



LEHIGH VALLEY PLANNING COMMISSION

961 MARCON BOULEVARD, SUITE 310, ALLENTOWN, PENNSYLVANIA 18109

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Executive Director

May 31, 2012

Ms. Cynthia H. Biedenkopf, City Clerk
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018-6025

Re: Proposed Zoning Ordinance
Last Revised May 7, 2012

Dear Ms. Biedenkopf:

The Lehigh Valley Planning Commission (LVPC) considered the proposed ordinance at the May 31, 2012 meeting pursuant to the requirements of the PA Municipalities Planning Code (MPC). The Commission voted to return the following comments for the Bethlehem's use. The review focuses on the consistency or inconsistency of the proposed ordinance with the *Comprehensive Plan The Lehigh Valley ... 2030*. Aspects of the proposed ordinance unrelated to the Comprehensive Plan are considered matters of local concern only and are not subject to comment. This review does not evaluate the consistency of the proposed ordinance with the provisions of State or Federal laws, including but not limited to the Fair Housing Act.

In a letter dated April 29, 2011, LVPC issued comments about the draft of the ordinance last revised March 23, 2011. All of the comments contained in that letter are also relevant to the current draft. A copy of the review is attached. Bethlehem is urged to give renewed consideration to these comments. No additional comments are offered.

Please call David Berryman if you have any questions about this review. If Bethlehem adopts the proposed ordinance, kindly send us a certified copy within 30 days as required by the MPC.

Sincerely yours,

Olev Taremäe
Chief Planner

Cc: Darlene Heller



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Executive Director

April 29, 2011

Ms. Darlene L. Heller, AICP
Director of Planning and Zoning
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018-6025

Re: Draft Zoning Ordinance

Dear Ms. Heller:

The Lehigh Valley Planning Commission considered the proposed ordinance at the April 28 meeting pursuant to the requirements of the PA Municipalities Planning Code (MPC). The Commission voted to send the following comments for Bethlehem's use. This review focuses on the consistency or inconsistency of the draft ordinance with the *Comprehensive Plan The Lehigh Valley ... 2030*. Aspects of the draft ordinance unrelated to the Comprehensive Plan are considered matters of local concern only and are not subject to comment.

The draft ordinance is generally consistent with the Comprehensive Plan. Where aspects of the draft ordinance are not entirely consistent with the Comprehensive Plan, recommendations for increasing the consistency are provided.

Housing Issues

Article 1307 provides for Workforce housing incentives. These provisions represent a potentially effective means for meeting affordable housing needs. We strongly endorse the inclusion of these provisions in the ordinance.

Mobile home parks are allowed in two commercial zoning districts, the General Commercial and the Shopping Center districts. Neither of these districts provides a suitable environment for this residential use. We recommend that mobile home parks be eliminated as allowed uses in these districts and instead be allowed in one or more appropriate residential zoning district.

Land Use Issues

The ordinance includes a number of innovative residential development techniques including but not limited to Open Space development, mixed uses and density bonuses. We encourage the adoption of such innovative residential development techniques.

Ms. Darlene L. Heller

April 29, 2011

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The following comment is provided in connection with the Open Space development provisions. Article 1309.05(a) requires the donation of recreation land or in-lieu fees in addition to the preserved open space set aside as part of the development. We recommend that this "double dipping" be deleted as it severely limits the attractiveness of the design approach to developers and landowners.

Several areas along arterial roads that are currently zoned in industrial districts are proposed for rezoning to commercial districts. These include areas along Stefko Boulevard south of Pembroke Road, Airport Road and Route 412 near Commerce Center Boulevard. We recommend that Bethlehem carefully consider the potential for undesired strip development in these areas. These areas should be rezoned only if measures to prevent the undesired consequences of strip commercial development are in effect.

The draft zoning ordinance also proposes to rezone other areas currently zoned for industrial uses, most of which are actively occupied by industrial and related uses. These areas include the Bethlehem Engine Terminal (Norfolk Southern), the West 2nd Street Area west of Union Station Plaza area and an area near Traveler Avenue west of the former Saucon railroad yards. These areas are to be zoned Rural Residential, Central Business and Limited Commercial respectively. These zoning changes would make the existing uses non-conforming uses, raising unnecessary zoning obstacles to their continued operations. The isolated location of the area near Traveler Avenue, accessible only by passing past a residential area makes it inconveniently located for intended customers or for LANTA service. This area and the Bethlehem Engine Terminal should remain industrially zoned, consistent with the City's 2009 Comprehensive Plan.

Our Comprehensive Plan calls for the preservation of currently undeveloped areas of South Mountain. The draft ordinance zones this area for CM Office Research Center District. The district allows maximum building coverage of 40%, maximum impervious cover of 80% and uses such as wind turbines. While the steep slope and woodlands provisions of the zoning ordinance provide partial protection for these environmentally sensitive areas, substantial development remains permissible. We recommend that greater protections against development be provided in environmentally sensitive portions of South Mountain.

Environmental Protection

The draft ordinance includes provisions relating to flood plains, woodland protection and forestry. Consideration should be given to using provisions found in LVPC model ordinances in lieu of the currently proposed provisions. The provisions in the model ordinances reflect current, comprehensive best management practices and regulatory approaches.

The riparian buffer provisions provide adequate protection along the Monocacy Creek and Lehigh River. However, they are not applicable in the other watercourses. We recommend that riparian buffer protection be extended to the other watercourses by the

Ms. Darlene L. Heller
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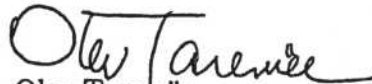
incorporating the model provisions found in our *Riparian and Wetland Buffers Guide and Model Regulations*.

Transportation Issues

Access management provisions promote safety and increase capacity along arterial roads. The LVPC and Bethlehem had created a series of provisions for that purpose. They are not included in the draft ordinance. We recommend that these provisions be added to the draft ordinance.

Feel free to call me if you have any questions about this review. Should the City adopt the draft ordinance, kindly send us a certified copy within 30 days as required by the MPC.

Sincerely yours,

A handwritten signature in cursive script that reads "Olev Taremäe". The signature is written in black ink and is positioned above the printed name and title.

Olev Taremäe
Chief Planner