

Notice of Intent to Consider and Adopt

Notice is hereby given by the Board of Supervisors of the Township of Derry, Dauphin County, Pennsylvania, that it is their intent to consider and, if approved by formal action, adopt Ordinance No. 692, which would amend Chapter 225 (Zoning) of the Code of the Township of Derry.

Principal provisions of Ordinance No. 692 include:

Amendments to Article II (Form and Function), as follows: Amend §225-205, Table 1, to permit Hotels and Motels as a Conditional Use within the Compact Development Overlay (O8) zoning district, and replace the term 'Truck Terminals' with the term 'Transportation Terminals'; amend §225-206.F.1.c regarding the minimum lot area for properties containing steep slopes or lack of public sewer from 40,000 square feet to 43,560 square feet; amend §225-206.H.23 regarding enclosures around special bulk containers; and amend §225-206.H by adding 'mailbox structures' as a permitted encroachment in required yard areas.

Amendments to Article III (Zoning Districts and Overlays), as follows: Amend §225-306, Table 11, by adding a footnote clarifying the allowable dimensions, coverages, and densities for an Active-Adult community in the R-3 zoning district, and by deleting the minimum lot areas for residential uses; amend §225-310, Table 19, by replacing the term 'Senior Housing' with the term 'Active-Adult Communities' under the Residential Density heading; amend §225-311, Table 21, by adding a footnote regarding the minimum yard area depths for properties within the Medical Campus Central zoning district; amend §225-312, Table 23, by adding a footnote regarding the measurement and determination of the required yard areas for property within the Hersheypark (O4) Overlay zoning district, and by adding an additional footnote that defines what uses would be considered accessory uses within an Amusement, Theme, Entertainment, or Water Park, and permitting certain encroachments in required yard areas; amend §225-315, Table 28, by changing 'Hotels and Motels' from a permitted by-right use to a conditional use within the Compact Development (O8) Overlay zoning district; amend §225-315, Table 29 by changing the front yard setback for a principal structure to 20 feet in the Compact Development (O8) Overlay zoning district, by adding a footnote indicating that the setback for principal structures along Elm Avenue shall be 30 feet, and by adding another footnote clarifying the required dimensional criteria for residential uses within the Downtown Core (O9) Overlay zoning district that contain no frontage along Chocolate Avenue; and amend §225-316, Table 30, by replacing the term 'Truck Terminals' with the term 'Transportation Terminals' under the Industrial Uses heading.

Amendments to Article IV (Performance Standards and Supplementary Regulations), as follows: Amend §225-401.4.C.J and §225-401.4.C.P to clarify the height and area allowances for civic and community event signage; amend §225-401.4.C by adding 'flags of a corporate, nonprofit, or educational organization', 'building identifiers', and 'wayfinding signage' to the list of signage that would be permitted in all zoning districts without a permit; amend §225-401.4.F.A by clarifying the section title reference indicating the signage that is permitted in all zoning districts subject to certain criteria; amend §225-401.4.F.A.9.a by clarifying the height allowances for flags of a corporate, nonprofit organization, or educational organization; amend §225-401.4.F.B.1 by clarifying the section title reference for signage permitted within the General Sign Overlay upon issuance of a permit; amend §225-401.4.F.B.1, Table 36, by revising the allowable dimensions of wall signs, the permitted materials of awning and canopy signs, and the Special Notes section of the table to clarify the allowable protrusions of a projecting sign from a building surface and uses permitted to construct off-site directional signage; amend §225-401.4.F.C.1 by clarifying the section title reference for signage permitted within the Downtown Commercial Sign Overlay upon issuance of a permit; amend §225-

401.4.F.C.1, Table 38, by clarifying the permitted number of free-standing signs on a property, the allowable dimensions of a wall sign, the permitted materials of awning and canopy signs, the allowable methods of illumination for signs, and the Special Notes section of the table to clarify the allowable protrusions of a projecting sign from a building surface and uses permitted to construct off-site directional signage; amend §225-401.4.F.C.3.a by clarifying the maximum number of allowable signs on properties within the Downtown Commercial sign district; amend §225-401.4.F.D.1 by clarifying the section title reference for signage permitted in the Limited Sign Overlay upon issuance of a permit; amend §225-401.4.F.D.1, Table 40, by revising the allowable dimensions of a wall sign, the permitted materials of awning signs, the illumination requirements for ground, wall, projecting, awning, informational, and scoreboard signs, and by revising the Special Notes section of the table to clarify the allowable protrusions of a projecting sign from a building surface; amend §225-402.5.A by adding the table heading 'Table 35A'; amend §225-414 to correct the subsection references for the requirements of garage, yard, moving, barn, or similar types of residential (non-commercial) sales; amend §225-420.B.11 to require that all communications antenna and supporting structures located in the public right-of-way are subject to an operations and maintenance agreement to be recorded at the Recorder of Deeds office; and amend §225-421.C.7.f by adding 'streetlights and lampposts within a public right-of-way' to lighting elements that are excluded from the Outdoor Lighting Design Standards.

Amendments to Article V (Conditional Uses and Special Exceptions), as follows: Amend §225-501.C regarding the submittal requirements for conditional use applications and supporting information; amend §225-501.4.B and §225-501.4.C regarding the composition of dwelling types in certain residential developments within the Planned Campus West zoning district; amend §225-501.18.J regarding the separation distances between a minor fuel service establishment and a residential dwelling; amend §225-501.19.G regarding the separation distances between a major fuel service establishment and a residential dwelling; amend §225-501.32.A-D by adding conditional use requirements for 'Transportation Terminals'; amend §225-501.40.F by revising the parking and site circulation requirements for 'Uses Similar to Specified Permitted Uses', amend §225-501.50.A-C by revising the conditional use criteria for 'Hotels and Motels' and 'Residence Hotels and Motels' within the Planned Campus North, Planned Campus West, and Compact Development Overlay zoning districts; amend §225-501.58.A by revising the purpose statement for the conditional use requirements of a Master Plan submittal; amend §225-501.58.A.4.a by revising the application submittal requirements for a Master Plan development; amend §225-501.58.A.4.g.ii.e by clarifying the requirements for applicants to list the predicted use, location, height, bulk, and square footage of structures within a Master Plan development; amend §225-501.58.A.4.g.ii by clarifying the requirements for applicants to provide the maximum number of dwelling units and square footage of commercial space proposed within a Master Plan development; amend §225-501.58.A.4.g.xiii to clarify the requirements to submit 'Preliminary Architectural and Design Standards' with a conditional use application for a Master Plan development; amend §225-501.58.A.4.g.xv to clarify the requirements for an applicant to identify a tentative development schedule for a Master Plan development; amend §225-501.58.A.7.e to clarify the off-street parking requirements for a Master Plan development; and amend §225-501.58.A.10 to clarify the permitted 'Variances, Modifications, and Alterations to a Master Plan'.

Amendments to Article VII (Rezoning), as follows: amend §225-703.A.2 by clarifying the responsibility of the Zoning Officer to notify the Applicant in writing within 7 business days that their rezoning petition has been forwarded to the Township and County Planning Commissions; amend §225-704.A to clarify the submittal requirements of a Rezoning application; and amend §225-704 by adding additional requirements for submittal of supporting information on a Rezoning application.

Amendments to Article VIII (Permits), as follows: amend §225-802.B.2.j by clarifying the types of decorative lawn ornaments and decorative, non-retaining walls that would not be subject to zoning permit requirements; and amend §225-802.B.2 by adding 'mailbox structures' and 'same for same replacements' to the listing of activities that do not require issuance of a zoning permit.

Amendments to Article X (Administration and Enforcement), as follows: amend §225-1007.6 by clarifying the 'Conduct of Hearings' section regarding issuance of a public notice to adjoining owners within certain specified distances from a property that is subject to a Zoning Hearing Board application submittal.

Amendments to Article XI (Definitions), as follows: Amend §225-1103 by adding or modifying definitions for the terms 'Active-Adult Communities', 'Half-way House', 'Sign Dimension (Measurement)', 'Temporary', 'Tourist Attraction', and 'Transportation Terminal'; amend §225-1103 by revising the definitions for the terms 'Parking Lot', 'School', 'Sign', 'Building Identifier', 'Directional Sign', 'Projecting Sign', 'Sign Area', 'Sign Height, and 'Yard Area'; and amend §225-1103 by deleting the definition for 'Truck Terminal'.

The Board of Supervisors intends to take such action at their meeting on Tuesday, November 14, 2017, which will commence at 7:00 p.m. in the meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA.

A copy of the full text of Ordinance No. 692 may be obtained at the Derry Township Department of Community Development, 600 Clearwater Road, Hershey, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday; or online at www.derrytownship.org, under 'Public Notices' (**see next page**).

ORDINANCE NO. 692

AN ORDINANCE OF THE TOWNSHIP OF DERRY, DAUPHIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 225 (ZONING) OF THE CODE OF THE TOWNSHIP OF DERRY TO MAKE GENERAL REVISIONS, CORRECTIONS, AND CLARIFICATIONS RELATIVE TO REGULATIONS DESCRIBED IN ARTICLE II (FORM AND FUNCTION), ARTICLE III (ZONING DISTRICTS AND OVERLAYS); ARTICLE IV (PERFORMANCE STANDARDS AND SUPPLEMENTARY REGULATIONS); ARTICLE V (CONDITIONAL USES AND SPECIAL EXCEPTIONS); ARTICLE VII (REZONING); ARTICLE VIII (PERMITS); ARTICLE X (ADMINISTRATION AND ENFORCEMENT); AND ARTICLE XI (DEFINITIONS)

BE IT ENACTED AND ORDAINED under the authority and procedures of the Pennsylvania Municipalities Planning Code, by the Board of Supervisors of the Township of Derry, Dauphin County, Pennsylvania, as follows:

SECTION 1: Chapter 225, Article II (Form and Function), §225-205, Table 1¹ of the Code of the Township of Derry is hereby amended by deleting 'Hotels and Motels' as a permitted by-right use and adding 'Hotels and Motels' as a conditional use within the Compact Development Overlay (O8) zoning district; and by replacing the term 'Truck Terminals' with the term 'Transportation Terminals' under the 'Industrial Uses' heading of Table 1.

SECTION 2: Chapter 225, Article II (Form and Function), §225-206.F.1.c of the Code of the Township of Derry is hereby amended to read as follows:

- c. Minimum lot width. The minimum lot width shall be 125 feet provided that the minimum lot frontage at the street right-of-way line shall not be less than 100 feet; provided, however, that where the minimum lot area due to slope or lack of public sewer is 43,560 square feet, the minimum lot width shall be 200 feet; and further provided, that on a cul-de-sac, the lots on the curved right-of-way shall have a minimum width at the street right-of-way line of 75 feet.

SECTION 3: Chapter 225, Article II (Form and Function), §225-206.H.23 of the Code of the Township of Derry is hereby amended to read as follows:

23. Special bulk containers, when in conformance with the requirements of Chapter 168, Solid Waste, § 168-12C(2), of the Code of the Township of Derry. Enclosures around special bulk containers, when located within a yard area, shall be 6 feet in height or less.

SECTION 4: Chapter 225, Article II (Form and Function), §225-206.H of the Code of the Township of Derry is hereby amended by adding the following:

29. Mailbox structures.

¹ Table 1, as amended, is attached in its entirety at the end of this document.

SECTION 5: Chapter 225, Article III (Zoning Districts and Overlays), §225-306, Table 11² of the Code of the Township of Derry is hereby amended by adding the following footnote regarding maximum residential density: “Residential dimensions, coverages, and densities for age-restricted (senior) multifamily apartment dwellings shall only be applicable when constructed as part of an Active-Adult Community. Table 11 is further amended by deleting minimum lot areas for residential uses.

SECTION 6: Chapter 225, Article III (Zoning Districts and Overlays), §225-310, Table 19³ of the Code of the Township of Derry is hereby amended by replacing the term ‘Senior Housing’ with the term ‘Active-Adult Communities’ in the ‘Residential Density’ section of the table.

SECTION 7: Chapter 225, Article III (Zoning Districts and Overlays), §225-311, Table 21⁴ of the Code of the Township of Derry is hereby amended by adding the following footnote: “Minimum yard area depth shall only be applicable to internal lots leased or conveyed to parties other than the Milton S. Hershey Medical Center.”

SECTION 8: Chapter 225, Article III (Zoning Districts and Overlays), §225-312, Table 23⁵ of the Code of the Township of Derry is hereby amended by adding the following footnote: “Required setbacks within the O4 Overlay district shall be measured from the perimeter boundaries of the Overlay district and from public street rights-of-way.” Table 23 is further amended by adding the following footnote: “The following structures shall be considered accessory uses subject to the accessory use setbacks for the O4 Overlay district within an Amusement, Theme, Entertainment, or Water Park: Amusement ride tracks, slides or tubes, at-grade queuing areas that contain no permanent roof structure (sunshades or temporary awning structures that are up for less than 180 days of the year are permissible), mobile sales carts, and incidental-related attraction theming and signage oriented to the interior of the park. Amusement ride support columns, footers, and foundations may encroach to within 5 feet of a setback line.”

SECTION 9: Chapter 225, Article III (Zoning Districts and Overlays), §225-315, Table 28⁶ of the Code of the Township of Derry is hereby amended by deleting ‘Hotels and Motels’ as a permitted by-right use and adding ‘Hotels and Motels’ as a conditional use within the Compact Development Overlay (O8) zoning district.

SECTION 10: Chapter 225, Article III (Zoning Districts and Overlays), §225-315, Table 29⁷ of the Code of the Township of Derry is hereby amended by changing the front yard setback for a principal structure from 25 feet to 20 feet in the Compact Development Overlay (O8) zoning district. Table 29 is further amended by adding the following footnote: “Front yard setback from Elm Avenue shall be 30 feet for principal structures.” Lastly, Table 29 is further amended by adding the following footnote: “Residential Uses (SFDs, SFSDs, and TFDDs) within the O9 Overlay district that contain no frontage along Chocolate Avenue

² Table 11, as amended, is provided in its entirety at the end of this document.

³ Table 19, as amended, is provided in its entirety at the end of this document.

⁴ Table 21, as amended, is provided in its entirety at the end of this document.

⁵ Table 23, as amended, is provided in its entirety at the end of this document.

⁶ Table 28, as amended, is provided in its entirety at the end of this document.

⁷ Table 29, as amended, is provided in its entirety at the end of this document.

shall comply with all dimensional criteria of the underlying Hershey Mixed Use zoning district rather than the O9 Overlay district dimensional criteria.”

SECTION 11: Chapter 225, Article III (Zoning Districts and Overlays), §225-316, Table 30⁸ of the Code of the Township of Derry is hereby amended by replacing the term ‘Truck Terminals’ with the term ‘Transportation Terminals’ under the ‘Industrial Uses’ heading of the table.

SECTION 12: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.C.J of the Code of the Township of Derry is hereby amended to read as follows:

- J. Signs and banners that are greater than 8 square feet in area, and/or greater than 8 feet in height that provide advertising for civic and community events, only when authorized by the Board of Supervisors, and grand opening signs and banners subject to §225-401.4.F.A.10.

SECTION 13: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.C.P of the Code of the Township of Derry is hereby amended to read as follows:

- P. Temporary signs that are 8 square feet in area or less and 8 feet in height or less that provide advertising for civic and community events, subject to §225-401.4.F.A.5.

SECTION 14: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.C of the Code of the Township of Derry is hereby amended by adding the following:

- CC. Flags of a corporate, nonprofit, or educational organization, subject to §225-401.4.F.A.9.
- DD. Building identifiers.
- EE. Wayfinding signage within campus areas which are not meant to provide direction to users on public streets.

SECTION 15: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.A of the Code of the Township of Derry is hereby amended to read as follows:

- A. The signs listed below are permitted in all of the sign overlay districts without issuance of a zoning permit, but shall still be subject to the following regulations:

⁸ Table 30, as amended, is provided in its entirety at the end of this document.

SECTION 16: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.A.9.a of the Code of the Township of Derry is hereby amended to read as follows:

- a. Corporate flags, nonprofit organization flags and educational organization flags shall not exceed the lesser of 50 feet or twice the height of the tallest building located on the same site as the flag when a ground or wall mounted flagpole is used.

SECTION 17: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.B.1 of the Code of the Township of Derry is hereby amended to read as follows:

1. The following signs are permitted, upon issuance of a zoning permit, and building permit if necessary, in the General Sign Overlay, in addition to those signs permitted in § 225-401.4.C:

SECTION 18: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.B.1, Table 36⁹ of the Code of the Township of Derry is hereby amended by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Vertical' column of the table to read as follows: "3, if the sign is horizontally oriented" and by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Horizontal' column of the table to read as follows "3, if the sign is vertically oriented." Table 36 is further amended by revising the 'Awning Sign' row and the 'Permitted Materials' column of the table to read as follows: "any permitted sign material or cloth or flexible fabric to match awning style", and by revising the 'Canopy Sign' row and the 'Permitted Materials' column of the table to read as follows: "any permitted sign material or cloth or flexible fabric to match canopy style." Lastly, Table 36 is further amended by revising item number 3 and item number 8 of the 'Special Notes' section of the table to read as follows:

3. *Signs may extend a maximum of six feet from the building surface and extend over a sidewalk no more than 1/3 of the sidewalk width, whichever is less.*
8. *Only directional signs for campuses, Master Plan area development, high traffic industrial uses, churches, shared parking facilities, and other tourist attractions are permitted.*

SECTION 19: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.C.1 of the Code of the Township of Derry is hereby amended to read as follows:

1. The following signs are permitted, upon issuance of a zoning permit, and building permit if necessary, in the Downtown Commercial Sign overlay, in addition to those signs permitted in § 225-401.4.C:

⁹ Table 36, as amended, is provided in its entirety at the end of this document.

SECTION 20: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.C.1, Table 38¹⁰ of the Code of the Township of Derry is hereby amended by revising the 'Free-Standing Sign' row and the 'Permitted Number' column of the table to read as follows: "1/ street frontage w/o multi-tenant sign." Table 38 is further amended by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Vertical' column of the table to read as follows: "3, if the sign is horizontally oriented", and by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Horizontal' column of the table to read as follows: "3, if the sign is vertically oriented." Table 38 is further amended by revising the 'Awning Sign' row and the 'Permitted Materials' column of the table to read as follows: "any permitted sign material or cloth or flexible fabric to match awning style", and by revising the 'Canopy Sign' row and the 'Permitted Materials' column of the table to read as follows: "any permitted sign material or cloth or flexible fabric to match canopy style", and by revising the 'Awning Sign' row and the 'Illumination' column of the table to read as follows: "steady white external light or halo lit sign." Lastly, Table 38 is further amended by revising item number 3 and item number 8 of the 'Special Notes' section of the table to read as follows:

3. Signs may extend a maximum of six feet from the building surface and extend over a sidewalk no more than 1/3 of the sidewalk width, whichever is less.

8. Only directional signs for campuses, Master Plan area development, high traffic industrial uses, churches, shared parking facilities, and other tourist attractions are permitted.

SECTION 21: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.C.3.a of the Code of the Township of Derry is hereby amended to read as follows:

- a. The allowable number of signs shall not exceed three per street frontage or one per business operating on the same lot. All signs except for those exempted from permit requirements in § 225-401.4.C, information signs, projecting signs, window signs less than two square feet, and directional signs shall be counted in calculating the number of allowable signs. Wall signs and/or projecting signs and multiuse identification sign for multiple businesses operating on a single property shall not be counted in calculating the total number of signs. Wall signs on those properties abutting a public street or public streets, other than alleys, for a distance in excess of 300 feet, shall also not be counted in calculating the total number of signs.

SECTION 22: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.D.1 of the Code of the Township of Derry is hereby amended to read as follows:

1. The following signs are permitted in the Limited Sign overlay, upon issuance of a zoning permit, and building permit if necessary, in addition to those permitted in §225-401.4.C, except that signs for nonresidential uses and signs for uses

¹⁰ Table 38, as amended, is provided in its entirety at the end of this document.

conducted within a dwelling are permitted in accordance with the General Commercial Sign overlay regulations:

SECTION 23: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-401.4.F.D.1, Table 40¹¹ of the Code of the Township of Derry is hereby amended by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Vertical' column of the table to read as follows: "3, if the sign is horizontally oriented", and by revising the 'Wall Sign' row and the 'Maximum Sign Face Dimension (Feet)/Horizontal' column of the table to read as follows: "3, if the sign is vertically oriented." Table 40 is further amended by revising the 'Awning Sign' row and the 'Permitted Materials' column of the table to read as follows: "any permitted sign material or cloth or other flexible fabric to match awning style." Table 40 is further amended by revising the 'Ground Sign', 'Wall Sign', 'Projecting Sign', 'Awning Sign', and 'Informational Sign' rows and the 'Illumination' column of the table to read as follows: "steady white external light or halo lit sign." Table 40 is further amended by revising the 'Scoreboard' row and the 'Illumination' column to read as follows: "steady internal or external light." Lastly, Table 40 is further amended by revising item number 3 of the 'Special Notes' section of the table to read as follows:

3. *Signs may extend a maximum of five feet from the building surface and extend over a sidewalk no more than 1/3 of the sidewalk width, whichever is less.*

SECTION 24: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-402.5.A, the table titled 'Specialty spaces shall be calculated at the following factors' of the Code of the Township of Derry is hereby amended by adding a table heading to read as follows:

Table 35A: Parking Multiplier Factors for Reserved or Specialty Spaces

SECTION 25: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-414 of the Code of the Township of Derry is hereby amended to read as follows:

Garage, yard, moving, barn or similar types of residential (non-commercial) related sales shall be permitted in all zoning districts, subject to the following conditions:

- A. All activities shall be conducted in such a manner that no hazards, nuisances, or traffic-safety issues are created.
- B. The duration of such sales shall not exceed two consecutive days.
- C. Such activity may only offer personal possessions for sale; no import or stocking of inventory shall be permitted.
- D. Not more than six such sales shall be conducted each year on any property.

¹¹ Table 40, as amended, is provided in its entirety at the end of this document.

- E. Signs for garage/yard sales shall comply with §225-401.4.F.A.1 of this Chapter and relevant sections of this Chapter relating to signs.

SECTION 26: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-420.B.11 of the Code of the Township of Derry is hereby amended to read as follows:

- 11. All communications antennas and supporting structures that are located within a Township public right-of-way are subject to the Township's right to annually fix a fair and reasonable compensation to be paid for the use and occupancy of the public right-of-way in order to allow for the construction and deployment of the necessary antenna and equipment within the public right-of-way. The owner of each communications tower, and when co-located and/or replaced, each communications antenna, shall pay an annual fee to compensate the Township for the costs incurred in connection with the administration of activities described above. The annual street right-of-way management fee shall be as stipulated by a recordable agreement prepared by the owner of the communications tower and/or antenna that addresses the terms of the use and occupancy of the right-of-way and the terms of annual reimbursement for the right-of-way fee. The terms of the agreement shall be acceptable to the Board of Supervisors and shall be recorded by the owner of the communications tower and/or antenna at the Dauphin County Recorder of Deeds office prior to the approval of the administrative review process for construction of the tower and/or antenna.

SECTION 27: Chapter 225, Article IV (Performance Standards and Supplementary Regulations), §225-421.C.7.f of the Code of the Township of Derry is hereby amended to read as follows:

- f. Streetlights and lampposts within a public right-of-way.

SECTION 28: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.C of the Code of the Township of Derry is hereby amended as follows:

- C. The applicant shall submit 10 paper copies and shall also provide a magnetic or optical storage device copy in the form of Tagged Image File format (TIF) or Portable Document Format (PDF) files of necessary documentation of the proposed use to enable the review of such proposal by the Township. The burden of submitting adequate data to allow full evaluation of the proposal shall rest with the applicant.

SECTION 29: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.4.B and §225-501.4.C of the Code of the Township of Derry are hereby amended to read as follows:

- B. Development sites in excess of 10 acres and containing more than 50 dwelling units or any site proposed to contain an active-adult community, regardless of acreage, shall include a minimum of two types of dwelling units; provided, however, that a minimum of 20% of any one dwelling type shall be provided.

- C. Development sites in excess of 25 acres and containing more than 100 dwelling units, excluding sites proposed to contain an active-adult community, shall include a minimum of three types of dwelling units; provided, however, that a minimum of 10% of any one dwelling type shall be provided.

SECTION 30: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.18.J of the Code of the Township of Derry is hereby amended to read as follows:

- J. Buildings and structures associated with a minor fuel service establishment must be located no closer than 200 feet to a building used as a dwelling which exists at the time of the establishment of the facility, unless separated from said dwelling use by an existing or proposed public street, other than an alley.

SECTION 31: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.19.G of the Code of the Township of Derry is hereby amended to read as follows:

- G. Buildings and structures associated with a major fuel service establishment must be located no closer than 200 feet to a building used as a dwelling which exists at the time of the establishment of the facility, unless separated from said dwelling use by an existing or proposed public street, other than an alley.

SECTION 32: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.32.A, B, C, and D of the Code of the Township of Derry are hereby amended to read as follows:

§225-501.32. Transportation Terminals. (LC zoning district).

- A. The use may not substantially injure or detract from the lawful existing or permitted use of the other properties.
- B. The applicant shall provide an analysis of the physical conditions of the public road system serving the proposed use. The analysis shall include information on the current traffic flows on this road system and projections of traffic to be generated by the proposed use. Improvements to the road shall be provided by the applicant to compensate for any adverse effects which will result to the road system as a result of the use and shall cause the road system to be improved to such a condition in which no adverse effects will result from the traffic flow generated by the use.
- C. Truck maneuvering areas shall be improved with an asphalt or concrete surface and such areas shall be located at least 25 feet from all property or public street right-of-way lines.
- D. The applicant shall demonstrate that the establishment of the transportation terminal will result in no adverse effect on the sanitary sewer and storm drainage system.

SECTION 33: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.40.F of the Code of the Township of Derry is hereby amended to read as follows:

- F. In zoning districts where residential uses are permitted, parking and site circulation shall be designed to be residential in scale and appearance.

SECTION 34: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.50.A and B of the Code of the Township of Derry are hereby amended to read as follows:

§225-501.50. Hotels/Motels and Residence Hotels/Motels. (PCN, PCW, and Compact Development Overlay (O8) zoning districts).

- A. Within the PCW zoning district, all hotel and motel uses shall not be located any closer than 1,500 feet from any other hotel or motel structure within the district. The requirement shall also apply to residence hotel or motel uses when located within the PCW zoning district.
- B. Within the Compact Development Overlay (O8) zoning district, hotel and motel uses shall not be located any closer than 200 feet from the right-of-way line of Chocolate Avenue, or any closer than 500 feet from any other hotel or motel structure, whether in the O8 district or another adjoining zoning district. Residence hotel or motel uses are not permitted within the Compact Development Overlay.

SECTION 35: Chapter 225, Article V (Conditional Uses and Special Exceptions) of the Code of the Township of Derry is hereby amended by adding §225-501.50.C to read as follows:

- C. Within the PCN, PCW, and Compact Development Overlay (O8) zoning districts, hotel and motel uses, including a residence hotel or motel where permitted, shall only be permitted as part of a Master Planned development.

SECTION 36: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A of the Code of the Township of Derry is hereby amended to read as follows:

- A. The purpose of the Development Approval process is to encourage owners to unitize or assemble large parcels of land to create a coordinated and well-conceived development which otherwise may not be created on small parcels of land. The Master Plan is an optional mechanism that permits owners and the Township to promote and encourage ingenuity in the layout and design of coordinated projects to more effectively improve and enhance sensitive natural resources, open spaces, existing infrastructure, connectivity and Smart Growth principles, by allowing flexibility in the site layout from requirements in the underlying zoning district. The Applicant shall be required to meet with the Derry Township Municipal Authority to review required sanitary sewer lines and other sanitary sewer facilities including proposed rights-of-way to be identified, mapped and described as well as the capacity the proposed project will necessitate.

SECTION 37: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.4.a of the Code of the Township of Derry is hereby amended to read as follows:

- a. Applicants seeking Master Plan approval are required to contact the Department of Community Development to discuss their project prior to any submission. During this time, the Township desires to review any associated sketch plans which should meet the requirements of Chapter 185, Subdivision and Land Development, prior to formal submission of a Master Plan under this Section. It is also advisable to present a Sketch Plan to the Township Planning Commission and the Board of Supervisors for informal discussions.

Following Sketch Plan submissions, when one is submitted, or prior to formal submission of the Master Plan for consideration of Conditional Use approval, applicants shall be required to submit Master Plans depicting development on properties that are located within the Downtown Core Overlay District for review by the Downtown Core Design Board. Such review shall be in accordance with the timelines and requirements established by Chapter 89, Downtown Core Design Standards. Following review and recommendation from the Downtown Core Design Board, applicant shall provide for submission of the Master Plan for approval in accordance with this Chapter.

SECTION 38: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.4.g.ii.e of the Code of the Township of Derry is hereby amended to read as follows:

- e. The predicted use and approximate location, height, bulk and square footage for every proposed structure within the Master Plan development area.

SECTION 39: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.4.g.ii of the Code of the Township of Derry is hereby amended by adding the following:

- i. The maximum number of dwelling units and square footage of commercial space proposed within the Master Plan development area.

SECTION 40: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.4.g.xiii of the Code of the Township of Derry is hereby amended to read as follows:

- xiii. Preliminary Architectural and Design Standards. The architectural and design standards shall set forth the requirements for exterior building materials, general site design and compatibility with abutting structures. The applicant shall set forth whether said requirements will be included in covenants running with the land and whether the applicant will retain design approval control. Master Plan Development located within the Downtown Core overlay shall also incorporate the design standards of Chapter 89, Downtown Core Design Standards, into the preliminary architectural and site design for the development.

SECTION 41: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.4.g.xv of the Code of the Township of Derry is hereby amended to read as follows:

- xv. A tentative development schedule, where lot development is to be phased over a period of years, not to exceed 7 years, with an option for a 5-year extension thereof, from the date of Master Plan Approval, showing proposed times for the filing of land development applications for each lot or facility within the proposed Master Plan area. The schedule shall follow the provisions of PA MPC Section 508.4 (v. through vii.).

SECTION 42: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.7.e of the Code of the Township of Derry is hereby amended to read as follows:

- e. Off Street Parking. Off street parking spaces shall comply with §225-402.5 of this Chapter; provided however the applicant may propose shared parking by agreement of the users in accordance with §225-402.4. Notwithstanding any other provisions in this Chapter, designated on-street parking spaces on private streets within a Master Plan development area shall be deemed off-street parking spaces for the purposes of §225-402.5 of this Chapter, provided the parking spaces meet the minimum design standards of §225-402.

SECTION 43: Chapter 225, Article V (Conditional Uses and Special Exceptions), §225-501.58.A.10 of the Code of the Township of Derry is hereby amended to read as follows:

- 10. Variances, Modifications and Alterations to the Master Plan.
 - a. When approving a subdivision and/or land development plan within an approved Master Plan area on an individual lot as a subdivision and/or land development plan, the Board of Supervisors, upon the request of an applicant, may approve reasonable modifications thereto as will not be contrary to the public interest. Where a special, reasonable modification is requested by an applicant, the procedure outlined by Article IX of Chapter 185, Subdivision and Land Development, for granting modifications shall be strictly adhered to and followed.
 - b. Any variances of the zoning requirements except as authorized in this Section, shall only be made by the Zoning Hearing Board as a variance, if requested by an applicant.
 - c. All those provisions of the Master Plan relating to the operation of the Master Plan property authorized to be enforced by the Township under this Section may be altered, removed or released by the Township, except grants or easements relating to the service or equipment of a public utility. To ensure the integrity of the subdivision and/or land development plan and to guarantee that modifications permitted in the Master Plan process do not adversely affect the public interest, the enforcement and modification of the

provisions of the subdivision and or land development plan as finally approved, whether they are recorded by plat, covenant, easement or otherwise, are subject to the following conditions:

- i. No such modification, removal or release of any provision of the Master Plan by the Township shall affect the rights of the owners or tenants of any Master Plan development to maintain and enforce those provisions, at law or in equity, as provided in this Chapter.
- ii. No modification, removal or release of any provision of the Master Plan by the Township shall be permitted except upon the findings by the Board of Supervisors or its designee, following a public hearing. These findings must indicate that the changes are consistent with the following:
 - a. Provides efficient development and preservation of the entire Master Plan area,
 - b. Do not adversely affect the enjoyment of land abutting or across the street from the Master Plan development,
 - c. Do not adversely affect the public health, safety, welfare or other public interests in the Master Plan development,
 - d. The modification has not been requested solely to confer a special benefit upon any person.
- iii. The applicant may propose, and the Board of Supervisors may consider, modifications to the planting scheme contained within the Master Landscaping Plan from time to time provided, however, the intent of the Master Landscaping Plan is maintained and the buffer yard screening is not unduly diminished.
- d. From time to time, the use of any structure(s) on a Master Plan lot may be changed to another use permitted in the district upon approval of an occupancy permit in accordance with the Township Code of Ordinances and the following:
 - i. Where the proposed use is a special exception or conditional use, the change must be submitted to the appropriate board for review and approval.
 - ii. Express conditions of a conditional use or special exception shall not conflict with the finally approved Master Plan.
 - iii. Where changes in elements of the Master Plan are necessary to meet the express conditional use conditions, the applicant shall process a revised Master Plan showing the conflicts between the conditional use's conditions and the Master Plan requirements and requesting approval of

the revised Master Plan in accordance with this section.

- iv. Where changes of a Master Plan are required and a new conditional use is also requested, the applications may be combined into a single proceeding.
 - v. Where changes of a Master Plan are required to enable a special exception, the Master Plan update must first be approved by the Board of Supervisors prior to Zoning Hearing Board approval.
- e. Any changes in the physical layout of a Master Plan lot shall only be approved as part of a land development plan, unless the Zoning Officer determines the same is in compliance with the following:
- i. Permitted modifications
 1. General site layout - Minor revisions to the layout are permitted so long as the internal traffic patterns and principal building locations are substantially the same. Substantially the same refers to: not exceeding the maximum number of dwelling units and square footage of commercial space proposed, changing the boundaries of the Master Plan Development Area, or substantial change from the approximate location, height, bulk or square footage of proposed structures; and/or not having a difference of $\pm 10\%$ length of road, greater than 5% number of parking spaces; and/or not relocating a bike path to a different right-of-way than what was illustrated on the original application.
 2. Building footprint - No more than 2,500 sq. ft. of additional principal floor area may be added to a proposed building.
 3. Parking – The site must be able to support the minimum parking requirements of the proposed use(s).
 4. Traffic - The modification shall not increase peak hour trips to the site by more than 2%; or, when a traffic study was not required as a part of the original submission, cause the project to exceed 100 peak hour trips.
 5. Stormwater – The modifications must be in accordance with Chapter 174, Stormwater Management, and must be documented on a post construction as-built plan.
 6. Site access – Driveways must be in substantially the same location as shown on the approved plan. Any major driveway modification that is the result of a Federal, State or local agency shall be permitted.

7. Site lighting – Revisions are permitted when the applicant provides a revised plan that is sealed by a professional engineer, showing that the lighting continues to comply with the requirements of Chapter 185, Subdivision and Land Development, and the requirements of this Chapter.
 8. Sanitary sewer – Modification must be approved by DTMA or the Township Sewage Enforcement Officer as appropriate.
- f. Notwithstanding Subsection ‘e’, above, an applicant may not modify the physical layout of a Master Plan as part of a land development plan for the Master Plan development area, or a portion thereof, without the Board of Supervisor’s approval of a Master Plan modification if the modification includes any of the following:
- i. Dwelling units – No additional dwelling units may be proposed.
 - ii. New buildings – No additional principal buildings of any size or accessory buildings greater than 1,000 sq. ft. may be proposed.
 - iii. Health, safety and wellbeing – No modification that would reduce the health, safety and wellbeing of the public; or, that is otherwise contrary to the Township’s Comprehensive Plan shall be permitted under this policy.
 - iv. Conditions of land use approvals – Modifications to the plan may not expand, enlarge or violate any conditions of zoning relief previously granted, without first applying for and obtaining approvals for the proposed modification from either the Zoning Hearing Board (ZHB) or the Board of Supervisors, as may be applicable to the project.
 - v. Impervious cover - No modification is permitted which is in excess of the approved Master Plan for the area being altered.
- g. Documents to provide for Master Plan alterations (as applicable).
- i. Revised plans shall be processed in accordance with the requirements of Section 225-501.58.A.4, as applicable and necessary to show the features as approved and as modified.
 - ii. Agreement to pay for any required engineering or third-party reviews.
 - iii. Revised Stormwater Management Plan, report and details of any alterations to a system or qualifying modifications.
 - iv. Traffic impact analysis detailing modifications to peak hour and overall trips.
 - v. Revised lighting plan with professional certification that the modifications continue to comply with Chapter 185, Subdivision and Land

Development, and this Chapter.

- vi. Recordable documents to memorialize any modifications to easements or rights-of-way.
 - vii. A detailed narrative documenting all plan modifications.
 - viii. All other information as may be necessary for the Township to understand and review the modifications.
- h. Other actions which may be necessary.
- i. Approval by Dauphin County Conservation District and/or Department of Environmental Protection, as may be applicable, for modifications to the Post Construction Stormwater Management (PCSM) Plan, National Pollutant Discharge Elimination System (NPDES), and/or other such approvals.
 - ii. Revisions to financial security amount (whether increased or decreased). Must be recommended by Township Engineer and approved by Board of Supervisors prior to building/zoning permit issuance.
 - iii. Downtown Core Design Board approvals, if required.
 - iv. Other outside agency approvals as may be necessary.

SECTION 44: Chapter 225, Article VII (Rezoning), §225-703.A.2 of the Code of the Township of Derry is hereby amended to read as follows:

- 2. Provide the Applicant written confirmation within seven business days stating that the application has been submitted, with all required information, to the Township and County Planning Commissions.

SECTION 45: Chapter 225, Article VII (Rezoning), §225-704.A of the Code of the Township of Derry is hereby amended to read as follows:

- A. Application Requirements. The applicant shall submit 10 paper copies of all supporting information with a Rezoning application, and shall also provide a magnetic or optical storage device copy in the form of Tagged Image File format (TIF) or Portable Document Format (PDF) files of necessary documentation of the proposed use to enable the review of such proposal by the Township. The burden of submitting adequate data to allow full evaluation of the proposal shall rest with the applicant. The plans and reports that an applicant is to submit shall include:
- 1. Statement of existing and proposed base and overlay zoning districts.
 - 2. Conceptual Site Development Plan.
 - 3. Topographic survey.

4. Site conditions report.
5. Estimated infrastructure demands (sanitary sewer and potable water) in gallons per day.
6. Off-street parking projections (number of parking spaces) available on site.
7. A summary of anticipated impacts on adjoining lots including but not limited to noise, vibration, night-time lighting, service area locations and visibility, hours of operation.
8. Depending upon the location of lot access, infrastructure service/demands and impacts identified on adjoining lots, the Township may require an applicant to prepare other related studies such as:
 - a. Traffic related studies.
 - b. Fiscal impact analysis (See Appendix E).
 - c. Density comparison between existing and proposed zoning districts.
 - d. Geotechnical/stormwater analysis.

SECTION 46: Chapter 225, Article VII (Rezoning), §225-704 of the Code of the Township of Derry is hereby amended by adding the following:

9. An accurate legal description of the land requested to be rezoned.
10. The proposed amended language if the rezoning request initiates a textual amendment to this Chapter.

SECTION 47: Chapter 225, Article VIII (Permits), §225-802.B.2.j of the Code of the Township of Derry is hereby amended to read as follows:

- j. Decorative lawn ornaments and decorative, non-retaining walls not exceeding 32 inches in height.

SECTION 48: Chapter 225, Article VIII (Permits), §225-802.B.2 of the Code of the Township of Derry is hereby amended by adding the following:

- u. Mailbox structures.
- v. Same for same replacements.

SECTION 49: Chapter 225, Article X (Administration and Enforcement), §225-1007.6 of the Code of the Township of Derry is hereby amended to read as follows:

§225-1007.6 Conduct of Hearings.

The Township Zoning Hearing Board shall conduct hearings and make decisions in accordance with PA Municipalities Planning Code Section 908. Hearings. A copy of the written public notice of the hearing shall be given to the applicant, the Zoning Officer, the Zoning Hearing Board, the Zoning Hearing Board Solicitor, the Board of Supervisors, the Township Solicitor, and to any other person who has made timely request for the same, at least 10 days prior to the date of the hearing. Furthermore, notice of the hearing shall be given by personally delivering or mailing a written notice to the owners of every lot or building within 200 feet of the subject lot or building for which a hearing is requested; provided, however, that failure to give the notice as required by this Section shall not invalidate any action taken by the Zoning Hearing Board.

SECTION 50: Chapter 225, Article XI (Definitions), §225-1103 of the Code of the Township of Derry is hereby amended by adding the following terms and definitions:

ACTIVE-ADULT COMMUNITIES – An age restricted (55+) residential development that shall be considered a permitted use in any zoning district where residential development is permitted, and where the development will be permitted to contain the dwelling types as they are permitted in the zoning district where the active-adult community is to be located (whether it be by-right, by special exception, or by conditional use, as applicable), and where such dwellings shall be permitted at the maximum densities that are established for the zoning district where the active-adult community is proposed. Such developments shall be subject to the qualifications and regulations set forth by both federal and Pennsylvania law relating to age-restricted housing, and at least 80% of the permitted dwellings shall be occupied by a head of household who is at least 55 years of age. No permanent residents under the age of 19 shall be permitted. The minimum age qualifications shall be set forth by a recorded declaration prior to establishment of the active-adult community.

HALF-WAY HOUSE – See Group Home For Persons Without Disabilities.

SIGN DIMENSION (MEASUREMENT) – The size of the sign shall be measured to the extreme limits of the message, background and trim, as applicable, except that minor protrusions that total less than 10% of the sign area and extend no more than 12 inches from the main body of the sign shall not be included in the total regulatory dimension.

TEMPORARY – The term ‘temporary’, unless specifically noted otherwise in this Chapter, shall be defined as having the time limits as related to the following activities or structures:

- A. Signs – 32 days.
- B. Buildings – 180 days.
- C. Parking – 24 hours.

D. Waste Storage – 10 days.

TOURIST ATTRACTION – An attraction or related facility such as a hotel or motel, but excluding restaurants, which is located in Derry Township and which is visited by a minimum of 250,000 people a year, the majority of whom are not residents of Derry Township.

TRANSPORTATION TERMINAL - A building or land use area in which freight and/or passengers either originate from, terminate at, or are otherwise handled during the transportation process, which said building or land use area may include storage areas, parking areas, fueling and service facilities and wash facilities for the vehicles that use or operate from the terminal.

SECTION 51: Chapter 225, Article XI (Definitions), §225-1103 of the Code of the Township of Derry is hereby amended by revising the definitions for the following terms:

PARKING LOT - A space other than a truck loading dock, area for car/camper sales, street, alley or access drive used for the temporary parking of vehicles, including the maneuvering aisles and all areas containing required parking landscaping.

SCHOOL - A facility that provides on-site instruction of a State-approved curriculum including, but not limited to, elementary, secondary, and all levels of higher education; such as, colleges, universities, academies, and similar career training facilities.

SIGN - Any advertisement, announcement, direction, communication, or outdoor advertising device produced in whole or in part by constructing, erecting, affixing, or placing a structure on land or on any other structure, or produced by painting, pasting, or otherwise placing any printing, lettering, picture decoration, symbol, trademark, figured object, colored material, or any other device on any building, structure, or surface, including those of vending machines and fuel dispensing devices, which is employed to announce, direct attention to, identify, or make known. Vegetation arranged or shaped in such a manner to depict a symbol or lettered communication shall not be considered a sign. Street lights and bollard lights having shades which resemble or depict Hershey's Kisses, or any Hershey legacy-related artwork that is used as part of a sign, or any attraction branding affixed to the attraction within the confines of Hersheypark, shall not be considered signs. In addition, non-advertising signs specifically highlighting the heritage of the Hershey community, stained glass windows or doors which depict religious messages or themes, and murals/street art as permitted by §225-501.56, shall not be considered signs so long as they contain no commercial messaging.

BUILDING IDENTIFIER – Text or symbols located on the exterior face of a building that identifies the address, name, or purpose of the building within a campus or Master Plan area development, which conveys no advertising value and is meant only to direct visitors to the desired point of interest. Examples include 30 Hope Drive, © or parking, Hershey Middle School, and Founders Hall. When visible from a public street right-of-way, the sign dimension of the building identifier shall not exceed 8 feet.

DIRECTIONAL SIGN - A sign providing necessary information to facilitate safe and efficient traffic flow and is located on a site other than the site of the facility or event to which the sign directs, or is external to a campus or Master Plan area development along the public street rights-of-way directing traffic to interior areas of the campus or master plan area development. The sign must direct to a facility, campus, or event located within Derry Township.

PROJECTING SIGN - A sign mounted on a building surface (excluding roofs) and extending with the exposed face of the sign perpendicular to the plane of such surface. Includes a blade sign.

SIGN AREA - The entire area within a single continuous perimeter, and a single plane, composed of regular, simple geometric shapes such as squares, triangles, circles or rectangles, whichever most closely encloses the extreme limits of the message, background and trim, as applicable. Multiple sign faces on a single support structure system shall be considered one sign. The sign area shall be computed as follows:

- A. Single-faced sign: one face counted.
- B. Double-faced sign: one face counted if both sign areas are identical; two faces counted if each face is not identical, excluding wayfinding and directional signs.
- C. "V" sign with an internal angle of 45° or greater: two faces counted. If internal angle is less than 45°, the sign shall be considered a double-faced sign.
- D. Three-dimensional sign: Three-dimensional signs and signs with protrusions exceeding 12 inches shall be measured on a flat plane on two adjacent sides. All visible sign faces shall be counted.
- E. Wall signs with defined backgrounds: The measured sign area of a wall sign that is on a panel board or is framed, outlined or otherwise provided a defined background for the message, which background is not a part of the architecture of the building, shall include the entire background area within a single continuous perimeter, and a single plane, composed of regular, simple geometric shapes, such as squares, circles, triangles or rectangles, whichever most closely encloses the entire message, background and trim.
- F. Wall signs comprised of individual letters and/or symbols: The measured area of this type of wall sign shall include the entire message area within a single continuous perimeter, and a single plane, composed of regular, simple geometric shapes, such as squares, circles, triangles or rectangles, whichever most closely encloses the extreme limits of the sign.
- G. Ground and freestanding signs. The base or bracing structure of any ground or freestanding sign shall not be included in sign area when it contains no advertising value, no internal illumination, and does not extend more than 8 inches horizontally from either edge of the sign panel.

- H. Pole signs. The support poles or other bracing structures of pole signs shall not be included in sign area when the support structures are 8 inches or less in diameter or squared, contain no more than two support poles per sign, contain no advertising value, and contain no internal illumination.
- I. Multi-tenant identification signs. The base or bracing structure of any multi-tenant identification sign shall not be included in sign area when it contains no advertising value, no internal illumination, and does not extend more than 8 inches horizontally from either edge of the sign panel.

SIGN HEIGHT - The dimension from the top of any point on a sign including its support structure to the average finished grade within 10 feet of the base of the sign where it meets the ground, unless otherwise specified in this Chapter.

YARD AREA (a.k.a required yard area, setback, and minimum yard) – A regulatory open space area on a lot which is unoccupied and unobstructed from the ground up, except for such intrusions as are expressly permitted by this Chapter. See §225-206.H.

SECTION 52: Chapter 225, Article XI (Definitions), §225-1103 of the Code of the Township of Derry is hereby amended by deleting the following term and definition:

TRUCK TERMINAL - A building or area in which freight brought by a truck is assembled and/or stored for routing or reshipment which may include storage areas, parking areas, service facilities and wash facilities for trucks.

SECTION 53: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 54: If any section, subsection, or clause of this ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.

SECTION 55: The Board of Supervisors finds that this ordinance is consistent with the overall goals of the Derry Township Comprehensive Plan.

ORDAINED AND ENACTED into law this _____ of _____, 2017, to become effective five days from the date hereof.

ATTEST

BOARD OF SUPERVISORS
TOWNSHIP OF DERRY
DAUPHIN COUNTY, PENNSYLVANIA

BY: _____
Secretary

BY: _____
Chairman

(Seal)

Table 1: Zoning Ordinance Land Use Table Uses	Base Zoning Districts														
	Conservation	R-1	R-2	R-3	General Commercial	Planned Campus North	Planned Campus South	Planned Campus West	Medical Campus Central	Commercial Recreation	Commercial Golf	Palmdale Mixed Use	Hershey Mixed Use	Limited Compatibility	Industrial
Residential Uses															
Single-family Detached Dwelling	P	P	P	P	P		C				P	P			
Single-family Semidetached Dwelling				P			C				P	P			
Single-family Attached Dwelling (Townhouse)				P			C				O6	C			
Single Family Conversion			C	C							C	C			
Two-family Detached Dwelling				P			C				O6	P			
Multifamily Apartment Dwellings				P		C	C				O6, O10	C			
Bed and Breakfast Home	P	C									SE	SE			
Boarding Home					P					P					
Dwellings for Employees & Students							P		P						
Farm Home Occupation	P	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Family Child Care Home	SE	SE	SE	SE			SE	SE			SE	SE			
Mobile Home Park				C											
Private Community Facilities/Recreation Areas		P	P	P	P	P	P	P	P	P	P	P	P		P
Home Occupations	P	P	P	P			P				P	P			
No-Impact Home Based Business	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Units	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Commercial Uses															
Auction Houses		O12			P										
Automobile and Truck Leasing/Rental					P										P
Automotive Car Wash/Lubrication Facilities					P		C				C	C			P
Bakery, Retail					P		P				O6, O10	O8, O9, O10, O13			
Business and Professional Offices		O12			P	P	P	P	P		O6, O10	O8, O9, O10, O13			P
Campgrounds										SE					
Cigar, Hookah, and/or Vapor Lounge					C										
Commercial Entertainment Signs										O4					
Commercial Laundry					P										P
Commercial Parking Lot or Structure						C			C	P	O6, O10	O9, O10			
Communications Antenna, Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Communications Antenna, Utility-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Communications Antenna, Towers ≤ 50 feet in height	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Communications Antenna, Towers > 50 feet in height	SE				SE	SE	SE		SE	SE	SE	SE		SE	SE
Communications Antenna, Co-located and Replacement	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dry Cleaning Service, Retail					P			P			O6, O10	O8, O9, O10, O13			
Financial Institutions					P			P			O10	O8, O9, O10, O13			
Food Catering					P			C			C	C			P
Food Services Without Drive-Through					P	P		P		P	O10	O8, O9, O10, O13			
Food Services With Drive-Through					P			C							
Fuel Service - Minor					P			C			C	C	P	P	
Fuel Service - Major					P							C	P	P	
Funeral Homes		O12			P			C				C			
Guest Lodging, Dining and Conference Facilities					P	P			C	P		C			
Healthcare Practitioners Office		C			P			P	P		O6, O10	O9, O10, O8, O13			

Table 1: Zoning Ordinance Land Use Table Uses	Base Zoning Districts														
	Conservation	R-1	R-2	R-3	General Commercial	Planned Campus North	Planned Campus South	Planned Campus West	Medical Campus Central	Commercial Recreation	Commercial Golf	Palmdale Mixed Use	Hershey Mixed Use	Limited Compatibility	Industrial
Commercial Uses															
Heliport					P	C		C	C	P		O10	O9, O10, O13 C (O8)		C
Hotels and Motels					P	C		C		P		O10	O9, O10, O13 C (O8)		
Horse Riding Stables & Facilities, No Horse Racing	P														
Kennel	P				P									P	P
Landscape and Garden Service - non-retail	P	C			P	C									P
Landscaping and Garden Center - retail		C			P			C							
Laundromat					P			P				O10	O8, O9, O10, O13		
Membership Club					SE			C		SE	P	C	C		
Micro-distilleries/Breweries					P			P					O8, O9		
Motor Vehicle Fuel, Wholesale														P	P
Motor Vehicle Repair Garages					P										
Motor Vehicle Sales and Service					P										
Mixed Use Building					P	C	P	P	P	P		O6, O10	O8, O9, O10, O13		
Outpatient Medical Treatment Facilities					P			O7	P						
Personal Service Establishments		O12			P			P				P	P		
Pet Grooming Facilities					P			P				O10	O8, O9, O10, O13		
Photocopy Service					P			P				O10	O9, O10		
Private Parking Lot or Structure						C		P	C	P		O6, O10	O8, O9, O10, O13		P
Private Recreational, Sports and Entertainment Facilities															
<i>Amusement, Theme, Entertainment or Water Parks</i>										O4					
<i>Amusement Arcades</i>										P					
<i>Botanical Gardens</i>	C					P	P			P					
<i>Archery & Shooting Ranges, Indoor</i>	C					C								C	
<i>Archery & Shooting Ranges, Outdoor</i>						C								C	
<i>Bowling Alleys</i>					P			C		P					
<i>Casinos & Gambling Facilities</i>										C				C	
<i>Country Club</i>	C									P	P		P		
<i>Exercise & Fitness Centers</i>					P			P		P		O6, O10	O9, O10, O8, O13		
<i>Golf Courses (Conventional & Special)</i>	C									P	P				
<i>Recreation Facilities for Employees, Faculty & Students</i>						P	P		P	P					P
<i>Sporting and Entertainment Arenas & Stadiums</i>										P					
<i>Sport & Field Complexes</i>					P	P				P		O6			
<i>Zoos</i>	C				P					P					
Rental and Leasing Businesses															P
Research/Technology Business Incubator								C	C						C
Residence Hotels and Motels					P	C		C		P					
Retail, Large-Scale					P			C				C	C		
Retail, Small-Scale		O12			P			P		C		O6,O10	O8, O9, O10, O13		
Service and Repair Facilities					P										P
Sexually Oriented Businesses										C				C	

Table 1: Zoning Ordinance Land Use Table Uses	Base Zoning Districts														
	Conservation	R-1	R-2	R-3	General Commercial	Planned Campus North	Planned Campus South	Planned Campus West	Medical Campus Central	Commercial Recreation	Commercial Golf	Palmdale Mixed Use	Hershey Mixed Use	Limited Compatibility	Industrial
Commercial Uses															
Specialty Home					C						C	C			
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits					P		P				O6, O10	O8, O9, O10, O13			
Taxidermy					C										P
Theater and Auditorium					P		C		P		O10	O9, O13, O10			
Veterinary Office					P		P	P			O10	O8, O9, O10, O13			
Veterinary Hospital					P			P							
Visitor Center						C			P			O8, O9, O10, O13			
Winery	C				P		P		C						
Industrial Uses															
Assembling															P
Production Bakery															P
Commercial/Industrial Laundering and Dry-Cleaning Facilities															P
Crematory															C
Grain Milling															P
Importing & Exporting Establishments															P
Industrial Equipment Sales & Repair															P
Laboratories															P
Machine Shop															P
Manufacturing														C	P
Medical Marijuana Dispensary														C	
Medical Marijuana Grower/Processor														C	
Mineral Extraction	P														C
Printing and Publishing															P
Processing															P
Self-storage facilities															P
Solid, Liquid or Gas Fuel Dealers															P
Solid or Liquid Waste Transfer Stations															P
Storage, Including Fuel Storage															P
Transportation Terminals														C	
Waste Management Facilities														C	
Warehousing															P
Welding Shop															P
Wholesale Trade Establishments															P
Wood Millworks															P
Institutional Uses															
Life Care Facilities						C	C	P			C	C			
Group Child Care Facilities		O12			P		C	P			C	C			
Group Home for Persons with Disabilities	C		C					C					C		
Group Home for Persons without Disabilities	C							C					C		
Hospital					P			P							
Incinerators and Crematoriums								C						C	C
Medical-related Research Facilities							O7	P						P	P
Museums					P		P		P		P	P			

Table 1: Zoning Ordinance Land Use Table Uses	Base Zoning Districts														
	Conservation	R-1	R-2	R-3	General Commercial	Planned Campus North	Planned Campus South	Planned Campus West	Medical Campus Central	Commercial Recreation	Commercial Golf	Palmdale Mixed Use	Hershey Mixed Use	Limited Compatibility	Industrial
Other Scientific Research, Development and Training Facilities							O7	P						P	C
Place of Worship/Place of Assembly	P	P	P	P	P		P	P	P	P		P	P	P	
Prisons														P	
Schools	P	P	P	P	P	P	P	P	P	P		P	P	P	
Skilled Nursing							C	P			C	C			
Municipal/Public Uses															
Administrative Offices of County, State or Federal Government (Office)	C	C	C	C	P	C	C	P	P	P	P	P	P	C	P
Libraries	P	P	P	P	P		P	P	P	P	P	P	P	P	
Municipal Buildings and Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fire/Emergency Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parks, Playgrounds & Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Service Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utility Buildings					P	P					P	P			P
Recycling Center														C	
Sewage Treatment Plants						P									C
Agricultural/Conservation Uses															
Agricultural Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cemeteries	P											P			
Natural Conservation Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Miscellaneous															
Uses similar to specified permitted uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Billboard														C	C
Unique Buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Cluster Development Option	C	C	C	C											
Affordable Housing Density Option			C									C	C		
Wind Energy Conversion Systems (Principal Use)	P													P	P
Solar Panel Arrays (Principal Use)	P													P	P
Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

§ 225-306 R-3 Small Lot, Mixed Residential

Map 8: Zoning District - R-3 Residential

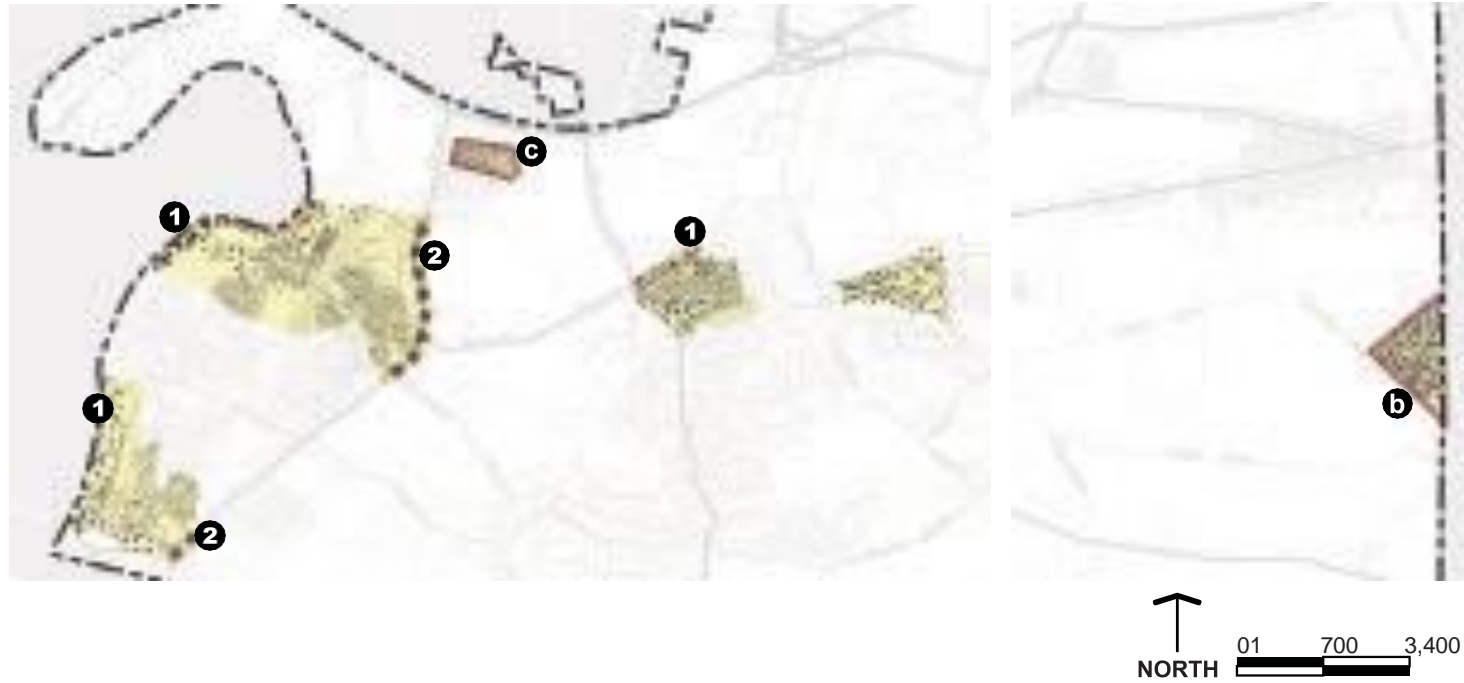


Table 11: R-3 Residential Dimensions

		Residential							
		Non-Res.	SFDD/TFDD	SFSD	SFAD	MAD	SR. MAD ²		
A	Minimum Lot Width (FT)	125	80	40	20	125	100		
B	Minimum Lot Depth (FT)	150	120	120	140	150	120		
C	Minimum Lot Area	1 ac	N/A	N/A	N/A	N/A	N/A		
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ¹	Min	25/35 ¹	25	25	25	25	
		E Side	Min	12/35 ¹	10	10 (1 side)	10 (end units)	15	12
		F Rear	Min	35	30	30	35	30	25
	ACCESSORY (minimum)	Front		50	50	50	50	50	50
		Side		10	10	10	10	10	10
		Rear		10	10	10	10	10	10
MAX HEIGHT (FT)	G Principal Structure		40	40	40	40	40	40	
	H Accessory Structure		20	20	20	20	20	20	
Maximum Impervious Coverage			50%	50%	50%	50%	50%	50%	
Minimum Vegetated Coverage			40%	40%	40%	40%	40%	40%	
Maximum Residential Density			N/A	5.5 DU/NDA	5.5 DU/NDA	8 DU/NDA	12 DU/NDA	15 DU/NDA	

¹ Properties fronting on Middletown Road shall provide an additional 15 foot front setback - see Section 225-401.2

² Residential dimensions, coverages and densities for age-restricted (senior) multifamily apartment dwellings shall only be applicable when constructed as part of an Active-Adult Community.

Figure 3: R-3 Residential Lot Dimensional Diagram

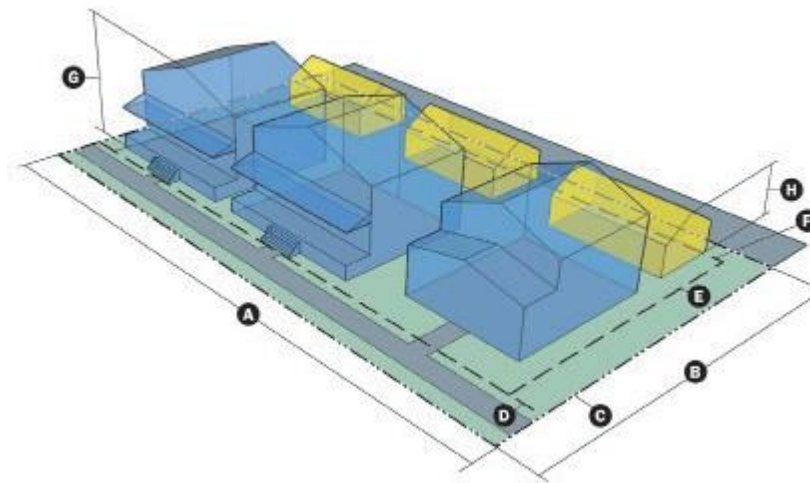


Table 10: R-3 Residential Uses

Residential Uses		
Single-family Detached Dwelling	P	
Single-family Semidetached Dwelling	P	
Single-family Attached Dwelling (Townhouse)	P	
Single Family Conversion	C	§501.1
Two-family Detached Dwelling	P	
Multifamily Apartment Dwellings	P	
Farm Home Occupation	SE	§502.2
Family Child Care Home	SE	§502.3
Mobile Home Park	C	§501.5
Private Community Facilities/Recreation Areas	P	
Home Occupations	P	
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Co-located/Replacement	P	
Institutional Uses		
Place of Worship/Place of Assembly	P	
Schools	P	
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	C	§501.46
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Cluster Development Option	C	§501.43
Forestry	P	
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-310 Planned Campus West

Map 12: Zoning District - Planned Campus West



Overlays

- Environmental Overlays
- Community Heritage Buffer
- Middletown Road
- Planned Campus West Future Development Area

Approval Areas

- West Master Plan Approval Area

Table 19: Planned Campus West Dimensions

A	Minimum Lot Width (FT)	100	
B	Minimum Lot Depth (FT)	150	
C	Minimum Non-res. Lot Area	N/A	
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ¹	Min 25
		E Side	Min 15
		F Rear	Min 35
	ACCESSORY (minimum)	Front	50
		Side	5
Rear		10	
MAX HEIGHT (FT)	G Principal Structure	60	
	H Accessory Structure	20	
Maximum Impervious Coverage		60%	
Minimum Vegetated Coverage		30%	
RESIDENTIAL DENSITY	SFDD, TFDD, SFAD, SFSD	5 DU/NDA	
	Apartments	12 DU/NDA	
	Active-Adult Communities	15 DU/NDA	

¹ Properties fronting on Middletown Road shall provide an additional 15 foot front setback - see Section 225-401.2

Figure 7: Planned Campus West Lot Dimensional Diagram

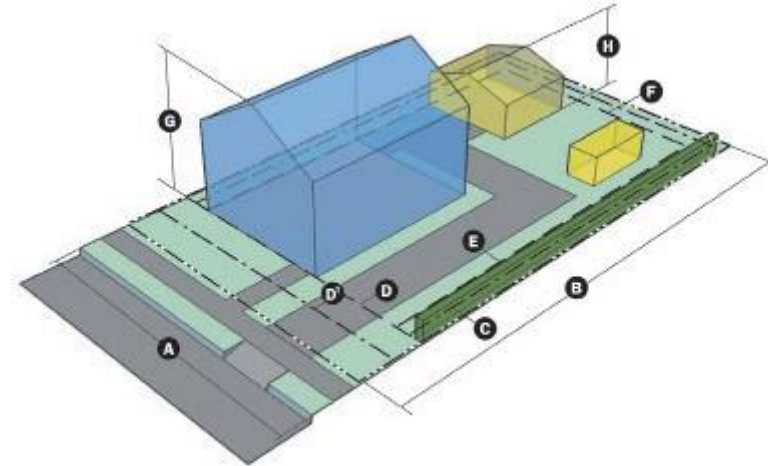


Table 18: Planned Campus West Uses

Residential Uses		
Single-family Detached Dwelling	C	§501.4
Single-family Semidetached Dwelling	C	§501.4
Single-family Attached Dwelling (Townhouse)	C	§501.4
Two-family Detached Dwelling	C	§501.4
Multifamily Apartment Dwellings	C	§501.4
Farm Home Occupation	SE	§502.2
Family Child Care Home	SE	§502.3
Private Community Facilities/Recreation Areas	P	
Home Occupations	P	
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Automotive Car Wash/Lubrication Facilities	C	§501.6
Bakery Retail	P	
Business Professional Office	P	
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Co-located/Replacement	P	
Dry Cleaning Service, Retail	P	
Financial Institutions	P	
Food Catering	C	§501.11
Food Services Without Drive-Through	P	
Food Services With Drive-Through	C	§501.9
Fuel Service - Minor	C	§501.18
Funeral Home	C	§501.49
Healthcare Practitioners Office	P	
Hotels and Motels	C	§501.50
Landscaping and Garden Center - retail	C	§501.15
Laundromat	P	
Membership Club	C	§501.16
Micro-distilleries/Breweries	P	
Mixed Use Building	C	§501.47
Outpatient Medical Treatment Facilities	O7	
Personal Service Establishments	P	
Pet Grooming Facilities	P	
Photocopy Service	P	
Private Parking Lot or Structure	P	
Recreational, Sports and Entertainment Facilities		
<i>Bowling Alleys</i>	C	§501.24
<i>Exercise & Fitness Centers</i>	P	
Research/Technology Business Incubator	C	§501.36
Residence Hotels and Motels	C	§501.50
Retail, Large-Scale	C	§501.29
Retail, Small-Scale	P	

Commercial Uses		
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	P	
Theater and Auditorium	C	§501.57
Veterinary Office	P	
Winery	P	
Life Care Facilities	C	§501.34
Group Child Care Facilities	C	§501.52
Medical-related Research Facilities	O7	
Museums	P	
Other Scientific Research, Development and Training Facilities	O7	
Place of Worship/Place of Assembly	P	
Schools	P	
Skilled Nursing	C	§501.34
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-311 Medical Campus Central

Map 13: Zoning District - Medical Campus Central



Overlays

- Environmental Overlays

Approval Areas

- West Master Plan Approval Area

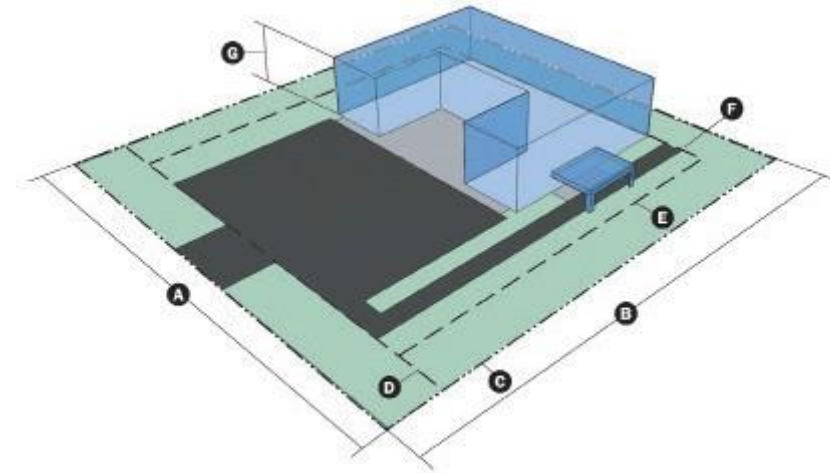
Table 21: Medical Campus Central Dimensions

A	Minimum Lot Width (FT)	100	
B	Minimum Lot Depth (FT)	150	
C	Minimum Non-res. Lot Area	N/A	
SETBACKS (FT)	PRINCIPAL STRUCTURE	Roadways	100
		Zoning Boundary	200
	INTERIOR LOTS (minimum) ²	Front	25
		Rear	35
MAX HEIGHT (FT)	G Principal Structure	95'	
	Accessory Structure	95'	
Maximum Impervious Coverage		60%	
Minimum Vegetated Coverage		30%	
Maximum Residential Density		10 DU/ NDA	

¹ 130' permitted when in compliance with Section 225-418

²Minimum yard area depth shall only be applicable to internal lots leased or conveyed to parties other than the Milton S. Hershey Medical Center.

Figure 8: Medical Campus Central Lot Dimensional Diagram



§ 225-311 Medical Campus Central

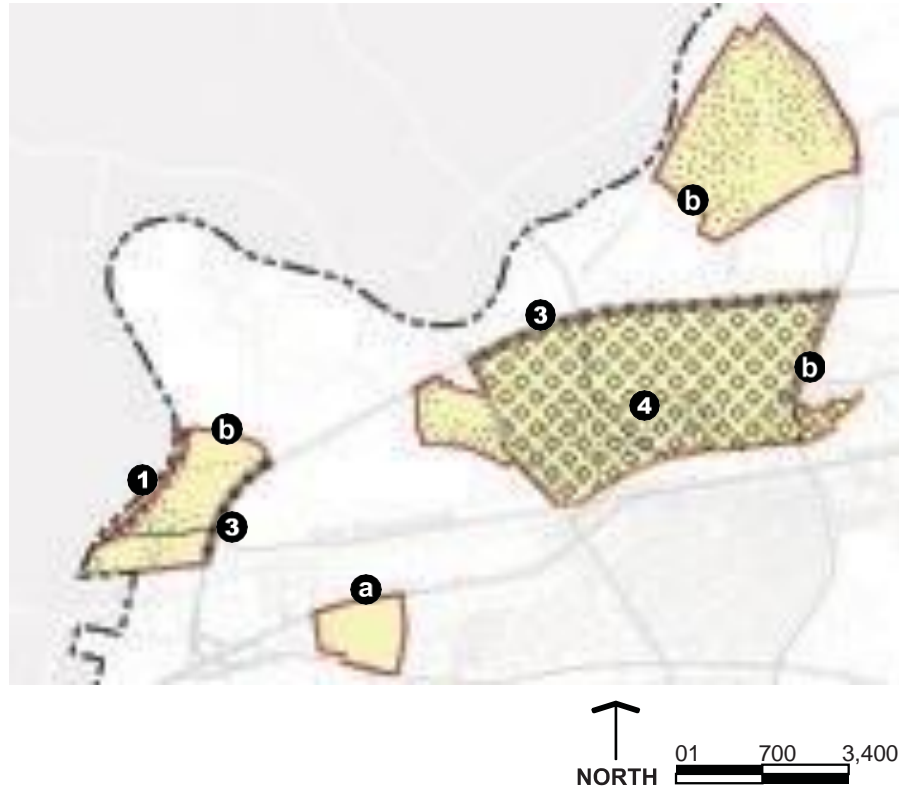
Table 20: Medical Campus Central Uses

Residential Uses		
Dwellings for Employees & Students	P	
Farm Home Occupation	SE	§502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Business and Professional Offices	P	
Commercial Parking Lot or Structure	C	§501.8
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Towers > 50 ft	SE	§502.5
Communications Antenna, Co-located/Replacement	P	
Guest Lodging, Dining and Conference Facilities	C	§501.12
Healthcare Practitioners Office	P	
Heliport	C	§501.14
Mixed Use Building	P	
Outpatient Medical Treatment Facilities	P	
Private Parking Lot or Structure	C	§501.17
Recreational, Sports and Entertainment Facilities		
<i>Recreation Facilities for Employees, Faculty & Students</i>	P	
Research/Technology Business Incubator	C	§501.36
Veterinary Office	P	
Veterinary Hospital	P	
Institutional Uses		
Life Care Facilities	P	
Group Child Care Facilities	P	
Group Home for Persons with Disabilities	C	§501.35
Group Home for Persons without Disabilities	C	§501.35
Hospital	P	
Incinerators and Crematoriums	C	§501.54
Medical-related Research Facilities	P	
Other Scientific Research, Development and Training Facilities	P	
Place of Worship/Place of Assembly	P	
Schools	P	
Skilled Nursing	P	

Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-312 Commercial Recreation

Map 14: Zoning District - Commercial Recreation



Overlays

- Environmental Overlays
- Community Heritage Buffer
- Hersheypark Drive/Route 39
- Hersheypark

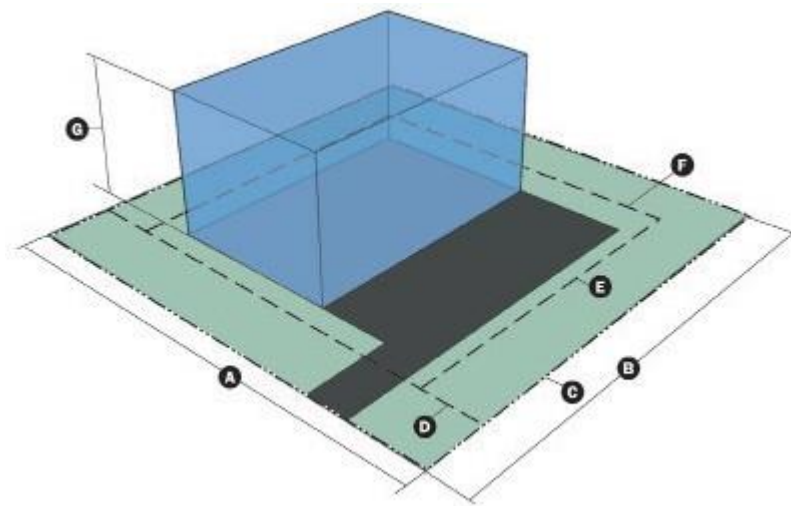
Approval Areas

- Central Master Plan Approval Area
- North Master Plan Approval Area

Table 23: Commercial Recreation Dimensions

		O4 ²		
A	Minimum Lot Width (FT)	200	200	
B	Minimum Lot Depth (FT)	200	200	
C	Minimum Non-res. Lot Area	2 ac	2 ac	
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front	Min 40	40
		E Side	Min 40	40
		F Rear	Min 40	40
	ACCESSORY ³ (minimum)	Front	25	25
		Side	20	20
Rear		25	25	
MAX HEIGHT (FT)	G Principal Structure	95'	350'	
	Accessory Structure	95'	350'	
Maximum Impervious Coverage		60%	85%	
Minimum Vegetated Coverage		30%	5%	

Figure 9: Commercial Recreation Lot Dimensional Diagram



¹ See Section 225-425

² Required setbacks within the O4 Overlay district shall be measured from the perimeter boundaries of the Overlay district and from public street right-of-ways.

³ The following structures shall be considered accessory uses subject to the accessory use setbacks for the O4 Overlay district within an Amusement, Theme, Entertainment, or Water Park: Amusement ride tracks, slides or tubes, at-grade queueing areas that contain no permanent roof structures (sunshades or temporary awning structures that are up for less than 180 days of the year are permissible), mobile sales carts, and incidental-related attraction theming and signage oriented to the interior of the park. Amusement ride support columns, footers, and foundations may encroach to within 5 feet of a setback line.

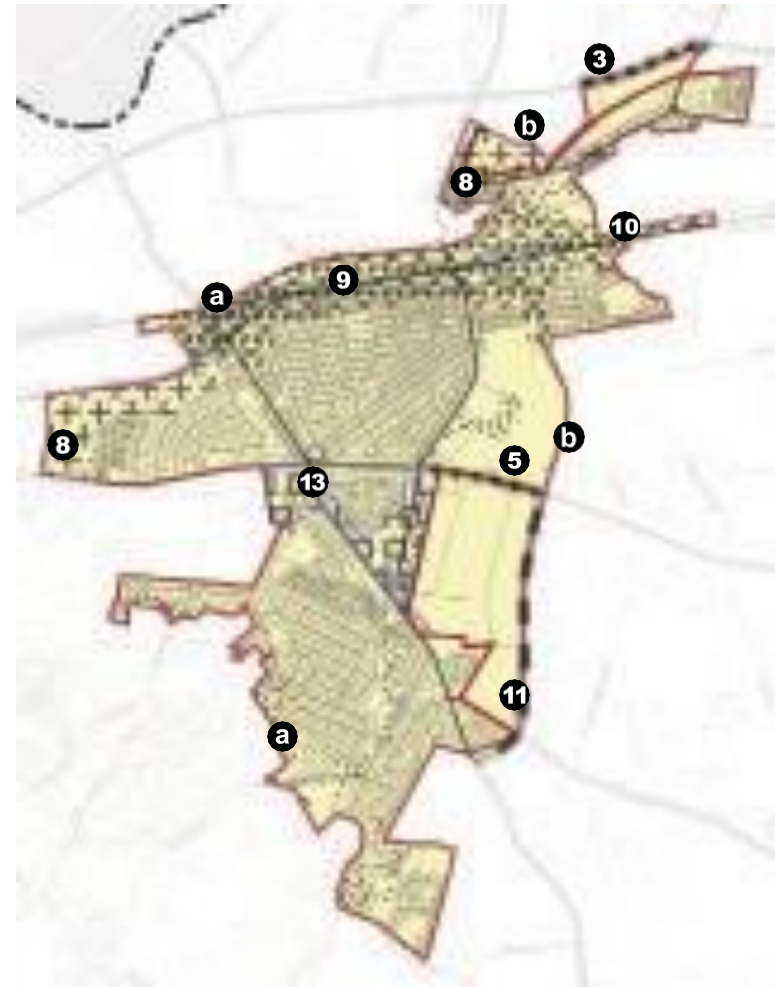
Table 22: Commercial Recreation Uses

Residential Uses		
Boarding Home	P	
Farm Home Occupation	SE	§502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Campgrounds	SE	§502.4
Commercial Entertainment Signs	O4	
Commercial Parking Lot or Structure	P	
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Towers > 50 ft	SE	§502.8
Communications Antenna, Co-located/Replacement	P	
Food Services Without Drive-Through	P	
Guest Lodging, Dining and Conference Facilities	P	
Hotels and Motels	P	
Membership Club	SE	§502.8
Mixed Use Building	P	
Private Parking Lot or Structure	P	
Recreational, Sports and Entertainment Facilities		
Amusement, Theme, Entertainment or Water Parks	O4	
Amusement Arcades	P	
Botanical Gardens	P	
Bowling Alleys	P	
Casinos & Gambling Facilities	C	§501.25
Country Club	P	
Exercise & Fitness Centers	P	
Golf Courses (Conventional & Special)	P	
Recreation Facilities for Employees, Faculty & Students	P	
Sporting and Entertainment Arenas & Stadiums	P	
Sport & Field Complexes	P	
Zoos	P	
Residence Hotels and Motels	P	
Retail, Small-Scale	C	§501.51
Sexually Oriented Businesses	C	§501.39
Theater and Auditorium	P	
Visitor Center	P	
Winery	C	§ 501.10
Institutional Uses		
Museums	P	
Place of Worship/Place of Assembly	P	
Schools	P	

Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-315 Hershey Mixed Use

Map 17: Zoning District - Hershey Mixed Use



Overlays

- Environmental Overlays
- Hersheypark Drive/Route 39
- Governor Road
- Compact Development
- Downtown Core
- East Chocolate Avenue
- Homestead/Fishburn Roads
- Southern Core

Approval Areas

- Central Master Plan Approval Area
- North/South Master Plan Approval Area

Figure 12: Hershey Mixed Use Lot Dimensional Diagram

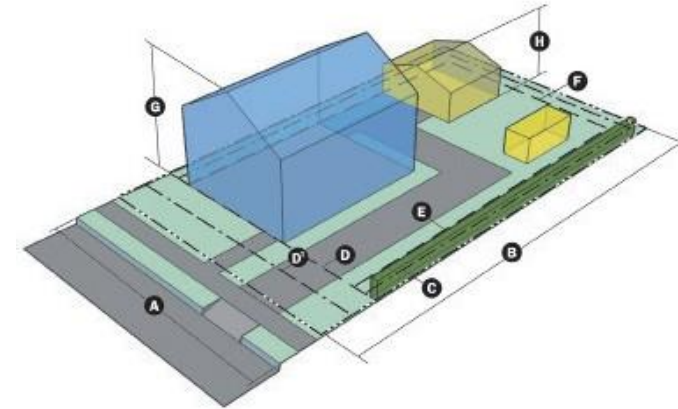


Table 29: Hershey Mixed Use Dimensions

		O8	O9 ³	O10	O13			
A	Minimum Lot Width (FT)	40	40	40	100			
B	Minimum Lot Depth (FT)	100	100	100	125			
C	Minimum Non-res. Lot Area	N/A	N/A	N/A	N/A			
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front	Min	20 ²	20	Variable ¹	20	25
		E Side	Min	5	5	5	5	5
		F Rear	Min	5	5	5	5	5
	ACCESSORY (minimum)	Front	50	50	50	50	50	50
		Side	5	5	5	5	5	5
Rear		5	5	5	5	5	10	
MAX HEIGHT (FT)	Principal Structure	35	45	60	45	40		
	Accessory Structure	20	20	20	20	20		
Maximum Impervious Coverage		40%	60%	85%	60%	60%		
Minimum Vegetated Coverage		50%	30%	5%	30%	30%		
RES. DENSITY	SFDD/SFSD/TFDD	5 DU/NDA	7 DU/NDA	7 DU/NDA	7 DU/NDA	5 DU/NDA		
	Apartments & Mixed Use Buildings	8 DU/NDA	25 DU/NDA	49 DU/NDA	12 DU/NDA	8 DU/NDA		

¹ (1) Front: 6 feet. However, this distance may be adjusted for portions of the building as follows:

- (a) 4 feet for up to 75% of the building and attachments to the building.
 - (b) 2 feet for up to 50% of the building and attachments to the building.
 - (c) 0 feet for up to 50% of the building greater than 14 feet from the adjacent sidewalk or adjacent ground level, whichever is higher.
- (2) No principal building shall have a yard area greater than 12 feet for 100% of its frontage unless physical constraints of the property prohibit a lesser yard area.

² Front yard setback from Elm Avenue shall be 30 feet for principal structures.

³ Residential Uses (SFDs, SFSDs, and TFDDs) within the O9 Overlay district that contain no frontage along Chocolate Avenue shall comply with all dimensional criteria of the underlying Hershey Mixed Use zoning district rather than the O9 Overlay district dimensional criteria.

§ 225-315 Hershey Mixed Use

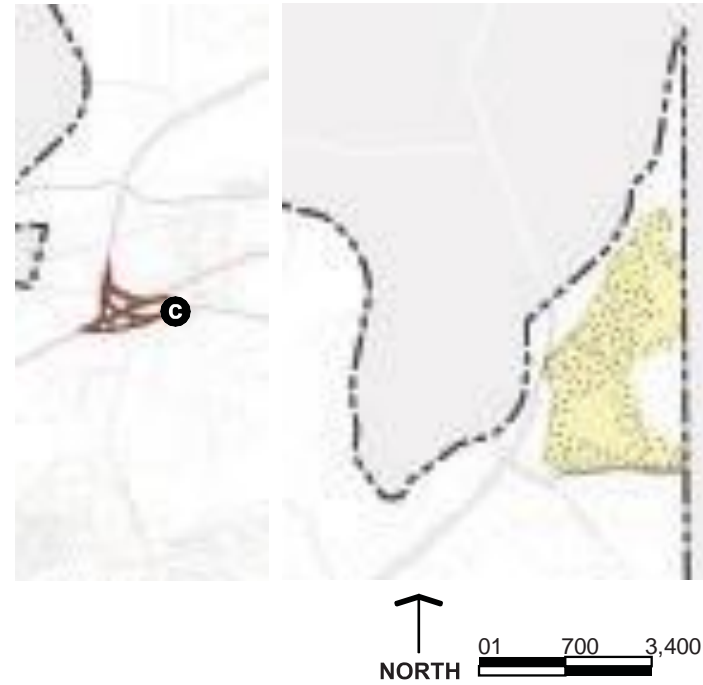
Table 28: Hershey Mixed Use Uses

Residential Uses		
Single-family Detached Dwelling	P	
Single-family Semidetached Dwelling	P	
Single-family Attached Dwelling (Townhouse)	C	§501.3
Single Family Conversion	C	§501.1
Two-family Detached Dwelling	P	
Multifamily Apartment Dwellings	C	§501.2
Bed and Breakfast Home	SE	§502.1
Farm Home Occupation	SE	§502.2
Family Child Care Home	SE	§502.3
Private Community Facilities/Recreation Areas	P	
Home Occupations	P	
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Automotive Car Wash/Lubrication Facilities	C	§501.6
Bakery, Retail	O8, O9, O10, O13	
Business and Professional Offices	O8, O9, O10, O13	
Commercial Parking Lot or Structure	O9, O10	
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Co-located/Replacement	P	
Dry Cleaning Service, Retail	O8, O9, O10, O13	
Financial Institutions	O8, O9, O10, O13	
Food Catering	C	§501.11
Food Services Without Drive-Through	O8, O9, O10, O13	
Fuel Service - Minor	C	§501.18
Fuel Service - Major	C	§501.19
Funeral Homes	C	§501.49
Guest Lodging, Dining and Conference Facilities	C	§502.7
Healthcare Practitioners Office	O8, O9, O10, O13	
Hotels and Motels	O9, O10, O13	C in O8 per §501.50
Laundromat	O8, O9, O10, O13	
Membership Club	C	§501.16
Micro-distilleries/Breweries	O9, O8	
Mixed Use Building	O8, O9, O10, O13	
Personal Service Establishments	P	
Pet Grooming Facilities	O8, O9, O10, O13	

Commercial Uses		
Photocopy Service	O9, O10	
Private Parking Lot or Structure	O8, O9, O10, O13	
Recreational, Sports and Entertainment Facilities		
<i>Country Club</i>	P	
<i>Exercise & Fitness Centers</i>	O9, O8, O10, O13	
Retail, Large-Scale	C	§501.29
Retail, Small-Scale	O8, O9, O10, O13	
Specialty Home	C	§501.20
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	O8, O9, O10, O13	
Theater and Auditorium	O9, O10, O13	
Veterinary Office	O8, O9, O10, O13	
Visitor Center	O8, O9, O10, O13	
Institutional Uses		
Life Care Facilities	C	§501.34
Group Child Care Facilities	C	§501.52
Museums	P	
Place of Worship/Place of Assembly	P	
Schools	P	
Skilled Nursing	C	§501.34
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Utility Buildings	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Affordable Housing Density Option	C	§501.45
Forestry	P	
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-316 Limited Compatibility

Map 18: Zoning District - Limited Compatibility



Overlays

Environmental Overlays

Approval Areas

West Master Plan Approval Area

Table 31: Limited Compatibility Dimensions

A	Minimum Lot Width (FT)	350
B	Minimum Lot Depth (FT)	350
C	Minimum Non-res. Lot Area	5 ac
SETBACKS	PRINCIPAL STRUCTURE	D Front Min 50
		E Side Min 50
		F Rear Min 50
MAX HEIGHT (FT)	G Principal Structure	40
	Accessory Structure	40
	Maximum Impervious Coverage	60%
	Minimum Vegetated Coverage	30%

Figure 13: Limited Compatibility Lot Dimensional Diagram

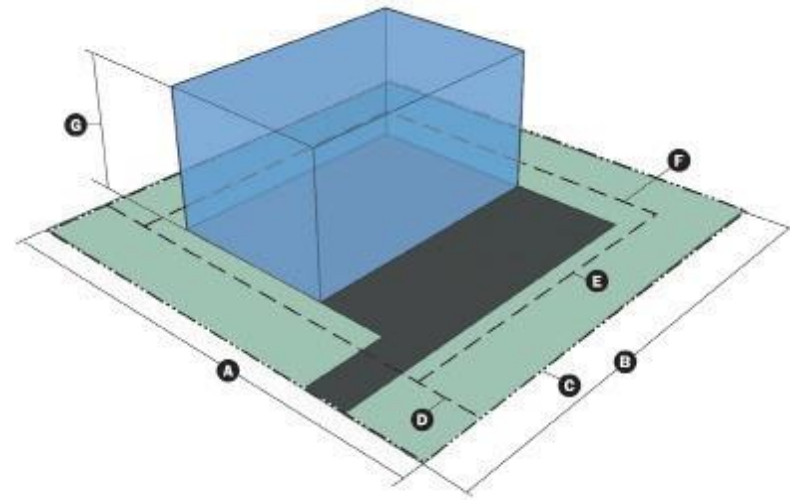


Table 30: Limited Compatibility Uses

Residential Uses		
Farm Home Occupation	SE	§502.2
No-Impact Home Based Business	P	
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Communications Antenna, Building-mounted	P	
Communications Antenna, Utility-mounted	P	
Communications Antenna, Towers ≤ 50 ft	P	
Communications Antenna, Towers > 50 ft	SE	§502.5
Communications Antenna, Co-located/Replacement	P	
Fuel Service - Minor	P	
Fuel Service - Major	P	
Kennel	P	
Motor Vehicle Fuel, Wholesale	P	
Recreational, Sports and Entertainment Facilities		
Archery & Shooting Ranges, Indoor	C	§501.22
Archery & Shooting Ranges, Outdoor	C	§501.23
Casinos & Gambling Facilities	C	§501.25
Sexually Oriented Businesses	C	§501.39
Industrial Uses		
Manufacturing	C	§501.62
Medical Marijuana Dispensary	C	§501.60
Medical Marijuana Grower/Processor	C	§501.61
Transportation Terminals	C	§501.32
Waste Management Facilities	C	§501.33
Institutional Uses		
Group Home for Persons with Disabilities	C	§501.35
Group Home for Persons without Disabilities	C	§501.35
Incinerators and Crematoriums	C	§501.54
Medical-related Research Facilities	P	
Other Scientific Research, Development and Training Facilities	P	
Place of Worship/Place of Assembly	P	
Prisons	P	
Schools	P	

Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	C	§501.46
Libraries	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Recycling Center	C	§501.37
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Billboard	C	§501.41
Forestry	P	
Solar Panel Arrays (Principal Use)	P	
Unique Buildings	C	§501.44
Uses similar to specified permitted uses	C	§501.40
Wind Energy Conversion Systems (Principal Use)	P	

SPECIAL NOTES

1. Minimum of eight feet of clearance from the bottom of sign to the ground.
2. Signs shall not exceed the height of the upper building face, extend above the roof eave or extend above the lower sill of any upper story window, whichever is lowest.
3. Signs may extend a maximum of six feet from the building surface and extend over a sidewalk no more than 1/3 of the sidewalk width, whichever is less.
4. The awning must have a minimum of seven feet of clearance to the ground where pedestrian traffic occurs below the awning.
5. Sign cannot extend above or below the roof structure.
6. Signs less than 2 square feet do not count in total permitted sign area or total number of permitted signs.
7. Signs do not count in total permitted sign area or total number of permitted signs.
8. Only directional signs for campuses, Master Plan area development, high traffic industrial uses, churches, shared parking facilities, and other tourist attractions are permitted.
9. Sign must contain only the name of the facility and the necessary arrows or information to reach the destination in a safe and efficient manner.
10. The sign shall not contain a message or symbols having advertising value.
11. May not contain advertising or print of a scale intended to bear advertising to the general off-premises public.
12. May contain a commercial message not to exceed 10% of the total sign area.
13. The maximum sign dimensional criteria for multi-use identification signs varies with the number of entities which exist on a single parcel of land and which advertise on the sign in accordance with Table 37.
14. See requirements at §225-401.4.G.
15. Sign not permitted in this overlay district.
16. See requirements at §225-401.4.H.

SPECIAL NOTES

1. Minimum of eight feet of clearance from the bottom of sign to the ground.
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7. Signs do not count in total permitted sign area or total number of permitted signs.
8. Only directional signs for campuses, Master Plan area development, high traffic industrial uses, churches, shared parking facilities, and other tourist attractions are permitted.
9. Sign must contain only the name of the facility and the necessary arrows or information to reach the destination in a safe and efficient manner.
10. The sign shall not contain a message or symbols having advertising value.
11. Sign not permitted in this overlay district
12. May contain a commercial message not to exceed 10% of the total sign area.
13. The maximum sign dimensional criteria for multi-use identification signs varies with the number of entities which exist on a single parcel of land and which advertise on the sign in accordance with Table 39.
14. See requirements at §225-401.4.G.
15. See requirements at §225-401.4.G.1.
16. See requirements at §225-401.4.H.

SPECIAL NOTES

1. Minimum of eight feet of clearance from the bottom of sign to the ground.
2. Signs shall not exceed the height of the upper building face, extend above the roof eave or extend above the lower sill of any upper story window, whichever is lowest.
3. Signs may extend a maximum of five feet from the building surface and extend over a sidewalk no more than 1/3 of the sidewalk width, whichever is less.
4. The awning must have a minimum of seven feet of clearance to the ground where pedestrian traffic occurs below the awning.
5. Signs less than 2 square feet do not count in total permitted sign area or total number of permitted signs.
6. Signs do not count in total permitted sign area or total number of permitted signs.
7. May contain a commercial message not to exceed 10% of the total sign area.
8. This type of sign, when used for nonresidential uses or for uses conducted within a dwelling, is permitted in accordance with the General Sign overlay regulations.
9. See requirements at §225-401.4.G.
10. Sign not permitted in this overlay district.
11. See requirements at §225-401.4.H.