

ORDINANCE NO. 14733

FILE OF CITY COUNCIL

BILL NO. 55 - 2009

Introduced by Councilpersons D'Amore and Schweyer

JULY 15, 2009

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AN ORDINANCE

Amending the City of Allentown Zoning Ordinance, by adding a definition, Veterans Treatment Center, adding such centers as a special exception under permitted uses in the I-G Zone, establishing parking requirements for such a use, and adding additional requirements for such a use, rezoning an area depicted on Exhibit "A" from Central Business (B-2) to Institutional and Governmental Zoning district, providing for an effective date, and repealing Ordinances inconsistent herewith.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the following sentence be added to the end of the definition of Section 1301.01, Drug and Alcohol Rehabilitation Facility:

**Drug and Alcohol Rehabilitation Facility** means a facility which provides residentially based treatment and rehabilitation and/or out-patient services. The residentially based facility may include room and board, personal care, and intensive supervision and case work for no more than 30 patients. Both the residential and out-patient facilities may be included within a hospital, but are not a hospital or clinic as defined in this Ordinance. The foregoing definition shall not be deemed to include a Veterans Treatment Center as defined in this Ordinance, and any references in this Ordinance to a drug and alcohol rehabilitation facility shall not include any such Veterans Treatment Center.

SECTION TWO: That the following definition be added to Section 1303.01, Definitions of Terms, Drug and Alcohol Rehabilitation Facility, as follows:

**Veterans Treatment Center** means a facility which provides residentially based treatment and rehabilitation and/or out-patient services for veterans and veterans' family members. The residentially based facility may include room and board, personal care, and intensive supervision, including but not limited to treatment for drug and alcohol abuse, Co-Occurring Disorders ("PTSD"), family education and intervention, education, and mentoring programs and case work for no more than 60 patients. Both the residential and out-patient facilities may be included within a hospital, but are not a hospital or clinic as defined in this Ordinance. For purposes of this definition, a "veteran" means an individual who has served in the armed forces of the United States and any reserve component thereof.

SECTION THREE: That the following be added to the Table under Section 1313.01.D, Permitted Institutional Uses by Zoning District:

<b><u>INSTITUTIONAL USES</u></b> <b><u>(see definitions in Article 1303)</u></b>	<b>REFERENCES</b>	<b>R-H</b>	<b>R-MH</b>	<b>R-M</b>	<b>R-MP</b>	<b>R-MLP</b>	<b>R-ML</b>	<b>R-L</b>	<b>R-LC</b>
<b>Veterans Treatment Center</b>	<b>Article 1327</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>

<b><u>INSTITUTIONAL USES</u></b> <b><u>(see definitions in Article 1303)</u></b>	<b>REFERENCES</b>	<b>B1/R</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	<b>B5</b>	<b>B/LI</b>	<b>I2</b>	<b>I3</b>	<b>P</b>	<b>I/G</b>
<b>Veterans Treatment Center</b>	<b>Article 1327</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>SE</b>

SECTION FOUR: That the following be added to Section 1321.02., Number of Required Parking Spaces, as Number 14 under Section B, Institutional Uses:

<b>USE</b>	<b>NUMBER OF OFF-STREET PARKING SPACES REQUIRED</b>	<b>PLUS 1 OFF-STREET PARKING SPACE FOR EACH</b>
<b>14. <u>Veterans Treatment Center</u></b>	<b><u>- Resident Facility – 1 Space per 10 Patients</u></b> <b><u>- Out-Patient Facility – 1 Space per 400 Square Feet of Total Floor Area</u></b>	<b><u>Employee</u></b>

SECTION FIVE: That the following Section NN be added to Section 1327.03, Additional Requirements for Specific Uses:

**NN. VETERANS TREATMENT CENTER**

1. A narrative shall be submitted by the applicant describing the purpose and general operation of the proposed treatment center, including the number of residents, staff and level of supervision. The narrative shall also include any out-patient facilities which shall be provided on the site, and their anticipated level of service for the next 3 to 5 years.
2. The treatment center shall receive the license or permit of any applicable State, County or City agencies prior to the commencement of operations.
3. The treatment center shall be located no closer to another Veterans Treatment Center than 1,000 feet measured on a straight line radius from the property line so used, to the property line proposed to be used.

4. All such treatment centers shall conform to the City's Building Property Maintenance and Fire Codes.

SECTION SIX: That the area on the Zoning Map of the City of Allentown, depicted on Exhibit "A", attached hereto, be rezoned from Central Business (B-2) to Institutional and Governmental Zoning district.

SECTION SEVEN: That this Ordinance take effect ten (10) days after final passage.

SECTION EIGHT: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Technical Amendment changing the first statement in section one to section two, and section two to section one. Passed 7-0.

	Yea	Nay
Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy	X	
David M. Howells, Sr.	X	
Tony Phillips	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council and signed by His Honor the Mayor on the 24<sup>th</sup> day of August, 2009.

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CITY CLERK



