

§ 319-14. Allowed uses in primarily nonresidential districts; additional ROD District regulations.¹

- A. Unless otherwise provided by state or federal law or specifically stated in this chapter (including § 319-11), any land or structure shall only be used or occupied for a use specifically listed in these Articles III or IV as being allowed in the zoning district where the land or structure is located. Such uses shall only be allowed if the use complies with all other requirements of this chapter.
- (1) For manufacturing uses, the types of uses listed in this article correspond approximately to the categories of the North American Classification System, administered by the U.S. Department of Commerce. In case of question about the categorization, such system shall be consulted.
- B. Additional regulations within the ROD Retail Overlay District.
- (1) Purpose. The ROD District is intended to promote retail stores, restaurants, and other pedestrian-oriented uses in the heart of downtown Ephrata and to enhance the character of the streetscape.
- (2) The ROD District shall apply as shown on the ROD District Map.² The ROD District includes the first 30 feet of depth of any building in the following locations: a) fronting on Main Street from Church Street to Lake Street; b) State Street from Sugar Alley to Locust Street; c) Locust Street from Mentzer Alley to and including Tax Map Parcel No. 7M7B-12-1, and d) Main Street, located within the CBD District. The ROD District shall extend from one side property line to the other.
- (3) Whenever any provisions of this section regulating uses within the ROD District conflict with the standards regulating CBD District uses, the standard regulating uses within the ROD District shall apply.
- (4) ROD District restrictions on ground-floor uses.
- (a) Within the ROD District, a minimum of 30 feet of the depth of the ground-floor building area of any building fronting on Main Street or State Street shall only be occupied by one or more of the following uses:
- [1] Retail sales, excluding adult bookstores and flea markets.
 - [2] Restaurant and eating establishments, excluding drive-through facilities.
 - [3] Exercise club.
 - [4] Business services (such as photocopying).
 - [5] Bakery (with retail sales).
 - [6] Bank or other financial institution, which may include a drive-through facility.

1. Editor's Note: The Table of Allowed Uses in Primarily Nonresidential Districts is included as an attachment to this chapter.
2. Editor's Note: Said map is on file in the Borough offices.

- [7] Personal service establishment.
- [8] Photography studio or shop.
- [9] Movie or live theater, excluding an adult movie theater or cabaret.
- [10] Public library.
- [11] United States Postal Service facility.
- [12] Telephone operating center.
- [13] Hotel or motel.
- [14] Tavern.
- [15] Museum.
- [16] Ephrata Borough municipal use.
- [17] Travel agency.
- [18] Offices.

- (b) Such ground-floor space in the ROD District specifically shall not be converted into a residential use.
- (5) For purposes of the ROD District, "ground floor" shall mean and include the first full story above the average finished grade adjoining a street. If a use of the ground floor was lawfully nonconforming at the time of enactment of this section, that space may be occupied by a new tenant that is similarly nonconforming. For example, nonconforming office space may be occupied by a new office tenant.
 - (6) Within the ROD District, all portions of any building regulated by Subsection B(4) may be developed according to the CBD District regulations.
 - (7) No side yards shall be required for structures within the ROD District, except as may be necessary to comply with fire and construction codes.
 - (8) Height. Within the ROD District, no building shall exceed five stories or 65 feet in height.
 - (9) Other Retail Overlay District requirements.
 - (a) The majority of the front wall of any new principal building within the ROD District shall be located on the street right-of-way line, except as provided in § 319-23, such as when existing adjacent buildings have a different predominant setback. This requirement shall allow recesses or projections in the front setback of up to four feet in depth in accordance with Subsection B(9)(e) below.
 - (b) All buildings shall have pedestrian-oriented frontages on the ground floor which shall involve a building that is sidewalk-oriented and physically and visually accessible by pedestrians from the sidewalk. Frontages that are pedestrian-oriented

shall have a transparent window display area which showcases products for sale, or showcases art, sculpture and the like and/or civic-like space accessible to pedestrians, such as a landscaped plaza, courtyard or entrance court, a sculpture garden, or a portico or colonnade.

- (c) No new vehicle curb cuts or driveways shall be created onto Main Street within the ROD District.
- (d) Except for on-street curbside parking, all new parking shall be located behind buildings and accessed off an existing street or alley, or from an existing curb cut.
- (e) Any new building which exceeds 30 feet in width shall have recesses or projections of up to four feet, so that no new vertical bay or section of a building facade exceeds 30 continuous feet in width.
- (f) Doors and windows shall constitute no less than 50% of all frontage walls on the ground floor.
- (g) No building shall have mirrored windows on the ground floor.