

STATED MEETING - CITY COUNCIL – JULY 9, 2013

A meeting of the Lancaster City Council was held on Tuesday, July 9, 2013 in Council Chambers, Southern Market Center, 100 South Queen Street, Lancaster, PA, at 7:30 p.m., with President Williams presiding.

City Council led the assembly in the Pledge of Allegiance.

Present – Mr. Reichenbach, Mr. Roschel, Mr. Smith,
Mr. Urdaneta, Ms. Wilson, President Williams – 6

Excused – Mr. Graupera -1

City Council approved the minutes of June 25, 2013 by a unanimous roll call vote.

PUBLIC WORKS COMMITTEE – Chairman Roschel stated that his committee met on July 1, and we had one item Resolution No. 37 which is on the agenda tonight and he will discuss it then.

FINANCE COMMITTEE – Chairman Smith stated that his committee met on July 1, and they discussed two items on the agenda this evening. One is Ordinance No. 9 and Resolution No. 36, which he will discuss when it comes up on the agenda.

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE – Chairman Reichenbach stated that the Committee met on July 1, and discussed the proposed new zoning ordinance for the City of Lancaster and it is agenda item Administration Bill No. 6.

PUBLIC HEARING – President Williams stated that “In accordance with the provisions of the Pennsylvania Municipalities Planning Code, City Council will now conduct a Public Hearing on the proposed new City of Lancaster’s Zoning Ordinance as prepared by the City of Lancaster Department of Economic Development and Neighborhood Revitalization, with the ongoing participation of Lancaster City Planning Commission over a multi-year period. This proposed Zoning Ordinance is including both the text and map would replace in its entirety the current Zoning Ordinance. The purpose of this hearing is to allow the Department to make a brief presentation on the proposed new ordinance and to provide an opportunity for public questions and comments. Tonight’s hearing will be followed by the first reading of a bill to adopt the new Zoning Ordinance for the City of Lancaster. No action will be taken by the City Council this evening. After the presentation, I will ask members of Council if they have questions or comments. Afterwards I will then invite questions or comments from the Public. At this time I will ask Randy Patterson, Director of Economic Development & Neighborhood Revitalization to proceed with the presentation.”

Randy Patterson stated that the work actually started about 4 years ago, with an internal review by staff of the existing ordinance. Several meetings have occurred over the ensuing years with City Planning Commission members, as well as staff, reviewing it. We also engaged the services of an urban professional who looks at zoning ordinances. The City actually worked with this same professional prior to adopting the existing zoning ordinance. We held a number of focus groups with a variety of different individuals, including developers and residents, as well as business owners, non-profit organizations and elected officials. We held several informal public meetings to provide the outline of the principal changes we were making in the ordinance. We then started the official process, which began back in March, of looking through the process, meeting with City Council, with the Community Development and Planning Committee. This program has been reviewed by the County Planning Commission. It has been reviewed by the Inter-municipal Committee's Land Use Advisory Board. It was formally adopted by the City Planning Commission. The proposed ordinance has been on the City's website since the end of May. We have talked to all the principal owners in those areas on the map where we are making substantial changes in terms of Zoning Districts and which District a particular parcel would fall into. Those have been reviewed extensively. Some of the changes we are looking at: to extend the Central Business District a little bit to the north, and add a Mixed Use District to the north of that up to James Street: changing some of what is currently Central Manufacturing to Mixed Use to coincide with the opportunities to develop existing and under-utilized properties for residential, commercial and restaurant uses. He stated that while we are making a substantial change to the Zoning Ordinance, this is not the only potential change that could occur to the Zoning Ordinance over the upcoming years. The City is currently in the process of reviewing many of its other ordinances in accordance with the City's Green Infrastructure Program and we have also been working with the bicycle coalition on work related to bicycle safety and bicycle transportation in the City of Lancaster.

He stated that one major change that we made is allowing three (3) unrelated individuals throughout the residential districts to reside together. We did put a limitation on that, that it must be an owner occupied property and there must be an additional parking space provided in that instance. He further stated that we didn't make some changes that were asked of us, but thought it best to take things slower at this time.

Mr. Sam Wilsker, Chairman of the City Planning Commission statement follows:

"President Williams and members of City Council, on behalf of the Lancaster City Planning Commission, I wish to express our support of the proposed new City of Lancaster Zoning Ordinance and to encourage you to adopt the ordinance that has been presented to you.

All members of City Council have received the recommendation of the Planning Commission, which followed its formal public meeting on June 5, 2013. This final action by the City Planning Commission follows four years of active participation by Commission members in shaping zoning policies that are now reflected in the proposed Zoning Ordinance.

Beginning in February 2009, the City's Bureau of Planning staff engaged the Planning Commission during our regular public meetings in discussions addressing specific zoning

policies being considered for change. Commission members were encouraged to reach consensus on specific policy questions, with topics ranging from neighborhood retail stores, to day care homes, to night clubs, to tattoo and body piercing shops, to fences, to supportive housing facilities, to vending carts and trucks, and to nonfamily dwellings. Commission members participated, along with members of City Council, in the September 2012 focus groups, where discussion focused on three topics: nonfamily units; boarding and rooming units; and new construction of multifamily dwellings. Commission members also responded to the online zoning questionnaire posted on the City's website, and members attended the public meetings conducted by the City's zoning consultant on November 14, 2012, and on January 29, 2013. Finally, the Commission was pleased to learn that the full draft Zoning Ordinance was posted on the City's website prior to its June 5, 2013 public meeting.

As we come to the end of a long and transparent public process in shaping a new Zoning Ordinance for the City of Lancaster, the City Planning Commission encourages you to adopt the ordinance before you on July 23, 2013.”

Mayor Gray asked about the change in parking requirements and Paula Jackson, Chief Planner stated that largely because of the green infrastructure plan it was recommended to reduce the number of parking spaces required for new uses. For many years the parking space requirement has been one parking space for 200 square feet of floor area and we are changing that to one for 250 square feet. We are also extending the distance for off-site parking from 400 to 600 feet walking distance.

Jack Tracy, Hamilton Street, addressed the change that will allow 3 unrelated people to live in one dwelling. Mr. Patterson stated that there are young people who would like to buy homes in the City and we are trying to be more flexible. The new change that would allow three unrelated people living in the same residence will require that the residence must be owner occupied. In rental properties, it would still be only 2 unrelated people.

Mr. Tracy was also concerned with home-day-care places that are now allowed in the neighborhoods without going through Zoning. Mr. Patterson stated that the only day-care that is allowed without going through Zoning is 6 children or less. More than that they must still go through Zoning.

Michael Ridgeway, Coalition for Bicycle Friendly Lancaster, thanked the City Planning Commission, and the Administration for the advances that have been made to the Zoning Ordinance to make the City more bicycle friendly.

Bob Shenk, 220 East Grant Street, commended the Administration for the new ordinance that will promote walk ability and bicycling in the City.

Emma Hamme, a planner with the County Planning Commission, stated that over-all we felt that the City's new ordinance is moving things in the right direction, with the reduction of parking requirements, with the incorporation of bicycle infrastructure provisions, and considering upping that limit on unrelated people residing together.

Administration Bill No.6-2013, (the title) was read by the City Clerk as follows:

AN ORDINANCE TO ADOPT A NEW ZONING ORDINANCE FOR THE CITY OF LANCASTER, ESTABLISHING ZONING DISTRICTS; REGULATING NONCONFORMING LOTS, USES AND STRUCTURES; REGULATING IN EACH ZONING DISTRICT THE USE OF LAND AND STRUCTURES AND THE DIMENSIONS OF BUILDINGS AND LOTS; PROVIDING SUPPLEMENTARY DISTRICT REGULATIONS ADDRESSING FENCES, ACCESSORY STRUCTURES, HABITABLE FLOOR AREA, DEVELOPMENT IN THE FLOODPLAIN OVERLAY DISTRICTS, SOLAR FACILITIES, AND OTHER IMPROVEMENTS; PROVIDING MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS; REGULATING SIGNS; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF THE ORDINANCE, INCLUDING PROVISIONS RELATED TO THE POWERS AND DUTIES OF AND APPEALS FROM THE ZONING HEARING BOARD, AND THE ESTABLISHMENT OF FEES, CHARGES AND EXPENSES; DEFINING CERTAIN TERMS USED IN THE ORDINANCE; AND PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES.

Administration Bill No. 7-2013 (the title) was read by the City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA ESTABLISHING APPROPRIATIONS FOR \$650,000 FROM GENERAL FUND RESERVES; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

Councilman Smith stated that the City of Lancaster is a self-insured city in terms of its workers compensation. We restrict about \$600,000 in our budget in the General Reserve Fund. We carry a stop-loss policy for anything that goes over \$600,000, any unanticipated workers comp expenses. Anything that goes over that \$600,000 we have a policy that takes over and covers the remaining balance. As a result of the Madison Street fire, and the injury to Lt. Kelly we are incurring considerable expenses for his care. What this ordinance does is appropriate \$650,000 from the General Reserve Funds to go toward those costs. According to Section 1804 of the Third Class City Code, City Council can act anytime to appropriate money for lawful purposes. At this point this is what we are doing.

Councilman Smith further made a motion to approve Legislative Transfers to cover Workers Compensation fees. Councilman Roschel seconded. The transfers were approved by a unanimous roll call vote.

Administration Resolution No. 36-2013, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA, EXONERATING REAL ESTATE TAXES ON PARCEL ID #336-71374-0-0000, 335 NORTH QUEEN STREET (“THE PROPERTY”), OWNED AND OPERATED BY THE PENNSYLVANIA GUILD OF CRAFTSMEN (“THE GUILD”) FOR THE YEARS 2013 AND BEYOND FOR SO LONG AS SAID PROPERTY IS OWNED AND BEING USED BY THE GUILD TO PROVIDE FUNDING SUPPORT TO ITS COMMUNITY EDUCATION MISSION.

Councilman Smith made the motion to approve and Councilwoman Wilson seconded. Councilman Smith stated that Resolution 36 references property at 335 North Queen Street which the PA Guild of Craftsmen has taken over the entire building except for one small portion that was set aside for retail sales. The building was exonerated from property taxes because of its 501 C3 status. That small portion was not exonerated, and the Guild came back to us and requested that they include that in the whole property exonerated. The total tax expense was \$413, so this will exonerate that portion also. City Council approved Administration Resolution No. 36-2013 by a unanimous roll call vote.

Administration Resolution No. 37-2013, (the title) was read by the City Clerk as follows:

A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER APPROVING THE ADOPTION OF AN AMENDMENT TO THE ACT 537 OFFICIAL SEWAGE FACILITIES PLAN FOR THE CITY OF LANCASTER.

Councilman Roschel made the motion to approve and Councilman Reichenbach seconded.

Councilman Roschel stated that in September 2004 the Plan was approved and it recommended expansion of the North Sewage Pumping Station from 26 million gallons per day to 35.6 million gallons per day. We’ve had a more recent study done by CDM Smith which recommends changing those 35.6 million gallons per day to 43 million gallons more capacity. This resolution would amend our plan. City Council approved Administration Resolution No. 37-2013 by a unanimous roll call vote.

REPORT OF THE MAYOR - The Mayor’s report may be read on the City’s website, www.cityoflanasterpa.com

COUNCIL COMMENTS – Councilman Smith announced that the 2012 Audit will be released at the Finance Committee meeting on Monday, August 5, 2013.

President Williams adjourned the meeting at 8:45 p.m.

Louise B. Williams, President

Attest:

City Clerk