ORDINANCE NO. 1-2025

AN ORDINANCE OF THE TOWNSHIP OF NORTH ANNVILLE AMENDING THE NORTH ANNVILLE TOWNSHIP ZONING ORDINANCE OF 1973 TO DEFINE THE TERM "PRIVATE SOLAR PLANT" AND AMENDING THE AGRICULTURAL AND MANUFACTURING DISTRICTS OF THE NORTH ANNVILLE TOWNSHIP ZONING ORDINANCE REGARDING PROVISIONS FOR PRIVATE SOLAR PLANTS TO BE PERMITTED USES BY RIGHT SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, North Annville Township (the "Township") adopted the North Annville Township Zoning Ordinance of 1973 (the "Zoning Ordinance"); and

WHEREAS, the Township now desires to amend the Zoning Ordinance.

AND NOW, BE and it HEREBY is ORDAINED AND ENACTED by the North Annville Township Board of Supervisors amending the Zoning Ordinance as follows:

1. DEFINITIONS: Article II, Section 201.4, of the Zoning Ordinance is hereby amended by the addition of the following definition which shall state as follows:

> Private Solar Plant: A solar application and supporting equipment, installed on land for the collection and generation of solar energy for the sole purpose of providing electric for the property owner's private use.

2. PERMITTED USE (401.1): Article IV, Section 401.1 of the Zoning Ordinance is hereby amended by the addition of Subsection P which shall state as follows:

P. Private Solar Plant as regulated in §523.

3. PERMITTED USE (405.1): Article IV, Section 405.1 is hereby amended by the addition of subsection J. which shall state as follows:

J. Private Solar Plant as regulated in § 523.

4. CONDITIONS: Article V, Supplemental District Regulations, is amended by the addition of Section 523 to state as follows:

> Section 523 – Private Solar Plant shall be a permitted use in the Agricultural and Manufacturing District provided that the following is demonstrated to the zoning officer prior to the issuance of a zoning permit.

a. No Private Solar Plant may be established upon any land subject to an Agricultural Conservation Easement filed against it which remains in effect.

b. The Private Solar Plant maximum designed output cannot exceed 125% of property's owners documented annual consumption.

c. Three (3) megawatts is the maximum designed output of any Private Solar Plant installation. Expansion of a Private Solar Plant unit is permissible up to the three (3) megawatt cap. Only one (1) Private Solar Plant is permitted per lot. No electric from a private solar plant may be transmitted directly to public utility or a public power grid.

d. On-site battery storage is permitted subject to all applicable electrical and fire protection codes. Substation battery units must have a minimum 250-foot setback from any property line. First responders must have unrestricted access to battery units in an emergency. The owner or operator of a Private Solar Plant shall provide to first responders a hazardous materials list.

e. Solar panel arrays shall have a minimum 100-foot setback from any neighboring property lines or public road.

f. A permanent visual screen must be provided between the Private Solar Plant and residential structures. The visual screen shall consist of a vegetative buffer that mature to minimum height of 6 feet within (5) years or a pexco-style chain link fence. Dead vegetation shall be replaced within 180 days from property owner being informed of such dead vegetation.

g. A 6-foot chain link security fence (or taller if required by code) shall be installed around the perimeter of the private solar plant. Emergency accessibility must be provided for first responders

h. The maximum lot coverage of the private solar plant may not exceed 25% of total lot size, this is calculated by the total area from the security fence inward.

i. The Applicant must have an approved Stormwater Management Plan as required by the Lebanon County Stormwater Management Ordinance. The Applicant must also submit a site plan to the zoning officer and the Township Engineer demonstrating compliance with this Section.

j. The Noise level generated by the Private Solar Plant shall not exceed fifty (50) decibels as measured by a sound level meter from the nearest property lot line.

k. The Private Solar Plant shall prevent solar glare from projecting onto roadways and into neighboring structures. The Township Engineer will determine if corrective action is required if substantiated complaints with respect to solar glare are voiced at a Township meeting.

l. Property owners of Private Solar Plant may contract with a third party to operate and own solar arrays and supporting equipment, provided, however no part of the owner's lot/property may be leased to a third party for the installation of a private solar plant.

m. If the Private Solar Plant is providing electric to a separate lot in similar ownership, when the lot with the Private Solar Plant is conveyed to separate ownership, the Private Solar Plant shall be decommissioned and removed within 12 months.

5. REPORTS: Upon request of the Township, but not more often than annually, the property owner or operator of the Private Solar Plant shall provide a report to the Township regarding the power generated by the Private Solar Plant.

6. ANNUAL INSPECTION BY TOWNSHIP: The Township Engineer or designated Representative may inspect the Private Solar Plant and grounds on an annual basis and make a report to the Township. Before making the inspection, the Engineer or Township Representative shall give reasonable notice of at least 48 hours to the property owner and operator that such inspection shall occur and said notice shall include the time and date.

7. REPEALER: All Ordinances or parts of Ordinances that are inconsistent herewith, shall be and the same are expressly repealed.

8. SEVERABILITY: In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this local government unit that such remainder shall be and shall remain in full force and effect.

9. EFFECTIVENESS: This Ordinance shall become effective in accordance with law.

DULY ENACTED AND ORDAINED this 9th day of June, 2025, by the governing body of this Township, in lawful session duly assembled.

ATTEST:

Adam D. Wolfe

NORTH ANNVILLE TOWNSHIP BOARD OF SUPERVISORS

Clyde B. Meyer