



1 **Proposed CITY OF DOVER ORDINANCE #2026 – 10**

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

4 That Appendix B – Zoning, Article 3 - District Regulations, Section 19 – Manufacturing zone (M)
5 be amended by inserting the text indicated in **bold, blue font** as follows:

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

7 19.1 *Uses permitted.* No building or premises shall be used, and no building or part of a building
8 shall be erected, which is arranged, intended, or designed to be used, in whole or in part,
9 for any purpose, except the following, and in accordance with performance standards
10 procedure as set forth in article 5, section 8 and subject to the site development plan
11 approval as set forth in article 10, section 2:

12 19.191 **Accessory** Uses:

13 (a) On-site offices, clinics, food service facilities, recreation facilities and child
14 day care services collocated within the permitted use and limited to
15 exclusive use by employees, and such other accessory uses and structures
16 clearly incidental to, and customary to and associated with the permitted
17 use.

18 (b) The following uses may be permitted as conditional uses if approved by the
19 planning commission in accordance with the provisions and procedures set
20 forth in article 10, section 1 and any specified requirements set forth below:

21 (1) Associated retail uses in conjunction with and accessory to a
22 permitted use, provided that the associated retail uses do not
23 occupy more than 30 percent of the gross floor area of the
24 building or group of buildings on a lot. Parking shall be
25 provided at a rate of one parking space per 300 square feet
26 of retail space for the exclusive use of retail customers in
27 addition to the bulk parking requirements of this zoning
28 district for a particular use.

29 (2) Outside storage which is incidental to the primary uses on
30 the lot, within a completely enclosed and secure area
31 appropriately screened from public view and not in any
32 required setback from property lines.

33 **19.192 Clean hydrogen production facilities for the production of clean hydrogen, as**
34 **defined in article 12, shall be permitted, subject to compliance with article 5,**
35 **section 8 (performance standards) and all applicable zoning and**
36 **environmental regulations.**

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

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) be amended by inserting the text indicated in **bold, blue font** 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 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 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 20.192 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; glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); [and] soaps, including fat rendering.

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77 **BE IT FURTHER ORDAINED:**

78 That Appendix B – Zoning, Article 3 - District Regulations, Section 20A – Industrial park
79 manufacturing zone - Business and technology center (IPM2) be amended by inserting the text
80 indicated in **bold, blue font** as follows:

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

82 20A.1 *Uses permitted.* No building or premises shall be used and no building or part of a building
83 shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any
84 purpose, except the following, and in accordance with performance standards procedure as set
85 forth in article 5, section 8, and subject to site development plan approval as set forth in article 10,
86 section 2:

87 20A.191 Indoor recreation and amusement establishments.

88 **20A.192 Clean hydrogen production facilities for the production of clean hydrogen,**
89 **as defined in article 12, shall be permitted, subject to compliance with article 5, section**
90 **8 (performance standards) and all applicable zoning and environmental regulations.**

91 20A.3 *Uses prohibited.* The following uses are specifically prohibited:

92 20A.32 Manufacturing uses involving primary production of the following products from
93 raw materials: Asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes,
94 ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black,
95 creosote, hydrogen and oxygen (**except as expressly permitted under section 20A.192**
96 **relating to clean hydrogen production facilities**), industrial alcohol, nitrates
97 (manufactured and natural) of an explosive nature, potash, and synthetic resins, pyroxylin,
98 rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke,
99 and tar products, including gas manufacturing; explosives, fertilizers, glue, and size
100 (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural
101 or synthetic); and soaps, including fat rendering.

102 **BE IT FURTHER ORDAINED:**

103 That Appendix B – Zoning, Article 3 - District Regulations, Section 20B – Industrial park
104 manufacturing zone - Industrial aviation and aeronautics center (IPM3) be amended by inserting
105 the text indicated in **bold, blue font** as follows:

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

108 20B.1 *Uses permitted.* In an IPMC3 zone, no building or premises shall be used and no building
109 or part of a building shall be erected, which is arranged, intended or designed to be used, in whole
110 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 to read 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 and Neil; and DUCA

Action History

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

05/11/2026 First Reading and Referral at City Council Meeting

06/15/2026 Scheduled for Public Hearing and Review for Recommendation by Planning Commission

07/13/2026 Scheduled for Public Hearing and Final Action at City Council