

# City Planning Commission

Erie, Pennsylvania

January 19, 2021

## -Agenda-

The regular meeting of the City Planning Commission will be held Tuesday, January 19, 2021 via Zoom webinar. To participate, you must pre-register for the Zoom webinar and join from a PC, Mac, iPad, iPhone or Android device. Please contact [zoning@erie.pa.us](mailto:zoning@erie.pa.us) for registration instructions.

1. Call to Order / Roll Call

<b>Member Name</b>	<b>Present</b>	<b>Absent</b>
Mark Kloecker, Chair		
Richard Speicher, Vice-Chair		
Armand Chimenti		
Jason Wiczorek		
vacant		

2. Election of 2021 Planning Commission Officers – Chair, Vice-Chair & Secretary

3. Approval of December 15, 2020 meeting minutes of the City Planning Commission

4. Active Erie Plan - <https://www.activeerie.com/>

5. Per a resolution from City Council, review and recommend guidelines for possible short-term rental regulations

6. 2021 City Planning Commission priorities

7. Adjournment

# City Planning Commission

## Erie, Pennsylvania

### December 15, 2020

### -Minutes-

The regular meeting of the City Planning Commission was held Tuesday, December 15, 2020 at 1PM via Zoom webinar.

1. *Call to Order / Roll Call*

Member Name	Present	Absent
Mark Kloecker, Chair	X	
Richard Speicher, Vice-Chair	X	
Armand Chimenti		X
Erica Jenkins	X	
Jason Wiczorek	X	

Four of five members present; quorum achieved

2. *Approval of November 17, 2020 meeting minutes of the City Planning Commission*

On a motion by Mr. Wiczorek, seconded by Mr. Kloecker, the Planning Commission voted unanimously to approve the meeting minutes as received.

3. *Staff Review of five [5] replots of land*

Mr. Welsh described five [5] replots of land submitted for City approval. The replots were located at –

- 2300 Cranberry Street [Parcel ID 6201-100] located in a Medium Density Residential [R-2] district.
- 435 West 5th Street [Parcel ID 4014-110] located in a Medium Density Residential [R-2] district.
- 439 West 5th Street [Parcel ID 4014-111] located in a Medium Density Residential [R-2] district.
- 535 West 5th Street [Parcel ID 4017-111] located in a Medium Density Residential [R-2] district.
- 230 West 17th Street [Parcel ID 3011-301] located in a General Commercial [C-2] district.

Mr. Welsh explained that the City’s Subdivision and Land Development Ordinance [SALDO] does not require a formal planning commission approval of the replots, only

an administrative review, which found all to be in compliance. The plans will be signed by the PC Chairman and Secretary and released to the owners.

4. *Review of a minor subdivision of land at 910 Downing Avenue [Parcel ID 1108-100] located in a Heavy Manufacturing [M-2] district*

Ms. Laura Guncheon, representing the property owner, was present to describe the proposed subdivision and answer questions from the commission members. She explained that the purpose of the subdivision was to separate the existing Medical Marijuana production facility from the remainder of the property to create a large vacant parcel for future development. Mr. Welsh noted that the resulting parcels meet all zoning and subdivision requirements.

On a motion by Mr. Kloecker, seconded by Ms. Jenkins, the Planning Commission voted unanimously to approve the subdivision as presented.

5. *Review of proposed amendments to the City of Erie Zoning Ordinance under Article 6 – Definitions and Article 7 – Historic Resource Preservation.*

Ms. Kathy Wyrosdick, City Planning Director, was present to describe the revised/final draft of the proposed amendments. The essential elements of the amendments to Article 7 were unchanged. Minor revisions were made to incorporate language recommended from PHMC. Members were also provided with a report from the City Dept. of Planning and Neighborhood Resources recommending approval of the revised draft amendments based on the following:

- The proposed amendments will update the historic resource protection language per PHMC guidance and provide for creation of a Historic Review Commission as recommended in the Historic Preservation Task Force's report to the City Council and Mayor.
- The recommended amendments are consistent with the Erie Refocused Comprehensive Plan, which calls to create financial tools for historic home renovation (p. 45) and to focus public and private investment around historic landmarks (p. 48).

On a motion by Mr. Speicher, seconded by Mr. Kloecker, the Planning Commission voted unanimously to recommend approval of the proposed amendment of the Zoning Ordinance to City Council as presented.

6. *Review of a waterfront conditional use application for construction of a 9 unit, 3 story wood frame Multiple Family Dwelling located at 824-828 West 2nd Street (Parcel ID 4039-206,207) submitted by PE REAL ESTATE HOLDINGS, LLC. The property is located in a Waterfront Residential [WR] district.*

Mr. Brian Weber and Mr. Philip Gesue were present to describe the proposed development and answer questions from the commission members. Members were provided with a presentation of the proposal illustrating the building design, site plan layout and various technical details. Members were also provided with a report from the City Dept. of Planning and Neighborhood Resources recommending approval of the development based on the following:

- Multiple-Family Dwellings are a Conditional Use in a W-R Waterfront Residential zoning district and are subject to the requirements of Section 306 of the City of Erie Zoning Ordinance – Conditional Uses – Waterfront Districts.
- On December 2, 2020, after review and presentation of the proposed development, the Design Review Committee recommended to approve the building and site design as being consistent with Section 306 of the Zoning Ordinance.
- On December 8, 2020, the Zoning Hearing Board granted a dimensional variance to allow for a non-conforming front yard setback. With the approval of the setback variance, the proposed development is in compliance with the City of Erie Zoning Ordinance.
- The development is consistent with the Erie Refocused Future Land Use Map (p. 91) which designates the area as “Medium Density Residential with Supportive Parks and Commercial.” The development also aligns with the plan’s goal of creating housing options for a wide variety of household types (p. 27).

On a motion by Mr. Kloecker, seconded by Mr. Wiczorek, the Planning Commission voted 3-0 with one abstention to recommend approval of the proposed amendment of the Zoning Ordinance to City Council as presented.

## *7. Adjournment*

CITY COUNCIL OF ERIE

INTRODUCED BY: \_\_\_\_\_

COUNCIL FILE NO. \_\_\_\_\_ OFFICIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

Amending Articles 2, 3, and 6 of the City of Erie Zoning Ordinance to incorporate language for Short Term Rentals

WHEREAS, the City of Erie has had multiple requests from property owners to operate short-term rentals;

WHEREAS, the City has received multiple comments regarding the operation of such uses, particularly as it affects residential neighborhoods;

WHEREAS, property owners and residents have requested clarification regarding the zoning of Short-Term Rentals in the City;

WHEREAS, the City does not specifically regulate such uses in its Zoning Ordinance;

WHEREAS, the City desires to specifically define and regulate such uses for the benefit and protection of both the property owner and the residents and visitors in the neighborhood.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE, PENNSYLVANIA:

**Section 1.**

(a) That Article 6 – Definitions be amended as follows:

Add the following definition:

Short Term Rental – Any dwelling unit or room(s) within a dwelling unit owned or managed by a person, firm or corporation which is rented for a period of less than thirty (30) consecutive days, during which the owner or manager may or may not be present on a full-time basis. The unit designated for STR use must be licensed following the procedures outlined in Article 330: Landlord and Rental Code.

(b) That Article 2 be amended to add Short Term Rentals as Permitted uses in the following Zoning Districts:

204.12 R-2 Medium Density Residential Districts

204.13 R-3 High Density Residential Districts

204.14 RLB Residential Limited Business District

204.15 C-1 Local Commercial District

204.16 C-2 General Commercial District

204.17 C-3 Central Commercial District

204.18 C-4 Traditional Neighborhood Commercial

- (c) That Article 2 be amended to add Short Term Rentals as Conditional uses in the following Zoning Districts:

204.21 W-C Waterfront Commercial District

204.21.1 W-C2 Waterfront Commercial District

204.21.2 W-C3 Waterfront Commercial District

204.23 W-R Waterfront Residential District

- (d) That Article 2 be amended to add Short Term Rentals as Special Exceptions in the following Zoning Districts:

204.10 R-1 Low Density Residential District

204.11 R-1A Traditional Single Family Residential

- (e) That Article 3, Section 305.57 be added to read as follows:

Section 305.57 Short Term Rentals: The intent of this provision is to regulate such uses for the benefit and protection of both the property owner, residents and visitors.

A. All Short-Term Rentals must meet the following minimum regulations:

1. The property owner shall apply for, receive and maintain a valid residential rental license.
2. STR accommodations shall not exceed the number of occupants allowed within the applicable zoning district.
3. Overnight occupancy of recreational vehicles, camper trailers and tents is prohibited.
4. Neither occupants nor guests are to engage in disorderly conduct or disturb the peace and quiet. Upon notification of such disturbances, the property owner is responsible for preventing a reoccurrence of such conduct.

B. Short Term Rentals shall be allowed in the R-1 and R-1A Districts as Special Exceptions in accordance with these additional regulations. In reviewing an application, the Zoning Hearing Board shall consider the following:

1. Adequate parking and access must be provided.
2. A screen planting strip shall be provided adjacent to properties in "R" Districts.

3. Any outdoor lighting shall be designed to prevent glare to surrounding properties.
4. No outdoor loud speakers or sound systems shall be allowed.
5. Operators shall not rent a unit more than 150 cumulative days out of the year.
6. All operators must maintain a guest log book to include names of guests and dates of stay. The log must be available for inspection by city staff upon request.
7. All advertisements for an approved STR must clearly display the license number issued for that unit. Failure to do so is grounds for cancellation of license.
8. Shall be located at least six hundred (600) feet from the nearest property line of any other STR.
9. Must be owner occupied.

The Board may attach any reasonable conditions necessary to address public health, safety and welfare concerns.

**Section 2.** That all ordinances and parts thereof in conflict herewith are hereby repealed.

**Section 3.** That this ordinance shall become effective twenty (20) days after final passage and approval by the Mayor of the City of Erie, Pennsylvania.

We do hereby certify that the within Ordinance was finally passed by the Erie City Council on \_\_\_\_\_, 20\_\_.

Attest: \_\_\_\_\_  
*City Clerk* *President of Council*

THIS ORDINANCE APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
*Mayor, City of Erie*

# City of Erie, Department of Planning and Neighborhood Resources

626 State Street, Erie, PA 16501 Phone: (814) 870-1265 | (814) 870-1273

## Staff Report for 2021 Planning Priorities

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### Description:

The following is a brief overview the Department of Planning and Neighborhood Resources' priorities for 2021. These planning priorities intend to rely on an active planning process that centers on community feedback, strong data, and continued guidance from the City's comprehensive plan, *Erie Refocused*.

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### Neighborhood Planning Priorities

Continue integration of the neighborhood strategic planning process into the Planning Commission workflow in order to support existing neighborhood level plans and develop new strategies for neighborhoods that align with the City's Comprehensive Plan, *Erie Refocused*.

The department will focus on creating neighborhood plans for:

- Fairmont-McClelland
- Frontier
- Glenwood
- A consolidated Parks Plan

### Active Erie Transportation Plan

Adopt and begin implementation of the Active Erie Transportation Plan. Focus on implementing a Complete Streets policy with safer sidewalks, crosswalks, and bicycle facilities.

### Updates to Zoning Ordinance

Continue the systematic review and updates to the Zoning Ordinance in coordination with the City Planning Team to ensure consistency with the City of Erie's Comprehensive Plan, as required by the MPC. This includes creating a planning initiative around the Waterfront Zoning Districts to modify the zoning regulations to be more practical, economically feasible, and reflective of the neighborhood's vision.

### Historic Resource Commission and Historic Preservation Program

Continue the work of the Historic Preservation Taskforce in adopting the amendments to Article 6 and 7 of the Zoning Ordinance to establish a process for Historic Resource Protection. Once amended, establish the Historic Review Commission to facilitate and review historic designations, certificates of appropriateness, carry out community engagement activities, and ensure appropriate standards are being met.

### Groundwork Erie

Continue with the support and implementation of Groundwork Erie with a focus on vacant lot revitalization, improving the maintenance of blighted properties, an urban street tree program, improving food security and establishing urban agriculture programs.



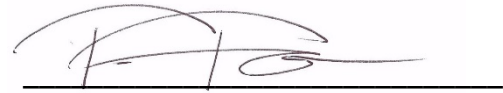
**Capital Improvement Plan**

Continue the development of a framework for a 5-year Capital Improvement Plan to guide the allocation of limited resources and to make well-informed planning decisions.

Respectfully submitted,

January 12, 2021

Date

A handwritten signature in black ink, appearing to read 'Tessa Ferraro', is written over a solid horizontal line.

Tessa Ferraro  
Zoning Officer