

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 1 – 2023

January 4, 2023

AN ORDINANCE

Amending the Zoning Code of the City of Allentown, Section 1319.07.B.5 of the Zoning Ordinance by allowing ‘entertainment venue signs” for structures that primarily provide for live entertainment uses for 500 or more customers at a time, currently allowed on buildings fronting Hamilton Street between 5th Street and 6th Street to include structures between 9th and 10th Streets. City Center Investment Corporation is proposing the amendment to facilitate the development and construction of new 30,000 square foot state of the art theater facility at 935-939 Hamilton Street which is owned by its affiliate 935 Hamilton OP LP. The proposed theater facility will accommodate audiences up to 1,500 (standing room) and will be designed to cater to events too small for the PPL Arena. It will be a true destination point for the City of Allentown and activate Hamilton Street and all the businesses located on Hamilton Street. The signage that would be permitted by the amended Ordinance is critical to the successful operation of the theater and would have no adverse impact on surrounding properties. City Center intends to submit land development plans to the City this month and it hopes to commence construction in May of 2023 with an anticipated completion date of Spring 2024.

Section One: That Section 1319.07.B of the Zoning Code be amended to read as follows:

- B. In the B-2 District, only the following signs shall be permitted:
- (1) A lot may include one or more wall, awning or projecting on-premises signs. A projecting or awning sign may project up to six feet from the face of a building, provided all other City requirements are met.
 - (a) The total area of such signs for each lot shall not exceed an area equal to three square feet for each one foot of street frontage, or 300 square feet per street frontage, whichever is more restrictive.

- (b) For walls of buildings that do not have frontage on a street but have entrance facades or have frontage on an alley, the total area of allowable wall signs shall not exceed one square foot for each one foot of linear wall frontage, not to exceed 100 square feet per wall.
- (2) A maximum of one on-premises freestanding sign shall be permitted per lot with a maximum sign area of 50 square feet and a maximum height of eight feet, provided it shall not extend into the public right-of-way.
- (3) Refer to § **660-53**, the Hamilton Street Overlay District for all signs proposed for properties on Hamilton Street within the HS Overlay District as shown on the Zoning Map.
- (4) One sandwich board sign shall be allowed per building to advertise an on-site restaurant, personal service or retail store use. Such sign shall have a maximum of two faces, with a maximum of six square feet per side, and a maximum height of three feet. Such sign shall be placed against the side of a building or along the curb so that a five feet wide area of sidewalk remains continuously clear. The sign shall be taken indoors during hours when the use is not open to the public. If such sandwich board is placed within the street right-of-way, an encroachment permit shall also be required. Such sign shall not use electrical wiring.
- (5) Entertainment venue signs. If a building primarily provides for live entertainment uses for 500 or more customers at a time, then a total of two non-static LED digital signs shall be allowed on the building subject to the following:
 - (a) The building must front on Hamilton Street between 5th Street and 6th Streets, **or between 9th and 10th Streets.**
 - (b) Such signs shall have a total maximum sign area of 1,000 square feet and be attached to a building wall or roof primarily facing Hamilton Street.
 - (c) Such sign shall primarily exist for on-premises advertising but may also include off-premises advertising.
 - (d) Such sign may include blinking, flashing, electronically changing or animated displays, with such displays not being restricted by § **660-67C**.

- (e) Such sign shall not be subject to the provisions of § **660-53**, the Hamilton Street Overlay District.
- (f) Such sign may encroach over a public sidewalk in a marquee-type design if an encroachment permit is issued by the City in compliance with other codes.
- (g) Such sign shall only be allowed if it is located a minimum of 200 feet from any residential zoning district.

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SECTION TWO: That all ordinances inconsistent with this provision are hereby repealed to the extent of their inconsistency.

SECTION THREE: This Ordinance shall become effective ten days after the date of adoption.