

**BOROUGH OF MILLERSVILLE**

Lancaster County, Pennsylvania

**ORDINANCE NO. 2025-\_\_\_\_\_**

AN ORDINANCE OF THE BOROUGH OF MILLERSVILLE, LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE MILLERSVILLE BOROUGH CODE OF ORDINANCES, CHAPTER 380, ZONING, TO MODIFY CERTAIN SPECIFIC CRITERIA AND AREA AND BULK REQUIREMENTS FOR A TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND).

WHEREAS, the Borough wishes to provide for certain additional or revised specific requirements that apply to TNDs within the TN Traditional Neighborhood District; and

WHEREAS, the Borough desires to provide for additional flexibility, incentives, uses, and building types within TNDs to further facilitate this type of development within the Borough.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, as follows:

Section 1. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection D., “Overall requirements”, subsection (2) shall be amended and restated as follows:

- (2) A minimum of 60% of the single-family detached, twin or townhouse buildings shall include a front door accessing onto an unenclosed front porch with a minimum area of 40 square feet. Such porch shall be covered by a permanent roof. Such porch shall not be enclosed along the front or sides that are not abutting the walls of the dwelling, but may include screening to keep out insects and movable blinds.

Section 2. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection D., “Overall requirements”, subsection (5), shall be amended and restated as follows:

- (5) Sidewalks shall be provided along both sides of each street. An asphalt trail may be provided in-lieu of a concrete sidewalk on the sides of an internal street to the TND where no dwellings are proposed, or along existing perimeter street frontages to the TND property.

Section 3. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection E., “Allowed uses”, shall be amended and restated as follows:

- E. Allowed uses.

- (1) The following uses shall be allowed within an approved TND, provided that all the uses are consistent with the overall Master Plan that was granted conditional use:
  - (a) Single-family detached dwellings.
  - (b) Twin dwellings, side by side, with each dwelling on its own fee-simple or condominium lot.
  - (c) Townhouses, with each dwelling on its own fee-simple or condominium lot.
  - (d) Apartment dwellings, provided that any land area for the principal, apartment use and their parking areas shall not occupy more than twenty percent (20%) of the total land area of the TND.
  - (e) Places of worship.
  - (f) Public transit or school passenger shelters.
  - (g) Libraries and museums.
  - (h) Child or adult day-care as a principal use meeting § 380-34, or as an accessory use meeting § 380-35.
  - (i) Nursing home or assisted-living/personal-care center, which shall not exceed 20% of the total tract area of the development.
  - (j) Offices.
  - (k) Meeting facility for a membership club.
  - (l) Retail store with a maximum floor area per establishment of 5,000 square feet. Restaurant, brewpub, micro-distillery, urban winery, meadery, art gallery, retail bakery, crafts or artisan's studio, financial institution or personal service use, with each establishment limited to a maximum floor area of 6,500 square feet. Storage areas that are not accessible to customers shall not count towards the maximum floor area. Drive-through facilities being prohibited in all cases.
  - (m) Exercise club or bed-and-breakfast inn with a maximum of 20 guest rooms.
  - (n) Mixed-use buildings containing apartment dwellings on floors above an approved commercial use, within the same building. The number of apartment dwellings shall be regulated within the total allowed density of the tract; however, the lot area of lots containing mixed-use buildings as a principal use shall not be included in the maximum percentage of the total tract area permitted to contain apartments under Subsection E(1)(d) above. Mixed-use buildings containing apartment dwellings on floors above an approved commercial use are considered non-residential uses and are subject to subsection G(12) below.
  - (o) Public recreation areas and facilities, a community center for residents or the general public, or non-commercial recreation facilities for the residents and their invited guests.
  - (p) Live-Work Units meeting the requirements of Section 380-34, provided that the locations of the Live-Work Units shall be designated on the approved Master Plan.
  - (q) An approved dwelling unit may be used as a Group Home, under the same regulations as would apply within the R-1 district.
  - (r) Model homes for sales, which shall be designed to be eventually used as regular dwellings, and a rental and management office.
- (2) The allowed business uses shall be clustered together in an arrangement that is

similar to a historic main street or neighborhood commercial center. Shared off-street parking shall be provided and screened from existing perimeter street frontages. The screening shall be achieved either by placement of the parking behind the buildings containing the business uses, or by providing a combination of evergreen and deciduous landscaping, hedgerows, decorative masonry walls, and/or fencing. Screening and conceptual building designs shall be part of the architectural manual and approvals required by §380-29.D(14). On-street parking may be provided where feasible and where sufficient parking dimensions can comply with this Ordinance. No outdoor business storage shall be permitted.

Section 4. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection G., “Dimensional requirements”, subsection (5) “Maximum coverage for all uses,\*\* per lot” is hereby amended and restated as follows:

- (5) Maximum impervious coverage on the development tract shall not exceed 70%. The Borough Council may require the applicant to provide a maximum coverage calculation for each lot at the time of a land development plan submittal to ensure all improvements proposed at time of application, and that would be allowable in the future, do not exceed the total impervious coverage permitted by this Section. Maximum building coverage per lot: 55%, except 80% for a townhouse lot and any apartment lot.

Section 5. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection G., “Dimensional requirements”, subsection (6), “Building setbacks for principal buildings\*\*”, is hereby amended and restated as follows:

- (6) Building setbacks for principal buildings\*\* (along a street, minimum yards shall be measured from the proposed right-of-way):
  - (a) Front or side yard from a local street: minimum 10 feet; maximum 25 feet. The following requirements shall also apply:
    - [1] The front yard of units or lots fronting a central green and/or common open space shall instead be measured from the lot line adjacent to the central green and/or common open space. Any dwelling fronting a central green and/or common open space must be provided with access and parking off a rear alley. The rear alley shall be accessed via a local street within the development.
    - [2] Any part of an unenclosed front porch attached to a principal residential building, including decking, railing, and roof overhangs may encroach 5 feet into the required front yard along a local street or central commons, provided applicable clear sight distances required by this Section or other Borough Ordinances are maintained.
  - (b) Front yard or side yard from a collector street: minimum 10 feet; maximum 30 feet.
  - (c) Any yard from an arterial street: minimum 50 feet, except in the case of a roundabout on an arterial street, in which case the minimum yard from such roundabout shall be 20 feet.

- (d) Unenclosed patio dining and accessory structures such as railings, tables, chairs, umbrellas, and awnings accessory to a commercial use may encroach up to 10 feet within a required front yard (excluding that from a roundabout) provided all structures remain outside of public sidewalks and rights-of-way and provided that all clear sight distances required by this Section or other applicable Borough Ordinances are maintained.
- (e) Side yards shall comply with the following: minimum five feet each. Each twin dwelling unit shall have one side yard, while a side yard shall be required for each end townhouse unit. For a detached building, it is encouraged to make one side yard wider than the other to allow wider use by the residents of the larger side yard and/or to provide for a side driveway to rear parking.
- (f) Rear yards shall comply with the following:
  - [1] Any lot containing access from a street, other than a rear alley, shall maintain a rear yard of at least 35 feet.
  - [2] Any lot containing access from a rear alley that is shown as part of the approved subdivision plan creating the lot and containing an attached garage shall maintain a rear yard of at least 20 feet from the rear alley that provides access to the lot. This arrangement may include an attached upper floor deck that encroaches within the rear yard and over the driveway provided all portions of the deck maintain a rear setback of at least 10 feet from the rear alley that provides access to the lot.
  - [3] Any lot containing access from a rear alley that is shown as part of the approved subdivision plan, and that contains a detached garage shall maintain a rear yard of at least 5 feet from the rear alley that provides access to the lot. This arrangement may include a garage adjacent to an alley, with a breezeway or similar structure connecting the dwelling to the garage, and with an outdoor area between the dwelling and the garage.
- (g) Exceptions for setbacks referenced in § 380-57 shall apply, except as may be modified by reference in this Section.
- (h) For accessory structures: the provisions of the R-2 district shall apply, except as may be modified by reference in this Section.
- (i) Principal buildings fronting on the same block shall line up to form a consistent setback. Variations in setbacks may be approved by Borough Council where common greens are provided to enhance streetscape and increase amenity space scattered throughout the development.

Section 6. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection G., “Dimensional requirements”, subsection (9), “Density bonuses,” subparagraph (a), is hereby amended to amend and restate subparagraph [5] as follows:

- [5] In no case shall the density bonuses provided in this Section result in a maximum density exceeding six (6) dwelling units per acre of buildable area, based upon the calculation provided in subsection G(8) above. If any of the density bonuses in this subsection G(9) are approved, then the following reductions in minimum lot areas shall be permitted:

- [a] From 6,000 to 4,800 square feet for each single-family detached dwelling not containing rear access off an alley. If rear access is provided off an alley, the lot area for a single-family detached dwelling may be reduced further from 4,800 to 3,850 square feet.
- [b] From 5,000 to 4,000 square feet for each twin dwelling unit not containing rear access off an alley. If rear access is provided off an alley, the lot area for a twin dwelling may be reduced further from 4,000 to 3,000 square feet.
- [c] From 2,000 to 1,800 square feet for each townhouse dwelling unit not containing rear access off an alley. If rear access is provided off an alley, the lot area for a townhouse dwelling may be reduced further from 1,800 square feet to 1,400 square feet. Additionally, the minimum width at the front of the enclosed townhouse dwelling unit may be decreased from 20 feet to 18 feet if provided with rear access off an alley.

Section 7. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection G.(10), “Dimensional requirements”, subsection (10), “Maximum building height”, is hereby amended and restated as follows:

- (10) Maximum building height: 45 feet or three stories, whichever is more restrictive. See exceptions in § 380-56 and definition in § 380-21.

Section 8. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection G. “Dimensional requirements”, is hereby amended to restate subsection (8)(b) and to add new subsections (11), “Apartment dwellings,” and (12) “Mixed-used buildings,” as follows:

- (8) Maximum overall density based upon buildable area. The maximum overall density of the TND shall be determined as follows, as calculated in acres (and decimals):

...

- (b) Delete the area of nonresidential building coverage within lots of nonresidential principal uses from Subsection G(8)(a).

...

- (11) Apartment dwellings. All buildings containing apartment dwellings as a principal standalone use shall comply with the following requirements:

- (a) Dimensional Requirements:

- [1] Minimum lot area: 2,000 square feet per dwelling unit.
- [2] Maximum building length: 250 feet; provided no front-facing wall contains the same setback for more than 75 feet.
- [3] Minimum lot width at the minimum building setback line: 60 feet

- (b) Building Setbacks:
    - [1] All setbacks shall comply with the applicable requirements of Subsection G(6) above, unless otherwise set forth in this Subsection G(11)(b).
    - [2] All setbacks from common parking areas shall be 10 feet from the edge of pavement used for parking. Setbacks from parking shall include porches and decks.
    - [3] A minimum of 20 feet separation shall be maintained for side-to-side or front-to-side facing walls of apartment buildings.
    - [4] A minimum of 60 feet separation shall be maintained from front-to-front or front-to-rear facing walls of apartment buildings.
  - (c) Lots containing apartment dwellings may contain multiple buildings on the same lot, provided the dimensional requirements are met for each building.
- (12) Mixed-use buildings. Mixed-use buildings containing apartment dwellings on floors above an approved commercial use shall comply with the dimensional requirements of Subsection G(4) above for a principal, nonresidential use as well as all setback requirements contained in Subsection G(11)(b) above. Lots containing mixed-use buildings may contain multiple mixed-use buildings on the same lot, provided the dimensional requirements are met for each building. The building coverage area of mixed-use buildings containing apartment dwellings on floors above an approved commercial use shall be included in the total land area of the development tract for purposes of calculating density, notwithstanding Subsection G(8)(b) above.

Section 9. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, subsection N., “Signs”, subsection (2) is hereby amended and restated as follows:

- (2) Areas approved for principal commercial uses, including those containing a mixed-use building, shall meet the sign requirements that would apply within the NC District. Any building approved for principal, commercial use, including a mixed-use building, that contains frontage along a public road with parking provided to the rear of the building shall be permitted building signs, projecting signs and/or window displays on and along the portion of the building fronting the public road (front yard wall) and the portion of the building facing the parking lot (rear yard wall) in accordance with the sign requirements for the NC District. Any permitted signage on the portion of the building facing the parking lot (rear yard wall) that is setback 75 feet or more from a public street shall not count against the maximum signage area permitted for the commercial use or building; provided that the height, length, lighting and all other applicable requirements for the type of signage proposed remains compliant with the NC District.

Section 10. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, Section 380-45, subsection B., “Size and Marking of Parking Spaces”, subsection (1) is hereby amended and restated as follows:

- (1) Each parking space shall be a rectangle with a minimum width of 9 feet and a minimum length of 18 feet, except the minimum width shall be 7 feet and minimum length shall be 22 feet for parallel parking spaces.

Section 11. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, Section 380-21, “Terms defined”, is hereby amended to amend and restate the definition of “Open space, common”, as follows:

**OPEN SPACE, COMMON**

A parcel, or parcels, of land within a tract which meets the following standards:

- A. Is designed, intended and suitable for active or passive recreation by residents of a development or the general public;
- B. Is covered by a system that ensures perpetual maintenance, if not intended to be publicly owned;
- C. Will be deeded to the Borough and/or deed restricted to permanently prevent uses of land other than common open spaces and noncommercial recreation; and
- D. Does not use any of the following areas to meet minimum open space requirements:
  - (1) Existing street rights-of-way
  - (2) Vehicle streets or driveways provided access to other lots.
  - (3) Land beneath building(s) or land within 20 feet of a building (other than accessory buildings and pools clearly intended for noncommercial recreation and other than agricultural buildings and a farmstead which are permitted within land approved by the Borough for agricultural preservation and other than land within 20 feet of a building that is outside a unit and/or lot within a TND).
  - (4) Off-street parking (other than that clearly intended for noncommercial recreation).
  - (5) Area(s) needed to meet a requirement for an individual lot
  - (6) For land intended to be open to the public, that does not have provisions for entry with a twenty-foot minimum width by pedestrians from a street open to the public or from an adjacent common open space area that has access to such a street.
  - (7) Land that includes a stormwater detention basin, except for a basin or portions of a basin that the applicant proves to the satisfaction of the Borough Council would be reasonably safe and useful for active and passive recreation during the vast majority of weather conditions.
  - (8) Portions of land that have a width of less than 20 feet, except such areas of less than 20 feet in width that provide or contain a pedestrian path connection within a TND.

Section 12. All other sections, parts and provisions of the Code of Ordinances of Millersville Borough shall remain in full force and effect and previously enacted and amended.

Section 13. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or other sections of the Code of Ordinances that were not declared to be invalid or

unconstitutional.

Section 14. This Ordinance is hereby adopted and ordained by the Borough Council of the Borough of Millersville, and shall become effective immediately after adoption.

DULY ORDAINED AND ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MILLERSVILLE  
Lancaster County, Pennsylvania

Attest: \_\_\_\_\_  
(Assistant) Secretary

By: \_\_\_\_\_  
(Vice) President  
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor