



**PROPOSED ORDINANCE #2026-10**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

That Appendix B – Zoning, Article 3 – District Regulations, Section 19 – Manufacturing zone (M) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

**Section 19. – Manufacturing zone (M)**

19.1 *Uses permitted.* No building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8 and subject to the site development plan approval as set forth in article 10, section 2:

19.191 Accessory Uses:

- (a) On-site offices, clinics, food service facilities, recreation facilities, and child day care services collocated within the permitted use and limited to exclusive use by employees, and such other accessory uses and structures clearly incidental to, and customary to, and associated with the permitted use.
- (b) The following uses may be permitted as conditional uses if approved by the planning commission in accordance with the provisions and procedures set forth in article 10, section 1, and any specified requirements set forth below:
  - (1) Associated retail uses in conjunction with and accessory to a permitted use, provided that the associated retail uses do not occupy more than 30 percent of the gross floor area of the building or group of buildings on a lot. Parking shall be provided at a rate of one parking space per 300 square feet of retail space for the exclusive use of retail customers, in addition to the bulk parking requirements of this zoning district for a particular use.
  - (2) Outside storage, which is incidental to the primary uses on the lot, within a completely enclosed and secure area appropriately screened from public view and not in any required setback from property lines.

**19.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.**

19.2 *Uses prohibited.* The following uses are specifically prohibited:

19.21 Residences.

19.22 Manufacturing uses involving primary production of the following products from raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen (**except as expressly permitted under section 19.192 relating to clean hydrogen production facilities**), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke and tar products, including gas manufacturing; explosives; fertilizers; gelatin, glue and size (animal); linoleum and oil cloth; matches; paint, varnishes and turpentine; rubber (natural and synthetic); soaps, including fat rendering; [and] starch.

**BE IT FURTHER ORDAINED:**

That Appendix B – Zoning, Article 3 – District Regulations, Section 20 – Industrial park manufacturing zone (IPM) by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

**Section 20. – Industrial park manufacturing zone (IPM).**

20.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in a whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20.191 Marijuana cultivation facilities, marijuana manufacturing facilities, and marijuana testing facilities, subject to the requirements outlined in article 5, section 24.

**20.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.**

20.2 *Uses prohibited.* The following uses are specifically prohibited:

20.22 Manufacturing uses involving primary production of the following products from 65 raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline 66 dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and 67

bone black, creosote, hydrogen and oxygen (**except as expressly permitted under 68 section 20.192 relating to clean hydrogen production facilities**), industrial 69 alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic 70 materials, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, 71 phosphoric, picric, and sulphuric acids: coal, coke, and tar products, including gas 72 manufacturing; explosives; fertilizers; glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); [and] 74 soaps, including fat rendering.

**BE IT FURTHER ORDAINED:**

That Appendix B – Zoning, Article 3 – District Regulations, Section 20A – Industrial park manufacturing zone – Business and technology center (IPM2) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

**Section 20A. – Industrial park manufacturing zone – Business and Technology Center (IPM2)**

20A.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20A.191 Indoor recreation and amusement establishments.

**20A.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.**

20A.3 *Uses prohibited.* The following uses are specifically prohibited:

20A.32 Manufacturing uses involving primary production of the following products from raw materials: Asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen (**except as expressly permitted under section 20A.192 relating to clean hydrogen production facilities**), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); and soaps, including fat rendering.

**BE IT FURTHER ORDAINED:**

That Appendix B – Zoning, Article 3 – District Regulations, Section 20B – Industrial park manufacturing zone – Industrial aviation and aeronautics center (IPM3) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

**Section 20B. – Industrial park manufacturing zone – Industrial aviation and aeronautics center (IPM3)**

20B.1 *Uses permitted.* In an IPMC3 zone, no building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, sections 8.2 and 8.6, and subject to site development plan approval as set forth in article 10, section 2:

**20B.17 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.**

20B.3 *Uses prohibited.* The following uses are specifically prohibited.

20B.32 Manufacturing uses involving primary production of the following products from raw materials: Asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen (**except as expressly permitted under section 20B.17 relating to clean hydrogen production facilities**), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); and soaps, including fat rendering.

**BE IT FURTHER ORDAINED:**

That Appendix B – Zoning, Article 12 – Definitions, be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

***Clean hydrogen: Hydrogen gas produced on-site, generating oxygen as a byproduct through processes that do not involve the direct combustion or use of fossil fuels.***

ADOPTED: \*

**SYNOPSIS**

This ordinance amends Appendix B – Zoning of the Dover Code of Ordinances by adding a definition for “clean hydrogen” in Article 12 and amends Article 3 Sections 19, 20, 20A, and 20B to allow clean hydrogen

production facilities to operate as permitted uses in certain zones and adding supplementary regulations by which these facilities must abide. The zoning districts for clean hydrogen production facilities include the M (Manufacturing Zone), IPM (Industrial Park Manufacturing Zone), IPM2 (Industrial Park Manufacturing Zone – Business and Technology Center), and IPM3 (Industrial Park Manufacturing Zone – Industrial Aviation and Aeronautics Center).

(SPONSORS: ANDERSON, NEIL, and DUCA)

Action History

05/11/2026 – Scheduled for First Reading – City Council

04/28/2026 – Introduction – Council Committee of the Whole/ Legislative, Finance, and Administration Committee