ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. ___ - 2021

_____ ___, 2021

AN ORDINANCE

Amending the Zoning Map and Zoning Ordinance of the City of Allentown by (i) rezoning certain parcels to B-5 Urban Commercial District, (ii) providing for a new Urban Transition Multi-Family Development use within the B-5 Urban Commercial District and the B-2 Central Business District and providing a definition of, and regulations relating to, such use, (iii) permitting Adaptive Reuse in the B-5 Urban Commercial District by Special Exception, (iv) increasing the height limitation for Hotels and Motels in the B-5 Urban Commercial District, (v) modifying parking requirements for Urban Transition Multi-Family Development, and (vi) providing for a repealer clause, a severability clause, and an effective date.

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

SECTION ONE: That the areas on the Zoning Map of the City of Allentown, as depicted by the shaded areas on **Exhibit A** attached hereto, be rezoned to **B-5 Urban Commercial District**.

SECTION TWO: That the following amendments be made to the Zoning Ordinance of the City of Allentown:

A. The following amendments are hereby made to Section 1303.01:

The following term shall be added as a new definition:

Urban Transition Multi-Family Development - See under "Dwelling."

The definition of "Dwelling Types" shall be modified to include a new subsection "H" as follows:

H. **Urban Transition Multi-Family Development** means an integrated development of Multi-Family Dwellings or Apartments with at least twenty (20) dwelling units, which are located in the B-5 District.

B. The following addition is made to the Index of Permitted Uses in Section 1313.01:

Use	Use Table
Urban Transition Multi-Family Development	Residential

C. The following addition is made to the Table of Permitted Residential Uses by Zoning District in Section 1313.01.A.:

RESIDENTIAL USES (See definitions in Article 1303)	REFERENCES	R-H	R-MH	R-M	R-MP	R-ML	R-L	R-LC	B1/R	B2	B3	B4	B5	B/IWD	B/LI	I2	I3	P	I/G
Urban Transition Multi-Family Development	Article 1327, 1315.05, Note NN	N	N	N	N	N	N	N	N	P	N	N	P	N	N	N	N	N	N

D. The notes to the tables of permitted uses in Section 1313.01, are hereby amended by adding a new note "(NN)". Note (NN) is as follows:

(NN) = An Urban Transition Multi-Family Development may include commercial uses that are permitted in the underlying zoning district, provided that such uses are integrated into the building and consist of no more than 20% of the total building area.

E. The following modification is made the Table of Permitted Residential Uses by Zoning District in Section 1313.01.A.:

RESIDENTIAL USES (See definitions in Article 1303)	REFERENCES	R-H	R-MH	R-M	R-MP	R-ML	R-L	R-LC	B1/R	B2	B3	B4	B5	B/IWD	B/LI	I2	I3	P	I/G
Adaptive Reuse	Article 1327	SE	SE	SE	SE	SE	N	N	SE (A)	SE (A)	N	N	SE	N	SE (C)	SE (C)	N	N	SE

F. The following additions are made to the Table of Area and Yard Requirements in Non-Residential Districts in Section 1315.03:

District	Use	Minimum Lot Area - square feet	Min. Lot Width	Min. Front Yard	Minimum Rear Yard	Minimum Width of Each of 2 Side Yards (H)	Maximum Height in Feet	Maximum Percent of "Building Coverage"
B-5	Allowed Use (R)	4,000	40, except 45 for a corner lot	10	5 (D)	5 (D)	50 (S)	70%

G. The notes to the Table of Area and Yard Requirements in Non-Residential Districts in Section 1315.03, are hereby amended by adding a new note "(R)" and a new note "(S)".

Note (R) is as follows:

(R) = The following criteria shall apply to any Urban Transition Multi-Family Development (MFD):

1) minimum integrated lot area shall be at least twenty four thousand (24,000) square feet, which may include area from adjacent lots that are under common ownership or have elements of common ownership,

2) minimum front yard shall be five (5) feet,

3) maximum height of residential units shall not exceed five (5) stories or sixty-five (65) feet, exclusive of integrated parking structures. Where integrated parking structures are included as part of the MFD project, there shall be no more than two (2) parking structure levels, and the total integrated building height of parking and residential units shall not exceed eighty (80) feet, and

4) maximum percent of "Building Coverage" shall be 90%.

All other area and yard requirements for B-5 shall remain unchanged for MFD.

Note (S) is as follows:

(S) = Except an 80 feet maximum height shall apply to Hotels and Motels.

H. Section 1321.01.S.1 is hereby amended to read as follows:

1. Downtown. Off-street parking is not required to be provided for and uses within the B-2 district except for residential uses consisting of 5 or more dwelling units. In such cases, and in the case of Urban Transition Multi-Family Development within the B-5 district, the required number of spaces shall be one-half of the requirement for dwelling units shown in the "Table of Off-Street Parking Requirements" found in Section 1321.02; the required parking shall only apply to the number of units in excess of four, and all such required spaces may be provided off-site, subject to the same requirements as for nonresidential uses found in Section 1321.01 I.1.

SECTION THREE: That all Ordinances, Resolutions, and/or other Regulations, including but not limited to prior Zoning Maps, inconsistent with the above provisions are repealed to the extent of their inconsistency.

SECTION FOUR: That the provisions of this Ordinance are declared to be severable, and if any sentence, clause, section, term, phrase 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, terms, provisions, or parts of this Ordinance.

SECTION FIVE: This Ordinance shall become effective five days after the date of adoption by the City Council.

Exhibit A

Zoning Map Change

