

EPHRATA TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2019- 267

AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, AMENDING THE EPHRATA TOWNSHIP ZONING ORDINANCE, ADOPTED FEBRUARY 8, 2000, AS AMENDED, TO PROVIDE A MINIMUM SETBACK OF ONE HUNDRED (100) FEET FROM THE PORTION OF A BUILDING CONTAINING A DRIVE-THROUGH OR FAST FOOD RESTAURANT OR A RESTAURANT, TAVERN OR NIGHTCLUB TO ANY EXISTING RESIDENTIAL BUILDING OR RESIDENTIAL ZONING DISTRICT; TO PERMIT MASTER-PLANNED DEVELOPMENT SIGNS IN THE COMMERCIAL (C) AND THE MIXED-USE (C-2) ZONING DISTRICTS SUBJECT TO CERTAIN CRITERIA; TO DEFINE "MASTER PLANNED DEVELOPMENT" AND "MASTER-PLANNED DEVELOPMENT SIGN;" TO DEFINE "HEALTH AND FITNESS CENTER"; TO PERMIT HEALTH AND FITNESS CENTERS BY RIGHT IN THE C AND C-2 ZONING DISTRICTS; TO REQUIRE HEALTH AND FITNESS CENTERS TO HAVE (1) OFF-STREET PARKING SPACE FOR EACH TWO HUNDRED AND FIFTY (250) SQUARE FEET OF GROSS FLOOR AREA; AND TO ESTABLISH THE NUMBER OF REQUIRED OFF-STREET LOADING SPACES FOR HOTELS, MOTELS AND RESORTS TO ONE (1) SPACE FOR EACH 10,000 TO 100,000 SQUARE FEET OF FLOOR AREA, AND ONE (1) ADDITIONAL SPACE FOR EACH ADDITIONAL 100,000 SQUARE FEET OF GROSS FLOOR AREA OR FRACTION THEREOF SO USED.

BE IT HEREBY ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF EPHRATA TOWNSHIP, COUNTY OF LANCASTER, COMMONWEALTH OF PENNSYLVANIA, AND IT IS HEREBY ENACTED AND ORDAINED AS FOLLOWS:

Section 1. Article VI, Section 625(E) of the Ephrata Township Zoning Ordinance is hereby amended to provide a minimum setback of one hundred (100) feet from the portion of a building containing a Drive-through or Fast Food Restaurant to any existing residential building or residential zoning district as follows:

- E. The portion of a building containing a Drive-through or Fast Food Restaurant use shall not be located within one hundred (100) feet of any existing residential building, or within one hundred (100) feet of a residential zoning district.

Section 2. Article VI, Section 642(B) of the Ephrata Township Zoning Ordinance is hereby amended to provide a minimum setback of one hundred (100) feet from the portion of a building containing a Restaurant, Tavern or Nightclub to any existing residential building or residential zoning district as follows:

- B. The portion of a building containing a Restaurant, Tavern or Nightclub use shall not be located within one hundred (100) feet of any existing residential building, or within one hundred (100) feet of a residential zoning district.

Section 3. Article V, Section 507(A) of the Ephrata Township Zoning Ordinance is hereby revised to permit Master-Planned Development Signs in the C and the C-2 Zoning Districts as follows:

- 12. Master-Planned Development Signs, provided that:
 - a. Master-Planned Development Signs shall only be permitted in the C and the C-2 District.
 - b. The area of one (1) side of the sign may not exceed a maximum size of eighty (80) square feet.
 - c. A maximum of one (1) sign at a street intersection bordering the Master Planned Development shall be permitted.
 - d. The sign shall devote no less than twenty-five percent (25%) of the total sign area (per side) to the advertisement of the Master-Planned Development's name.
 - e. In addition to any Master-Planned Development Sign(s), individual tenants and users within the Master-Planned Development may erect any other signs permitted for their specific uses, however, no additional freestanding signs shall be permitted in the Master-Planned Development within a one hundred and fifty (150) foot radius of the Master-Planned Development Sign. Furthermore, if a tenant or user is identified on the Master-Planned Development Sign, any freestanding sign to which said tenant or user is entitled shall be reduced in size by the number of square feet allocated to it on the Master-Planned Development Sign. For example, if a user with a 5 square foot panel on the Master-Planned Development Sign is entitled to have a 40 square foot freestanding sign on its lot, the permitted area of the freestanding sign shall be reduced to 35 square feet.

Section 4. Article X, Section 1002 of the Ephrata Township Zoning Ordinance is hereby amended to add the following definitions:

Master-Planned Development. One or more contiguous tracts of land, including tracts divided by public or private streets, which are planned, designed and developed pursuant to a single preliminary master plan.

Master-Planned Development Sign. A freestanding sign which is constructed within a Master-Planned Development that identifies the name of the development and its various tenants or users.

Health and Fitness Center. A commercial business that offers indoor active recreational and/or fitness activities and equipment to club members and their guests. Such activities and equipment may include, but are not necessarily limited to, the following: weight training facilities, exercise equipment, swimming and exercise pools, athletic courts, fitness classes and training, massages beds and chairs, and tanning beds.

Section 5. Article IV, Section 405(B)(1) is hereby amended to add "Health and Fitness Center" as a use permitted by right in the C District and the C-2 District:

- p. Health and Fitness Centers
- q. Customary accessory uses and buildings incidental to the above permitted uses.

Section 6. Article V, Section 508(B)(2) of the Zoning Ordinance is hereby amended to establish required off-street parking spaces for Health and Fitness Centers as follows:

- bb. Health and Fitness Centers: at least one (1) parking space for each two hundred fifty (250) square feet of floor area, or fraction thereof.
- cc. All other commercial uses: One (1) space per employee plus such space as may be determined by the Township on a case by case basis
- dd. In addition to all of the above minimum requirements, additional spaces for visitor parking and salesmen shall be provided according to the specific requirements of each use.

Section 7. Article V, Section 508(C)(1)(e) of the Zoning Ordinance is hereby amended to establish the number of off-street loading spaces required for hotels, motels and resorts as follows:

- e. For hotels, motels and resorts, one (1) space for each 10,000 to 100,000 square feet of floor area, and one (1) additional space for each additional 100,000 square feet of floor area or fraction thereof so used.

Section 8. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

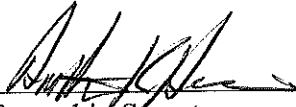
Section 9. All other sections, parts and provisions of the Ephrata Township Zoning Ordinance shall remain in full force and effect as previously enacted and amended.

Section 10. This Ordinance shall become effective immediately upon its enactment by the Board of Supervisors of Ephrata Township, County of Lancaster, and Commonwealth of Pennsylvania.

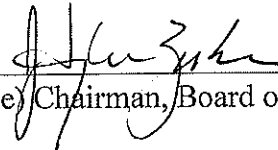
ORDAINED AND ENACTED this 5th day of February, 2019.

ATTEST

TOWNSHIP OF EPHRATA



Township Secretary

BY: 

(Vice) Chairman, Board of Supervisors

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Township of Ephrata, Lancaster County,

Pennsylvania ("Township") certify that: The foregoing is a true and correct copy of an Ordinance

of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Ephrata at a meeting duly held on the 5th day of February, 2019; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Ephrata met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of Ephrata or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of Ephrata, this 5th day of February, 2019.



(Assistant) Secretary

