

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF GETTYSBURG,  
ADAMS COUNTY, PENNSYLVANIA, AMENDING THE  
GETTYSBURG BOROUGH ZONING ORDINANCE, CHAPTER 27  
OF THE CODE OF ORDINANCES.**

The Borough Council of the Borough of Gettysburg hereby enacts, adopts and ordains this Ordinance, amending the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances, as follows:

**SECTION 1:** Section 27-201, Definitions, is amended to add the following:

**GROSS SQUARE FEET** -- Total number of square feet within the inside finished wall surface of the outer building walls of a structure.

**NET SQUARE FEET** – The total number of square feet within the inside finished wall surface of the outer building walls of a structure, excluding major vertical penetrations of the floor (elevator and other mechanical shafts, stair wells), mechanical equipment, parking areas, common restrooms, common lobbies, and common hallways.

**RESTAURANT** -- An establishment where the principal business is the sale of food and beverages in a ready-to-consume state.

**RESTAURANT, SMALL** -- An establishment where the principal business is the sale of food and beverages in a ready-to-consume state with a seating area of no more than 500 net square feet. Typical uses include cafes and coffee shops.

**SECTION 2:** Section 27-302 of said Ordinance establishing the zoning map for the Borough of Gettysburg, is hereby amended by reclassifying six (6) parcels, Adams County Tax Identification Nos. 16010-0397, 16010-0398, 16010-0399, 16010-0400, 16010-0401 and 16010-0402 (the “Subject Properties”) from the HC Health Care Zoning District to the R-2 Moderate Density Residential Zoning District.

**SECTION 3:** A Zoning Site Map, prepared by C.S. Davidson, Inc., dated December 19, 2013, shows the six (6) parcels being rezoned pursuant to this Ordinance. A true and correct copy of said Zoning Site Map is attached hereto as Exhibit “A” and is incorporated herein by reference.

**SECTION 4:** Section 27-502A, Uses Permitted by Right, is amended as follows (inserted text is underlined).

W. Restaurant, Small.

**SECTION 5:** Section 27-602, Uses Permitted by Right, is amended as follows (inserted text is underlined).

MM. Restaurant, Small.

**SECTION 6:** Section 27-603, Uses Permitted by Special Exception, is amended as follows (inserted text is underlined).

G. Restaurant, Drive Thru.

**SECTION 7:** Section 27-802, Uses Permitted by Right, is amended as follows (inserted text is underlined).

U. Restaurant, Small.

**SECTION 8:** Section 27-803, Uses Permitted by Special Exception, is amended as follows (inserted text is underlined).

F. Restaurant, Drive Thru.

**SECTION 9:** Section 27-802A, Uses Permitted by Right, is amended as follows (inserted text is underlined).

X. Restaurant, Small.

**SECTION 10:** Section 27-902, Uses Permitted by Right, is amended as follows (inserted text is underlined).

W. Restaurant, Small.

**SECTION 11:** Section 27-903, Uses Permitted by Special Exception, is amended as follows (inserted text is underlined).

E. Restaurant, Drive Thru.

**SECTION 12:** Section 27-1002, Uses Permitted by Right, is amended as follows (inserted text is underlined).

SS. Restaurant, Small.

**SECTION 13:** Section 27-1003, Uses Permitted by Special Exception, is amended as follows (inserted text is underlined).

Q. Restaurant, Drive Thru.

**SECTION 14:** Section 27-1201, Purpose, is amended as follows (inserted text is underlined; deleted text is stricken).

The purpose of this Part is to provide for the continued maintenance of those areas of the Borough where health care facilities are presently located ~~by permitted only those kinds of uses and related activities therein~~ and to provide for select residential and commercial uses that are compatible with existing uses in the area.

**SECTION 15:** Section 27-1202, Uses Permitted by Right, is amended as follows (inserted text is underlined; deleted text is stricken).

- A. Accessory buildings and uses customarily incidental to the below when located on the same tract.
- B. Adult day-care and group-care home.
- C. Health care staff housing.
- D. Hospitals and nursing homes.
- E. Medical laboratories.
- F. MRI and similar facilities.
- G. Parking lots/parking decks.
- H. Personal care home.
- I. Professional health care offices (doctors, dentists, etc.) and facilities.
- J. Apartments
- K. Condominiums
- L. Single-Family Attached
- M. Single-Family Detached
- N. Single-Family Semi-Detached
- O. Two-Family Dwelling
- P. Bed and Breakfast

- Q. Day Care Center, Child
- R. Live-Work Units
- S. No-Impact, Home-Based Business
- T. Personal Services
- U. Professional/Business Office
- V. Home Occupation

**SECTION 16:** Section 27-1203, Uses Permitted by Special Exception, is amended as follows (inserted text is underlined).

The following uses are permitted by special exception:

- A. Retail flower and gift shops.
- B. Restaurant, Small.

**SECTION 17:** Section 27-1524, Additional Requirements for Certain Specific Principal Uses, is amended as follows (inserted text is underlined; deleted text is stricken).

FF. ~~Restaurant, Drive-Thru or Standard~~

- (1) Dumpster and waste containers shall be suitably screened.
- (2) If a drive-thru is provided, a maximum of two outdoor menu boards are permitted, beyond the signs normally permitted, with a maximum sign area of 40 square feet each, if the words on such signs are not readable from beyond the lot line.
- (3) Traffic circulation onto, within and off of the lot shall be clearly marked. A drive-thru use shall be designed with space for an adequate number of waiting vehicles while avoiding conflicts with traffic onto, around and off of the site.
- (4) The applicant shall provide the following information regarding the restaurant use:
  - (a) Floor plan, which includes location of tables and seating areas and number of seats;

- (b) Number of employees;
- (c) Proposed delivery hours; and
- (d) Proposed hours of operation.
- (5) The applicant shall provide sidewalks to accommodate pedestrian traffic and constructed according to requirements in Chapter 21, Part 2 of the Borough Code of Ordinances, Streets and Sidewalks.
- (6) The primary entrance to the restaurant shall be located in a manner that minimizes detrimental traffic impacts, both pedestrian and vehicular.
- (7) The applicant shall meet the parking requirement under Section 27-1302.1.J for a restaurant on the lot. The applicant may fulfill the parking requirement subject to criteria in Section 27-1304, Location of Parking. If the applicant requests a special exception to meet the parking requirement under Section 27-1304, that designated parking area or areas shall meet the parking requirement for all properties and uses the parking area serves. On-site and off-site parking spaces shall comply with all requirements under Part 13 (Parking, Loading and Unloading).

**SECTION 18:** All remaining provisions of the Gettysburg Borough Zoning Ordinance shall remain in full force and effect unless otherwise repealed by any other ordinance. All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 19:** This Ordinance shall take effect upon enactment.

**ENACTED, ADOPTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

**BOROUGH OF GETTYSBURG**

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

Michael J. Birkner  
President of Borough Council

ATTEST:

By: \_\_\_\_\_  
Sara L. Stull, Secretary

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_  
William E. Troxell, Mayor