

Responses to YCPC Zoning Update Comments

Planning Related Comments:

1. In **Subsection 2.(d)**, the definition for **Land Development** is not consistent with the definition for land development in the PA MPC. The township should consider removing this subsection 2(d) from the definition section in the Zoning Ordinance. In addition, excluding building expansions from land development approval is not advised. If the Township decides to keep this exception, it should be included in the Township SALDO and not in the definition of Land Development.
 - a. *Comment disregarded.*
2. In the definition of **Manufacturing**, it states that *“such uses shall include a Distillery & Brewery”*. This definition implies that a Distillery & Brewery are required in any manufacturing use. Township officials should review this language.
 - a. *Definition of Manufacturing restructured to read as “Manufacturing - uses that involve the primary production or refining of commodities from raw materials. A Distillery or Brewery, as defined by this Part, shall be considered a type of manufacturing use.”*
 - b. *Dover Township PC also restructured Agricultural operation definition in a similar fashion – orchard, fruit farm, etc. shall be considered a type of agricultural operation.*
3. The definition section includes the addition of **Micro-brewery/brew pub** and **Micro-distillery**, however, the same terms are being used in the definition of **Tavern**. The YCPC suggests that this definition should refer to the definition for micro-brewery/brew pub and micro-distillery for clarity.
 - a. *Definition of Tavern already includes microbrewery/micro distillery. Comment disregarded.*
 - b. *Dover Township PC amended tavern definition to “see also microbrewery/brew pub & micro distillery”*
4. The proposed **use chart** being added to Part 4 of the ordinance includes **“Accessory Apartment”** in the list of Dwelling Types but does not indicate in which zones they are permitted.
 - a. *Use Chart updated to match Accessory Family Dwelling Units & our existing allowed zones.*
5. The proposed **use chart** being added to Part 4 of the ordinance includes **“Medical Marijuana Dispensary/Grower/Processor”**. This use is proposed to be permitted by special exception in the Conservation District and in the Industrial District and is a permitted use in the Agricultural District.
 - a. *An error existed in the Use Chart submitted to the County where dispensary/grower/processor were all combined. Uses separated & Use Chart updated per 8/24/23 PC Meeting and as shown below:*

6. USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I
Medical Marijuana Dispensary							SE	SE	SE	SE
Medical Marijuana Grower/Processor				SE		P				SE

Section 2107., Zoning, of the PA Medical Marijuana Act, states,

(1) A grower/processor shall meet the same municipal zoning and land use requirements as other manufacturing, processing and production facilities that are located in the same zoning district.

(2) A dispensary shall meet the same municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district.

Therefore, per state law, a grower/processor should be a permitted use where other manufacturing, processing and production uses are permitted and a dispensary should be permitted where other commercial uses are permitted.

Editorial-related Comments:

6. In Section 27-660., Principal Solar Energy System, Subsection H.5., there are typographical errors in Letter C.(1), C(2), and C.(3). In addition, in Letter F.(2), F.(4), and F.(5) of the same subsection, there are “blanks” where text should be. Please fill in the blanks with the correct text. *Blanks updated with Board of Supervisors. Typos located in Subsection H.5 in C.(1), C(2) and C(3) were corrected.*

Added Dover Township PC Comments:

Part 4 – Conservation District: Amend 27-402.2.F (Land Clearing) to read: Land clearing: a maximum of 20% of a residential lot may be cleared of trees, excluding the area of up to 50’ in width needed for adequate lot access.