this Chapter. (Ord. 6-4-84, 6/4/1984, §11.06)

§807. Supplementary District Regulations. The Supplementary District Regulations in Part 12 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.07)

§808. Environmental Improvements and Energy Conservation Requirements. The environmental and energy requirements in Part 13 shall apply, where applicable, as additional requirements for this district. (Ord. 6-4-84, 6/4/1984, §11.08)

The Zoning Map of North Lebanon Township is hereby amended in accordance with the sketch attached hereto marked as Exhibit “A”.

III. REZONING OF THE FOLLOWING PROPERTIES

1. The properties of Martin Hoover, 1021 East Maple Street, North Lebanon Township, Lebanon County, Pennsylvania; the Kneasel Farm, 905 Mt. Zion Road, North Lebanon Township, Lebanon County, Pennsylvania; and the Roy Kneasel Farm, 1031 East Maple Street, North Lebanon Township, Lebanon County, Pennsylvania, as more specifically shown on Exhibit “B” attached hereto are zoned from R-2, High Density Residential to A, Agricultural.

2. The property of Robert Yancey and others is hereby rezoned from R-2, High Density Residential to C-2A, General Commercial District A, as more specifically shown on Exhibit “C”

IV. AMENDMENT OF R-2, HIGH DENSITY RESIDENTIAL - NEW REGULATIONS - GARDEN APARTMENTS AND TOWNSHOUSES - CHANGES TO PARKING REGULATIONS FOR TOWNSHOUSES AND GARDEN APARTMENTS

Revisions to R-2 District
Garden Apartments/Townhouse Regulations

PART 6

The following amendments and changes are enacted:

§602. Permitted Uses.

3. Townhouses, provided that the following requirements are met:

   B. Maximum development density shall not exceed six (6) dwelling units per gross acre. In determining a “gross acre”, wetlands, easements, storm water detention facilities, r-o-w, and unusable land shall be excluded.

   D. Minimum front and rear yard of thirty (30) feet each, as measured from the property line or any paved parking area, shall be provided for each townhouse unit.
E. Side yard minimum of fifteen (15) shall be provided from the unattached sides of buildings; however, a minimum side yard of twenty-five (25) feet shall be provided from any paved parking areas. A minimum distance of fifty (50) feet shall also separate each group of townhouses.

F. No group of townhouses shall consist of more than six (6) attached units, with no more than two (2) continuous dwellings having a maximum frontage of forty-four (44) feet or a minimum front footage of twenty (20) feet with the same front and/or rear front setback, each variation of the setback being at least four (4) feet. Developers are encouraged to use variety in design and construction to enhance appearance. The minimum floor area of any dwelling unit attached or detached shall be one thousand two hundred sq. ft (1200’), exclusive of any garages, breezeways, or porches.

J. Off-street parking, as required by Part 14 (Off-Street Parking Requirements) of this ordinance, shall be located on the lot or within one hundred (100) feet of the dwelling unit to be served.

4. Garden Apartments, provided that the following conditions are met:

A. Maximum development density shall not exceed twelve (12) dwelling units per gross acre. In determining a “gross acre”, wetlands, easements, storm water detention facilities, r-o-w, and unusable land shall be excluded.

C. Garden Apartment buildings shall contain at least four (4) but not more than twelve (12) dwelling units in a single structure.

E. A minimum isolation distance of seventy-five (75) feet shall be provided between garden apartment buildings.

G. Balconies shall be required for each dwelling unit above the ground floor and shall not extend more than eight (8) feet from the face of any principal building. The minimum of floor of any balcony shall be seventy-two (72) square feet.

H. Patios shall be provided at ground level, and they shall be designed for visual privacy and shall be a minimum of one hundred fifty (150) square feet.

J. Off-street parking, as required by Part 14 of this chapter, shall be located within one hundred (100) feet of the dwelling unit to be served. Furthermore, parking facilities and driveways shall be located no less than twenty-five (25) feet from any road right-of-way and ten (10) feet from all other property lines.

§604 Supplemental Townhouse and Garden Apartment Standards. The following design criteria shall apply as additional requirements for townhouse and garden apartment development:

C. Dense screen plantings shall be provided where multiple dwelling unit land developments abut any nonresidential use or where such development abut any single-family residential
or other zoning district. Screen plantings shall be designed, located and maintained in accordance with the requirements of Part 12 of this Chapter.

F. Exterior storage areas for trash and rubbish shall be on a concrete pad and screened with a four (4) sided, gated fence. The container shall be covered and vermin-proof.

§604A. Supplemental Garden Apartment Requirements.

1. Common Open Space Areas.

   a. The garden apartments shall be provided with a common area not less than ten percent (10%) of the gross garden apartment land area, which shall be for the enjoyment of all residents. The areas may include, but are not limited to, such facilities as service buildings for meeting rooms, laundromats, storage cubicles for residents, either individually or collectively, and such other facilities as may be approved by the Board of Supervisors of North Lebanon Township.

   b. The park shall have at least half its common area at one continuous location, and not more than half its common area may be in the buffer yard.

Part 14

Off-Street Parking Requirements

§1405. Schedule of Required Off-Street Parking Spaces. The minimum number of off-street parking spaces required for a specific use is listed in the following chart. Where appropriate when computing the number of required parking spaces, the Zoning Administrator may exclude floor area of structures (e.g. storage, employee lounge, bathroom), which does not bear any relationship to the parking needs of the use.

Residential

F. Multi-family residence (including townhouses and garden apartments) 3 spaces per dwelling unit

§1407. Access Drives to Parking. In the review of any plan that provides for an in access drive, the Board of Supervisors may require such changes as they deem necessary for the protection, welfare and safety of the public and the residence of the area. The location and width of entrance and exit driveways to paved, hard surface parking facilities shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The center line of the access driveways on the frontage street shall be at least one hundred fifty (150) feet from the right-of-way line of the nearest intersecting street of any other driveway. Where there is more than one driveway to a parking area, the driveways, whenever possible, shall be, limited to one-way travel, either as an entrance to or exit from the parking area. Entrances and exits, shall be limited to three lanes. In the review of any plan that provides for access drives, the Board of Supervisors may require such changes as they deem necessary for the protection and safety of the public and the residents of the area. The width of such entrances and exits, measured at the street property line, shall conform with the following schedule:
V.  **CHAPTER 18 - SEWERS AND SEWAGE DISPOSAL - PART 7 - SEWAGE RATES - 710 - ADDITIONAL CHARGES FOR NON-COMPLIANCE**

North Lebanon Township may issue a notice to a property owner that is connected to the North Lebanon Township sewer system requiring that the owner allow the inspection of the property to determine the type and number of uses, the type and number of sewer connections, verification that there is no unauthorized discharge into the North Lebanon Township sewer system. In the event that the owner does not permit the inspection of the premises, the owner shall be charged an additional sewer assessment of Four Hundred Fifty Dollars ($450) per quarter until the property owner complies with the notice and allows the inspection.

VI.  **OPENING OF A PORTION OF CRESTON DRIVE**

The Board of Supervisors of North Lebanon Township do hereby accept, take and open the portion of Creston Drive as more specifically shown on Exhibit “D” attached hereto. The same shall be added as a portion to the North Lebanon Township road system, and shall be opened to the public and shall be maintained by the Township as part of it’s road system.

VII.  **CHAPTER 1 - ADMINISTRATION AND GOVERNMENT - PART 1 - TOWNSHIP OFFICIALS - C. TOWNSHIP SUPERVISORS - §121 COMPENSATION TO BE RECEIVED**

§121. “Compensation to be Received”. This Section to be amended to read as follows:

Each Supervisor of North Lebanon Township elected or appointed to office on or after the effective date of this Ordinance shall receive compensation as a Supervisor in the annual amount of Three Thousand Two Hundred Fifty Dollars ($3,250). The Supervisors who are elected to office prior to the effective date of this Ordinance shall receive compensation as a Supervisor in the amount of Two Thousand Five Hundred Dollars ($2,500) per year.

VIII.  **CHAPTER 27 - ZONING - PART 1 - DEFINITIONS - §102 - SPECIFIC DEFINITIONS**

The following Section shall be amended to read as follows:

§102. Specific Definitions.

“**Agricultural Operation**” - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

“**Garden Apartments**” - Multi-family apartment buildings located on a plot of land under one (1) ownership. Garden apartments are two (2) stories high, with individual apartments on each story.
“Land Development” - Any of the following activities:

A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose including:

(1) There is no change to the existing provision;

(2) The division or allocation of land or space, whether initially or cumulatively, between or,

(3) Among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

“Loading/Unloading Space” - An off-street space for vehicle or vehicles while loading or unloading merchandise or materials.

“Nonconforming Certificate” - This certificate shall be issued by the Township or designated party and shall be utilized for the registration of nonconforming lots, nonconforming signs, nonconforming structures, nonconforming buildings and nonconforming uses as provided in the Zoning Ordinance of North Lebanon Township.

“Nonconforming Structure” - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Chapter or amendment theretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Chapter or amendment or prior to the application of this Chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs. (Ord. 4-1989)

“Parking Space” - An open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers, or tenants of the principal building or use.

“Public Meeting” - A forum held pursuant to notice as provided by law.

IX. CHAPTER 20 - SOLID WASTE - PART 2 - RECYCLING - §203

North Lebanon Township Recycling Program

The following Sections shall be amended to read as follows:

“B. All persons, including individuals, partnerships, companies, associations, corporations or other groups or entities, within North Lebanon Township are hereby required to separate leaf waste from other municipal waste generated at their homes, apartments, businesses and other residential establishments unless those persons have otherwise provided for the lawful composting of leaf waste, which term includes leaves, garden residues, shrubbery, tree trimmings, Christmas trees, and similar materials, but not including grass clippings.”
"G. The burning of recyclables is prohibited in North Lebanon Township and any person, firm or company violating this Section, upon summary conviction before a District Magistrate, shall be sentenced to pay a fine of not less than $50 nor more than $100 and the costs of prosecution, such fines to be collected as like fines are now collected by law, and/or shall undergo imprisonment not exceeding ten (10) days or both. Each day of violation shall be considered as separate offense. North Lebanon Township shall also have the right to file an equity action in the Court of Common Pleas of Lebanon County, Pennsylvania requesting the Court to issue a mandatory injunction prohibiting the person, firm or company from burning recyclables within the Township, and in such case, Township shall be entitled to collect the aforementioned fine, court costs and reasonable attorney's fees.

ENACTED AND ORDAINED THIS 26th day of December, 2001.

BOARD OF SUPERVISORS OF NORTH LEBANON TOWNSHIP

Lee F. Spencer, Chairman

Edward A. Breining, Vice-Chairman

ATTEST:

Cheri F. Grumbine

Secretary, Cheri F. Grumbine
A PORTION OF CRESTON DRIVE

to be dedicated to
NORTH LEBANON TOWNSHIP

from
M.A.C.

EXHIBIT "D"

STECKBECK ENGINEERING ASSOCIATES
272-7110

REFERENCE INFORMATION FROM FINAL
SUBDIVISION PLAN FOR M.A.C. "LAKEVIEW"
DATED 2/14/96

Scale: 1" = 60'

Date: 12/28/00
REFERENCE INFORMATION FROM FINAL
SUBDIVISION PLAN FOR M.A.C. "LAKEVIEW"
DATED 2/1/96

CRESTON DRIVE

232
233
234
235
236

168
167
166
113
112

JANET AVENUE

Containing
7,500 sf

N79°22'20"E
150.00'

S3°22'20"W

A PORTION OF CRESTON DRIVE
to be dedicated to
NORTH LEBANON TOWNSHIP
from
M.A.C.

EXHIBIT "D"

STECKBECK
ENGINEERING
ASSOCIATES
272-7110

Scale: 1"=60' Date: 12/28/00