

**CITY PLANNING COMMISSION
MINUTES OF MEETING
November 9, 2017 – 4:00 P.M.
TOWN HALL**

Present: Commission Members – Mr. Melosky, Mr. Barker, Mr. Malozi, Mr. Stellato and Ms. Cohen. City staff included Darlene Heller and Tracy Samuelson of the Planning and Zoning Bureau, Matt Dorner and Mike Waldron representing the Engineering Bureau and Attorney Edmund Healy attended as Solicitor to the Commission. Also in attendance were Bruce Haines, Tim Stevens and Beth Boyer. Representing the press was Nicole Mertz and Louis Gombocz.

1. APPROVAL OF MINUTES – October 12, 2017

Mr. Stellato made a motion to approve the minutes of the October 12, 2017 Planning Commission meeting. The motion was seconded by Mr. Barker and passed with a 4 - 0 vote. Ms. Cohen abstained.

2. ZONING ORDINANCE AMENDMENT

Ms. Heller stated there are three zoning ordinance amendment proposals on the agenda.

First on the agenda is the consideration of an amendment clarifying first floor uses in the CB and CL districts. Ms. Heller explained there is currently a provision in the CB and CL districts that residential use is not permitted in the first floor street front of a property. She reported that some of these first floor storefront uses have been converted to an office use, which is not a downtown use. She stated that this zoning amendment proposal is designed to be more specific about the kinds of uses permitted in the downtown core areas. Ms. Heller explained this amendment would apply to the CL and CB districts. She informed that these districts would include W. Broad Street, E. Broad Street, Linden Street, Fourth Street, as well as the downtown core areas. The proposal would require the street front use be a restaurant, retail or personal service use.

Ms. Heller stated the second amendment on the agenda is consideration of an amendment revising building coverage requirements in the RT zone. Ms. Heller reported that the RT zone is the densest residential zoning district in the City. She informed the Commission that in 2012 the RM district was eliminated and those areas now fall under the RT district. Ms. Heller stated that since this time, many property owners have had to appeal to the Zoning Hearing Board for maximum building coverage on their lots for the placement of sheds and construction of decks. She explained that revising the maximum building coverage would mirror the allowances prior to the 2012 zoning ordinance change, increasing from 35% to 45% lot coverage. She added that multi-family dwellings would increase to 40% and single family row homes the increase would be to 50%.

The final zoning ordinance amendment proposal is consideration of an amendment revising the definition of Hotel. Ms. Heller explained that this proposal is being considered due to recent discussions regarding short term rentals, such as airbnb rentals. She stated that a Housing ordinance will be drafted and overseen by Housing and Code Enforcement. Ms. Heller informed that in order to be consistent with the new Housing ordinance, the proposed definition of Hotel would be the reduction of rental units from seven to two.

Mr. Stellato inquired if there are limits to the amount of time someone can stay at a short-term rental. Ms. Heller indicated there are limits and this would be managed and overseen by Housing and Code Enforcement.

Mr. Malozi referred to the proposed amendment for first floor uses in CB and CL. He wondered if an office use is permitted on upper floors of the building. Ms. Heller confirmed that it is permitted.

Mr. Malozi inquired whether the amendment on maximum building coverage includes impervious coverage for storm water. Ms. Heller replied that these are smaller parcels that would involve building permits and not storm water reviews.

Attorney Tim Stevens, 645 Hamilton Street, Allentown, spoke representing approximately 35 neighbors in the historic district. Mr. Stevens provided hand-outs to the Commission members. Mr. Stevens suggested additional language being added to the short term rental ordinance to make it more consistent with housing regulations. His recommendations are to change the wording of “central office” to “reservation platform” and also, changing the Hotel definition from two units to one.

Bruce Haines, 63 W. Church Street, Bethlehem, expressed his support for the ordinance amendment regarding first floor uses in the CB and CL Districts.

Mr. Haines addressed the amendment revising the definition of Hotel. He remarked that the new model of short term rentals involves parties purchasing properties in desirable areas and turning those properties into hotels. Mr. Haines agreed with Mr. Stevens’ suggestion to change the definition of Hotel as being one unit, rather than two units.

Beth Ann Williams-Boyer, 234 E. Market Street, Bethlehem, stated she is in support of the amendment revising the definition of Hotel. She added that she also supports Attorney Stevens’ suggestion to decrease the number of units from two to one. Ms. Williams-Boyer added that she would not support grandfathering.

Bill Scheirer, 1890 Eaton Avenue, Bethlehem, supports all preceding comments made regarding the Hotel definition. Mr. Scheirer feels the amendment revising building coverage requirements in the RT zone is premature. His opinion is that the increased density for areas such as the Armory may be too much. Mr. Scheirer stated that a city without neighborhoods is not a city, but is a facility.

Mr. Stellato asked Ms. Heller what her thoughts were on the changes the public has suggested. Ms. Heller explained that the amendments, as presented, are what the Bureau of Planning feels is appropriate.

Ms. Cohen inquired whether the Housing ordinance will cover other issues, such as owner occupancy, with short-term rentals. Ms. Heller stated that safety, code enforcement, licensing and inspections will be covered under the Housing ordinance.

Mr. Melosky reminded the Commission members that their motion is a recommendation to City Council.

Mr. Haines asked Ms. Heller how a whole house rental would be handled. Ms. Heller responded that the zoning ordinance states a single family dwelling is not permitted in a commercial zone.

Mr. Malozi made a motion to recommend to City Council the approval of the ordinance amending the Zoning Ordinance of the City of Bethlehem clarifying first floor uses in the CB – Central Business and CL – Limited Commercial districts as presented and dated November 3, 2017. The motion was seconded by Mr. Barker and passed with a vote of 5 – 0.

Mr. Malozi made a motion to recommend to City Council the approval of the ordinance amending the Zoning Ordinance of the City of Bethlehem increasing maximum building coverage in the RT district as presented to the Commissioners dated November 3, 2017. The motion was seconded by Mr. Barker and passed with a vote of 5 – 0.

Mr. Stellato made a motion to table the amendment revising the definition of Hotel. The motion passed with a vote of 5 – 0.

3. DISCUSSION ITEMS

a. Monocacy Creek Watershed Study

Matt Dorner, Deputy Director of Public Works introduced Mike Waldron, Section Engineer. Mr. Waldron provided the Commission with photos of Monocacy Park from Illick's Mill Road up to the dam area. He reported the City has worked with DCNR and DEP grant money to restore the area back to a more native and natural stream buffer. The work includes native plantings and limited mowing to areas. Mr. Waldron informed that as funding allows, more work will be done to provide for the directing of visitors to the area, as well as more plantings being done.

The meeting adjourned at 5:30 P.M.

ATTEST:

Darlene Heller, Commission Secretary