

**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.**

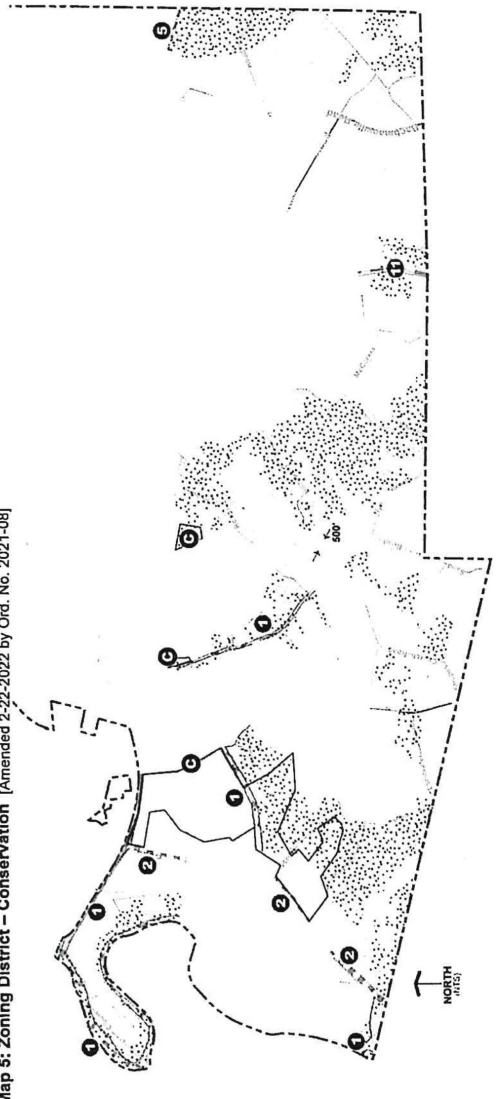
Within the Township, a series of Zoning Overlays are established as permissible under the provisions of §603 of the Pennsylvania Municipalities Planning Code. The Zoning

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		P	
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
Ne-impacted Home Based Business		P	\$419
Accessory Dwelling Units		SE	\$502.9
<b>Commercial Uses</b>			
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			
<i>Botanical Gardens</i>		C	\$501.21
<i>Archery &amp; Shooting Ranges, Indoor</i>		C	\$501.22
<i>Country Club</i>		C	\$501.26
<i>Golf Courses (Conventional &amp; Special)</i>		C	\$501.27
<i>Zoos</i>		C	\$501.28
Winery		C	\$501.10
<b>Industrial Uses</b>			
Mineral Extraction		P	
<b>Institutional Uses</b>			
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	
<b>Municipal/Public Uses</b>			
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	
<b>Agricultural/Conservation Uses</b>			
Agricultural Uses		P	
Cameleries		P	
Natural Conservation Areas		P	
<b>Miscellaneous</b>			
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	

Figure 1: Conservation Lot Dimensional Diagram

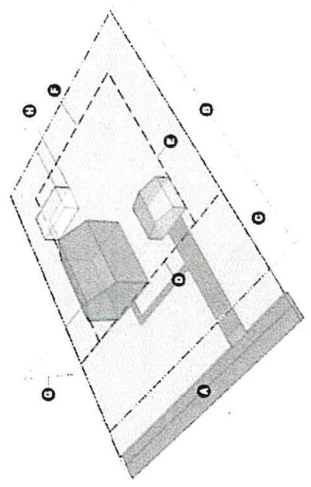


Table 5: Conservation Dimensions

MINIMUM	A	Minimum Lot Width (FT)	200
	B	Minimum Lot Depth (FT)	200
	C	Minimum Non-res. Lot Area	5 ac
PRINCIPAL STRUCTURE	D	Front <sup>1</sup>	50
	E	Side	50
	F	Rear	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

<sup>1</sup> Properties fronting on Middletown Road shall provide an additional 15-foot front setback - see §225-401.1.B.2. Refer to §225-406.G.1 for additional regulations for front yard setbacks.

\* See §225-206.F for lot criteria exceptions.

\* 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.

§ 225-304 R-1 Larger Lot, Single-Family Residential  
Map 6: Zoning District - R-1 Residential



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

Residential Uses	P	C
Single-family Detached Dwelling	P	\$501.13
Bed & Breakfast Home	SE	\$502.2
Farm Home Occupation	SE	\$502.3
Family Child Care Home	P	\$419
Private Community Facilities/Recreation Areas	P	\$419
Home Occupations	P	\$419
No-Impact Home Based Businesses	P	\$419
Accessory Dwelling Units	SE	\$502.9
<b>Commercial Uses</b>		
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	
<b>Institutional Uses</b>		
Group Child Care Facility	O12	
Place of Worship/Place of Assembly	O12	
Schools	P	
<b>Municipal/Public Uses</b>		
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	
<b>Agricultural/Conservation Uses</b>		
Agricultural Uses	P	
Natural Conservation Areas	P	
<b>Miscellaneous</b>		
Cluster Development Option	C	\$501.43
Forestry	P	
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

Table 7: R-1 Residential Dimensions

Minimum Lot Width (FT)	125	150	150	1 ac	1 ac	O12
Minimum Lot Depth (FT)	30	30	30	30	30	35
Minimum Non-res. Lot Area	1 ac	1 ac	1 ac	1 ac	1 ac	1 ac
SETBACKS (FT)	Front <sup>1</sup>	Min	15	20	30	35
	Side <sup>2</sup>	Min	15	20	30	35
	Rear <sup>3</sup>	Min	30	30	30	30
ACCESSORY (minimum)	Front	50	50	50	50	50
	Side	10	10	10	10	10
	Rear	10	10	10	10	10
MAX HEIGHT (FT)	Principal Structure	35	35	35	35	35
	Accessory Structure	20	20	20	20	20
Maximum Impervious Coverage	30%	30%	30%	30%	30%	30%
Minimum Vegetated Coverage	60%	60%	60%	60%	60%	60%
Maximum Residential Density	2 DU/ NDA	2 DU/ NDA	2 DU/ NDA	2 DU/ NDA	2 DU/ NDA	2 DU/ NDA

<sup>1</sup> Refer to §225-206.G.1 for additional regulations for front yard setbacks.  
<sup>2</sup> Refer to §225-206.G.1 for additional regulations for front yard setbacks.  
<sup>3</sup> Refer to §225-206.G.1 for additional regulations for front yard setbacks.

§ 225-305 R-2 Small Lot, Single-Family Residential  
Map 7: Zoning District - R-2 Residential

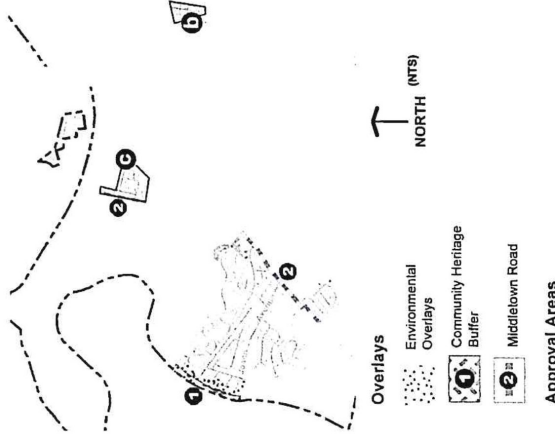


Table 8: R-2 Residential Uses  
[Amended 5-1-2022 by Ord. No. 2022-02]

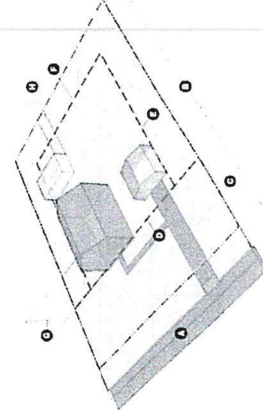
Residential Uses	P	C
Single-family Detached Dwelling	P	\$501.1
Single Family Conversion	SE	\$502.2
Farm Home Occupation	SE	\$502.3
Family Child Care Home	P	\$419
Private Community Facilities/Recreation Areas	P	\$419
Home Occupations	P	\$419
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
<b>Commercial Uses</b>		
Communications Facility, Non-Tower/Wireless	P	
Communications Facility, Small Wireless	P	
<b>Institutional Uses</b>		
Group Home for Persons with Disabilities	C	\$501.35
Place of Worship/Place of Assembly	P	
Schools	P	
<b>Municipal/Public Uses</b>		
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	
<b>Agricultural/Conservation Uses</b>		
Agricultural Uses	P	
Natural Conservation Areas	P	
<b>Miscellaneous</b>		
Affordable Housing Density Option	C	\$501.45
Cluster Development Option	C	\$501.43
Forestry	P	
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

Table 9: R-2 Residential Dimensions

Minimum Lot Width (FT)	100	150	1 ac	1 ac	1 ac
Minimum Lot Depth (FT)	25	25	25	25	25
Minimum Non-res. Lot Area	1 ac	1 ac	1 ac	1 ac	1 ac
SETBACKS (FT)	Front <sup>1</sup>	Min	15	20	30
	Side <sup>2</sup>	Min	15	20	30
	Rear <sup>3</sup>	Min	30	30	30
ACCESSORY (minimum)	Front	50	50	50	50
	Side	10	10	10	10
	Rear	10	10	10	10
MAX HEIGHT (FT)	Principal Structure	35	35	35	35
	Accessory Structure	20	20	20	20
Maximum Impervious Coverage	30%	30%	30%	30%	30%
Minimum Vegetated Coverage	60%	60%	60%	60%	60%
Maximum Residential Density	3 DU/ NDA	3 DU/ NDA	3 DU/ NDA	3 DU/ NDA	3 DU/ NDA

<sup>1</sup> Properties fronting on Middletown Road shall provide an additional 15-foot easement area (front setback).  
<sup>2</sup> Refer to §225-206.G.1 for additional information for front yard setbacks.  
<sup>3</sup> Refer to §225-206.G.1 for additional information for front yard setbacks.

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

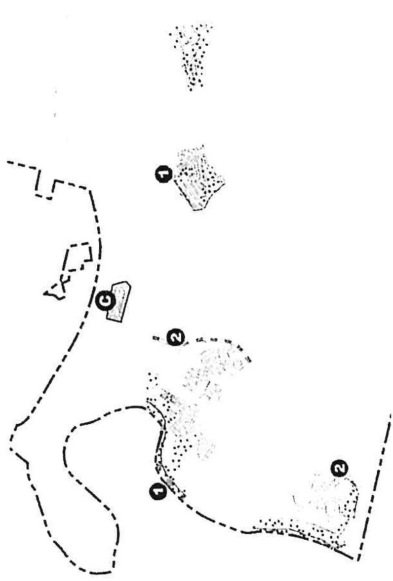
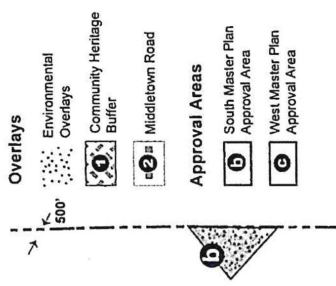


Table 10: R-3 Residential Uses  
(Amended 5-1-2022 by Ord. No. 2022-02)

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
<b>Commercial Uses</b>		
Communications Facility, Non-Tower Wireless	P	
Communications Facility, Small Wireless	P	
<b>Institutional Uses</b>		
Place of Worship/Place of Assembly	P	
Schools	P	
<b>Municipal/Public Uses</b>		
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	
<b>Agricultural/Conservation Uses</b>		
Agricultural Uses	P	
Natural Conservation Areas	P	
<b>Miscellaneous</b>		
Cluster Development Option	C	\$501.43
Forestry	P	\$408
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44



NORTH (NTS)

Figure 3: R-3 Residential Lot Dimensional Diagram

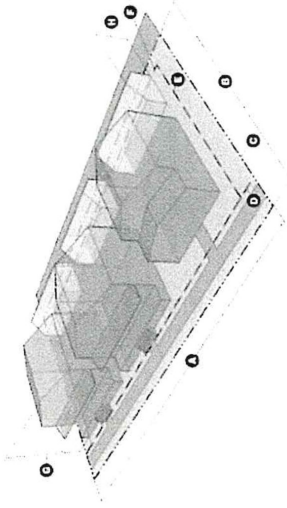
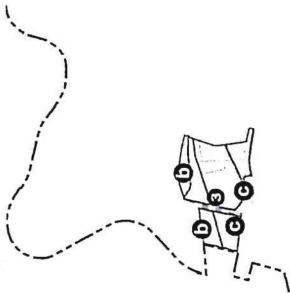


Table 11: R-3 Residential Dimensions

SETBACKS (FT)	Non-Res.	SFDD/TFDD	SFSD	SFAD	MAD	SR, MAD <sup>2</sup>
PRINCIPAL STRUCTURE	Min	25	25	25	25	25
	Side	10	10 (1 side)	10 (end units)	15	12
	Rear	30	30	35	30	25
ACCESSORY (minimum)	Front	50	50	50	50	50
	Side	10	10	10	10	10
	Rear	10	10	10	10	10
MAX HEIGHT (FT)	Principal Structure	40	40	40	40	40
	Accessory Structure	20	20	20	20	20
Minimum Vegetated Coverage	Principal Structure	50%	50%	50%	50%	50%
	Accessory Structure	50%	50%	50%	50%	50%
Maximum Residential Density	Principal Structure	40%	40%	40%	40%	40%
	Accessory Structure	N/A	5.5 DU/ NDA	8 DU/ NDA	12 DU/ NDA	15 DU/ NDA

<sup>1</sup> 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  
<sup>2</sup> 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.

§ 225-307 General Commercial  
Map 9: Zoning District - General Commercial



§ 225-307 General Commercial  
Table 12: General Commercial Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	P	SE	P	SE
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		
<b>Commercial Uses</b>				
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	\$602.5		
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			
<b>Commercial Uses</b>				
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			
<b>Institutional Uses</b>				
Group Child Care Facilities	P			
Hospital	P			
Museums	P			
Place of Worship/Place of Assembly	P			
Schools	P			
<b>Municipal/Public Uses</b>				
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			
<b>Agricultural/Conservation Uses</b>				
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		

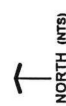
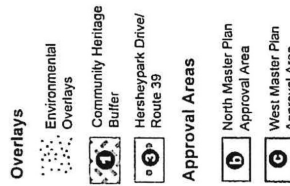


Figure 4: General Commercial Lot Dimensional Diagram

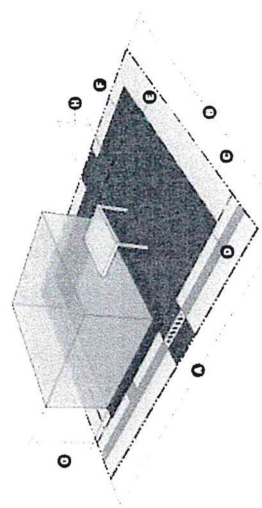


Table 13: General Commercial Dimensions

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

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

§ 225-308 Planned Campus North  
 Map 10: Zoning District - Planned Campus North [Amended 2-22-2022 by Ord. No. 2021-08]

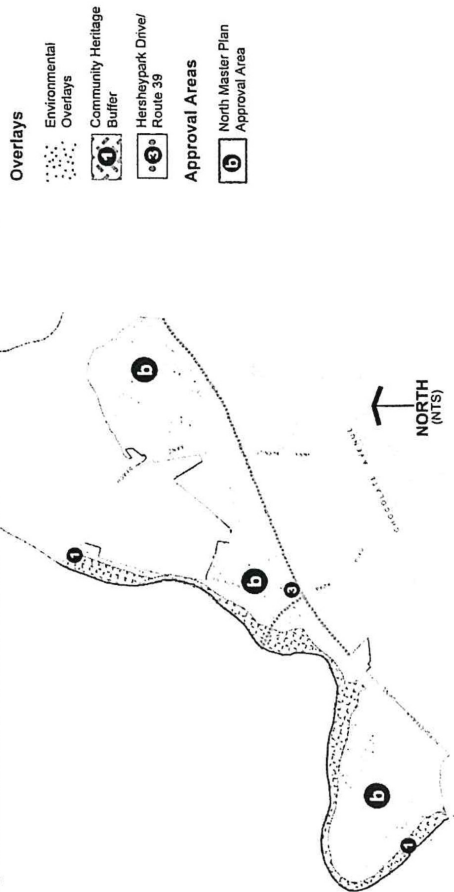


Table 14: Planned Campus North Uses  
 (Amended 5-1-2022 by Ord. No. 2022-02)

Use	Code	Fee
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
<b>Commercial Uses</b>		
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		
<i>Botanical Gardens</i>	P	
<i>Archery &amp; Shooting Ranges, Indoor</i>	C	\$501.22
<i>Archery &amp; Shooting Ranges, Outdoor</i>	C	\$501.23
<i>Recreation Facilities for Employees, Faculty &amp; Students</i>	P	
<i>Sport &amp; Field Complexes</i>	P	
Residence Hotels and Motels	C	\$501.50
Visitor Center	C	\$501.48
<b>Institutional Uses</b>		
Life Care Facilities	C	\$501.34
Schools	P	
<b>Municipal/Public Uses</b>		
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	
<b>Agricultural/Conservation Uses</b>		
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

Figure 5: Planned Campus North Lot Dimensional Diagram

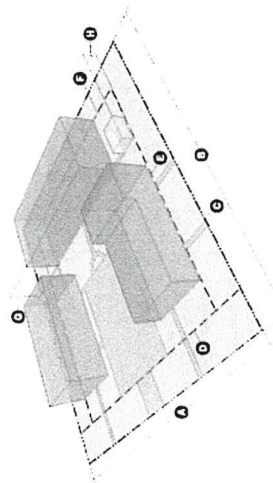


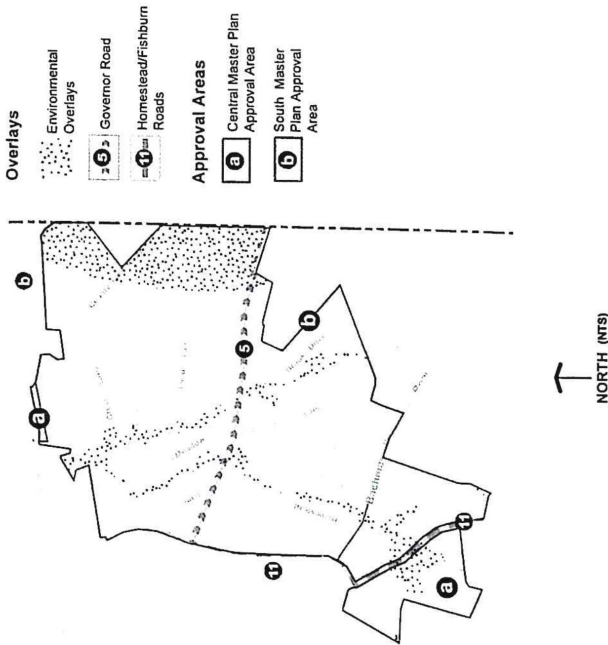
Table 15: Planned Campus North Dimensions

A	Minimum Lot Width (FT)	100	
B	Minimum Lot Depth (FT)	150	
C	Minimum Lot Area	30,000 SF	
D	PRINCIPAL & ACCESSORY STRUCTURE	Front	Min 25
		Side	Min 15
		Rear	Min 35
E	Principal Structure	80	
F	Accessory Structure	60	
G	Maximum Impervious Coverage	60%	
H	Minimum Vegetated Coverage	30%	
	Maximum Residential Density	3 DU/ NDA	

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

§ 225-309 Planned Campus South

Map 11: Zoning District - Planned Campus South



§ 225-309 Planned Campus South

Table 16: Planned Campus South Uses [Amended 5-1-2022 by Ord. No. 2022-021]

Use	Code	Category	Fee
Dwellings for Employees & Students	P	Residential Uses	
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
<b>Commercial Uses</b>			
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	P		
Botanical Gardens	P		
Recreation Facilities for Employees, Faculty & Students	P		
<b>Institutional Uses</b>			
Museums	P		
Place of Worship/Place of Assembly	P		
Schools	P		
<b>Municipal/Public Uses</b>			
Administrative Offices of County, State or Federal Government (Offices)	C		\$501.46
Libraries	P		
Municipal Buildings and Uses	P		
Fire/Emergency Services	P		
Parks, Playgrounds & Recreation	P		
Utility Service Structures	P		
<b>Agricultural/Conservation Uses</b>			
Agricultural Uses	P		
Natural Conservation Areas	P		
<b>Miscellaneous</b>			
Forestry	P		\$408
Uses similar to specified permitted uses	C		\$501.40
Unique Buildings	C		\$501.44

Figure 6: Planned Campus South Lot Dimensional Diagram

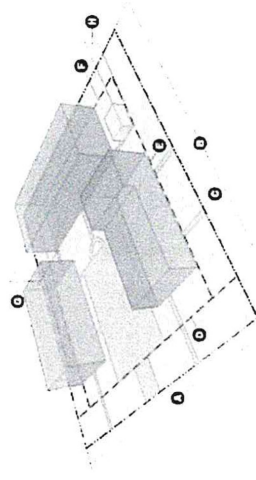


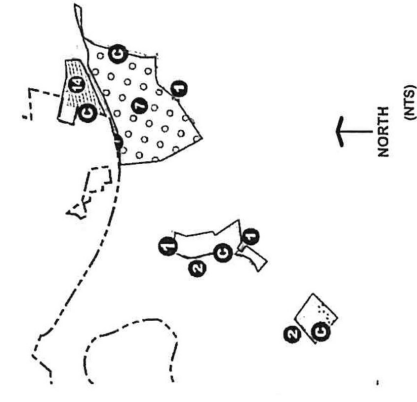
Table 17: Planned Campus South Dimensions

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

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



\$ 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
  - Active-Adult Community
- Approval Areas**
- West Master Plan Approval Area

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

Residential Uses	Code	Commercial Uses	Code
Single-family Detached Dwelling	C	Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	P
Single-family Semidetached Dwelling	C	Theater and Auditorium	C
Single-family Attached Dwelling (Townhouse)	C	Veterinary Office	P
Two-family Detached Dwelling	C	Winery	P
Multifamily Apartment Dwellings	C	Life Care Facilities	C
Active-Adult Community	C in O14	Group Child Care Facilities	C
Farm Home Occupation	SE	Medical-related Research Facilities	O7
Family Child Care Home	SE	Museums	P
Private Community Facilities/Recreation Areas	P	Other Scientific Research, Development and Training Facilities	O7
Home Occupations	P	Place of Worship/Place of Assembly	P
No-Impact Home Based Business	P	Schools	P
Accessory Dwelling Units	SE	Skilled Nursing	C
<b>Commercial Uses</b>		Municipal/Public Uses	C
Automotive Car Wash/Lubrication Facilities	C	Administrative Offices of County, State or Federal Government (Office)	P
Bakery/Retail	P	Libraries	P
Business Professional Office	P	Municipal Buildings and Uses	P
Communications Facility, Non-Tower/Wireless	P	Fire/Emergency Services	P
Communications Facility, Small Wireless	P	Parks, Playgrounds & Recreation	P
Dry Cleaning Service, Retail	P	Utility Service Structures	P
Financial Institutions	P	Agricultural/Conservation Uses	
Food Catering	C	Agricultural Uses	P
Food Services Without Drive-Through	P	Natural Conservation Areas	P
Food Services With Drive-Through	C	Miscellaneous	
Fuel Service - Minor	C	Forestry	P
Funeral Home	C	Uses similar to specified permitted uses	C
Healthcare Practitioners Office	P	Unique Buildings	C
Hotels and Motels	C		
Landscaping and Garden Center - retail	C		
Laundromat	P		
Membership Club	C		
Micro-distilleries/Breweries	P		
Mixed Use Building	C		
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		
Exercise & Fitness Centers	P		
Research/Technology Business Incubator	C		
Residence Hotels and Motels	C		
Retail, Large-Scale	C		
Retail, Small-Scale	P		

Figure 7: Planned Campus West Lot Dimensional Diagram

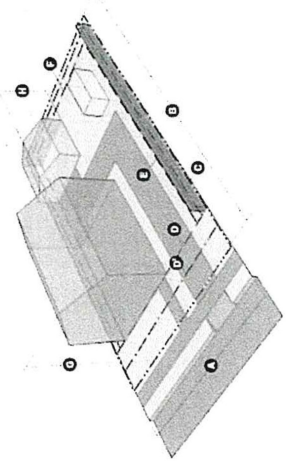
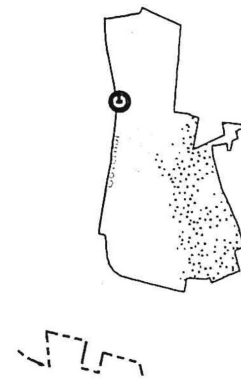


Table 19: Planned Campus West Dimensions

A	Minimum Lot Width (FT)	100	
B	Minimum Lot Depth (FT)	150	
C	Minimum Non-res. Lot Area	N/A	
D	PRINCIPAL STRUCTURE	Front	Min 25
		Side	Min 15
		Rear	Min 35
		Front	50
E	ACCESSORY (minimum)	Side	5
		Rear	10
		Principal Structure	60'
F	Accessory Structure	20	
G	Maximum Impervious Coverage	60%	
H	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' of front setback. (from setback) see §225-401.1.B. Refer to §225-206.G.1 for additional regulations for front yard setbacks.  
 2) Maximum height for a single-family or two-family dwelling unit shall be 40 feet.

§ 225-311 Medical Campus Central  
Map 13: Zoning District - Medical Campus Central



**Overlays**  
 Environmental  
 Overlays  
**Approval Areas**  
 West Master Plan  
 Approval Area

§ 225-311 Medical Campus Central  
Table 20: Medical Campus Central Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	SE	P	Municipal/Public Uses	P
Dwellings for Employees & Students	SE	P	Administrative Offices of County, State or Federal Government (Office)	P
Farm Home Occupation	SE	P	Libraries	P
Private Community Facilities/Recreation Areas	P	P	Municipal Buildings and Uses	P
No-Impact Home Based Business	P	P	Fire/Emergency Services	P
Accessory Dwelling Units	SE	P	Parks, Playgrounds & Recreation	P
<b>Commercial Uses</b>			Utility Service Structures	P
Business and Professional Offices	P	P	<b>Agricultural/Conservation Uses</b>	
Commercial Parking Lot or Structure	C	P	Agricultural Uses	P
Communications Facility, Non-Tower Wireless	P	P	Natural Conservation Areas	P
Communications Facility, Small Wireless	P	P	<b>Miscellaneous</b>	
Communications Facility, Tower-Based Wireless	SE	P	Forestry	P
Guest Lodging, Dining and Conference Facilities	C	P	Uses similar to specified permitted uses	C
Healthcare Practitioners Office	P	P	Unique Buildings	C
Heliport	C	P		\$501.44
Mixed Use Building	P	P		\$408
Outpatient Medical Treatment Facilities	P	P		\$501.40
Private Parking Lot or Structure	C	P		\$501.44
Recreational, Sports and Entertainment Facilities				
<b>Recreation Facilities for Employees, Faculty &amp; Students</b>				
Research/Technology Business Incubator	P	P		
Veterinary Office	C	P		
Veterinary Hospital	P	P		
<b>Institutional Uses</b>				
Life Care Facilities	P	P		
Group Child Care Facilities	P	P		
Group Home for Persons with Disabilities	C	P		
Group Home for Persons without Disabilities	C	P		
Hospital	P	P		
Incinerators and Crematoriums	C	P		
Medical-related Research Facilities	P	P		
Other Scientific Research, Development and Training Facilities	P	P		
Place of Worship/Place of Assembly	P	P		
Schools	P	P		
Skilled Nursing	P	P		

Figure 8: Medical Campus Central Lot Dimensional Diagram

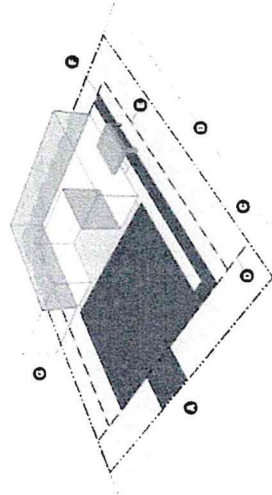


Table 21: Medical Campus Central Dimensions

<b>A</b> Minimum Lot Width (FT)	100	
<b>B</b> Minimum Lot Depth (FT)	150	
<b>C</b> Minimum Non-res. Lot Area	N/A	
<b>SETBACKS (FT)</b>	Roadways	100
	Zoning Boundary	200
	<b>D</b> Front	25
	<b>E</b> Side	15
	<b>F</b> Rear	35
	(minimum)	
<b>HEIGHT (FT)</b>		
<b>G</b> Principal Structure	95'	
Accessory Structure	95'	
Maximum Impervious Coverage	80%	
Minimum Vegetated Coverage	30%	
Maximum Residential Density	10 DU/ NDA	

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

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

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

§ 225-312 Commercial Recreation  
Map 14: Zoning District - Commercial Recreation

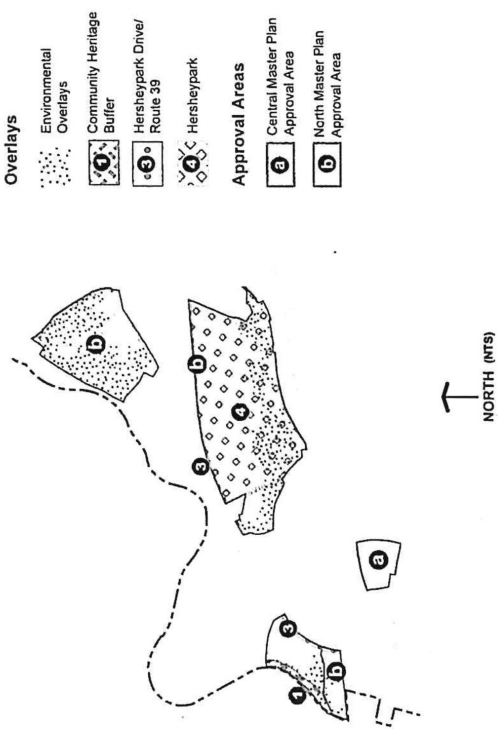


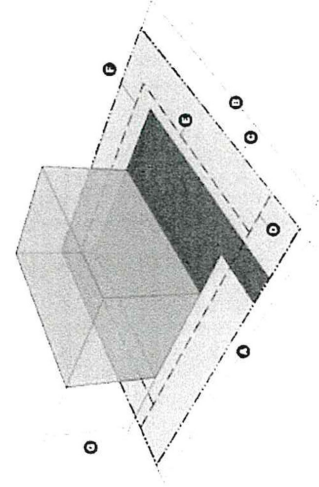
Table 22: Commercial Recreation Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	P	SE	\$502.2	Municipal/Public Uses	P
Boarding Home	SE	\$502.2	Administrative Offices of County, State or Federal Government (Office)	P	
Farm Home Occupation	P	\$419	Libraries	P	
Private Community Facilities/Recreation Areas	SE	\$502.9	Municipal Buildings and Uses	P	
No-Impact Home Based Business	P	\$502.4	Fire/Emergency Services	P	
Commercial Uses	SE	\$502.8	Parks, Playgrounds & Recreation	P	
Accessory Dwelling Units	O4		Utility Service Structures	P	
Campgrounds	P		Agricultural/Conservation Uses	P	
Commercial Entertainment Signs	P		Agricultural Uses	P	
Commercial Parking Lot or Structure	P		Natural Conservation Areas	P	
Communications Facility, Non-Tower Wireless	P		Miscellaneous	P	
Communications Facility, Small Wireless	SE	\$502.8	Forestry	C	
Communications Facility, Tower-Based Wireless	P		Uses similar to specified permitted uses	C	
Food Services Without Drive-Through	P		Unique Buildings	C	
Guest Lodging, Dining and Conference Facilities	P				
Hotels and Motels	SE	\$502.8			
Membership Club	P				
Mixed Use Building	P				
Private Parking Lot or Structure	P				
Recreational, Sports and Entertainment Facilities	O4				
Amusement, Theme, Entertainment or Water Parks	P				
Amusement Arcades	P				
Botanical Gardens	P				
Bowling Alleys	P				
Casinos & Gambling Facilities	C	\$501.25			
County 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	C	\$501.51			
Retail, Small-Scale	C	\$501.39			
Sexually Oriented Businesses	P				
Theater and Auditorium	P				
Visitor Center	C	\$501.10			
Winery	P				
Institutional Uses	P				
Museums	P				
Place of Worship/Place of Assembly	P				
Schools	P				

Table 23: Commercial Recreation Dimensions

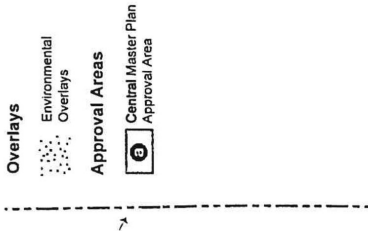
	O4 <sup>1</sup>	200	200
<b>A</b> Minimum Lot Width (FT)	200	200	200
<b>B</b> Minimum Lot Depth (FT)	2 ac	2 ac	2 ac
<b>C</b> Minimum Non-res. Lot Area	40	40	40
<b>PRINCIPAL STRUCTURE</b>	<b>D</b> Front <sup>2</sup>	Min	40
	<b>E</b> Side	Min	40
	<b>F</b> Rear	Min	40
<b>ACCESSORY<sup>3</sup> (minimum)</b>	Front <sup>4</sup>	25	25
	Side	20	20
	Rear	25	25
<b>MAX HEIGHT (FT)</b>	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



<sup>1</sup>See §225-425  
<sup>2</sup>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.  
<sup>3</sup>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 structures, areas for temporary seating, food service structures, and other structures that are up for less than 180 days of the year are permitted, provided that the structures are oriented to the interior of the park. Amusement ride support columns, footers, and foundations may encroach to within 5 feet of a setback line.  
<sup>4</sup>Refer to §225-206.G.1 for additional regulations for front yard setbacks.

§ 225-313 Commercial Golf  
Map 15: Zoning District - Commercial Golf



§ 225-313 Commercial Golf  
Table 24: Commercial Golf Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	SE	\$502.2
Farm Home Occupation	P	\$419
Private Community Facilities/Recreation Areas	SE	\$502.9
No-Impact Home Based Business	P	
Accessory Dwelling Units		
<b>Commercial Uses</b>		
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		
<i>Country Club</i>	P	
<i>Golf Courses (Conventional &amp; Special)</i>	P	
<b>Municipal/Public Uses</b>		
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	
<b>Agricultural/Conservation Uses</b>		
Agricultural Uses	P	
Cemeteries		
Natural Conservation Areas	P	
<b>Miscellaneous</b>		
Forestry	P	\$408
Uses similar to specified permitted uses	C	\$501.40
Unique Buildings	C	\$501.44

Figure 10: Commercial Golf Lot Dimensional Diagram

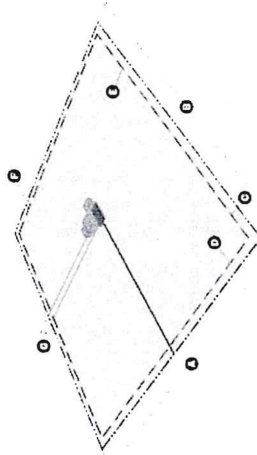


Table 25: Commercial Golf Dimensions

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

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

§ 225-314 Palmdale Mixed Use  
Map 16: Zoning District - Palmdale Mixed Use

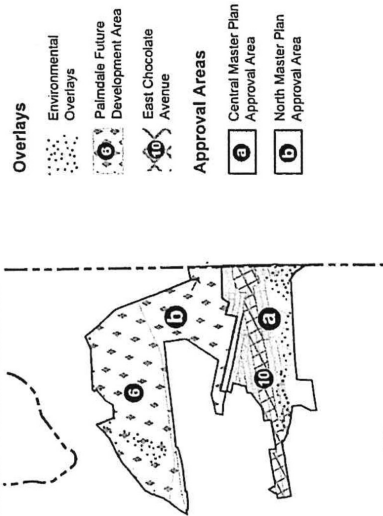


Table 26: Palmdale Mixed Use Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	P	O6	O10	Commercial Uses	O6	O10
Single-family Detached Dwelling	P			Studios/Gallery for Teaching, Dancing, Art, Music or Similar Cultural Pursuits	O6	O10
Single-family Semidetached Dwelling	P			Theater and Auditorium	O10	
Single-family Attached Dwelling (Townhouse)	O6			Veterinary Office	O10	
Single Family Conversion	C	\$501.1		Institutional Uses		
Two-family Detached Dwelling	O6			Life Care Facilities	C	\$501.34
Multifamily Apartment Dwellings	O6, O10			Group Child Care Facilities	C	\$501.52
Bed and Breakfast Home	SE	\$502.1		Museums	O6, O8	
Farm Home Occupation	SE	\$502.2		Place of Worship/Place of Assembly	P	
Family Child Care Home	SE	\$502.3		Schools	P	
Private Community Facilities/Recreation Areas	P			Skilled Nursing	C	\$501.34
Home Occupations	P	\$419		Municipal/Public Uses		
No-Impact Home Based Business	P	\$419		Administrative Offices of County, State or Federal Government (Office)	P	
Accessory Dwelling Units	SE	\$502.9		Libraries	P	
Commercial Uses				Municipal Buildings and Uses	P	
Automotive Car Wash/Lubrication Facilities	C	\$501.6		Fire/Emergency Services	P	
Bakery, Retail	O6, O10			Parks, Playgrounds & Recreation	P	
Business and Professional Offices	O6, O10			Utility Service Structures	P	
Commercial Parking Lot or Structure	O6, O10			Utility Buildings	P	
Communications Facility, Non-Tower Wireless	P			Agricultural/Conservation Uses		
Communications Facility, Small Wireless	P			Agricultural Uses	P	
Communications Facility, Tower-Based Wireless	SE	\$502.5		Cemeteries	P	
Dry Cleaning Service, Retail	O6, O10			Natural Conservation Areas	P	
Financial Institutions	O10			Miscellaneous	C	\$501.45
Food Catering	C	\$501.11		Affordable Housing Density Option	P	\$408
Food Services Without Drive-Through	O10			Forestry	C	\$501.40
Fuel Service - Minor	C	\$501.18		Unique Buildings	C	\$501.44
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				

Figure 11: Palmdale Mixed Use Lot Dimensional Diagram

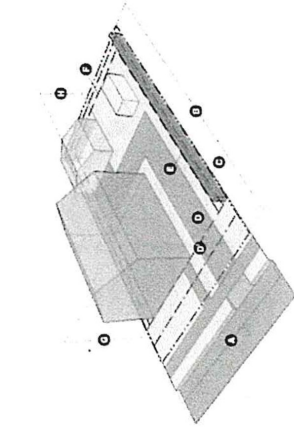


Table 27: Palmdale Mixed Use Dimensions

	40	40	O10	O6	40/20 <sup>2</sup>
Minimum Lot Width (FT)	150	100	N/A	100	N/A
Minimum Lot Depth (FT)	N/A	N/A	N/A	N/A	N/A
Minimum Non-res. Lot Area	Min	20	20	20	20
	Front	See Notes 3 & 4	See Notes 3 & 4	See Notes 3 & 4	See Notes 3 & 4
	Side	25	25	25	25
REAR SETBACKS (FT)	Front	50	50	50	50
	Side	5	5	5	5
	Rear	10	10	10	10
MAX HEIGHT (FT)	Principal Structure	35	45	40	40
	Accessory Structure	20	20	20	20
Minimum Impervious Coverage	40%	60%	60%	40%	40%
	50%	30%	30%	50%	50%
RESIDENTIAL DENSITY	SFDD/SFSD/TFOO	5 DU/ NDA	7 DU/ NDA	7 DU/ NDA	7 DU/ NDA
	SFAD (townhouse)	8 DU/ NDA	8 DU/ NDA	10 DU/ NDA	10 DU/ NDA
Senior Apartments	12 DU/ NDA	12 DU/ NDA	12 DU/ NDA	12 DU/ NDA	12 DU/ NDA
	15 DU/ NDA	15 DU/ NDA	15 DU/ NDA	15 DU/ NDA	15 DU/ NDA

Refer to §225-206.G.1 for additional regulations for front yard setbacks.  
Permitted for Interior SFAD (Townhouses) lots.  
For SFSD and SFAD common wall side yards setbacks are zero.  
Lots up to 40' wide - 5 feet, Lots >40' up to 60' wide - 6 feet, Lots >60' up to 85' wide - 10 feet, Lots >85' wide 15 feet.



§ 225-316 Limited Compatibility  
 Map 18: Zoning District - Limited Compatibility

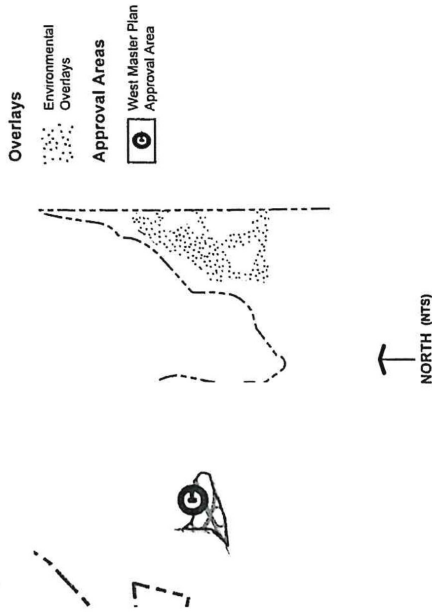


Table 30: Limited Compatibility Uses [Amended 5-1-2022 by Ord. No. 2022-02]

Residential Uses	SE	\$502.2	Municipal/Public Uses	C	\$501.46
Farm Home Occupation	P	\$419	Administrative Offices of County, State or Federal Government (Office)	C	\$501.46
No-Impact Home Based Business	P	\$419	Libraries	P	
Accessory Dwelling Units	SE	\$502.9	Municipal Buildings and Uses	P	
Communications Facility, Non-Tower Wireless	P		Fire/Emergency Services	P	
Communications Facility, Small Wireless	P		Parks, Playgrounds & Recreation	P	
Communications Facility, Tower-Based Wireless	SE	\$502.5	Utility Service Structures	P	
Fuel Service - Minor	P		Recycling Center	C	\$501.37
Fuel Service - Major	P		Agricultural/Conservation Uses		
Kennel	P		Agricultural Uses	P	
Motor Vehicle Fuel, Wholesale	P		Natural Conservation Areas	P	
Recreational, Sports and Entertainment Facilities			Miscellaneous		
Archery & Shooting Ranges, Indoor	C	\$501.22	Billboard	C	\$501.41
Archery & Shooting Ranges, Outdoor	C	\$501.23	Forestry	P	\$408
Casinos & Gambling Facilities	C	\$501.25	Solar Panel Arrays (Principal Use)	P	\$413
Sexually Oriented Businesses	C	\$501.39	Unique Buildings	C	\$501.44
Sexually Oriented Businesses	C	\$501.39	Uses similar to specified permitted uses	C	\$501.40
Industrial Uses			Wind Energy Conversion Systems (Principal Use)	P	
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				

Figure 13: Limited Compatibility Lot Dimensional Diagram

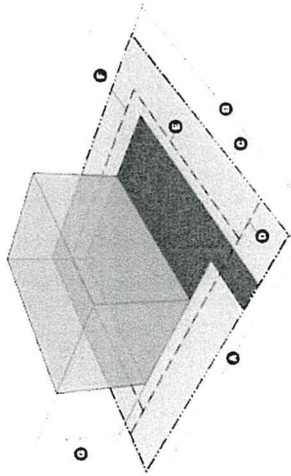


Table 31: Limited Compatibility Dimensions

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

Refer 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

§ 225-317 Industrial Use  
Table 32: Industrial Uses [Amended 5-1-2022 by Ord. No. 2022-021]

Residential Uses	SE	\$502.2
Farm Home Occupation	P	
Private Community Facilities/Recreation Areas	P	
No-Impact Home Based Business	P	\$419
Accessory Dwelling Units	SE	\$502.9
<b>Commercial Uses</b>		
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	
Helipad	C	\$501.14
Kennel	P	
Landscape and Garden Service - non-retail	P	
Motor Vehicle Fuel, Wholesale	P	
Private Parking Lot or Structure	P	
<b>Recreational, Sports and Entertainment Facilities</b>		
Recreation Facilities for Employees, Faculty & Students	P	
Rental and Leasing Businesses	P	
Research/Technology Business Incubator	C	\$501.36
Service and Repair Facilities	P	
Taxidermy	P	
<b>Industrial Uses</b>		
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	
<b>Industrial Uses</b>		
Storage, Including Fuel Storage	P	
Warehousing	P	
Welding Shop	P	
Wholesale Trade Establishments	P	
Wood Millworks	P	
<b>Institutional Uses</b>		
Incinerators and Crematoriums	C	\$501.54
Medical-related Research Facilities	P	
Museums	P	
Other Scientific Research, Development and Training Facilities	C	\$501.53
<b>Municipal/Public Uses</b>		
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	\$501.36
<b>Agricultural/Conservation Uses</b>		
Agricultural Uses	P	
Natural Conservation Areas	P	
<b>Miscellaneous</b>		
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	

Figure 14: Industrial Use Lot Dimensional Diagram

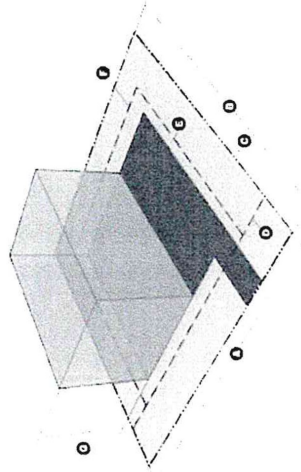


Table 33: Industrial Dimensions

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

<sup>1</sup> 130' permitted when in compliance with §225-41B.

<sup>2</sup> 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 be 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 13<sup>th</sup> day of February 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 [TOWNSHIP SEAL]  
Christopher S. Christman, Township Manager

3 October 97