

## ARTICLE 23

### ZONING AMENDMENTS

#### Section 2301. AMENDMENTS

- A. The Board of Supervisors shall have final authority to enact by resolution zoning change application, amend, supplement or repeal any of the regulations and provisions of this Ordinance and the Lykens Township Zoning Map. Any amendment, supplement, change, or repeal may be initiated by the Planning Commission, or by petition to the Board of Supervisors by any interested party.
- B. Public Hearing and Procedures for Zoning Amendments

Before hearing and enacting Zoning Ordinance and/or Zoning Map amendments, the Board of Supervisors shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comments. Such public hearing shall be conducted after public notice has been given. Public notice for a zoning amendment shall be provided as follows:

- 1. Notice shall be published once each week for 2 successive weeks in a newspaper of general circulation in the Township. 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 7 days from the date of the hearing.

Publication of the proposed amendment shall include either the full text thereof or the title and brief summary setting forth all the provisions in reasonable detail. If the full text is not included, the full text may be supplied to a newspaper of general circulation in the municipality at the time the public notice is published.

- 2. In Zoning Map amendments, the notice of public hearing shall also be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract shall be posted at least 1 week prior to the date of the hearing.
- 3. For curative amendments, public notice shall also indicate that the validity of the Ordinance and/or map is in question, and shall give the place where and the times when a copy of the request including any plans, explanatory material or proposed amendments may be examined by the public.

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. If the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract shall be posted at least one week prior to the date of the public hearing.

C. Enactment Notice - Publication, Advertisement and Availability of Ordinances

1. In addition to the public notice requirements for a public hearing defined herein, the Board of Supervisors shall publish a reference to the time and place of the meeting at which passage of the zoning ordinance amendment will occur.

Proposed zoning ordinances and amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this section, and shall include the time and place of the meeting at which passage will be considered, a reference to a place within the Township where copies of the proposed ordinance or amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Township Supervisors shall publish the proposed ordinance or amendment once in one newspaper of general circulation in the Township not more than sixty (60) days nor less than seven (7) days prior to passage. Publication of the proposed ordinance or amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included:

- a. A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.
  - b. An attested copy of the proposed ordinance shall be filed in the Dauphin County Law Library or other county office designated by the County Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing said ordinances.
2. In the event substantial amendments are made in the proposed ordinance or amendment, before voting on enactment, the governing body shall, at

least ten days prior to enactment, readvertise, in one newspaper of general circulation in the municipality, a brief summary setting forth all provisions in reasonable detail together with a summary of amendments.

3. Zoning ordinances and amendments may be incorporated into official ordinance books by reference with the same force and effects as if duly recorded therein.

D. Township Planning Commission Comments

1. When an amendment is proposed by parties other than the Planning Commission, the Board of Supervisors shall submit each amendment to the Planning Commission for comments. The amendment application shall be submitted at least 30 days prior to the public hearing on such amendment.
2. A report of the review by the Planning Commission, together with any recommendations, may be given to the Board of Supervisors within thirty (30) days from the date the amendments were received. The recommendation of the Township Planning Commission may include a specific statement as to whether the proposed action is consistent with the intent of the Ordinance and the Township's officially adopted Comprehensive Plan.

E. Dauphin County Planning Commission Comments

1. At least thirty (30) days prior to the hearing on the Ordinance amendment by the Township Supervisors, the Township shall submit the proposed ordinance or amendments to the Dauphin County Planning Commission for recommendations. Within thirty (30) days after enactment, a copy of the zoning amendment shall be forwarded to the Dauphin County Planning Commission. Amendment procedures shall be in compliance with Section 609 of the Pennsylvania Municipalities Planning Code, Act 247, as amended.

F. Amendments Initiated by the Board of Supervisors

When an amendment, supplement, change, or repeal is initiated by the Board of Supervisors, such amended shall follow the prescribed for a petition under Section 2301.B.

G. Amendments Initiated by the Planning Commission

When an amendment, supplement, change, or repeal is initiated by the Planning Commission, proposal shall be presented to the Board of Supervisors, which shall then proceed with the amendment process in accordance with Section 2301.B.

H. Amendments Initiated by a Petition from an Interested Party

A petition for amendment, supplement, change, or repeal for a portion of this Ordinance shall include an accurate legal description and surveyed plan of any land to be rezoned and/or text amended, and a narrative describing all of the reasons supporting the petition to be considered. the petition shall also be signed by at least one record owner of the property in question whose signature shall be notarized attesting to the truth and correctness of all facts and information presented in the petition. A fee to be established by the Board of Supervisors shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein. The Board of Supervisors may require duplicate sets of petition materials.

**Section 2302. PROCEDURE UPON CURATIVE AMENDMENTS**

The procedure upon curative amendments shall be in accordance with the requirements of the Pennsylvania Municipalities Planning Code, Act 247, as amended, Section 609.1 and Section 609.2.