

CITY COUNCIL OF ERIE

INTRODUCED BY: Joseph Schember

COUNCIL FILE NO 15,701

OFFICIAL ORDINANCE NO. 5-2010

AN ORDINANCE

Amending Official Ordinance No. 80-2005 known as the Zoning Ordinance of the City of Erie by revising Article 2 (District Regulations), Section 201 (Zoning Map) to rezone property located on the south side of West 3<sup>rd</sup> Street to the north side of West 5<sup>th</sup> Street and between the west line of Peach Street and the east line of Sassafra Street from RLB (Limited Residential Business) to C-3 (Central Business District); by amending Article 2 (District Regulations), Section 204 (Permitted and Conditional Uses and Special Exceptions) subsection 204.17 of the Zoning Code to allow dormitories as permitted uses in C-3 districts; by revising Article 3 (General Regulations) Section 302 (Off-Street Parking) to require that dormitories in C-3 districts provide off-street parking spaces; by adding new subsection 305.56 (Dormitories C-3 Central Business District) to identify the number of off-street parking spaces that must be provided by dormitories in C-3 districts; and by amending Article 6 (Definitions) to exclude dormitories from the definition of "Dwelling."

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE:

**Section 1.** That Official Ordinance No. 80-2005, known as the Zoning Ordinance of the City of Erie, Article 2 (District Regulations), Section 201 (Zoning Map) is hereby amended by rezoning property located on the south side of West 3<sup>rd</sup> Street to the north side of West 5<sup>th</sup> Street and between the west line of Peach Street and the east line of Sassafra Street from RLB (Limited Residential Business) to C-3 (Central Business District).

**Section 2.** That Official Ordinance No. 80-2005, known as the Zoning Ordinance of the City of Erie, Article 2 (District Regulations), Section 204 (Permitted and Conditional Uses and Special Exceptions), subsection 204.17, is hereby amended to allow dormitories as permitted uses in C-3 (Central Business District) districts with the requirement that off-street parking be provided in accordance with Section 305.56 of the Zoning Code, as follows:

**204.17 C-3 CENTRAL BUSINESS DISTRICT**

**PERMITTED USES**

....

Dormitories (with the requirement that off-street parking be provided in accordance with Section 305.56 of the Zoning Code)

....

**Section 3.** Official Ordinance No. 80-2005, known as the Zoning Ordinance of the City of Erie, Article 3 (General Regulations) Section 302 (Off-Street Parking), page 43, is hereby amended to read as follows:

With the exception of dormitories, [p]roperties in the C-3 zoning district shall not be required to provide off-street parking places.

**Section 4.** Official Ordinance No. 80-2005, known as the Zoning Ordinance of the City of Erie, is hereby amended by adding a new section, Section 305.56, to read as follows:

**305.56 Dormitories C-3 (Central Business District).**  
**Dormitories in the C-3 district shall provide one off-street parking space within the same block per every four (4) resident occupants of the dormitory, plus an additional five (5) off-street spaces for visitors.**

**Section 5.** Official Ordinance No. 80-2005, known as the Zoning Ordinance of the City of Erie, Article 6 (Definitions) is hereby amended to exclude "Dormitories" from the definition of "Dwelling" as follows:

**ARTICLE 6 - DEFINITIONS**

....

**DWELLING:** Any building or portion thereof which is designed for or used for residential purposes. The word "Dwelling" shall not include dormitories, hotels, motels, or other structures used for transient residence.

....

**Section 6.** That all Ordinances and parts thereof conflicting herewith be and the same are hereby repealed.

**Section 7.** That this Ordinance shall become effective twenty (20) days after final passage and approval by the Mayor.

We do hereby certify that the above ordinance was finally passed by the City Council on Feb. 3, 2010.

Attest: February 3, 2010

James Klemm

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City Clerk

SIGNED February 3, 2010

James N. Thompson

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President of Council

THIS ORDINANCE APPROVED THIS 4th DAY OF February, 2010

s/ Joseph Sinnott

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Mayor