

**CITY PLANNING COMMISSION
MINUTES OF MEETING
December 12, 2019 – 4:00 P.M.
TOWN HALL**

Present: Commission Members – Mr. Melosky, Mr. Malozi, Mr. Barker and Ms. Cohen. City staff included Darlene Heller and Tracy E. Samuelson of the Planning and Zoning Bureau, and Attorney Edmund Healy attended as Solicitor to the Commission. Also in attendance were Charlie Schmehl, Bruce Haines and Sharon Frankel. Representing the press was Sara Satullo for the Express Times and Charles Malinchak for the Morning Call.

1. Subdivision and Land Development Ordinance (SALDO)

Charlie Schmehl, Urban Research and Development (URDC), is the consultant assisting Bethlehem with the update of the Subdivision and Land Development Ordinance (SALDO). Mr. Schmehl reviewed a summary document of the SALDO update dated 11-18-19 and revised 12-6-19.

Following the presentation there was some discussion of the difference between a sketch plan and a site plan. Generally, they are of the same level of detail but the sketch plan is referenced in SALDO and the site plan is referenced in the Zoning Ordinance.

Mr. Melosky reminded everyone that at future pc meetings land development plans will be projected up onto a screen for the public.

Mr. Malozi noted that land developments also include residential uses and that should be noted in the text. He noted that the summary should include a reference to public transit and its importance. Mr. Schmehl noted that all plans are reviewed by LANTA for their input.

Mr. Malozi requested that the parking requirements in the ordinance provisions be reviewed to allow for density. He suggested that the summary strike the examples of sidewalk or curb deferrals. He believes they should not be considered except in extreme cases. In addition, cul-de-sacs should not be considered in the urban core. The definition of minor subdivision should include both a maximum size and # of units. He appreciates the idea of a “checklist” for submissions to assist applicants and staff.

Ms. Cohen asked about the “AutoCAD” requirement for as-built plans. She noted that AutoCAD is almost a brand name and that technology can change quickly. She prefers that the document use different language. Mr. Malozi also raised a question about the legality of the AutoCAD requirement. The requirement is for as-built plans only. By the time as-built plans are prepared a plan should already be recorded so the requirement should not be a problem.

There was discussion about providing a “fee-in-lieu” of the installation of public improvements if it is determined by the City or neighbors that the typically required public improvements would not be in the public interest. Fees could be used for bike paths, landscaping in public parks, or curb and sidewalk elsewhere. Mr. Malozi asked why the amount of the fee is not the entire estimated cost of the public improvements. Generally, without a limited reduction, there is not incentive for a developer or landowner to provide the fee.

Mr. Malozi noted that curbing should be required along with sidewalks. Swales are not appropriate. He also noted that landscaping, and especially street trees, should be coordinated with existing overhead utilities so there are not conflicts in the future.

Mr. Stellato asked about the required width of a planting strip to ensure adequate space for street trees and their future growth. Ms. Samuelson explained how they vary in different areas.

Ms. Cohen noted that lot mergers should require that the lots are in the same zoning district. This can be noted in the new ordinance.

There was some additional discussion about how to require applicants to submit their plans electronically so that the plans can easily be shared on the website, with members and at the meeting. This requirement will be added to plan submission requirements.

These comments will be added to a revised summary and resent to the Planning Commission for further consideration.

2. ZONING TEXT ADMENDMENT

Ms. Heller reviewed the proposed Zoning Ordinance text amendment for short term lodging.

Mr. Malozi asked about the difference between a transient visitor in a hotel versus in short term lodging. There really is none. The draft can be modified to make that more clear.

Mr. Malozi raised an issue with having short term lodging permitted as a special exception in RS. He felt that maybe it should not be permitted in that zoning district because that is a residential district of generally single family homes. He also noted that maybe the number of consecutive nights that a visitor can stay should be clarified and maybe the total number of nights that a short term lodging venue can have visitors should be limited. He suggested that the total number of nights could be 90 or 180 nights. He raised a concern about transiency in neighborhoods.

Bruce Haines, 63 W Church Street and managing partner of the Hotel Bethlehem, raised a concern that Ordinance 1741 (an existing housing ordinance addressing short term lodging) is now only an inspection document. He was concerned that sections of Ordinance 1741 are not carried over into the language of the zoning amendment. Attorney Healy noted that licensing and all of the other requirements of Ordinance 1741 will still be in place even if this zoning amendment is adopted.

Mr. Haines said he is frustrated that there are homes in the historic district that are not owner occupied and there is not enforcement of violations. He felt that Ordinance 1741 was written to require "home sharing" and he is concerned that some homes have separate entrances. He is concerned that some sections of 1741 are not included here and that the ordinances do not go far enough. He mentioned properties where he believes required enforcement is not occurring. He is concerned that businesses are buying homes that they do not live in and yet they use the homes for short term lodging. He stated that Bed & Breakfasts should also be required to be owner occupied. He also raised concerns about short term lodging in an outbuilding or accessory building.

Sharon Frankel of the Bethlehem Press also asked some questions. First, whether short term lodging is permitted in an accessory unit and whether it would be permitted in a 2 or 3 unit building. She asked the definition of owner occupied and whether hosts can rent short term lodging all year or for a limited number of nights.

A motion was made by Mr. Melosky and seconded by Mr. Stellato to table the zoning amendment until the January meeting requesting that the Planning Bureau consider a limit on the number of nights that a host can allow a short term lodging venue to be rented, whether the zoning districts where short term lodging is permitted should be reconsidered and to consider the comments about home share and common entrances. The motion passed unanimously.

3. DISCUSSION ITEMS

The meeting adjourned at 5:45 P.M.

ATTEST:

Darlene Heller, Commission Secretary