

Codorus Township Planning Commission

Meeting Minutes December 9, 2025

Planning Commission members present were Brenda Miller, Brian Kaltreider, John Amspacher, Trey Chilcoat, and Christine Schwarz. Others present were Tom Wymard of MPL Law Firm, Megan Harris, Gail Mancha, Janet Dickie, Tara Welsh, Tim Shultz, and Jason Gross.

1. Call to Order

The meeting was called to order.

2. Approval of Previous Minutes

The minutes were approved pending reformatting. The reformatted minutes will be presented to the planning commission.

3. Ken and Kate Holcomb- Johnson Road Subdivision

The Subdivision plan previously received conditional approval. All conditions of the approval have been met. The Subdivision plan was signed by the planning commission members.

4. Discussion of Data Center Ordinances

- The township is proactively drafting an ordinance to regulate data centers. Without specific standards, developers could potentially cite "exclusionary zoning" to place centers anywhere.
- **Key Discussion Points:**
 - **Scale:** Centers vary from "Enterprise" (5 acres) to "Hyperscale" (40–500 acres). Small centers (approx. 25k sq. ft.) may not require significant water or sewer infrastructure.
 - **Infrastructure:** Large centers require high-voltage transmission lines (230kV). Discussion focused on tying overlays to existing transmission line locations (e.g., Brierwood area).
 - **Performance Standards:** Emphasis was placed on noise (70 dB threshold), water usage/cooling methods, and setbacks (500 ft buffer from residences).
 - **Zoning Strategy:** Debate occurred regarding "By-Right" vs. "Special Exception." A Special Exception requires a public meeting and Zoning Hearing Board approval, offering more oversight.
- **Decision:** The Commission will wait for mapping data to visualize transmission lines before finalizing the ordinance. C.S. Davidson to provide mapping of suitable areas for the next meeting.

B. Subdivision and Land Development Ordinance (SALDO) Update

- **Context:** Jessica Fieldhouse presented the draft SALDO update based on the York County template, focusing on rural provisions and agricultural definitions.
- **Development Rights & 1974 Date:** * There was a concern regarding the administrative burden of tracking development rights back to Dec 7, 1974.
 - **Revision:** The onus will now be placed on the **developer**. Submissions must include a formal "Development Right Analysis" prepared by an attorney, tracking the parent tract back to 1974.
- **Decision:** Formalize the Development Right Analysis as a mandatory part of the submittal process, similar to a sewer/water feasibility study. **The Burden of Proof:** Jessica Fieldhouse and Megan Harris clarified that the "Burden of Proof" regarding development rights must rest on the **property owner/developer**, not the Township.

- **The "1974" Rule:** Tracking rights back to December 7, 1974, is administratively heavy. By requiring a formal **Deed Analysis** prepared by an attorney during the submittal process, the Township ensures the developer pays for the research while the Township Engineer/Solicitor simply verifies the findings.
- **Records & Recording:** It was noted that the Recorder of Deeds does not track development rights; they only record transactions. However, because all approved subdivision plans must be recorded within 90 days, a historical search can accurately reconstruct the "Parent Tract" and how many rights remain.
- **Preservation Maps:** Agricultural security and conservation easements are tracked via the County GIS files. These easements will show up in a thorough deed search as property restrictions.

Article 7 & Definitions

- **Mobile Home Parks:** Article 7 was significantly streamlined. Duplicate design standards were removed, now referencing the primary street system standards to ensure uniformity.
- **Agricultural Operations:** New definitions were added to include "Farm-Related Businesses" (e.g., tractor repair, butchering) to allow for secondary income streams for farmers.
- **Submittal Transparency:** The ordinance clarifies that all plans must be submitted to the **Township Staff** first, rather than directly to the Board or Engineer, to ensure a transparent paper trail.

C. Zoning Overlap (The "7-Acre" Confusion)

- There was a brief discussion on the confusion regarding acreage and dwelling rights (e.g., whether 7 acres yields one or two rights). It was noted that while the SALDO handles the *process* of subdivision, the **Zoning Ordinance** dictates the *density* and parcel size. Staff is working to align these to prevent "abusing" the interpretation of the 7-to-20-acre bracket.

Proposed SALDO Adoption Timeline

The Commission is targeting the following schedule:

- **Jan 20, 2026:** Planning Commission reviews final draft and research.
- **Feb 2026:** Recommendation sent to the Board of Supervisors; start of the 30-day York County Planning Commission review.
- **Mar 2026:** Public advertisement for adoption.
- **Apr 2026:** Formal adoption of the revised SALDO.

The meeting was adjourned at approximately 8:34 PM.

Respectfully submitted,

Megan Harris

Secretary/Treasurer