

## COUNCIL BILL NO. 1813

INTRODUCED BY WILLIAM R. BOYLE

ORDINANCE NO. 1720

AN ORDINANCE

**OF THE CITY OF DUBOIS AMENDING: (1) CHAPTER 27, PART 16, REVISING THE VARIOUS USES ALLOWED WITHIN THE INDUSTRIAL PARK DISTRICT; (2) CHAPTER 27, PART 13, SECTION 1300, REVISING THE VARIOUS USES ALLOWED WITHIN THE COMMERCIAL-HIGHWAY DISTRICT; AND (3) CHAPTER 27, PART 15, BY REPEALING AND REVISING THE LANGUAGE THEREOF TO ADD THE USES PERMITTED AND ESTABLISH REGULATIONS FOR DEVELOPMENT IN THE O-1 OFFICE DISTRICT.**

**BE IT ENACTED AND ORDAINED** by the Council of the City of DuBois as follows:

**SECTION 1.** Chapter 27, Part 16, Section 1600, Subsection E. (2), under the title of "Transitional Uses" is hereby revised to read as follows:

(m) Offices for the conduct of professional services such as legal, medical, psychological, therapy, dental, orthodontic, real estate, engineering and architectural with the exception of drug treatment clinics of any kind which shall be prohibited.

**SECTION 2.** Chapter 27, Part 16, Section 1600, Subsection E.(1)(m), under the title of "Transitional Uses" shall be amended by the addition of the following prohibited use:

(e) methadone or drug treatment clinics or centers.

**SECTION 3.** Chapter 27, Part 13, Section 1300 (1)(d), under the title of "Commercial-Highway Zoning District" is revised to read as follows:

Offices for the conduct of professional services such as legal, medical, psychological, therapy, dental, orthodontic, real estate, engineering and architectural with the exception of methadone treatment facilities and other drug treatment facilities of any kind which shall be prohibited in the Commercial-Highway Zoning District.

**SECTION 4.** Chapter 27, Part 15, Section 1500, entitled "O-1 Office District" is hereby revised to repeal the uses set forth therein and to substitute the following language:

§1500. Uses Permitted.

1. One (1) family semi-detached dwellings.
2. Two (2) family detached dwellings.
3. Multiple-family dwellings.
4. Boarding, lodging or rooming houses including bed and breakfast homestead or Inn.
5. Conversion apartment.
6. Hospital and surgery center.
7. Professional offices or clinics including offices for doctors, dentists, lawyers, chiropractors, accountants, realtors, and similar professions.
8. Prescription pharmacies and cafeterias and cafes when accessory and incidental to office uses and not compromising more than twenty (20) percent of the principal building.

9. Drug treatment clinics or facilities including methadone treatment facilities or clinics.
10. Pain treatment facility or clinic.
11. No-impact home-based business as that use is defined and regulated by the Pennsylvania Municipalities Planning Code at 53 P.S. § 10107.

**SECTION 5.** Chapter 27, Part 15, Section 1501 entitled "Special Exceptions" is hereby repealed and the following section is added.

§1501. Conditional Use.

Nursing homes, medical personnel, dormitories, medical schools, sheltered care homes and other uses which may be desirable near office uses, but that may be permitted only under the following specific conditions:

- (a) The subject property shall front on an arterial or collector road, and all access drives shall be set back at least fifty (50) feet from the intersection of any street right-of-way lines;
- (b) Both public sewer and public water shall be utilized;
- (c) Off-street parking spaces shall be provided at a rate of one (1) per employee and an additional one (1) per 200 square feet of gross floor area;
- (d) Off-street loading shall be provided at a rate of one (1) space per 25,000 square feet, or fraction thereof, of gross floor area;
- (e) In addition to vehicular access to the property, the applicant shall be required to design and construct on-site connections to adjoining sidewalks;
- (f) Unless deferred by the City Council, the applicant shall be required to provide an improved bus stop along any established route of public bus transport;
- (g) Adequate lighting will be provided for the security of patrons that will be arranged so as not to cast glare on adjoining roads and properties. Such lighting must comply with the requirements of Section 1601.7 of Ordinance No. 1683;
- (h) The minimum lot area for the total site shall be three (3) acres with a minimum lot area for individual outparcels being one (1) acre;
- (i) The minimum lot width for the total site shall be 250 feet with the minimum lot width for individual outparcels being 100 feet;
- (j) Maximum permitted building coverage shall be thirty percent (30%);
- (k) Minimum front yard setback for buildings, off-street loading and waste receptacles shall be sixty (60) feet;
- (l) Minimum required side yard setbacks shall be twenty (20) feet on all sides;
- (m) Minimum rear yard setback for buildings, off-street loading and waste receptacles shall be twenty (20) feet;
- (n) Minimum required setbacks for off-street parking spaces shall be five (5) feet;
- (o) Maximum permitted height shall be forty (40) feet; and

- (p) Signage shall be provided in accordance with the standards established in O-1 District in this Ordinance.

**SECTION 6.** Chapter 27, Part 15, Section 1502 entitled "Height Regulations" is hereby amended to read as follows:

§1502. Height Regulations.

No building shall be erected to a height in excess of four (4) stories and/or forty (40) feet.

**SECTION 7.** Chapter 27, Part 15, Section 1503 entitled "Area Regulations" is hereby amended to read as follows:

§1503. Area Regulations

All office uses shall be located on a lot having not less than 10,000 square feet or 2,500 square feet per individual office, whichever is greater. In all other respects the area regulations for the office zone shall confirm with the regulations set forth in the Industrial Park District.

**SECTION 8.** Chapter 27, Part 15, Section 1504 entitled "Coverage Regulations" shall be amended to read as follows:

§1504. Coverage Regulations.

All buildings, including accessory buildings, shall not cover more than thirty (30) percent of the area of the lot.

**SECTION 9.** Chapter 27, Part 15, Section 1505 entitled "Yard Regulations" is hereby amended to read as follows:

§1505. Yard Regulations.

1. For any office, each lot shall have front, side and rear yards not less than the depths or widths following:
  - A. Front yard depth – thirty (30) feet.
  - B. Side yards – two (2) in number, neither shall be less than ten (10) feet and the total for both side yards shall be not less than twenty (20) feet.
  - C. Rear yard depth – twenty (20) feet.
2. In all other respects the area regulations for the office zone shall conform with the regulations set forth in the Industrial Park District.

**SECTION 10.** Chapter 27, Part 15, Section 1506 entitled "Off-Street Parking" is hereby revised to read as follows:

§1506. Off-Street Parking.

Off-street parking shall be provided at the rate of one parking space for each employee of the office, plus one space for each 200 square feet of gross floor area. Where an office zone abuts a residential zone, all parking shall be screened by no less than a six (6) foot sight screen fence, uniformly painted.

SECTION 11. Chapter 27, Part 15, Section 1507 entitled "Signs" shall be amended to read as follows:

§1507. Signs.

No advertising device or sign shall be permitted in an O-1 zone or on any building or premises other than a non-illuminated name plate, not exceeding two (2) square feet in area with no dimension exceeding thirty (30) inches, for each office or professional person occupying the building, which sign shall be attached to the exterior of the building. There shall be no storage of merchandise in the building or upon the premises other than that customarily used in business and professional offices.

SECTION 12. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. This ordinance shall take effect immediately upon final enactment.

ATTEST:

Frances L. Liao  
City Secretary

By John H. Suplizio  
John H. Suplizio  
Mayor and President of Council

PASSED BY COUNCIL:

11/27/07