

**LONDONDERRY TOWNSHIP
DUAPHIN COUNTY, PENNSYLVANIA**

ORDINANCE 2024-06

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF LONDONDERRY, CHAPTER 27, ZONING, TO UPDATE AND REVISE PROVISIONS THROUGHOUT CHAPTER 27, ZONING RELATING TO DELINEATING THE DISTRICTS IN WHICH CERTAIN USES ARE PERMITTED; TO PROVIDE FOR THE SEVERABILITY OF THE PROVISIONS THEREOF; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Londonderry Township Board of Supervises previously duly enacted a Zoning Ordinance of Londonderry Township, Dauphin County, Pennsylvania (“Zoning Ordinance”), pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code (“MPC”), Act 247 of 1968, as amended (53 P.S. § 10101 et seq.); which Zoning Ordinance was codified as Chapter 27 of the Code of Ordinances of Londonderry Township;

WHEREAS, since its adoption, the Board of Supervisors has from time to time amended to Zoning Ordinance; and

WHEREAS, the Board of Supervisors has met the procedural requirements of the MPC and of the Township’s ordinance for the adoption of this proposed ordinance—which was prepared and recommended by the Township Planning Commission—including public notice, County planning commission review, and posting requirements, and the holding of a public hearing; and

WHEREAS, the Board of Supervisors of Londonderry Township, Dauphin County Pennsylvania believes it is in the best interest of the Township’s residents to amend Chapter 27 (Zoning) of the Code of Ordinances to update and revise provisions throughout Chapter 27 (Zoning) related to the delineation of districts in which certain uses are permitted; and

WHEREAS, the Board of Supervisors, after due consideration of the proposed Ordinance Amendment, at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of Londonderry Township will be served by the proposed Ordinance amendment.

NOW THEREFORE it is **HEREBY ORDAINED** by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, that Chapter 27, Zoning, of the Code of Ordinances of the Township of Londonderry is amended as follows:

SECTION 1. In Chapter 27 (Zoning) Part 5 (Agriculture), is amended as follows by deleting the stricken through text.

27§502. Permitted Uses

12. Customary accessory buildings and customary incidental accessory uses, as defined in Part 3, to a permitted use under this § 502, ~~with the exception of such accessory buildings and uses to a bed-and-breakfast, which shall require conditional use approval under § 502A.~~

27§502A. Conditional Uses

~~3. Accessory buildings and accessory uses associated with a bed and breakfast establishment as defined in Part 3.~~

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SECTION 2. In Chapter 27 (Zoning), Part 8 (C-1, Commercial Neighborhood), is amended as follows by adding the underlined text and deleting the stricken through text.

§ 802 Permitted Uses

All uses permitted in R-1 and R-2 districts together with neighborhood service or convenience type facilities of the general character set forth below. **Below are the permitted uses for the C-1 Commercial**

(Neighborhood) district:

1. Churches and other places of worship

2. Public schools and provide schools in accordance with Part 16 § 1601, Subsection 7

3. Multifamily (apartment) Dwellings

4. Convenience stores, such as grocery stores, drugstores; personal service stores such as barber shops, beauty parlors, tailor shops, shoe repair shops, medical clinics, dental clinics; provided that their design is harmonious with the architectural design of other structures in their neighborhood.

5. Public nursery schools and kindergarten

6. Funeral Homes

7. Nursing Homes

8. Short-term rental units, subject to the regulations in Chapter 11 (Rental Housing)

9. Bed-and-breakfast establishment, provided the conditions specified in Part 16, § 1602, Subsection 8, Bed-and-Breakfast Establishments, are met.

10. Stores for the retailing of food, drugs, confectionery, hardware, bakery goods, incidental clothing, household appliances, flowers, or house plants. No more than four gasoline pumps shall be permitted as an ancillary part of the above.

11. Personal service shops including barbers, beauty parlors, tailors, and shoe repair.

12. Self-service laundromat and dry cleaning.

13. Municipal buildings and municipal uses, firehouses and post offices.

14. Restaurants, but not including drive-thru or fast-food restaurants or night clubs.

15. Retail sale and/or rental of goods, including convenience stores, provided the total sales and/or display area is less than 3,600 square feet.

16. Retail services, including barber, beauty salons, music, dance, art or photographic studios, repair of clocks and small appliances, computer retail services.

17. Public uses and public utility structures, **including public pumping stations**

18. Commercial day-care facilities, subject to the requirements of Part 16, § 1601(3).

19. Dry cleaners, laundries and laundromats, subject to the requirements of Part 16, § 1601.5.

20. Banks and similar financial institutions, including credit agencies, security and commodity brokers and services.

21. Insurance agencies, brokers and services.

~~14. Diaper services.~~

22. Medical and dental offices.

23. Veterinary offices, provided no outdoor keeping of animals shall be permitted.

24. Business identification signs when erected and maintained in accordance with the provisions of Part 18, "Signs."

25. One dwelling unit, in conjunction with another permitted use.

26. Accessory buildings **and uses** customarily incidental to the above uses.

~~19. Questions regarding usage in this category shall be referred to the Zoning Hearing Board for clarification and interpretation.~~

§808 Area Regulations

1. Except that the requirements of this section shall not apply to public pumping stations, the lot area shall be determined on the basis of yard requirements, coverage, parking, and buffer yard requirements contained in this Part and Chapter, but the lot shall not be less than 43,560 square feet (one acre).

2. The maximum floor space per lot allowed in this district shall be 10,000 square feet, with the exception of numbers 20 through 26 under §802 Permitted Uses which uses shall be limited to a total floor area of not more than 4,000 square feet.

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SECTION 3. In Chapter 27 (Zoning), Part 9 (C-2, Commercial Shopping Center), §902 (Permitted Uses) is amended as follows by adding the underlined text and deleting the stricken through text.

All uses permitted in the ~~R-1 and R-2 Residential Districts~~ and the Neighborhood Commercial District (C-1) together with facilities of the general character as set forth below:

1. Amusement enterprises, including theaters, billiard or pool parlors, bowling alleys, skating rinks, or similar uses or places of assembly; commercial recreation facilities, including racquet clubs, swimming pools, outdoor movies and golf driving ranges.

2. Clubs and lodges, commercial and civic organizations.

3. Discount or department stores; shopping centers or malls; florist shops; retail stores for food, drugs, confectionery, hardware, clothing, or household appliances; studios for musicians, artists, or photographers; or pet stores, which may include veterinary services. Gasoline pumps shall be permitted as an ancillary part of the above.

4. Hotels, motels, residential hotels.

~~E. Private schools conducted for gain or profit.~~

5. Municipal buildings, municipal uses, firehouses and post offices.

6. Motor vehicle service stations, motor vehicle dealerships, sales lots and repair shops including body shops and parking garages.

7. Medical and dental ~~clinics~~ and laboratories.

8. ~~Banks,~~ **Businesses** and professional offices.

~~J. Personal services shops including dancing instruction and dry cleaning.~~

9. Railway or bus passenger stations, telegraph offices, and express offices.

10. Electric and telephone public utility transmission and distribution facilities, including substations, public pumping stations, and reservoirs

11. Restaurants; restaurants drive-thru or fast-food, with a minimum equivalent drive-thru queue length of 160 feet, measured from the drive-thru serving window along the center line of the drive-thru queue lane

and with sufficient queue length to prevent the obstruction of vehicular movement on adjoining streets or access drives; tea rooms; and cafes serving food or beverages.

12. Accessory buildings and uses customarily incidental to the above uses.

~~Questions regarding usage shall be referred to the Zoning Hearing Board for clarification and interpretation.~~

13. See Part 18, § 1807, "Signs Authorized in Commercial Zoning Districts and the Planning Research District," and § 1810, "Billboard Signs."

14. Contractors, equipment, sales and service, provided that these types of operation shall be limited to four pieces of above class four vehicles and unlicensed track and/or tired equipment per acre.

15. Carpenter, cabinet making, furniture repair and upholstery, electricians, metal working, welding shops, plumbing, gas, steam or hot water fitting shops, when these shops are in a completely enclosed building and are primarily assembly plants or sales and service shops and not manufacturing plants, provided that these types of operation shall be limited to four pieces of above class four vehicles unlicensed track and/or tired equipment per acre.

16. Building supplies provided all material stored within a building, provided that these types of operation shall be limited to four pieces of above class four vehicles and unlicensed track and/or tired equipment per acre.

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SECTION 4. In Chapter 27 (Zoning), Part 10 (Planning Research District), §1002 (Permitted Uses) is amended as follows by adding the underlined text and deleting the stricken through text.

~~11. Related uses may be considered by the Zoning Hearing Board which shall judge the compatibility of the use to the area.~~

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SECTION 5. In Chapter 27 (Zoning), Part 16 (General Regulations) is amended as follows by adding the underlined text and deleting the stricken through text.

§1601 Use Regulations Supplemental in Districts Where Permitted

4. Conversion Apartments. In ~~all districts except R-1~~ **the R-2, C-1, and C-2**, any building existing at the effective date of this Chapter may be converted to a dwelling for more than one family provided that:

- A. The lot area per family shall conform to the regulations for the district in which located.
- B. There is no exterior evidence of change in the building except as required by the State or local building or housing codes or other regulations.
- C. All dwelling units shall have direct means of escape to the exterior at ground level and be equipped with one operable fire detection device. Fire escapes where required, shall be in the rear of the building and shall not be located on any wall facing a street.
- D. Parking shall be provided in accordance with the provisions of Part 19.

E. The building plans for the conversion must be approved by the Pennsylvania Department of Labor and Industry.

F. The applicant shall furnish evidence of an approved and functioning means of sewage disposal.

G. No permanent sign shall advertise the presence of the apartments; however, a temporary sign less than two feet square in size may be used to advertise rental of unit(s).

H. No dwelling unit shall contain less than 350 square feet of habitable floor area and each unit shall require 4,500 square feet of lot area.

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SECTION 6. In Chapter 27 (Zoning), Part 18 (Signs) is amended as follows by adding the underlined text and deleting the stricken through text.

§1807 Signs Authorized in Commercial Zoning Districts and the Planning Research District

7. Where a sign is established for a commercial use in the C-1 or C-2 Zoning Districts that also has an attached dwelling unit. No sign shall be placed as to obstruct an emergency egress from said dwelling unit and no lumination shall be directed as to place light into the dwelling unit.

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SECTION 7. In Chapter 27 (Zoning), Part 19 (Off-Street Parking) is amended as follows by adding the underlined text and deleting the stricken through text.

§1903 Commercial Parking

10. Where a dwelling unit exists in conjunction with a commercial use, two additional parking spaces shall be required in addition to the above requirements

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Section 8. Repealer

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed

SECTION 9. Revisions

The Board of Supervisors does hereby reserve the right, from time to time, to adopt modification of, supplements to, or amendments of its zoning ordinance, including this provision.

SECTION 10. Severability

In the event any provisions, sections, sentences, clause, or part of this Ordinance Amendment shall be held invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall no affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance Amendment, it being the intent of the Board of Supervisors that the remainder of the Ordinance Amendment shall remain in full force and effect.

SECTION 11. Effective Date

This Ordinance Amendment shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Londonderry Township as provided by law.

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DULY ORDAINED and ENACTED this ____ day of _____, 2024, by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

**BOARD OF SUPERVISORS
LONDONDERRY TOWNSHIP**

Mike Geyer, Secretary

By: _____
Bart Shellenhamer, Chair