

**BOROUGH OF WEST EASTON
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 966

**AN ORDINANCE AMENDING THE USES PERMITTED BY CONDITIONAL USE WITHIN THE LI
– LIGHT INDUSTRIAL ZONING DISTRICT IN THE BOROUGH OF WEST EASTON ZONING
ORDINANCE**

WHEREAS, the Borough of West Easton has adopted a Zoning Ordinance pursuant to the authority of the Pennsylvania Municipalities Planning Code, 53 P.S. §1001 et seq., West Easton Ordinance No. 480 as amended, and

WHEREAS, one of those Zoning Districts created by the aforementioned Zoning Ordinance is the Light Industrial (LI) Zoning District; and

WHEREAS, the Borough has been requested to amend its Zoning Ordinance to permit certain additional conditional uses in the LI Light Industrial Zoning District, to wit, personal care and assisted living facilities, residential treatment centers, residential DUI treatment facilities.

NOW THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

SECTION 1: The following Amendments are hereby made to the West Easton Zoning Ordinance:

In Section 202, the following new Definitions are added:

"Residential Treatment Center" – A facility whose primary function is to temporarily house individuals for the purpose of receiving medical, psychological, or social treatment and/or counseling.

The following revisions are made to the following sections of the current LI – LIGHT INDUSTRIAL DISTRICT regulations:

Add the following to Section 701 regarding the Purposes of the LI – LIGHT INDUSTRIAL DISTRICT:

A. Purpose.

5. To provide for adaptive reuse of structures formerly used for light industrial purposes to include Assisted Living Facilities, Residential Treatment Centers, Residential DUI Treatment Centers, and multi-family dwellings (apartments) to provide housing for older persons and other persons needing assistance, the infirmed, affordable unsubsidized housing, and to provide facilities to decrease recidivism.

B. Use Regulations.

4. Conditional Uses.

a. Residential Treatment Center, which shall meet the following requirements:

(1) 1. The facility meets the definition of “residential treatment center” found in Section 202, and must be approved for such use by the Commonwealth of Pennsylvania.

(2) The requirements on density for dwelling units shall not apply.

(3) The minimum parking requirement shall be one off-street parking space per 12 residents, which shall apply in place of Section 1706.B. No parking on the premises or on the adjacent public streets shall be permitted for residents of the Residential Treatment Center.

(4) The applicant shall submit a satisfactory site plan showing the general location of all existing and proposed structures and shall show that the entire premises is to be utilized as part of the treatment program.

(5) The applicant shall submit a plan of operations for treatment, including a safety plan which addresses the safety of the clients, employee staff, the surrounding neighborhood, and the community as a whole. the

(6) The Residential Treatment Health Center shall not distribute methadone to residents as a modality for treatment or clients on outpatient basis. an

(7) The Residential Treatment Center shall maintain twenty-four (24) hour security seven (7) days per week and three-hundred sixty-(365) days per year. five

(8) The Residential Treatment Center shall maintain a perimeter boundary fence at a minimum of six (6) feet high, subject to the approval of Borough Council. final

(9) Any residents entering or leaving the Residential Treatment Center must be picked up and dropped off by a third party through a secured process to prevent entry to and discharge into the public.

(10) Entry to the Residential Treatment Center shall occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 4:00 p.m. Saturday and Sunday. from

(11) A Residential Treatment Center may include outpatient counseling services to former residents and their families for ongoing counseling and therapy services, provided that there is no application of methadone for said outpatient counseling.

(12) A Residential Treatment Center may include doctor's offices as an accessory use to the Center, provided that the doctor(s) is/are licensed to practice within the Commonwealth of Pennsylvania.

(13) Any private resident residing in the Residential Treatment Center shall be required to pay a temporary residency fee to the Borough of \$150.00.

(14) Prior to occupancy and use as a residential treatment center, a certificate of occupancy/zoning compliance permit shall be obtained by the operators.

SECTION 2: The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision of this Ordinance shall be determined to be illegal or invalid by any court of competent jurisdiction,

such decision shall not impair or affect the remaining terms, sections and clauses of this Ordinance.

SECTION 3: REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4: This Ordinance shall become effective five (5) days after passage.

BOROUGH OF WEST EASTON

ATTEST:

By: Molly Melld
Secretary

By: Kelly Gross
President of Borough Council

APPROVED this 23rd day of September 2013

ATTEST:

By: Molly Melld
Secretary

By: Donald B
Mayor