

CITY OF BETHLEHEM

Bureau of Planning and Zoning

Interoffice Memo

TO: Adam Waldron, City Council President

FROM: Darlene Heller, Director of Planning and Zoning

RE: Proposed Zoning Ordinance Amendment stating that City Revitalization and Improvement Zone (CRIZ) qualified projects receive relief from dimensional requirements

DATE: March 15, 2018

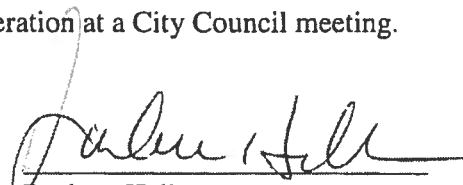
At its March 8 meeting the Planning Commission voted unanimously to recommend that the above-referenced Zoning Ordinance amendment be approved by City Council.

Bethlehem was designated a City Revitalization and Improvement Zone (CRIZ) community in 2013. Bethlehem designated tax parcels consisting of 130 acres of potential non-residential development to receive the CRIZ benefit.

Bethlehem is currently reassessing the allocation of CRIZ-designated land to maximize the use of the CRIZ designation. The intention is to match the area of CRIZ designated parcels to the actual footprint of a building or structure receiving CRIZ benefit. However, the current Zoning Ordinance does not specifically allow a lot size to match a building footprint because of building setback, building lot coverage, minimum lot size and other dimensional requirements.

The attached amendment was developed to allow flexibility to create smaller building lots strictly for the purpose of supporting CRIZ qualified projects and the related economic development that they support.

Please schedule this Zoning amendment for future consideration at a City Council meeting.



Darlene Heller
Director of Planning and Zoning

CC: City Council members
A. Karner
E. Healy
Mayor Donchez
T. Samuelson
S. Borzak

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ADDING ARTICLE 1306.08 OF THE ZONING
ORDINANCE OF THE CITY OF BETHLEHEM, PENNSYLVANIA,
AS AMENDED, ENTITLED CITY REVITALIZATION AND IMPROVEMENT ZONE
(CRIZ) LOT AREA REQUIREMENTS.

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY AMENDS THE ZONING
ORDINANCE AND ORDAINS AS FOLLOWS:

SECTION 1. That Article 1302.29 be added to read:

1302.29 City Revitalization and Improvement Zone (CRIZ) Qualified Project. A project approved by the Bethlehem Revitalization and Improvement Authority as a project that qualifies for City Revitalization and Improvement Zone funds.

SECTION 2. That Article 1306.08 be added to read:

1306.08 Dimensional Requirements for CRIZ Qualified Projects. In order to maximize the benefit from City of Bethlehem City Revitalization and Improvement Zone (CRIZ) funds and more precisely channel CRIZ funds to CRIZ-qualified projects and not adjacent lands, no dimensional setbacks, minimum lot size, building coverage or any other lateral dimensional requirements shall apply to the parcel on which a CRIZ qualified project is located as long as the following provisions are met:

(a) Structures to be erected as part of a CRIZ-qualified project may be placed on a separate lot, hereafter known as the “CRIZ-qualified lot”, from adjacent lands functioning as a front, side or rear yard, or which provides parking, storm water–related management facilities or runoff, and other site-related accessory functions. Such adjacent lands may be placed on a separate lot hereafter known as the “support lot”. If a property owner elects to proceed in this fashion, the following shall apply:

1. Structures comprising or found on the CRIZ-qualified lot shall be exempt from all dimensional setbacks, minimum lot size, building coverage or any other lateral dimensional requirements as measured from the boundaries of the CRIZ qualified lot provided the deed restrictions of this Ordinance are met.
2. For purposes of measuring setbacks from abutting streets and lot lines the structures on the CRIZ qualified lot shall be required to comply with those set back requirements, but may count any intervening distances found on the support lot between such streets and lot lines and the CRIZ qualified lot. The support lot shall be governed by all applicable dimensional setbacks, minimum lot size,

building coverage and any other lateral dimensional requirements of this Ordinance.

3. A support lot may serve 2 or more CRIZ-qualified lots so long as the parking, storm water-related management facilities or runoff, and other site-related accessory requirements of each and every associated CRIZ-qualified lot are met by the support lot.

(b) If a property owner elects to proceed under subsection(a), deed restrictions shall be placed in every deed containing land from which a CRIZ-qualified project was created, specifically the CRIZ-qualified lot and its support lot. Such deed restrictions shall contain all of the following provisions:

1. covenants that the CRIZ-qualified lot(s) and its support lot must be continuously held, possessed and used together without any severance whatsoever by the same record owners, lessees, licensees, or persons (i.e. artificial and/or natural) holding by or under any other right, title privilege, or assignment.
2. appropriate cross access and/or parking easements protecting the CRIZ-qualified lot(s). The easement language and descriptions shall be reviewed and approved by the City of Bethlehem.
3. language providing that the deed restrictions shall run with the land in perpetuity, unless the Director of Planning and Zoning of the City of Bethlehem consents to the consolidation of the CRIZ-qualified lot(s) and its support lot into a single merged lot following the expiration the CRIZ program benefitting the CRIZ-qualified lot(s). In such event, the CRIZ-qualified lot(s) and its support lot may be merged as part of a reverse minor subdivision plan which when duly-approved and recorded shall constitute a termination and release of the deed restrictions required by this Ordinance.
4. language stating that these deed restrictions shall be enforceable by the City of Bethlehem against any person (i.e. artificial and/or natural) claiming any right, title or interest in, from, under or as successor to the CRIZ-qualified lot(s) and/or its support lot, and subject to any and all penalties and remedies available to the City of Bethlehem for violations of the Zoning Ordinance.

SECTION 3. All Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Sponsored by: _____

PASSED finally in Council on the _____ day of _____, 2018.

President of Council

ATTEST:

City Clerk

This Ordinance APPROVED this _____ day of _____, 2018.

Mayor