

CITY OF BETHLEHEM

Department of Community and Economic Development Interoffice Memo

To: J. William Reynolds, City Council President
From: Tracy E. Samuelson, Planning and Zoning Bureau
Re: Zoning Ordinance Amendments
Date: May 15, 2017

Attached are Zoning Ordinance amendments that were reviewed by the Planning Commission at their May 11, 2017 meeting. They were acted upon as follows:

1. Article 1302.56, amending the definition of Hospital, and Article 1302.132, amending the definition of Treatment Center. This amendment clarifies the definition of the term "hospital" in the Zoning Ordinance and the placement of potential behavioral health facilities and psychiatric hospitals within the City of Bethlehem. This amendment also categorizes behavioral health facilities and psychiatric hospitals as treatment centers. Each of these amendments were recommended for approval by a 3 – 0 vote of the Planning Commission members.
2. Article 1322.03.hh(c)(3), removing the section of the Medical Marijuana ordinance that requires a separation distance between grower/processor facilities and a school or day care center. On April 18th our offices received an advisory letter from the Lehigh Valley Planning Commission on this amendment. They correctly note that the PA Medical Marijuana Act stipulates that requirements for grower/processor facilities cannot be more stringent than similar facilities within the same district. Section 3 of our draft ordinance, Section 1322.03.hh(c)(3) requires a separation distance of 1,000 feet between a grower/processor facility and a school or day care center. Although the separation distance is a requirement in the Act for medical marijuana dispensaries, it is not a requirement for grower/processors. Therefore, as a precaution against any future appeal or challenge to this zoning ordinance amendment, our office is suggesting that the ordinance amendment move forward with the section requiring a separation distance for grower/processors removed. This amendment was recommended for approval by a 3 – 0 vote of the Planning Commission members.

These items are scheduled for review at your June 6, 2017 meeting for a public hearing.



Tracy E. Samuelson
Assistant Director of Planning and Zoning

Cc: Mayor Robert Donchez
Council Members
Law Bureau

Darlene Heller
Suzanne Borzak