

**NORTH CODORUS TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 294-07-2024

**AN ORDINANCE OF NORTH CODORUS TOWNSHIP, YORK COUNTY,
PENNSYLVANIA TO AMEND THE NORTH CODORUS TOWNSHIP ZONING
ORDINANCE TO ADD A NEW FLEXIBLE RESIDENTIAL OVERLAY (F-R)
ZONING DISTRICT**

BE IT ENACTED AND ORDAINED by the North Codorus Township Board of Supervisors, York County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION 1. Article III, Section 195-6 “Designation of zoning districts; uses allowed by zoning district” Subsection A shall hereby be amended to read as follows:

“A. Establishment of districts. North Codorus Township is divided into districts enumerated below and shown on the map entitled "Zoning Map of North Codorus Township," which is part of this chapter:

<u>Class of District</u>	<u>District Symbol</u>	<u>District Name</u>
Resource Protection	(AP)	Agricultural Protection
	(RAC)	Rural Agriculture Conservation
Residential	(R-1)	Low Density Residential
	(R-2)	Medium Low Density Residential
	(R-3)	Medium Density Residential
	(F-R)	Flexible Residential Overlay
Mixed-Use	(VC)	Village Center
	(MU)	Mixed Use
Economic Development	(HC)	Highway Commercial
	(I)	Industrial

SECTION 3: Article III, “District Regulations,” shall hereby be amended by the addition of new Section “195-15.5,” “F-R Flexible Residential Overlay,” to read as follows:

“§195-15.5 F-R Flexible Residential Overlay.

- A. **Purpose.** The VC, R-1, R-2, R-3 and MU base zoning districts contains certain structures that are deteriorating and do not have a viable use. The Flexible Residential Overlay (F-R), which is intended to apply to the VC, R-1, R-2, R-3, and MU districts, is hereby established as an overlay in which regulations are intended to permit and encourage flexibility in residential reinvestment and redevelopment in deteriorating structures to be consistent with the residential character of the district. In promoting such redevelopment, the specific intent of this article is to allow for the use of under-utilized structures through the use of flexible development and redevelopment standards.
- B. **Applicability.** The development regulations of the Flexible Residential Overlay may be applied as an overlay to tracts in the VC, R-1, R-2, R-3, and MU zoning districts, subject to the regulations of this section.
- C. **Application Procedure.** An applicant may apply to the Board of Supervisors to have the Flexible Residential Overlay applied to a tract or contiguous tracts of land in the applicant’s control. The Board of Supervisors shall apply the Flexible Residential Overlay, so long as the applicant can establish to the Board of Supervisors that the tract meets:
- (1) At least four of the criteria in (a) through (g) below:
 - (a) Presence of one or more vacant structures that have been tax delinquent for a period of two or more years
 - (b) Physical conditions of a structure that have rendered the site a public nuisance in accordance with Township building codes
 - (c) Presence of a safety hazard in a structure to persons or property
 - (d) Physical condition of a structure that has rendered the site an attractive nuisance
 - (e) Any structure that due to dilapidation, sanitation, mold, vermin, lack of facilities or safety is unfit for human habitation
 - (f) The presence of one or more structures from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective, for a period of two or more years, so that the property is unfit for habitation

(g) A property that has environmentally hazardous conditions, solid waste pollution or contamination in a building or land

(2) For tracts that include multiple parcels, a majority of the units of property, representing a majority of the total land area, must meet the criteria

(3) None of the above criteria may have been created by the applicant.

D. **Permitted Uses.** All uses permitted in the underlying VC, R-1, R-2, R-3 and MU base zoning districts shall be permitted within the Flexible Residential Overlay, provided that multifamily dwellings shall be limited to the rehabilitation and improvement of existing buildings within the districts.

E. **Area and dimensional requirements**

(1) Residential requirements:

(a) The maximum density for dwellings with public water and sewage services shall be twenty (20) units per buildable acre. The total lot area shall provide a minimum of 2,000 square feet per dwelling unit. The maximum density shall be calculated on total lot area which shall be calculated after deleting the following:

[1] Fifty percent of land within the one-hundred-year floodplain;

[2] All land with a natural slope of greater than 25%;

[3] Fifty percent of land with a natural slope of 15 to 25%; and

[4] Fifty percent of land within electric overhead transmission rights-of-way or easements that are intended to have a capacity of 35 kilovolts or greater.

(b) Single-family semidetached, single-family attached (townhouse) and multifamily dwelling developments shall not be permitted without both public water and public sewage services.

(c) The area and dimensional requirements are presented on the following table for residential uses.

Regulation

Multifamily Dwellings

Lots served by both public water and public sewer	No minimum lot area required, minimum lot area of 2,000 square feet per dwelling unit, as calculated under Subsection <u>E(1)</u> above
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Minimum lot width at setback line per building	80
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Regulation

Multifamily Dwellings

for lots served by public water and sewer

Front	5
Side	15
Rear	15
Maximum building height (feet)	40
Minimum building spacing between principal buildings (feet)	30
Maximum number of units per building	16
Maximum building coverage	30%
Maximum lot coverage	80%
Minimum square footage per dwelling unit	850

(d) A minimum of 10% of the total land area of a single-family attached (townhouse) dwelling or multifamily (apartment) development shall be provided as common open space for use of the residents. Such land area may also be approved by the Township to meet recreation requirements of the SALDO, if the land also meets those requirements.

F. Parking Requirements

(1) Number of spaces for Multifamily Dwellings in the Flexible Residential Overlay

Multifamily units (includes townhouses) 1.5 spaces for each one-bedroom unit; 2 spaces for each 2- or more bedroom unit.

(2) Parking lot setback requirements

(a) All parking lots shall be set back from any street line in conformance with the applicable building setback requirements and in compliance with additional setback requirements set forth in the North Codorus SALDO, except to the extent an existing

rehabilitated building encroaches in the setback, in which case the parking lot shall be set back from the street line as far as the existing rehabilitated building.

(b) All off-street parking shall be set back 10 feet from the principal structure, except at garage entrances, and except where parking is approved to be shared across lot lines, and except where parking is approved to be shared across lot lines, and except where existing parking lots serving any rehabilitated building extend further into the required set back.

(c) All off-street parking shall be set back 10 feet from the side or rear lot line, except for townhouses, except where parking is approved to be shared across lot lines, and except where existing parking lots serving any rehabilitated building extend further into the required set back.

- G. Conflicts/Other Requirements.** To the extent any requirements of this Section conflict with the other requirements of a district, the requirements of this Section shall govern. To the extent any provisions of this Section do not address a development requirement applicable in a district to which the Flexible Residential Overlay has been applied, the development requirement of the district shall govern.

SECTION 4: All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5: The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

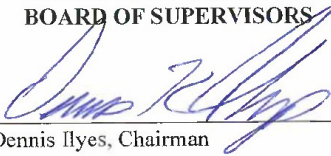
SECTION 6: This Ordinance shall take effect and be in force immediately five (5) days after adoption as provided by law.

ENACTED AND ORDAINED this 2nd day of July, 2024.


ATTEST:


**NORTH CODORUS TOWNSHIP
BOARD OF SUPERVISORS**


Melissa M. Altland, Secretary

By: 
Dennis Ilyes, Chairman



By: 
Jackson LeVault, Vice-Chairman

By: 
Scott Meckley, Jr., Supervisor