

**BOARD OF SUPERVISORS OF
THE TOWNSHIP OF DERRY
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-09

**AN ORDINANCE AMENDING CHAPTER 225, ZONING, OF THE
DERRY TOWNSHIP CODE OF ORDINANCES, TO READ AS SET
FORTH HEREIN**

WHEREAS, Derry Township has previously ordained and enacted an ordinance entitled the Township of Derry Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Derry Township believes that it is in the best interest of the Township and the residents of the Township to amend the Township of Derry Zoning Ordinance by amending and replacing certain sections of Chapter 225 of the Derry Township Code of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Derry Township, Dauphin County, Pennsylvania, that Chapter 225, Zoning, of the Derry Township Code of Ordinances is hereby amended as follows:

SECTION I.

Chapter 225, Zoning, Section 225-206.H.14 and Section 225-206.H.15 of the Derry Township Code of Ordinances are hereby amended to read as follows:

14. Parking spaces and parking lots in rear yard area of the Hershey Mixed Use and Palmdale Mixed Use zoning districts subject to §225-402.2.G.
15. Parking spaces and parking lots in side yard area of the Downtown Core (O9) and East Chocolate Avenue (O10) overlays subject to §225-402.2.G

SECTION II.

Chapter 225, Zoning, Section 225-302 of the Derry Township Code of Ordinances is hereby amended to read as follows:

§225-302. Zoning Overlay Overview and Purposes.

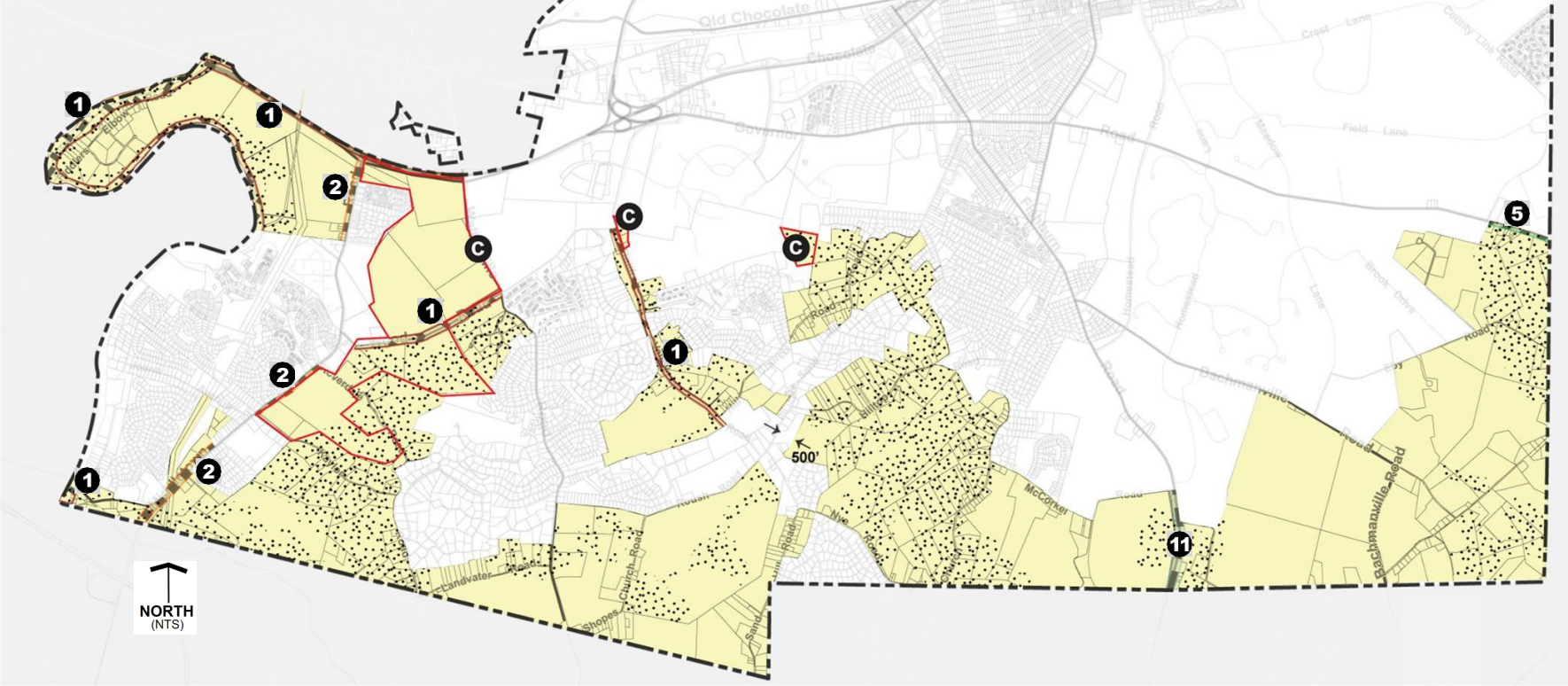
Within the Township, a series of Zoning Overlays are established as permissible under the provisions of §603 of the Pennsylvania Municipalities Planning Code. The Zoning

Overlays are provided for the purposes of maintaining continuity in the Township's land uses, rights-of-ways and community character and to maintain general consistency with the Derry Township Comprehensive Plan. The location of each Zoning District and Overlay are made part of the Official Zoning Maps and are illustrated on Maps 1 through 4. The Zoning Overlays are categorized based upon their relationship to thoroughfares, environment, development approval areas and signage.

SECTION III.

Chapter 225, Zoning, Section 225-303 through Section 225-317 of the Derry Township Code of Ordinances are hereby amended and replaced in their entirety to read as follows:

§ 225-303 Conservation
Map 5: Zoning District – Conservation [Amended 2-22-2022 by Ord. No. 2021-08]



Overlays

- Environmental
- Community Heritage Buffer
- Middletown Road
- Governor Road
- Planned Campus West Future Development Area
- Homestead/Fishburn Roads

Approval Areas

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

Table 4: Conservation Uses

Residential Uses		
Single-family Detached Dwelling	P	
Bed & Breakfast Home	P	\$427
Farm Home Occupation	P	
Family Child Care Home	SE	\$502.3
Home Occupations	P	\$419
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
Commercial Uses		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	\$502.5
Conference & Meeting Center	SE	\$502.6
Horse Riding Stables & Facilities, No Horse Racing	P	
Kennel	P	
Landscape and Garden Service - non-retail	P	\$427
Recreational, Sports and Entertainment Facilities		
Botanical Gardens	C	\$501.21
Archery & Shooting Ranges, Indoor	C	\$501.22
Country Club	C	\$501.26
Golf Courses (Conventional & Special)	C	\$501.27
Zoos	C	\$501.28
Winery	C	\$501.10
Industrial Uses		
Mineral Extraction	P	
Institutional Uses		
Group Home for Persons with Disabilities	C	\$501.35
Group Home for Persons without Disabilities	C	\$501.35
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	
Cemeteries	P	
Natural Conservation Areas	P	
Miscellaneous		
Cluster Development Option	C	\$501.43
Forestry	P	\$408
Solar Panel Arrays (Principal Use)	P	\$423
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44
Wind Energy Conversion Systems (Principal Use)	P	

[Amended 5-1-2022 by Ord. No. 2022-02]

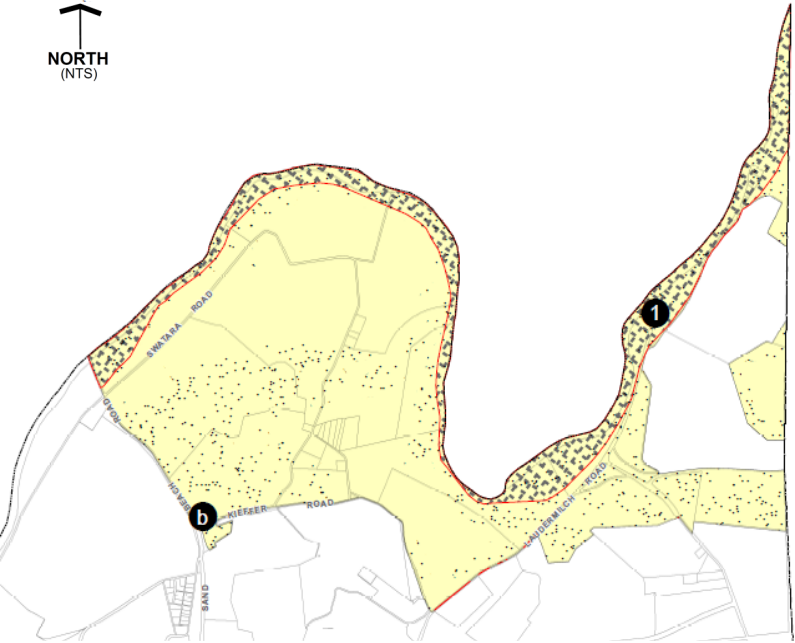


Table 5: Conservation Dimensions

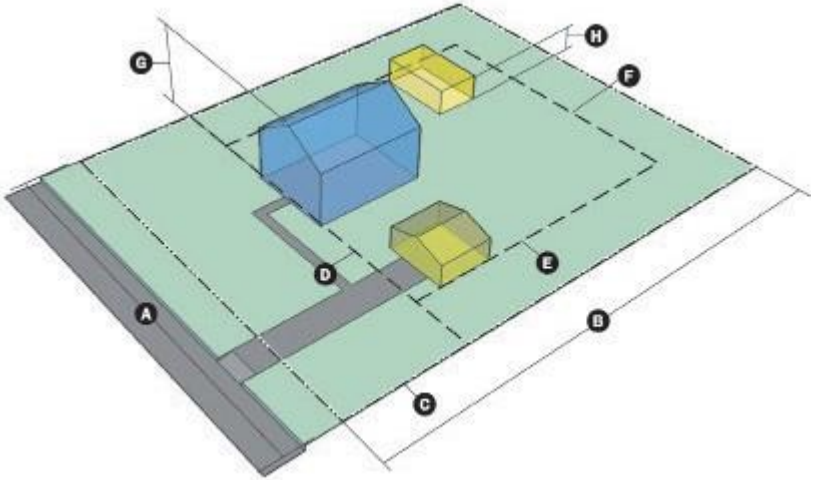
A		Minimum Lot Width (FT)	200	
B		Minimum Lot Depth (FT)	200	
C		Minimum Non-res. Lot Area	5 ac	
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front¹	Min	50
		E Side	Min	50
		F Rear	Min	50
	ACCESSORY (minimum)		Front	50
			Side	50
			Rear	50
MAX HEIGHT (FT)	G Principal Structure		45	
	H Accessory Structure		20	
Maximum Impervious Coverage				15 %
Minimum Vegetated Coverage				75%
Maximum Residential Density				1 DU/ 5 NDA

¹ Properties fronting on Middletown Road shall provide an additional 15-foot front setback - see §225-401.1.B.2. Refer to §225-206.G.1 for additional regulations for front yard setbacks.

² See §225-206.F for lot criteria exceptions.

³ No more than 25% of existing trees that contain a caliper of 18 inches or more shall be removed during construction activities on a property in this District. Such trees shall be identified prior to any proposed tree removal. Any forestry activity approved by State measures shall not be required to comply with this requirement.

Figure 1: Conservation Lot Dimensional Diagram



§ 225-304 R-1 Larger Lot, Single-Family Residential

Map 6: Zoning District - R-1 Residential



Overlays

- Environmental Overlays
- Community Heritage Buffer
- Sandhill Road

Table 7: R-1 Residential Dimensions

					O12	
A		Minimum Lot Width (FT)			125	125
B		Minimum Lot Depth (FT)			150	150
C		Minimum Non-res. Lot Area			1 ac	1 ac
SETBACKS (FT)		PRINCIPAL STRUCTURE	D Front ¹	Min	30	30
			E Side	Min	15	20
			F Rear	Min	30	30
		ACCESSORY (minimum)		Front	50	50
				Side	10	10
				Rear	10	10
MAX HEIGHT (FT)	G Principal Structure		35		35	
	H Accessory Structure		20		20	
Maximum Impervious Coverage					30%	60%
Minimum Vegetated Coverage					60%	30%
Maximum Residential Density					2 DU/ NDA	2 DU/ NDA

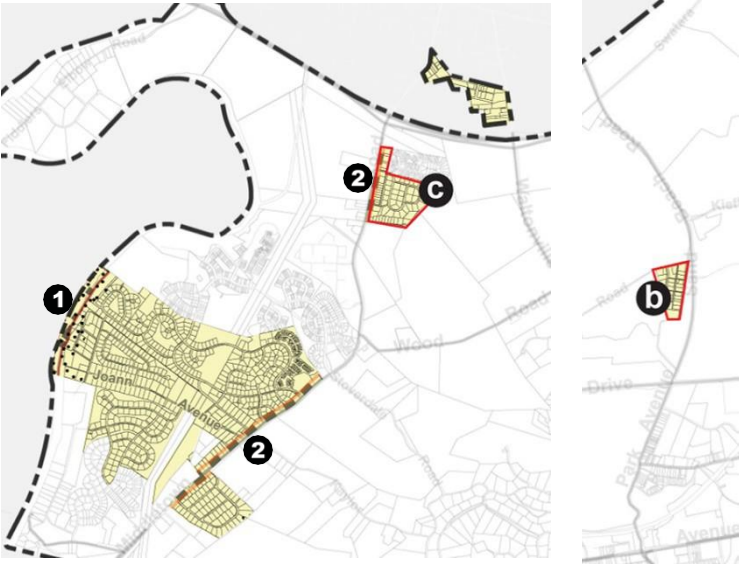
¹ Refer to §225-206.G.1 for additional regulations for front yard setbacks.

Table 6: R-1 Residential Uses
[Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses			
Single-family Detached Dwelling		P	
Bed & Breakfast Home		C	§501.13
Farm Home Occupation		SE	§502.2
Family Child Care Home		SE	§502.3
Private Community Facilities/Recreation Areas		P	
Home Occupations		P	§419
No-Impact Home Based Business		P	§419
Accessory Dwelling Units		SE	§502.9
Commercial Uses			
Auction Houses		O12	
Business and Professional Offices		O12	
Communications Facility, Non-Tower Wireless		P	
Communications Facility, Small Wireless		P	
Funeral Home		O12	
Healthcare Practitioners Office		C	§501.59
Landscape and Garden Center - non-retail		C	§501.15
Landscape and Garden Center - retail		C	§501.15
Personal Service Establishment		O12	
Retail, Small-Scale		O12	
Institutional Uses			
Group Child Care Facility		O12	
Place of Worship/Place of Assembly		O12	
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

§ 225-305 R-2 Small Lot, Single-Family Residential

Map 7: Zoning District - R-2Residential



Overlays

- Environmental Overlays
- Community Heritage Buffer
- Middletown Road

Approval Areas

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

Table 9: R-2 Residential Dimensions

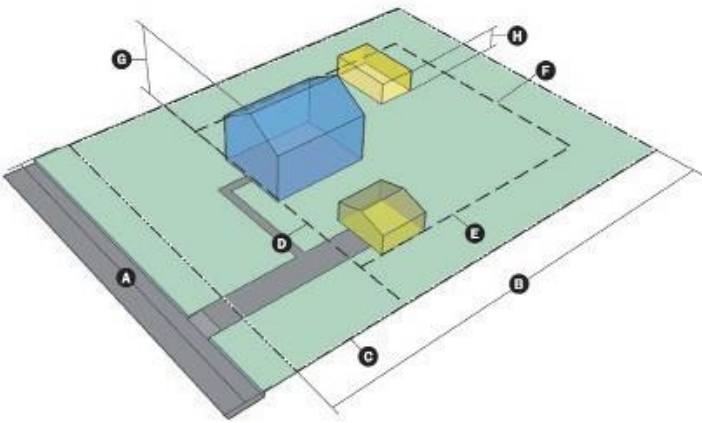
A		Minimum Lot Width (FT)		100
B		Minimum Lot Depth (FT)		150
C		Minimum Non-res. Lot Area		1 ac
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front¹	Min	25
		E Side	Min	15
		F Rear	Min	30
	ACCESSORY (minimum)		Front	50
			Side	10
			Rear	10
MAX HEIGHT (FT)	G Principal Structure			35
	H Accessory Structure			20
Maximum Impervious Coverage				30%
Minimum Vegetated Coverage				60%
Maximum Residential Density				3 DU/ NDA

¹ Properties fronting on Middletown Road shall provide an additional 15-foot easement area (front setback) - see §225.401.1.B.2. Refer to §225-206.G.1 for additional information for front yard setbacks.

Table 8: R-2 Residential Uses
[Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses			
Single-family Detached Dwelling		P	
Single Family Conversion		C	§501.1
Farm Home Occupation		SE	§502.2
Family Child Care Home		SE	§502.3
Private Community Facilities/Recreation Areas		P	
Home Occupations		P	§419
No-Impact Home Based Business		P	§419
Accessory Dwelling Units		SE	§502.9
Commercial Uses			
Communications Facility, Non-Tower Wireless		P	
Communications Facility, Small Wireless		P	
Institutional Uses			
Group Home for Persons with Disabilities		C	§501.35
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			
Affordable Housing Density Option		C	§501.45
Cluster Development Option		C	§501.43
Forestry		P	§408
Uses similar to specified permitted uses		C	§501.40
Unique Buildings		C	§501.44

Figure 2: R-1, R-2 Residential Lot Dimensional Diagram



§ 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	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 §225-401.1.B.2.. Refer to §225-206.G.1 for additional regulations for front yard setbacks

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

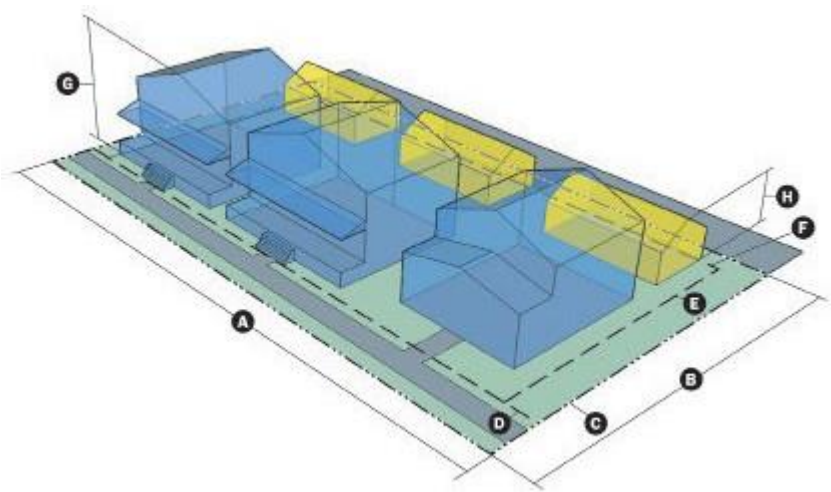


Table 10: R-3 Residential Uses
[Amended 5-1-2022 by Ord. No. 2022-02]

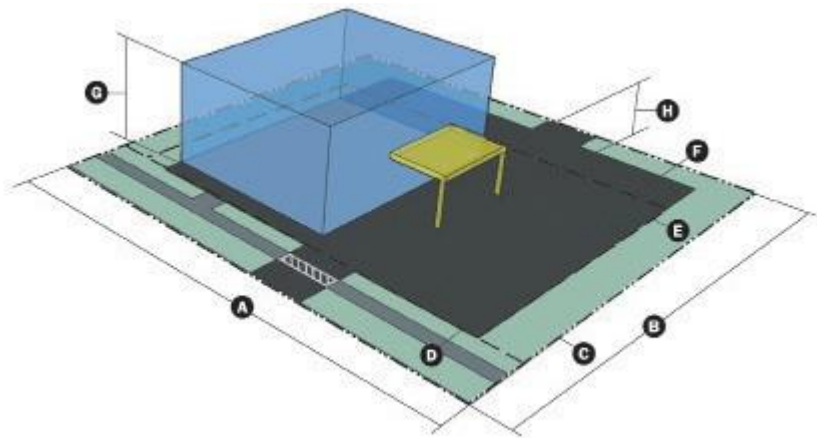
Residential Uses		
Single-family Detached Dwelling	P	
Single-family Semidetached Dwelling	P	
Single-family Attached Dwelling (Townhouse)	P	
Single Family Conversion	C	\$501.1
Two-family Detached Dwelling	P	
Multifamily Apartment Dwellings	P	
Farm Home Occupation	SE	\$502.2
Family Child Care Home	SE	\$502.3
Mobile Home Park	C	\$501.5
Private Community Facilities/Recreation Areas	P	
Home Occupations	P	\$419
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
Commercial Uses		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	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	\$408
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

Map 9: Zoning District - General Commercial



A	Minimum Lot Width (FT)			100
B	Minimum Lot Depth (FT)			150
C	Minimum Lot Area			N/A
SETBACKS (FT)	PRINCIPAL & ACCESSORY STRUCTURE	D Front ¹	Min	25
		E Side	Min	15
		F Rear	Min	35
MAX HEIGHT (FT)	G	Principal Structure		40
		Accessory Structure		20
Maximum Impervious Coverage				60%
Minimum Vegetated Coverage				30%
Maximum Residential Density				4 DU/ NDA

Figure 4: General Commercial Lot Dimensional Diagram



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

b North Master Plan Approval Area

c West Master Plan Approval Area

Table 12: General Commercial Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Single-family Detached Dwelling	P	
Boarding Home	P	
Farm Home Occupation	SE	\$502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
Commercial Uses		
Auction Houses	P	
Automobile and Truck Leasing/Rental	P	
Automotive Car Wash/Lubrication Facilities	P	
Bakery, Retail	P	
Business and Professional Offices	P	
Cigar, Hookah, and/or Vapor Lounge	C	\$501.7
Commercial Laundry	P	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	\$502.5
Dry Cleaning Service, Retail	P	
Financial Institutions	P	
Food Catering	P	
Food Services Without Drive-Through	P	
Food Services With Drive-Through	P	
Fuel Service - Minor	P	
Fuel Service - Major	P	
Funeral Homes	P	
Guest Lodging, Dining and Conference Facilities	P	
Healthcare Practitioners Office	P	
Hotels and Motels	P	
Kennel	P	
Landscape and Garden Service - non-retail	P	
Landscaping and Garden Center - retail	P	
Laundromat	P	
Membership Club	SE	\$502.8
Micro-distilleries/Breweries	P	
Motor Vehicle Repair Garages	P	
Motor Vehicle Sales and Service	P	
Mixed Use Building	P	
Outpatient Medical Treatment Facilities	P	
Personal Service Establishments	P	
Pet Grooming Facilities	P	
Photocopy Service	P	

Recreational, Sports and Entertainment Facilities		
Bowling Alleys	P	
Exercise & Fitness Centers	P	
Sport & Field Complexes	P	
Zoos	P	
Residence Hotels and Motels	P	
Retail, Large-Scale	P	
Retail, Small-Scale	P	
Service and Repair Facilities	P	
Short-Term Rental	C	\$501.20
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	P	
Taxidermy	C	\$501.30
Theater and Auditorium	P	
Veterinary Office	P	
Veterinary Hospital	P	
Winery	P	
Institutional Uses		
Group Child Care Facilities	P	
Hospital	P	
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	
Utility Buildings	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	\$408
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

§ 225-308 Planned Campus North

Map 10: Zoning District - Planned Campus North [Amended 2-22-2022 by Ord. No. 2021-08]

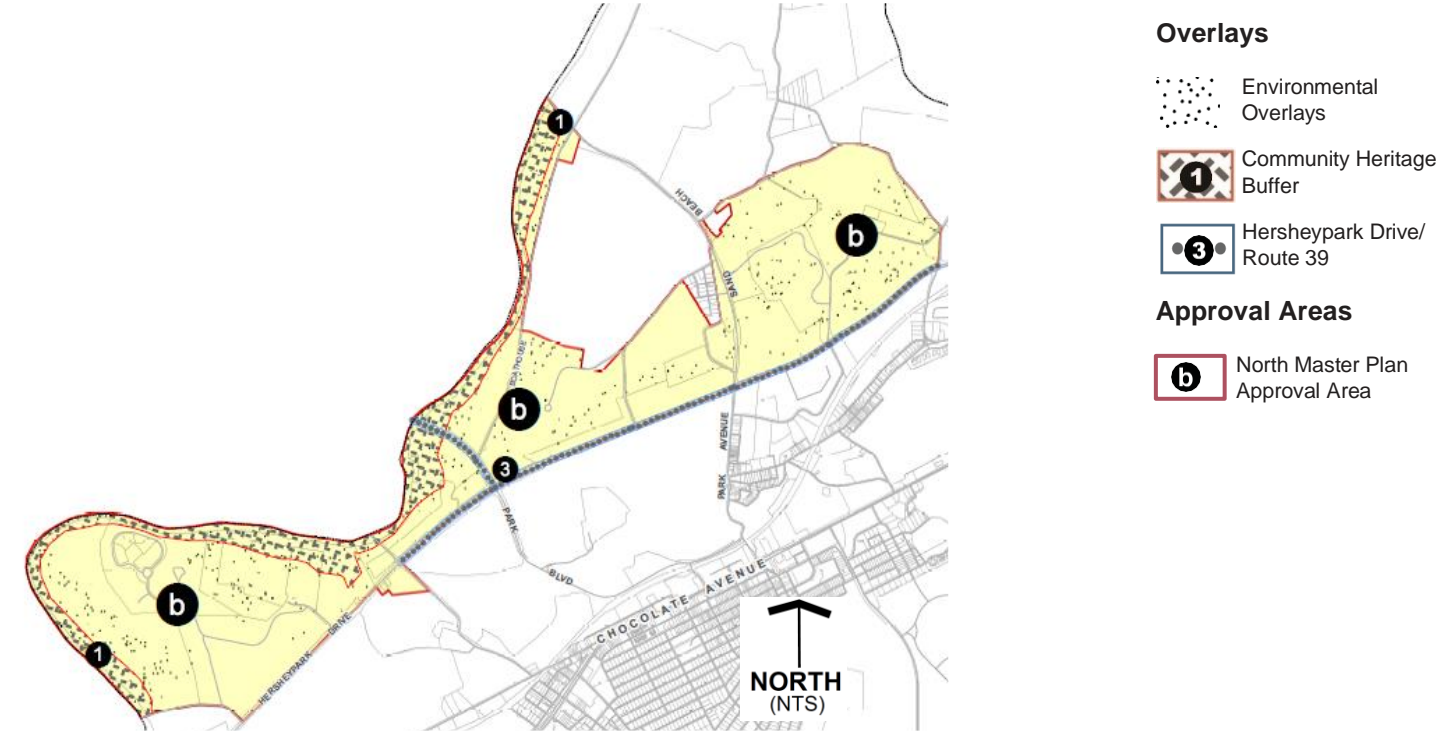
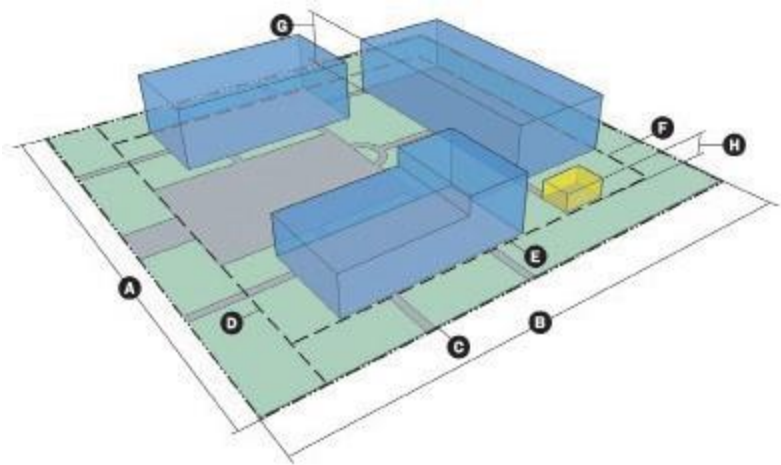


Table 15: Planned Campus North Dimensions

A		Minimum Lot Width (FT)		100
B		Minimum Lot Depth (FT)		150
C		Minimum Lot Area		30,000 SF
SETBACKS (FT)	PRINCIPAL & ACCESSORY STRUCTURE	D Front ¹	Min	25
		E Side	Min	15
		F Rear	Min	35
MAX HEIGHT (FT)	G	Principal Structure		60
	H	Accessory Structure		60
Maximum Impervious Coverage				60%
Minimum Vegetated Coverage				30%
Maximum Residential Density				3 DU/ NDA

Figure 5: Planned Campus North Lot Dimensional Diagram



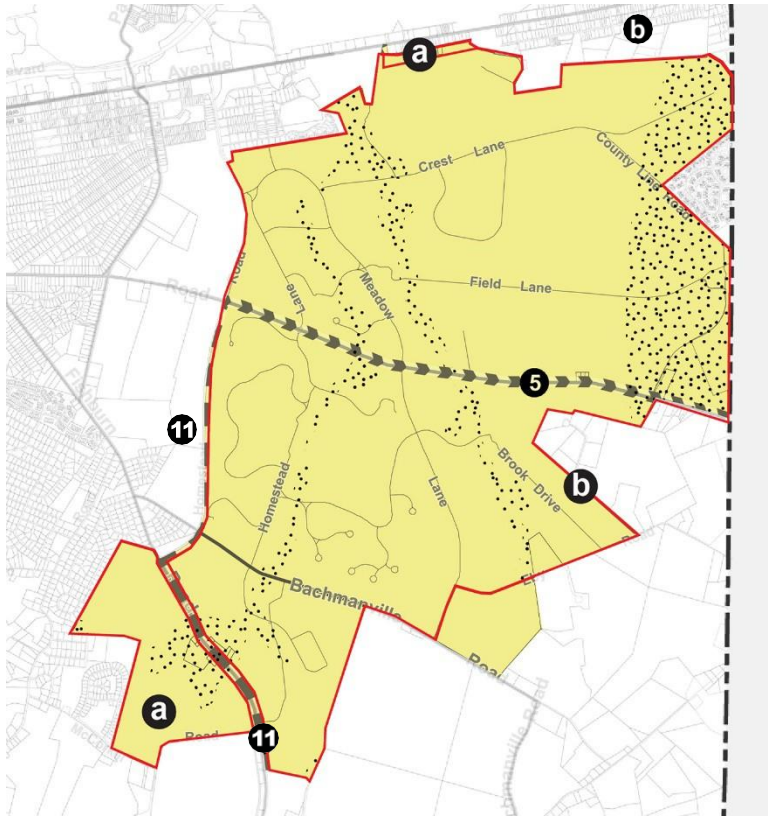
¹Refer to §225-206.G.1 for additional regulations for front yard setbacks.

Table 14: Planned Campus North Uses
[Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Multifamily Apartment Dwellings	C	\$501.2
Farm Home Occupation	SE	\$502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
Commercial Uses		
Business and Professional Offices	P	
Commercial Parking Lot or Structure	C	\$501.8
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	\$502.5
Food Services Without Drive-Through	P	
Guest Lodging, Dining and Conference Facilities	P	
Hotels and Motels	C	\$501.50
Landscape and Garden Service - non-retail	C	\$501.15
Mixed Use Building	C	\$501.47
Private Parking Lot or Structure	C	\$501.17
Recreational, Sports and Entertainment Facilities		
Botanical Gardens	P	
Archery & Shooting Ranges, Indoor	C	\$501.22
Archery & Shooting Ranges, Outdoor	C	\$501.23
Recreation Facilities for Employees, Faculty & Students	P	
Sport & Field Complexes	P	
Residence Hotels and Motels	C	\$501.50
Visitor Center	C	\$501.48
Institutional Uses		
Life Care Facilities	C	\$501.34
Schools	P	
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	C	\$501.46
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Utility Buildings	P	
Sewage Treatment Plants	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	\$408
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

§ 225-309 Planned Campus South

Map 11: Zoning District - Planned Campus South



Overlays

- Environmental Overlays
- 5 Governor Road
- 11 Homestead/Fishburn Roads

Approval Areas

- a Central Master Plan Approval Area
- b South Master Plan Approval Area

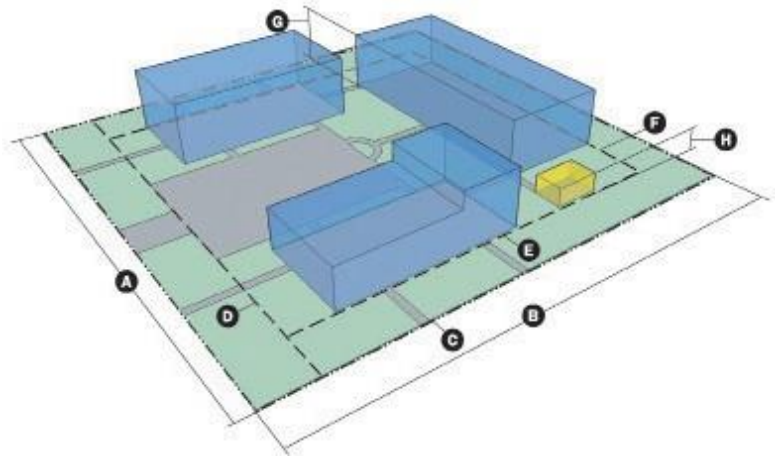


Table 17: Planned Campus South Dimensions

A		Minimum Lot Width (FT)		400
B		Minimum Lot Depth (FT)		200
C		Minimum Non-res. Lot Area		5 ac
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ¹	Min	50
		E Side	Min	50
		F Rear	Min	50
	ACCESSORY (minimum)		Front	50
			Side	20
			Rear	50
MAX HEIGHT (FT)	G	Principal Structure		60
	H	Accessory Structure		20
Maximum Impervious Coverage				15%
Minimum Vegetated Coverage				75%
Maximum Residential Density				N/A

¹Refer to §225-206.G.1 for additional regulations for front yard setbacks.

Figure 6: Planned Campus South Lot Dimensional Diagram



§ 225-309 Planned Campus South

Table 16: Planned Campus South Uses
[Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Dwellings for Employees & Students	P	
Farm Home Occupation	SE	§502.2
Family Child Care Home	SE	§502.3
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
Mixed Use Building	P	
Recreational, Sports and Entertainment Facilities		
Botanical Gardens	P	
Recreation Facilities for Employees, Faculty & Students	P	
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)	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		
Forestry	P	§408
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

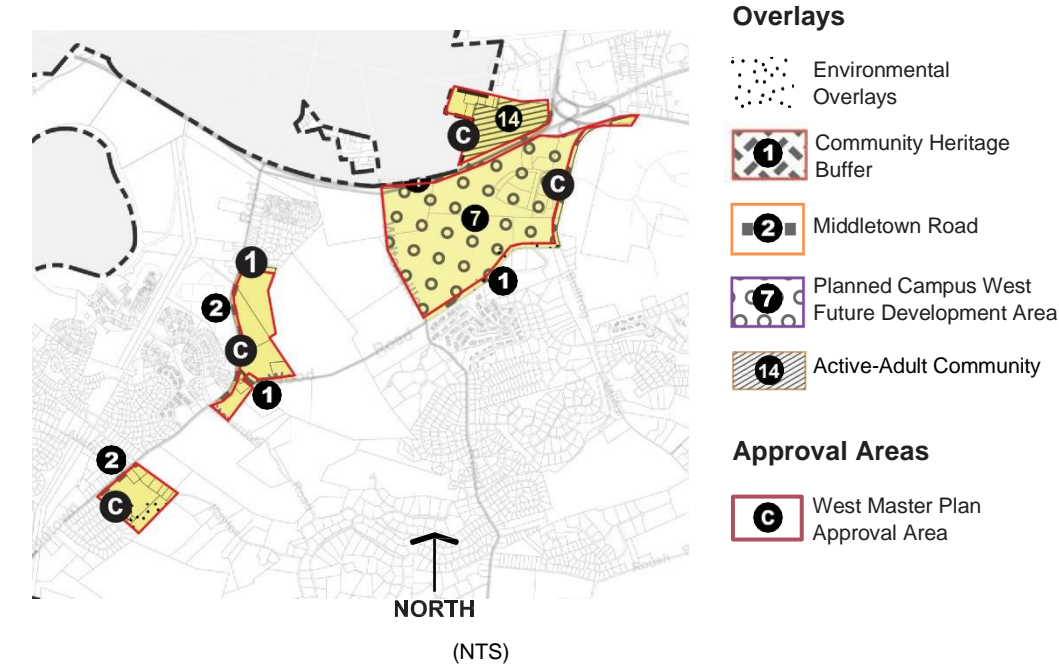


Table 19: Planned Campus West Dimensions

A		Minimum Lot Width (FT)		100
B		Minimum Lot Depth (FT)		150
C		Minimum Non-res. LotArea		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 ²	
	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 easement area (front setback) - see §225-401.1.B. Refer to §225-206.G.1 for additional regulations for front yard setbacks.

²Maximum height for a single-family or two-family dwelling unit shall be 40 feet.

Figure 7: Planned Campus West Lot Dimensional Diagram

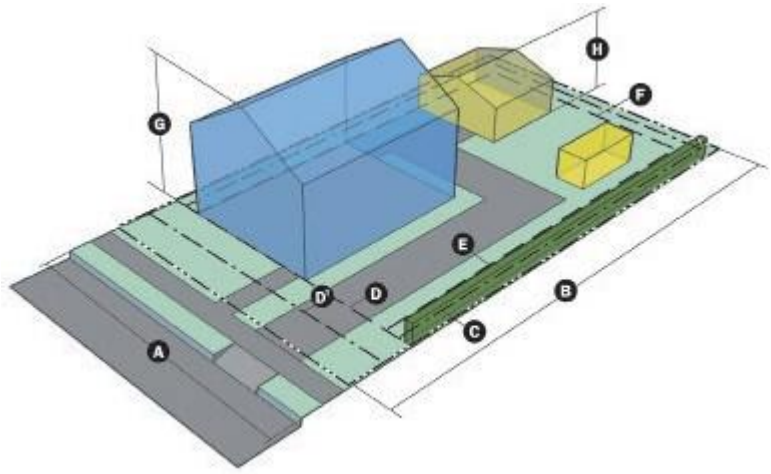


Table 18: Planned Campus West Uses [Amended 5-1-2022 by Ord. No. 2022-02]

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
Active-Adult Community	C in O14	§401.1.N
Farm Home Occupation	SE	§502.2
Family Child Care Home	SE	§502.3
Private Community Facilities/Recreation Areas	P	
Home Occupations	P	§419
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Automotive Car Wash/Lubrication Facilities	C	§501.6
Bakery Retail	P	
Business Professional Office	P	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	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		
Bowling Alleys	C	§501.24
Exercise & Fitness Centers	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	§408
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-311 Medical Campus Central

Map 13: Zoning District - MedicalCampus Central

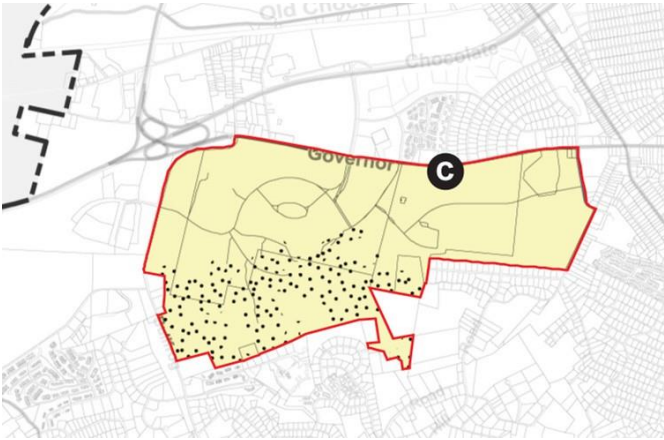


Table 21: Medical Campus Central Dimensions


A Minimum Lot Width (FT)		100	
B Minimum Lot Depth (FT)		150	
C Minimum Non-res. LotArea		N/A	
SETBACKS (FT)	PRINCIPAL STRUCTURE D E F	Roadways	100
		Zoning Boundary	200
	INTERIOR LOTS and ACCESSORY STRUCTURE NOT REGULATED ABOVE (minimum) ²	D Front ³	25
		E Side	15
		F Rear	35
MAX HEIGHT (FT)	G Principal Structure		95 ¹
	Accessory Structure		95 ¹
Maximum Impervious Coverage			60%
Minimum Vegetated Coverage			30%
Maximum Residential Density			10 DU/ NDA

¹ 130' permitted when in compliance with §225- 418.

²Minimum yard area depth shall only be applicable to internal lots within the zoning district boundary.

³Refer to §225-206.G.1 for additional regulations for front yard setbacks.

Overlays

 Environmental
Overlays

Approval Areas


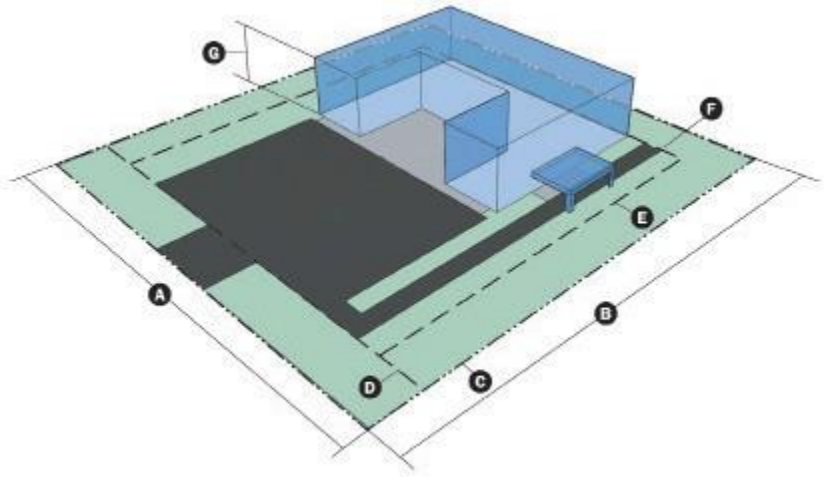
 West Master Plan
Approval Area

Figure 8: Medical Campus Central Lot Dimensional Diagram



§ 225-311 Medical Campus Central

Table 20: Medical Campus CentralUses [Amended 5-1-2022 by Ord. No. 2022-02]

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	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Business and Professional Offices	P	
Commercial Parking Lot or Structure	C	§501.8
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
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	§408
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-312 Commercial Recreation

Map 14: Zoning District - Commercial Recreation

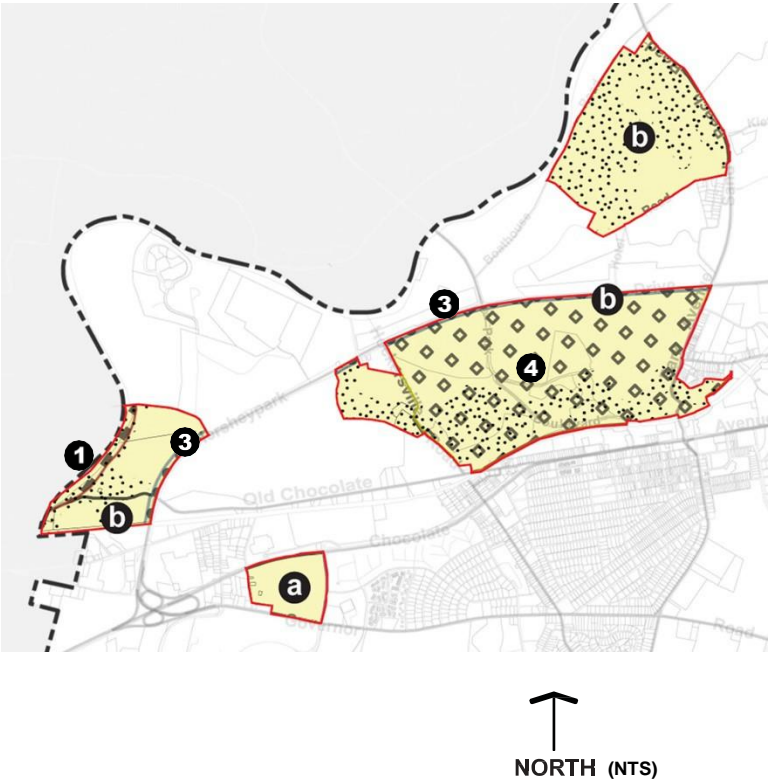


Table 23: Commercial Recreation Dimensions

		O4 ²	
A	Minimum Lot Width (FT)	200	200
B	Minimum Lot Depth (FT)	200	200
C	Minimum Non-res. LotArea	2 ac	2 ac
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ⁴	Min 40 40
		E Side	Min 40 40
		F Rear	Min 40 40
	ACCESSORY ³ (minimum)		Front ⁴ 25 25
			Side 20 20
			Rear 25 25
MAX HEIGHT (FT)	G Principal Structure		95 ¹ 350 ¹
	Accessory Structure		95 ¹ 350 ¹
Maximum Impervious Coverage		60%	85%
Minimum Vegetated Coverage		30%	5%

¹ See §225-425

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

³The 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.

⁴Refer to §225-206.G.1 for additional regulations for front yard setbacks.

Figure 9: Commercial Recreation Lot Dimensional Diagram

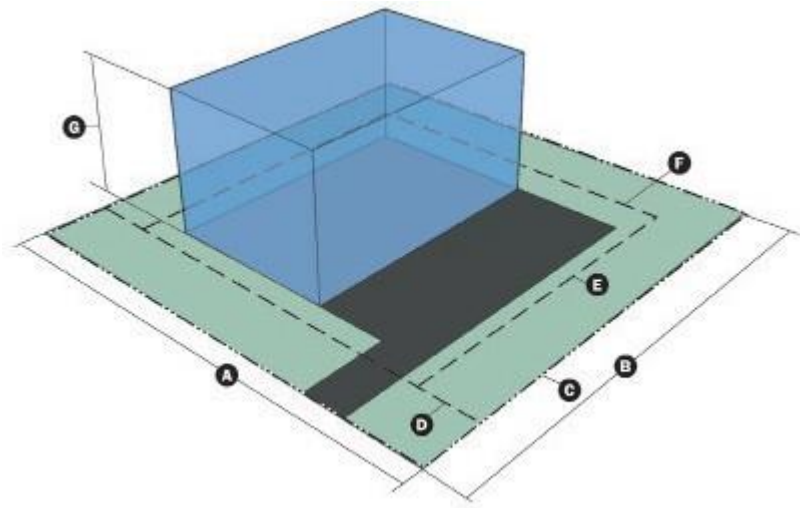


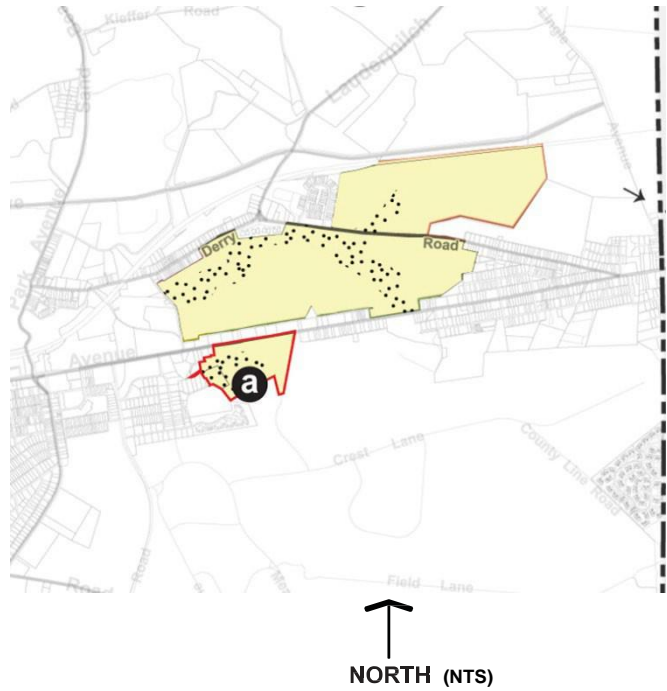
Table 22: CommercialRecreation Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Boarding Home	P	
Farm Home Occupation	SE	§502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Campgrounds	SE	§502.4
Commercial Entertainment Signs	O4	
Commercial Parking Lot or Structure	P	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.8
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		
<i>Amusement, Theme, Entertainment or Water Parks</i>	O4	
<i>Amusement Arcades</i>	P	
<i>Botanical Gardens</i>	P	
<i>Bowling Alleys</i>	P	
<i>Casinos & Gambling Facilities</i>	C	§501.25
<i>Country Club</i>	P	
<i>Exercise & Fitness Centers</i>	P	
<i>Golf Courses (Conventional & Special)</i>	P	
<i>Recreation Facilities for Employees, Faculty & Students</i>	P	
<i>Sporting and Entertainment Arenas & Stadiums</i>	P	
<i>Sport & Field Complexes</i>	P	
<i>Zoos</i>	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	§408
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-313 Commercial Golf

Map 15: Zoning District - Commercial Golf



Overlays

- Environmental Overlays

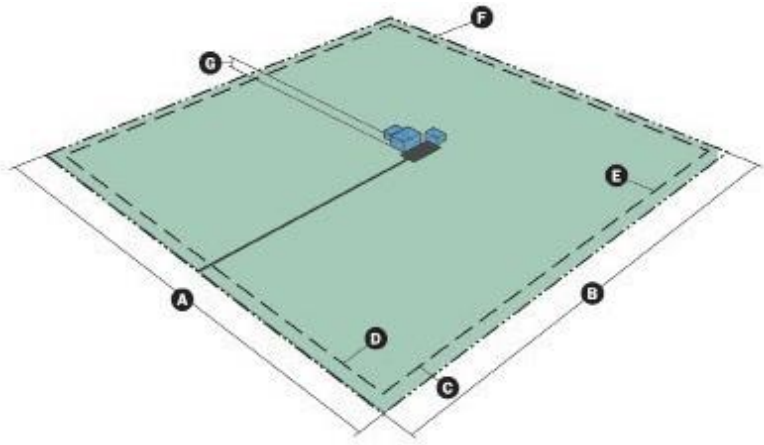
Approval Areas

- a Central Master Plan Approval Area

Table 25: Commercial Golf Dimensions

A Minimum Lot Width (FT)		400		
B Minimum Lot Depth (FT)		400		
C Minimum Non-res. LotArea		5 ac		
SETBACKS (FT)	PRINCIPAL & ACCESSORY STRUCTURE	D Front ¹	Min	40
		E Side	Min	40
		F Rear	Min	40
MAX HEIGHT (FT)	G Principal Structure			40
	Accessory Structure			40
Maximum Impervious Coverage				20%
Minimum Vegetated Coverage				70%

Figure 10: Commercial Golf Lot Dimensional Diagram



¹Refer to §225-206.G.1 for additional regulations for front yard setbacks.

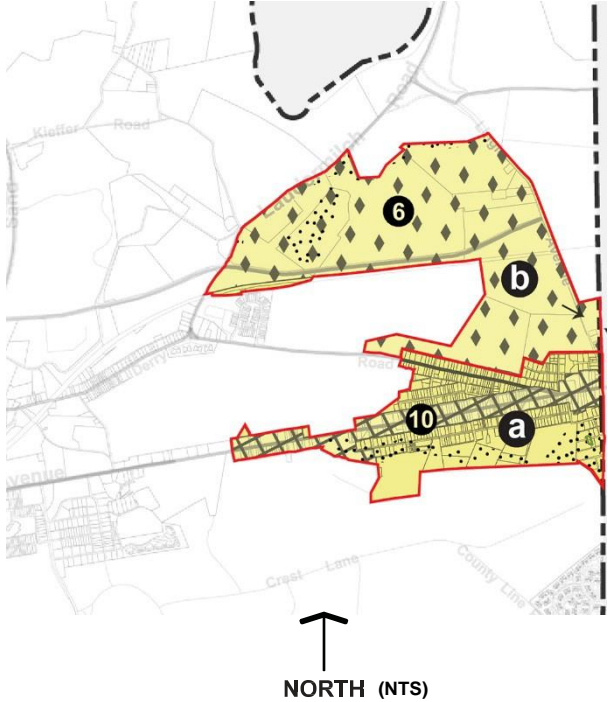
§ 225-313 Commercial Golf

Table 24: Commercial Golf Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Farm Home Occupation	SE	§502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
Food Services Without Drive-Through	P	
Membership Club	P	
Recreational, Sports and Entertainment Facilities		
Country Club	P	
Golf Courses (Conventional & Special)	P	
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Libraries		
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Agricultural/Conservation Uses		
Agricultural Uses	P	
Cemeteries		
Natural Conservation Areas	P	
Miscellaneous		
Forestry	P	§408
Uses similar to specified permitted uses	C	§501.40
Unique Buildings	C	§501.44

§ 225-314 Palmdale Mixed Use

Map 16: Zoning District - Palmdale Mixed Use



Overlays

- Environmental Overlays
- Palmdale Future Development Area (6)
- East Chocolate Avenue (10)

Approval Areas

- Central Master Plan Approval Area (a)
- North Master Plan Approval Area (b)

Table 27: Palmdale Mixed Use Dimensions

				O10	O6
A		Minimum Lot Width (FT)		40	40/20 ²
B		Minimum Lot Depth (FT)		150	100
C		Minimum Non-res. LotArea		N/A	N/A
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ¹	Min	20	20
		E Side	Min	See Notes 3 & 4	See Notes 3 & 4
		F Rear	Min	25	25
	ACCESSORY (minimum)		Front	50	50
			Side	5	5
			Rear	10	10
MAX HEIGHT (FT)	G Principal Structure			35	45
	H Accessory Structure			20	20
		Maximum Impervious Coverage		40%	60%
		Minimum Vegetated Coverage		50%	30%
RESIDENTIAL DENSITY	SFDD/SFSD/TFDD			5 DU/ NDA	7 DU/ NDA
	SFAD (townhouse)			8 DU/ NDA	10 DU/ NDA
	Apartments			12 DU/ NDA	12 DU/ NDA
	Senior Apartments			15 DU/ NDA	15 DU/ NDA

¹Refer to §225-206.G.1 for additional regulations for front yard setbacks.

²Permitted for interior SFAD (Townhouses) lots.

³For SFSD and SFAD common wall side yards setbacks are zero.

⁴Lots up to 40' wide – 5 feet, Lots >40' up to 60' wide – 8 feet, Lots >60' up to 85' wide – 10 feet, Lots >85' wide 15 feet.

Figure 11: Palmdale Mixed Use Lot Dimensional Diagram

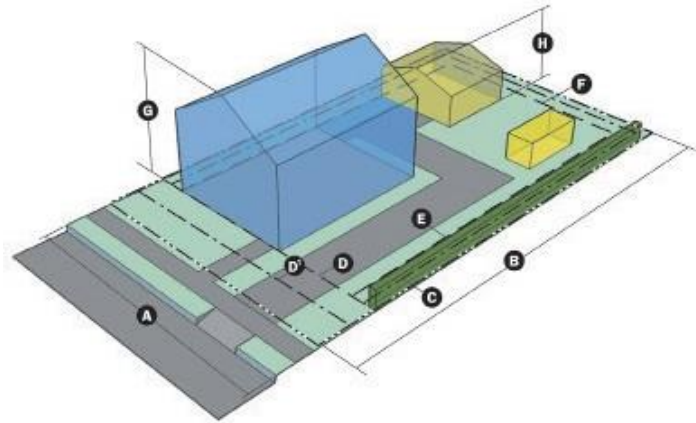


Table 26: Palmdale Mixed Use Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Single-family Detached Dwelling	P	
Single-family Semidetached Dwelling	P	
Single-family Attached Dwelling (Townhouse)	O6	
Single Family Conversion	C	§501.1
Two-family Detached Dwelling	O6	
Multifamily Apartment Dwellings	O6, O10	
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	§419
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Automotive Car Wash/Lubrication Facilities	C	§501.6
Bakery, Retail	O6, O10	
Business and Professional Offices	O6, O10	
Commercial Parking Lot or Structure	O6, O10	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
Dry Cleaning Service, Retail	O6, O10	
Financial Institutions	O10	
Food Catering	C	§501.11
Food Services Without Drive-Through	O10	
Fuel Service - Minor	C	§501.18
Healthcare Practitioners Office	O6, O10	
Hotels and Motels	O10	
Laundromat	O10	
Membership Club	C	§501.16
Mixed Use Building	O6, O10	
Personal Service Establishments	P	
Pet Grooming Facilities	O10	
Photocopy Service	O10	
Private Parking Lot or Structure	O6, O10	
Recreational, Sports and Entertainment Facilities (Private)		
Exercise & Fitness Centers	O6, O10	
Sport & Field Complexes	O6	
Retail, Large-Scale	C	§501.29
Retail, Small-Scale	O6, O10	
Short-Term Rental	C	§501.20

Commercial Uses		
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	O6, O10	
Theater and Auditorium	O10	
Veterinary Office	O10	
Institutional Uses		
Life Care Facilities	C	§501.34
Group Child Care Facilities	C	§501.52
Museums	O6, O8	
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	
Cemeteries	P	
Natural Conservation Areas	P	
Miscellaneous		
Affordable Housing Density Option	C	§501.45
Forestry	P	§408
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

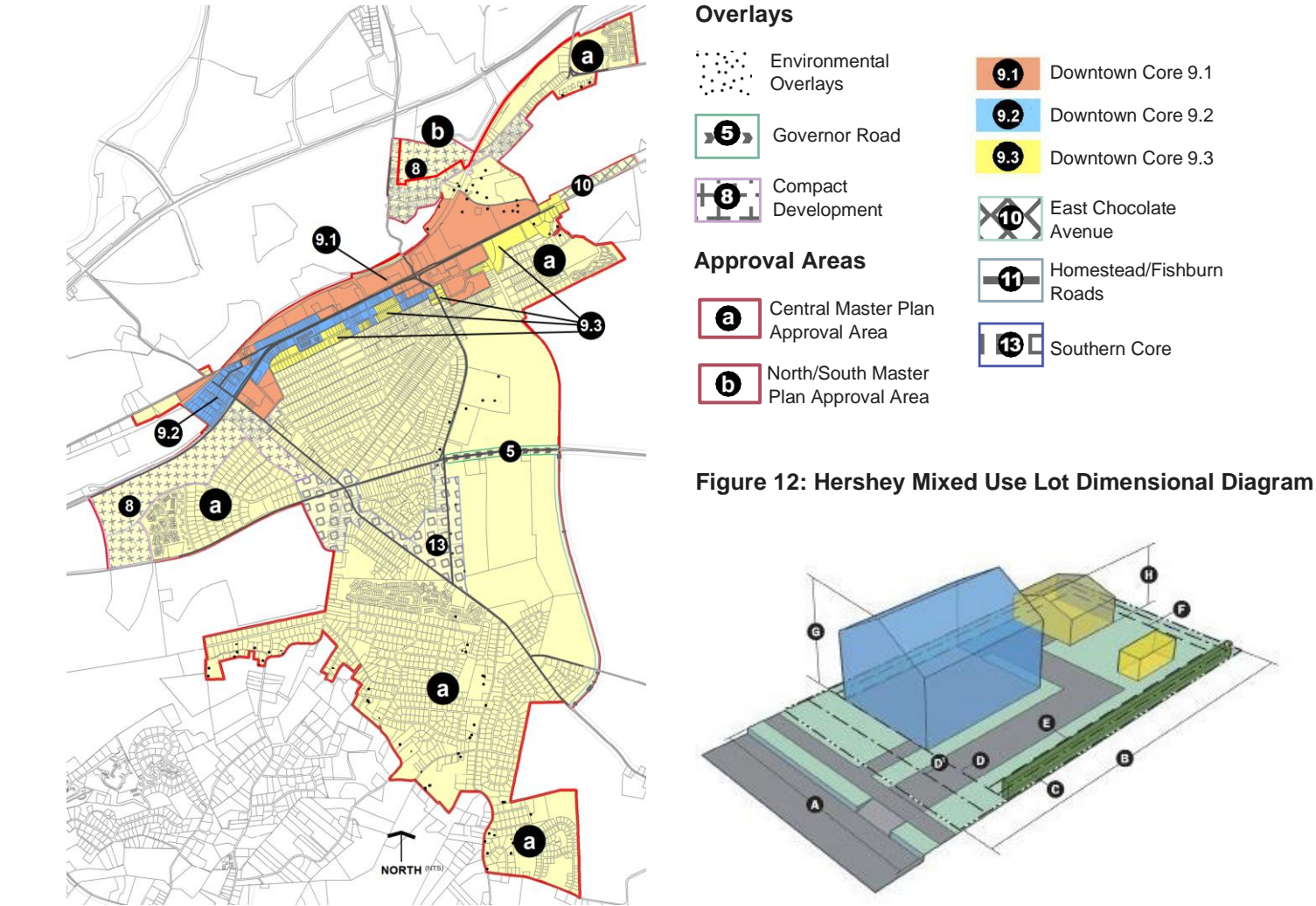


Table 29: Hershey Mixed Use Dimensions

Table 29: Hershey Mixed Use Dimensions				O8	O9.1	O9.2	O9.3	O10	O13	
A Minimum Lot Width (FT)		40	40	20	20	40	40	100		
B Minimum Lot Depth (FT)		100	100	100	100	100	100	125		
C Minimum Non-res. Lot Area		N/A	N/A	N/A	N/A	N/A	N/A	N/A		
SETBACKS (FT)	PRINCIPAL STRUCTURE	D Front ⁵	Min	20 ²	20	20 ¹	20 ¹	20 ¹	20	25
		E Side	Min	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6
		F Rear	Min	30	20	20	20	20	20	20
	ACCESSORY (minimum)		Front	50	50	50	50	50	50	50
			Side	5	5	5	5	5	5	5
			Rear	10	10	10	10	10	10	10
	MAX HEIGHT (FT)	G Principal Structure		35 ⁴	50	5 stories not to exceed 60	4 stories not to exceed 45	35	50	50
H Accessory Structure		20	20	20	20	20	20	20		
Maximum Impervious Coverage		40% ⁴	60%	85%	60%	40%	60%	60%		
Minimum Vegetated Coverage		50% ⁴	30%	5%	30%	50%	30%	30%		
RES. DENSITY	SFDD/SFSD/TFDD		5 DU/ NDA	7 DU/ NDA	7 DU/ NDA	7 DU/ NDA	5 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	12 DU/ NDA	8 DU/ NDA	

¹ For lots fronting on Chocolate Avenue where the tree lawn (area between the curb line and street side of sidewalk) is 6 feet or greater, the minimum front setback shall be 5 feet. The front setback shall be 20 feet in all other areas.

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.

⁴ Non-residential uses permitted by-right within the base zoning district shall be permitted to have a maximum principal structure height of 50 feet, a maximum impervious coverage ratio of 60%, and a minimum vegetative coverage ratio of 30%.

⁵ Refer to §225-206.G.1 for additional regulations for front yard setbacks.

⁶ Lots up to 40' wide – 5 feet
Lots >40' up to 60' wide – 8 feet
Lots >60' up to 85' wide – 10 feet
Lots >85' wide 15 feet

§ 225-315 Hershey Mixed Use

Table 28: Hershey Mixed Use Uses [Amended 5-1-2022 by Ord. No. 2022-02], 6-13-23 by Ord. 2023-05

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	\$419
No-Impact Home Based Business	P	\$419
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	O9.1, O10	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Dry Cleaning Service, Retail	O8, O9, O10, O13	
Dwellings for Employees & Students	C	\$501.56
Financial Institutions	O8, O9.1, O9.2, O10, O13	
Food Catering	C	\$501.11
Food Services Without Drive-Through	O8, O9.1, O9.2, 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	SE	\$502.7
Healthcare Practitioners Office	O8, O9, O10, O13	
Hotels and Motels	O10, O13	C in O8 & O9.1 per \$501.50
Laundromat	O8, O9.1, O9.2, O10, O13	
Membership Club	C	\$501.16
Micro-distilleries/Breweries	O9.1, O9.2, 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>	O9.3	
<i>Exercise & Fitness Centers</i>	O9, O8, O10, O13	
Retail, Large-Scale	C	\$501.29
Retail, Small-Scale	O8, O9, O10, O13	
Short-Term Rental	O9.1, O9.2	C in O9.3 \$501.20
Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	O8, O9, O10, O13	
Theater and Auditorium	O9.1, O9.2, 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	O8, O9, O10, O13	
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	\$408
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 (FT)	PRINCIPAL & ACCESSORY STRUCTURE	D Front ¹	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

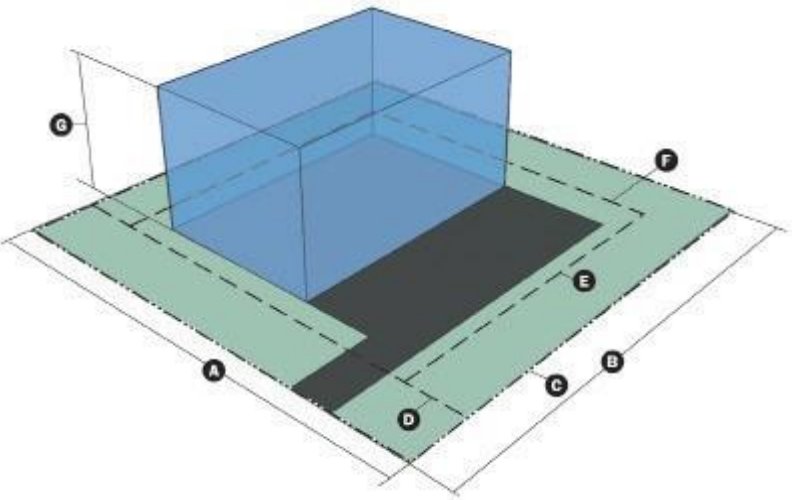


Table 30: Limited Compatibility Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Farm Home Occupation	SE	§502.2
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
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	§408
Solar Panel Arrays (Principal Use)	P	§423
Unique Buildings	C	§501.44
Uses similar to specified permitted uses	C	§501.40
Wind Energy Conversion Systems (Principal Use)	P	

¹Refer to §225-206.G.1 for additional regulations for front yard setbacks.

§ 225-317 Industrial Use

Map 19: Zoning District - Industrial



Overlays



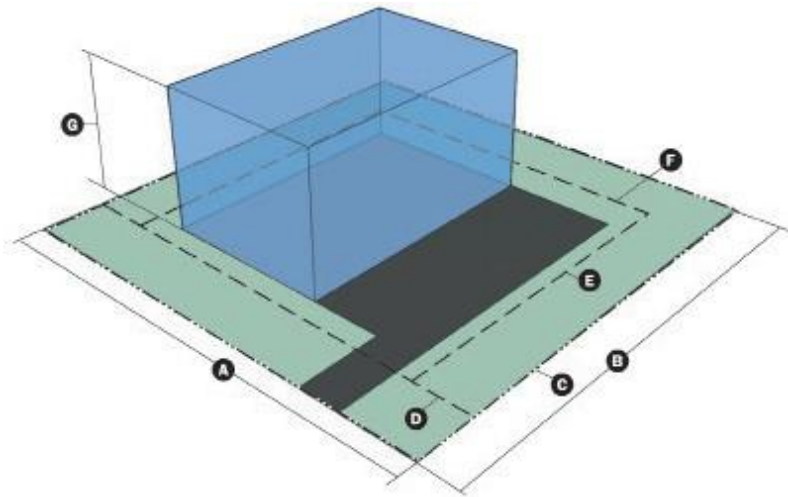
-  Environmental Overlays
-  North/South Master Plan Approval Area

Table 33: Industrial Dimensions

A Minimum Lot Width (FT)		125		
B Minimum Lot Depth (FT)		175		
C Minimum Non-res. Lot Area		1 ac		
SETBACKS (FT)	PRINCIPAL & ACCESSORY STRUCTURE	D Front ²	Min	40
		E Side	Min	40
		F Rear	Min	40
MAX HEIGHT (FT)	G Principal Structure			95'
	Accessory Structure			40
Maximum Impervious Coverage				60%
Minimum Vegetated Coverage				30%

Figure 14: Industrial Use Lot Dimensional Diagram



§ 225-317 Industrial Use

Table 32: Industrial Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses		
Farm Home Occupation	SE	§502.2
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	§419
Accessory Dwelling Units	SE	§502.9
Commercial Uses		
Automobile and Truck Leasing/Rental	P	
Automotive Car Wash/Lubrication Facilities	P	
Business and Professional Offices	P	
Commercial Laundry	P	
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
Communications Facility, Tower-Based Wireless	SE	§502.5
Food Catering	P	
Fuel Service - Minor	P	
Fuel Service - Major	P	
Heliport	C	§501.14
Kennel	P	
Landscape and Garden Service - non-retail	P	
Motor Vehicle Fuel, Wholesale	P	
Private Parking Lot or Structure	P	
Recreational, Sports and Entertainment Facilities		
<i>Recreation Facilities for Employees, Faculty & Students</i>	P	
Rental and Leasing Businesses	P	
Research/Technology Business Incubator	C	§501.36
Service and Repair Facilities	P	
Taxidermy	P	
Industrial Uses		
Assembling	P	
Crematory	C	§501.54
Production Bakery	P	
Commercial/Industrial Laundering and Dry-Cleaning Facilities	P	
Grain Milling	P	
Importing & Exporting Establishments	P	
Industrial Equipment Sales & Repair	P	
Laboratories	P	
Machine Shop	P	
Manufacturing	P	
Mineral Extraction	C	§501.31
Printing and Publishing	P	
Processing	P	
Self-storage facilities	P	
Solid, Liquid or Gas Fuel Dealers	P	
Solid or Liquid Waste Transfer Stations	P	

Industrial Uses		
Storage, Including Fuel Storage	P	
Warehousing	P	
Welding Shop	P	
Wholesale Trade Establishments	P	
Wood Millworks	P	
Institutional Uses		
Incinerators and Crematoriums	C	§501.54
Medical-related Research Facilities	P	
Museums		
Other Scientific Research, Development and Training Facilities	C	§ 501.53
Municipal/Public Uses		
Administrative Offices of County, State or Federal Government (Office)	P	
Municipal Buildings and Uses	P	
Fire/Emergency Services	P	
Parks, Playgrounds & Recreation	P	
Utility Service Structures	P	
Utility Buildings	P	
Sewage Treatment Plants	C	§501.38
Agricultural/Conservation Uses		
Agricultural Uses	P	
Natural Conservation Areas	P	
Miscellaneous		
Billboard	C	§501.41
Forestry	P	§408
Solar Panel Arrays (Principal Use)	P	§423
Unique Buildings	C	§501.44
Uses similar to specified permitted uses	C	§501.40
Wind Energy Conversion Systems (Principal Use)	P	

¹ 130' permitted when in compliance with §225-418.

² Refer to §225-206.G.1 for additional regulations for front yard setbacks.

SECTION IV.

Chapter 225, Zoning, Section 225-429.C through Section 225-429.G.1.c of the Derry Township Code of Ordinances are hereby amended and replaced in their entirety to read as follows:

C. Establishment of Downtown Core Design Board (DCDB).

1. The Derry Township Board of Supervisors shall appoint seven members to the Downtown Core Design Board (DCDB) of which a minimum of four shall be Derry Township residents. Qualified members shall meet one or more of the following requirements:
 - a. Persons affiliated with professional groups knowledgeable in matters of history, engineering, architecture, and/or real estate such as historians, architectural historians, architects, landscape architects, archaeologists, engineers, land-use planners, lawyers, and real estate brokers.
 - b. Persons residing within the Downtown Core Overlay.
 - c. Persons owning business or property within the Downtown Core Overlay or their representative.
 - d. In addition to the above voting members, the Board of Supervisors may appoint one or more nonvoting members to provide technical oversight to the Board.
2. The terms of voting members appointed shall be for five years and shall be so fixed that the term of no more than two members shall expire each year. An appointment to fill a vacancy shall be only for the unexpired portion of the term.
3. The DCDB shall review proposals which meet the criteria to be reviewed as described in §225-429.E in accordance with the following procedures:
 - a. The DCDB shall meet monthly, unless there are no applications or business to be reviewed by the DCDB.
 - b. Applications for matters to be considered by the DCDB shall be submitted to the Township and shall contain all required information

pursuant to §225-429.F at least 14 days prior to the DCDB meeting at which consideration is desired.

- c. The DCDB shall issue a certificate of appropriateness granting, modifying, or denying the application to the Applicant, as determined by a majority vote, within ten business days of the meeting at which the application is considered, unless the applicant grants an extension of time in which to act. A concurrent copy of the certificate of appropriateness shall be provided to the Board of Supervisors,
 - d. Except as noted in §225-429.E.4, the certificate of appropriateness, as issued by the DCDB, shall be deemed a final determination, binding on the applicant.
 - e. The Department of Community Development may issue a permit or give authorization to commence such work in accordance with the certificate of appropriateness, unless the certificate of appropriateness is appealed by the applicant or the Board of Supervisors.
 - f. Where the certificate of appropriateness of the DCDB is intended to be a recommendation to the Board of Supervisors, as indicated in §225-429.E.4, the Board of Supervisors shall consider the application at a public meeting within 30 business days of the Board's receipt of the certificate of appropriateness. Notice of the meeting shall be given to the applicant, at which meeting the applicant presents their proposal to the Board. The Board of Supervisors shall make a decision at that same public meeting, unless the applicant grants an extension of time in which to act.
4. Applicants submitting Master Plans within the Downtown Core (O9) Overlay under the requirements of §225-501.58 of this Chapter shall have the plans reviewed by the DCDB in accordance with the procedures of §225-429.C.3 prior to filing a conditional use application with the Township.

D. Appeals from recommendations of DCDB.

- 1. Any applicant aggrieved by the DCDB's certificate of appropriateness, or from the conditions provided therein, may appeal to the Derry Township Board of Supervisors within 15 business days of receipt of the certificate of appropriateness. An applicant's failure to appear at the public meeting, after receiving notice that the matter will be considered, may result in an automatic denial of the application and acceptance by the Board of Supervisors of the recommendation of the DCDB.

2. Where the certificate of appropriateness of the DCDB is appealed to the Board of Supervisors, the Board of Supervisors shall consider the appeal at a public meeting within 30 business days of the Board's receipt of the appeal unless the applicant grants an extension of time in which to act. Notice of the meeting shall be given to the applicant, at which meeting the applicant may present their proposal and raise objections to the DCDB's certificate of appropriateness.
 3. The Board of Supervisors shall render a determination at that same public meeting, unless the applicant grants an extension of time in which to act.
 4. Nothing contained in this article shall be construed to deny the appellant the right to proceed directly to court where appropriate, pursuant to the Pennsylvania Rule of Civil Procedure No. 1091, relating to action in mandamus.
- E. Activities to be reviewed. Except as exempted by §225-429.E.5, the following activities shall be subject to review :
1. Any sign, except for signs exempted from permit under §225-401.4, which is erected, placed, or altered within the Downtown Core (O9) Overlay which is outside the public right-of-way.
 2. Any mural or other public art within the Downtown Core (O9) Overlay, which is outside the public right-of-way.
 3. Buildings and outdoor improvements located within the Downtown Core (O9) Overlay which are outside the public right-of-way, including:
 - a. Any material change in the exterior appearance of existing buildings or structures.
 - b. Any new construction of a principal building, principal structure, accessory building, or accessory structure.
 - c. Any material change of existing walls, fences, driveways, or parking areas or construction of new walls, fences, driveways, or parking areas.
 - d. Any addition or alteration of any type of exterior lighting device.
 - e. Partial demolition of existing buildings or structures comprising less than 50% of the visible area of the building or structure.
 - f. Demolition of existing buildings or structures comprising 50% or more of the visible area of the building or structure.

- g. Maintenance or replacement of landscaping and materials between the edge of roadway and right-of-way line of public streets, which shall be subject to design review in accordance with §225-429.G.7.a.ii.
- 4. The Board of Supervisors shall have sole approval authority for all proposals for activities specified in §225-429.E.3.b and §225-429.E.3.f. The Board of Supervisors shall consider the recommendation of the DCDB, as well as testimony offered by the applicant, at a public meeting of the Board of Supervisors within 20 business days of receipt of the DCDB's certificate of appropriateness, notice of which meeting shall be given to the applicant. The Board of Supervisors shall make a decision at that same public meeting, unless the applicant grants an extension of time in which to act.
- 5. The following activities shall be exempted from review:
 - a. Ordinary maintenance and repair to existing buildings and structures that will result in no change of material on the facade appearance.
 - b. Color and message changes to existing signs where no other alterations are proposed in accordance with the definitions of this Chapter, and provided that all signs that contain dimensional elements as required by §225-429.G.6.a.ii maintain the relief with the color or message change to the sign.
 - c. Installation of any sign exempted from permit requirements under §225-401.4.C of this Chapter.
 - d. Maintenance and replacement of private vegetative landscaping and buffering which otherwise complies with this Chapter; Chapter 185, Subdivision and Land Development; and Chapter 201, Street and Public Tree Ordinance, as applicable, excluding landscaping and materials modified between the edge of roadway and right-of-way line of public streets, which shall be subject to design review in accordance with §225-429.G.7.a.ii.
 - e. The following activities on properties that contain no frontage along Chocolate Avenue:
 - i. Any new construction of a principal building, principal structure, accessory building, or accessory structure on properties used for one- and two-family dwellings only.
 - ii. Any change of material of existing walls, fences, driveways, or parking areas or construction of new walls, fences, driveways, or

parking areas on properties used for one- and two-family dwellings only.

- iii. Any change of material in the exterior appearance of existing buildings or structures on properties used for one- and two-family dwellings only.
- iv. Any addition or alteration of any type of exterior lighting device on buildings or structures used for one- and two-family dwellings only.
- v. Demolition of existing principal buildings, principal structures, accessory buildings, or accessory structures, or portions thereof, used for or accessory to, one- and two-family dwellings only.

F. Minimum data required for review.

- 1. A narrative providing explanation of the proposed project and how the purpose and objective statements and minimum design criteria of §225-429.G have been addressed in the design of the building, sign, or private site elements, as may be applicable to the project proposal.
- 2. Proposed signs or proposed alterations to existing signs shall be accurately depicted on drawings which designate the height, width, depth, colors, materials, message, lighting source, and exact location.
- 3. A site plan shall be required for any improvements deemed to be of such significance by the Director of Community Development that a site plan will be necessary in order for the DCDB to conduct a thorough review of the proposal. Site plans may be required for outdoor improvements, new buildings, and additions to existing buildings, but shall not be required for projects that are changing only the exterior materials or appearance to existing buildings with no other site layout changes proposed. When a site plan is required, the following minimum information shall be depicted on the plans:
 - a. All lot lines, minimum yard area lines, and lines of existing streets and rights-of-way.
 - b. All existing or proposed improvements on the lot including, but not limited to, buildings, structures, parking areas, curbs, sidewalks, lighting devices, and landscaped areas.
- 4. Interior floor plans are required for all new buildings.

5. Exterior elevations shall be submitted for new buildings and material and appearance changes to existing buildings in such detail that the Board can fully envision the completed alteration, with the full knowledge of colors, materials, window sizes, etc.
 6. A listing of any modifications being requested from the design standards of this section pursuant to the requirements of §225-429.H.
 7. For submittals of buildings within a Master Plan subject to §225-501.58 of this Chapter, the applicant shall file a site development plan, a landscaping plan, signage plans, and the architectural and design standards for the development, including the illustrative building types, elevations, and the siting and cross section renderings of proposed buildings showing compliance with the Master Plan requirements. All plans and supporting information shall contain the information required by §225-501.58 of this Chapter.
 8. Samples and specification sheets of the materials, fixtures, and finishes being used in the development activity may be provided with the application. Other photographs and renderings of a similar existing development, whether located within or outside of the Township, may also be submitted to demonstrate the final conditions of the proposed activity.
 9. The fee for review by the DCDB shall be in an amount as established from time to time by resolution of the Board of Supervisors.
- G. Downtown Core Overlay Design Standards. The following standards apply to new development, redevelopment, and alterations in the Downtown Core Overlay. As a result, the standards address issues related to retention of existing buildings that will be altered and/or expanded; as well as new building construction that will infill undeveloped land areas; or demolition and redevelopment of existing sites in the Downtown Core Overlay. A general observation of these design standards is that all buildings in the downtown should relate to and respect the continuity and character of existing block fronts and adjacent buildings that are such a strong determinant of the character of the overlay. The goal is to maintain quality, character, and spatial continuity. The following standards address the minimum considerations for the design of newly developed, expanded, or altered buildings in the Downtown Core Overlay:
1. Demolition of existing buildings. Adaptive reuse of existing buildings shall be utilized to the greatest extent possible. In the event that demolition of an existing building is proposed, the applicant shall submit the following information related to the structure in order to demonstrate the infeasibility of adaptive reuse to the satisfaction of the Board of Supervisors:

- a. That the structural integrity of the building is beyond repair or reuse and as a result, the demolition of the existing building is in the best interest of public safety and welfare. The applicant shall provide a structural engineer's report to demonstrate structural disrepair, and/or,
- b. That the desired general aesthetics and compatibility of design with surrounding uses will be more achievable with demolition of the existing structure and construction of a new building. The applicant shall describe the elements of the existing structure that make it incompatible with the surrounding structures, and/or,
- c. That the safety of vehicular and/or pedestrian access to the building or in the area of the building will be more achievable with construction of a new building.

SECTION V.

Chapter 225, Zoning, Section 225-501-40 of the Derry Township Code of Ordinances is hereby amended and replaced in its entirety to read as follows:

§225-501.40. Uses Similar to Specified Permitted Uses. (All zoning districts).

- A. The proposed use shall not be a use otherwise defined or permitted in this Chapter.
- B. The proposed use shall be similar to and of the same general character as a by-right permitted use in the zoning district in which the use is proposed.
- C. The use may not substantially injure or detract from the lawful existing or permitted use of other properties adjacent to the proposed use or otherwise permitted in the zoning district in which the use is proposed.
- D. The proposed use shall not generate traffic, noise, sewer usage, or water usage in excess of other by-right uses permitted in the district.
- E. The net residential density shall not exceed that which is permissible for the Zoning District in which it is proposed.
- F. In R-1, R-2, and R-3 zoning districts, parking and site circulation shall be designed to be residential in scale and appearance.
- G. Where parking areas are proposed to be constructed or modified, one shade tree per 8 required parking spaces shall be designed and constructed as part of the development.

- H. The applicant shall provide a narrative detailing why they believe the use is similar to the Specified Permitted Use and information noting their compliance with §225-501.K and this Section.

SECTION VI.

Chapter 225, Zoning, Section 225-902 of the Derry Township Code of Ordinances is hereby amended to read as follows:

§225-902. Landowner Curative Amendments.

A landowner who desires to challenge on substantive grounds the validity of this Chapter or the Zoning Map, or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, shall submit a curative amendment, including fees, to the Township with a written request that his challenge and proposed amendment be heard and decided as provided in §916.1, Procedure for Landowner Curative Amendments, of the Pennsylvania Municipalities Planning Code. The Township Board of Supervisors or Township Zoning Hearing Board shall commence the associated procedures in accordance with PA Municipalities Planning Code, §609.1, Procedure for Landowner Curative Amendments.

SECTION VII.

Chapter 225, Zoning, Section 225-902 of the Derry Township Code of Ordinances is hereby amended to read as follows:

§225-903. Township Curative Amendments.

If the Township Board of Supervisors determines that this Chapter, or any portion hereof, is substantially invalid, it shall take actions in accordance with PA Municipalities Planning Code, §609.2, Procedure for Municipal Curative Amendments.

SECTION VIII.

Chapter 225, Zoning, Section 225-1103, Definitions, “Recreational Vehicle” of the Derry Township Code of Ordinances is hereby amended to read as follows:

RECREATIONAL VEHICLE (AS USED IN THE FLOODPLAIN OVERLAY) - A vehicle which meets all of the following:

- A. Is built on a single chassis.

- B. Is not more than 400 square feet, measured at the largest horizontal projections.
- C. Is designed to be self-propelled or permanently towable by a light-duty truck.
- D. Is not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SECTION IX. SEVERABILITY.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

SECTION X. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION XI. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 13th day of Feb. 202⁴, by the Board of Supervisors of Derry Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

Board of Supervisors of Derry Township

By: E. Christopher Abruzzo
E. Christopher Abruzzo - Chairman

ATTEST:

Christopher S. Christman
Christopher S. Christman, Township Manager

[TOWNSHIP SEAL]