

ORDINANCE 2014- 10

AN ORDINANCE TO AMEND CHAPTER 510 OF THE CODE OF THE TOWNSHIP OF MANHEIM, LANCASTER COUNTY, PENNSYLVANIA, TO PERMIT THE REDEVELOPMENT OR REUSE OF LARGE NONRESIDENTIAL BUILDINGS WITHIN THE R-2 RESIDENTIAL DISTRICT AND ESTABLISHING THE STANDARDS TO ALLOW THE REUSE OF LARGE NONRESIDENTIAL BUILDINGS.

BE AND HEREBY ORDAINED AND ENACTED BY the Commissioners of Manheim Township, Lancaster County, Pennsylvania, as follows:

**SECTION 1.**        **BACKGROUND.** Throughout the Township there exist a number of large nonresidential buildings within residential districts, which are or have been used for a variety of community uses, including but not limited to churches, schools, and community clubs. The uses of these buildings are or have been permitted under the Zoning Ordinance (either by (a) right, (b) special exception, (c) conditional use or (d) as a pre-existing nonconforming use). However, these buildings have become difficult to redevelop or reuse under the Zoning Ordinance provisions. This Amendment is intended to provide the opportunity to utilize the structures that were permitted by right, special exception or conditional use in creative ways while maintaining the integrity of the neighborhoods in which they are located. Non-conforming uses shall remain governed by Article III of this Chapter.

**SECTION 2.**        Section 510-12 of the Code is hereby amended by the addition of the following definitions.

(a)    **CONFERENCE/EVENT CENTER.** A property and/or facility which is utilized to host a variety of business, educational and social events, including but not limited to conferences, exhibitions, meetings, seminars, training, parties, receptions and galas. Such use may include the provision, sale and/or

consumption of food and/or alcoholic beverages incidental to the above-referenced uses but not as a separate principal use. Additionally, a Conference/Event Center may include any one or more of the following as a separate, but secondary use of the property and/or facility: a public restaurant, a café, and/or commercial recreation facility.

(b) **CONVERSION OF LARGE NONRESIDENTIAL BUILDING.** Where conversion is made of an existing building with a nonresidential use, which is in excess of 10,000 square feet of net floor area, but no larger than 45,000 square feet of net floor area into other nonresidential uses, with expansion permitted pursuant to the performance standards set forth in Article XXV.

**SECTION 3.** Section 510-31 of the Code is hereby amended by renumbering existing Subsection 510-31.H as 510-31.I and adding the following as Subsection 510-31.H.

H. Conversion of Large Nonresidential Building. (See Section 510-232).

**SECTION 4.** Section 510-34 of the Code is hereby amended by the addition of Subsection 510-34.B(7) which shall provide as follows:

- (5) Conversion of Large Nonresidential Building.
  - (a) The conversion shall not require compliance with current setback, coverage or other lot and area requirements of the Zoning Ordinance, subject to meeting the following:
    - (i) Any existing non-conformity shall not be increased without variance approval.
    - (ii) Subdivision or land development approval is not otherwise required.
  - (b) Any permitted additions shall comply with the following:
    - (1) Minimum yard dimensions:

- (a) Front yard: 25 feet, unless otherwise specified in the applicable T-Zone Overlay or § 510-181;
  - (b) Side yard: each side: 50 feet; and
  - (c) Rear yard: 50 feet.
- (2) Minimum open area: 50%.
  - (3) Landscaping and Screening. (See § 510-215.)

**SECTION 5.** Section 510-232 is hereby added to Chapter 510, Article XXV:

**510-232 Conversion of Large Nonresidential Building.**

- A. Purpose.** It is the purpose of this section to provide for the creative redevelopment or reuse of large nonresidential buildings within the R-2 Residential Zoning District by permitting a variety of commercial, restaurant, entertainment, and office uses by special exception. Large nonresidential buildings in this district often house(d) community oriented uses permitted under the Zoning Ordinance. However, due to changes in the community, ownership and the fashion in which community services are provided, there is a risk that these large buildings will become underutilized or unusable if zoning regulations applicable to such buildings in an R-2 Residential Zoning District are applied to their use. This section is intended to provide economically viable uses for such existing buildings in excess of 10,000 square feet of net floor area but no larger than 45,000 square feet of net floor area and within the R-2 Residential Zoning District.
- B. Conversion.** The conversion of a large nonresidential building shall be permitted within the R-2 Residential District by special exception in accordance with the standards set forth below.

**C. Uses Permitted by Special Exception.** Subject to the requirements set forth in Subsection 510-232.D., one or more of the following uses may be established with a Conversion of a Large Nonresidential Building:

(1) For lots with primary vehicular access to and from any road defined as a collector roadway as specified in Appendix I of the Manheim Township Subdivision and Land Development Ordinance:

(a) Professional Offices.

(b) Medical and/or dental offices.

(2) For Lots with primary vehicular access to and from an arterial road, limited access highway or major collector road as identified in Section 510-178 of this Chapter:

(a) Professional Offices.

(b) Medical and/or dental offices.

(c) Conference/Event Centers including separate restaurant, café and/or commercial recreation facility component(s) that is(are) secondary to the Conference/Event Center.

(d) Veterinary Offices.

**D. Specific Conditions.**

(1) Professional Offices, Medical/Dental Offices and Veterinary Offices:

Hours of operation shall be permitted between the hours of 7:00 am and 10:00 pm.

(2) Conference/Event Center.

(a) Outdoor events shall not be held before 7:00 am or after 10.00 pm.

(b) Alcohol sales and service shall be permitted pursuant to applicable laws and as an accessory use to the Conference/Event Center.

(c) Restaurants and Cafes as a separate secondary use to the Conference/Event Center shall be permitted, subject to the following restrictions:

(i) Drive through or Drive in service shall not be permitted.

- (ii) Seating area for restaurant shall not exceed 5,000 square feet.
  - (iii) Outdoor dining shall comply with Section 510-229.
  - (iv) Restaurant or café shall be permitted to sell/serve alcohol pursuant to applicable laws as an accessory use.
  - (v) Restaurant or café may have hours of operation independent from Conference/Event Center but the restaurant or café may only be open to the public between 7:00 am to 10:00 pm each day.
- (d) Commercial Recreational Facilities.
- (i) Outdoor operations shall be restricted to the hours between 7:00 am and 10:00 pm.
  - (ii) Outdoor operations shall not interfere with the peaceful enjoyment of neighboring properties
- (3) Off-street parking for any uses shall be in accordance with Article XX.  
Parking.
- (4) Parking areas and access drives shall be adequately lit and all lighting shall include full cut off fixtures and shall not direct light onto adjacent properties.
- (5) Refuse collection areas, if provided, shall be conveniently located for all uses. The collection area shall be properly screened from view from all property lines and the trash receptacles shall be covered.

**E. Permissible Expansion of Existing Building and Parking.**

- (1) Buildings with vehicular access from a collector roadway:
- (a) No extension or expansion shall be permitted to the existing building, except as may be required for access or safety which includes handicapped accessibility. Extension or expansion to increase building capacity shall not be permissible.
  - (b) Existing open space to the greatest extent possible shall be left in its existing condition or improved so as to be appropriate in size,

shape, dimension, location, and character to assure its proper functioning as an amenity for both the site and the surrounding area.

(2) Buildings with vehicular access from an arterial legislative route: up to 25% increase in the building footprint subject to the requirements set forth in Subsection 510-34.B(7) and other applicable Township ordinances.

(3) Parking Lots may be expanded subject to the requirements set forth in the applicable Township ordinances.

**F. Signs.** Signs shall be governed by Chapter 510, Article XVIII of the Code, provided applicant shall be permitted to maintain, repair or re-erect the existing signage. Notwithstanding the foregoing sentence, the applicant shall not be required to remove or decrease the square footage of any legally existing sign(s) as the result of a conversion.

**G. Access to the Site.** There shall be adequate, safe access to the site for pedestrians and vehicles.

**H. Utilities.** The site shall be served by public sanitary sewer and public water.

**I. Sidewalks and Streetscapes.**

(1) Sidewalk shall be provided along all street frontages, or alternatively, a connection to or extension of a Township pathway system shall be provided.

(2) Sidewalks shall be a minimum of five (5) feet in width and shall be designed and constructed in accordance with the Manheim Township Subdivision and Land Development Ordinance.

(3) Connection to or extension of a Township pathway system shall be designed and constructed in accordance with the Manheim Township Subdivision and Land Development Ordinance.

(4) Handicap ramps and crosswalks shall be provided at all street and access drive crossings.

(5) All pedestrian amenities shall meet ADA guidelines.

(6) Streetscapes shall be provided and/or improved as required by the applicable Appendices of this Chapter.


**SECTION 6.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall remain in full force and effect, and the same shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 7.** This Ordinance shall become effective upon enactment.

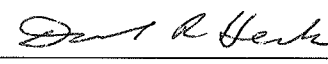
ENACTED AND ORDAINED by the Board of Commissioners of the Township of Manheim on this 27th day of May, 2014.

TOWNSHIP OF MANHEIM

Attest: \_\_\_\_\_

  
(Assistant) Secretary

By: \_\_\_\_\_

  
(Vice) President,  
Board of Commissioners