

MUNICIPALITY OF BETHEL PARK
ALLEGHENY COUNTY, PENNSYLVANIA

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IN RE: PUBLIC HEARING

ZONING ORDINANCE AMENDMENT
SHORT-TERM RENTAL REGULATIONS

- - - -

COUNCIL MEMBERS

Timothy J. Moury (President)
Mark J. O'Brien (V. President)
Timothy Campbell
Todd S. Cenci
Joseph A. Consolmagno
David C. Espinar
Lindsay Flinn
Joseph Janosik
John Oakes

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Municipal Manager: Laurence Christian
Police Chief: Timothy O'Connor
Mayor: Jack T. Allen
Solicitor: Robert L. McTiernan, Esquire

- - - -

DATE: Wednesday, November 30, 2022
TIME: 7:45 p.m.

PLACE: Bethel Park Community Center
5151 Park Avenue
Bethel Park, Pennsylvania 15102

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Reported by: Kim Simms Strnisa

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P-R-O-C-E-E-D-I-N-G-S

(Commencing at approximately 7:52 p.m.)

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PRESIDENT MOURY: Okay. I'd like to call to order the Public Hearing for the Zoning Ordinance Amendment for Short-Term Rentals.

Mr. Christian, would you please call the roll.

MR. CHRISTIAN: Dr. Campbell?

DR. CAMPBELL: Here.

MR. CHRISTIAN: Mr. Cenci?

(No response.)

MR. CHRISTIAN: Absent.

Mr. Consolmagno?

MR. CONSOLMAGNO: Here.

MR. CHRISTIAN: Mr. Espinar?

MR. ESPINAR: Here.

MR. CHRISTIAN: Ms. Flinn?

MS. FLINN: Here.

MR. CHRISTIAN: Mr. Janosik?

MR. JANOSIK: Here.

MR. CHRISTIAN: Mr. Moury?

PRESIDENT MOURY: Here.

MR. CHRISTIAN: Mr. Oakes?

1 MR. OAKES: Here.

2 MR. CHRISTIAN: Mr. O'Brien?

3 (No response.)

4 MR. CHRISTIAN: Absent.

5 PRESIDENT MOURY: Okay. We have
6 seven members present.

7 And just for the record, it's the
8 November 30th, 2022, at approximately
9 7:52 p.m. we started the meeting.

10 This is a Public Hearing for the
11 Zoning Ordinance Amendment for Short-Term
12 Rentals.

13 Just to go over how this will
14 operate. KP, our Municipal Planner, will do a
15 presentation on the ordinance that's in front
16 of us.

17 Once that's completed, we'll ask for
18 the audience participation; the proponents,
19 people that would be in favor, or the
20 opponents, the people that would be opposed to
21 this ordinance. Then Council will have an
22 opportunity to add comments at the end.

23 So at this time, I would like to turn
24 it over to our Municipal Planner, KP.

25 MS. PRIMM: Before Council is a

1 proposed Zoning Ordinance Amendment to
2 Chapter 69 of the Bethel Park Municipal Code
3 to add provisions and regulations on
4 short-term rentals in all Zoning Districts
5 within the Municipality of Bethel Park.

6 As for the requirements of the
7 Bethel Park Municipal Code, Chapter 69,
8 Section 69.68, Zoning Amendment Procedure, the
9 purpose of this Public Hearing is to accept
10 public comment regarding the proposed
11 ordinance amendment.

12 Council is required to hold a Public
13 Hearing pursuant to public notice as required
14 by the Pennsylvania Municipalities Planning
15 Code, the MPC, Act 247 as amended.

16 The Planning and Zoning Commission
17 recommended approval at their meeting on
18 July 13, 2022, as noted in the memo to the
19 Council from KP, the Municipal Planner, dated
20 November 21, 2022.

21 The Public Hearing has been properly
22 advertised, and proof of publication has been
23 entered into record on Bethel Park Exhibit
24 List.

25 The proposed Ordinance Amendment has

1 been sent to the County Planning Agency for
2 review and recommendations.

3 Attached is the Bethel Park Exhibit
4 List for the proposed Short-Term Rental Zoning
5 Ordinance Amendment, the Exhibit List
6 includes:

7 The proposed Zoning Ordinance
8 Amendment for Chapter 69, Zoning, regarding
9 short-term rental regulations;

10 The Allegheny County review request
11 letter, dated September 28, 2022;

12 The Allegheny County review letter,
13 dated October 24, 2022;

14 And the amendment summary
15 presentation.

16 So I'm going to briefly go over this.
17 Most of you have seen this before.

18 So, Adam, if you could -- awesome.

19 So I'm going to go over, like I said,
20 briefly, Definitions, the Zoning Districts,
21 and Conditional Use Criteria, the Annual
22 Permit, and Next Steps.

23 Definitions. We added several
24 definitions, including short-term rental and
25 short-term rental permit.

1 And then Updated Definitions, these
2 were already existing in our zoning ordinance,
3 so I updated dwelling, dwelling unit, and
4 family.

5 So on to the Zoning Districts. We
6 are proposing that short-term rentals are
7 permitted as conditional uses in R-1, R-2,
8 R-3, R-4, R-5, R-T, C-1, and C-2 Zoning
9 Districts. And just note that the existing
10 short-term rentals will be grandfathered in.

11 So the Conditional Use Criteria.
12 Like other conditional uses, we do have
13 requirements such as, you know, the owner's
14 responsible for the conduct and the safety of
15 guests. It -- this can intensify vehicular or
16 pedestrian traffic or increase the use of
17 water, sewage, garbage, all of those things.

18 This is very standard regulations for
19 short-term rentals. This is what most
20 Municipalities are doing.

21 And, also, a short-term rental permit
22 doesn't authorize incidental camping. That
23 was a big one. We don't want people staying
24 in a camper in someone's front yard and
25 calling it a short-term rental.

1 Just some proposed criteria -- just
2 some more proposed criteria. Only one party
3 of guests is allowed in each short-term
4 rental. The structure or property can't have
5 a deed restriction or any restriction in use
6 for short-term rentals. And they can't be
7 rented during construction, remodeling,
8 additions. Obviously, that's unsafe.

9 Additional information that we're
10 requiring with those Conditional Use
11 Applications. Obviously, we are required to
12 have a Public Hearing.

13 With the application, we're also
14 requesting plans drawn to scale showing the
15 lot, location of any improvements, all of the
16 parking areas, number of bedrooms, and the
17 beds and daybeds that are available, occupancy
18 load, proof of fire and hazard insurance,
19 liability insurance, a copy of their list of
20 rules to be posted, a list of where they're
21 going to be advertising the short-term rental,
22 and then any HOA or landlord approval letters,
23 if applicable.

24 So the Annual Permit. Robert Hicks
25 and I worked on putting one together. If the

1 Applicant obtains a Conditional Use approval
2 or if they're an existing short-term rental
3 and have been grandfathered in, they're
4 required to submit a short-term rental permit
5 for review and approval.

6 We're doing an initial permit
7 submission and then an annual, which this will
8 be on a later agenda item. But we're charging
9 \$50 for the initial permit and then \$25 for
10 the annual renewal. And this will allow us to
11 get any updated information if they advertise
12 on new sites, update their rules, any of that
13 good stuff.

14 All of this property information
15 needs to match the occupancy limits on the
16 approved license, contact information. And
17 we're also asking for a legal description of
18 the party -- or of the property, and proof of
19 ownership.

20 We have a safety checklist that's
21 going to be included on this permit. And this
22 includes that the home is, in fact, visi- --
23 -- or the home address is visible from the
24 street for emergencies, that they have working
25 smoke detectors and alarms installed in each

1 bedroom or sleeping area, and then in common
2 hallways. Carbon monoxide detectors,
3 obviously, we want the both the homeowner and
4 the renters to be safe. Portable fire
5 extinguishers, that emergency windows, doors
6 are all operable. Bathing and toilet
7 facilities are available, and that they're
8 just in compliance with the PA UCC.

9 The Short-Term Permit Approval. If
10 they are granted, like I said, they will have
11 to do this annually. And they are required to
12 register with the Allegheny County Treasurer
13 for the hotel or room taxes imposed by the
14 county. So they will have to do that, and
15 they provide us with that proof.

16 It is renewed on an annual basis.
17 Operation of a short-term rental without the
18 required annual permit is a violation of the
19 code.

20 We are not having specific
21 regulations for these violations because
22 that's already covered under the MPC. So all
23 uses are to be treated the same. So we will
24 go about as we do with any other use
25 citations.

1 So Dave Rudolph, the code enforcement
2 officer, he will -- he and I will draft a
3 letter and notify them, you know, "Here's what
4 you need to do to be in compliance."

5 We're also tracking the applications
6 so that we can notify short-term rentals when
7 their permit resubmission is required.

8 Existing violation -- excuse me.
9 Existing violation language in the Municipal
10 Code and the MPC is already in there. We
11 added some catch-all language, that it may be
12 suspended or revoked if they're, you know,
13 providing false information or if they have
14 violated the MPC. This is just a catch-all.

15 We -- Robert Hicks and I also put
16 together an example list of house rules. So
17 this will be available on our permit page with
18 the permit. So we can say, "If you are
19 applying for this, here's a list of rules
20 already prepared. You can copy and paste it,
21 print it out, use it for yourself. You don't
22 have to." But it's there if they -- if they
23 want to use it. They don't have to follow
24 them, but they're more than welcome to utilize
25 them.

1 So now what? The Next Steps is,
2 Council can consider the amendment at the
3 December 12th Regular Meeting. And then if
4 adopted, the amendment would be sent to the
5 county, and it would become effective 30 days
6 after adoption, which would be on
7 January 11th.

8 Pending any comments or objections
9 from the Public Hearing, like I said, Council
10 may consider action on request of the
11 December 12, 2022 Regular Council meeting.
12 And, if approved, it would be enacted
13 January 11th.

14 PRESIDENT MOURY: Thank you very
15 much.

16 Okay. At this time, I'd like to go
17 to the audience participation.

18 Any proponents in favor?

19 (No response.)

20 PRESIDENT MOURY: Let the record show
21 there was none.

22 Any opponents; people that would be
23 opposed to this?

24 (No response.)

25 PRESIDENT MOURY: Let the record show

1 there was none.

2 Real quick. I know this has been
3 something Council's been talking about for
4 the last couple years. I think Airbnb has
5 kind of self-regulated based on some of the
6 policies and issues that have happened, number
7 one.

8 Number two is, I think where we
9 started a couple years ago, we've changed.
10 There was a resident who actually operates an
11 Airbnb who was very active in the Planning
12 Commission, KP, and everybody. It was good
13 feedback. It was a collaborative process.

14 MS. PRIMM: Very much so.

15 PRESIDENT MOURY: I think this is
16 really good.

17 My only suggestion would be is a
18 practice and not a policy to notify the police
19 department of when we do these short-term
20 rentals. Not that they need to check it or
21 whatever. But to have a record in case they
22 get any calls or if there's any issues,
23 they'll know right away whether or not...

24 But, like I said, I don't want to
25 include it in the ordinance as a policy. But

1 as a practice, when we do this, I think it
2 would be good just for information purposes.

3 MS. PRIMM: Absolutely.

4 I have a data base right now of all
5 the short-term rentals. So we can share that
6 information.

7 MR. CHRISTIAN: Probably Investigator
8 Primm has identified all of the rentals --
9 short-term rentals in Bethel Park --

10 PRESIDENT MOURY: Yeah. Do you --

11 MR. CHRISTIAN: -- by hook or by
12 crook.

13 PRESIDENT MOURY: Do you know, just
14 a rough estimate, if this was enacted today
15 how many properties it would impact, an
16 estimate?

17 MS. PRIMM: No more than ten.

18 PRESIDENT MOURY: I think this is a
19 trend.

20 MR. JANOSIK: I just wanted to say
21 and thank KP for all the hard work she put
22 into this. It is a long time coming.

23 It's a shame Councilman O'Brien isn't
24 here for it because I know he's passionate
25 specifically about this topic.

1 PRESIDENT MOURY: Yeah.

2 MR. JANOSIK: So thank you, KP.

3 MR. OAKES: Very quickly, KP. It
4 says "only allowed one party." What
5 constitutes a party?

6 MS. PRIMM: So that would be one
7 rental party. So if I were to have a home and
8 I said, "Well, it fits eight people, but this
9 party is only renting for two and these people
10 are renting for four, I could let both parties
11 stay in the house." We're not permitting
12 that.

13 MR. OAKES: Okay. So it would be
14 what it's specified for?

15 MS. PRIMM: Yes.

16 And most places now, I think, Airbnb
17 doesn't allow that anyway. But you can do --
18 you can rent single rooms. So that would be
19 a short-term rental as an accessory use. And
20 even then you wouldn't allow two strangers to
21 rent one room. That's --

22 MR. JANOSIK: KP, just to be clear.
23 We can do duplexes, both sides? It could be
24 like a party on each side of a duplex?

25 MS. PRIMM: Yeah. So an apartment

1 building or --

2 MR. JANOSIK: Yeah, as long as you
3 have a door in between --

4 MS. PRIMM: Yeah.

5 MR. JANOSIK: -- or a hallway?
6 Yeah, one family, one house.

7 MR. OAKES: Makes sense. Thank you.

8 DR. CAMPBELL: With imple- --

9 PRESIDENT MOURY: Dr. Campbell?

10 DR. CAMPBELL: I was concerned about
11 the safety checklist. I'm concerned about
12 what kind of teeth we have with that. How do
13 we put our finger on the pulse? How do we
14 make sure that they are following it from a
15 safety perspective?

16 Is this something the -- you know,
17 the code -- code enforcement officer mandates?
18 Or are we looking at these facilities before
19 they're taking on customers?

20 MS. PRIMM: So they are signing off
21 on that checklist, confirming that everything
22 is true. If any of it isn't -- because we
23 kind of went back and forth, like, do we have
24 them hire a home inspector? Do we go out and
25 look?

1 It's not in this amendment. So we
2 can treat it -- we can make it what we want.
3 If we want, you know, like, how a building
4 code official has to do a final inspection for
5 a development that, you know, opens, we can
6 treat it like that. We can have the final
7 inspection before they open for business
8 per se.

9 PRESIDENT MOURY: If I can only
10 suggest that if we put a law in place that
11 we're going to check and we don't, then we're
12 culpable. If it's self-regulated and the
13 resident, the owner, or occupant, whoever got
14 the permit signed off, they're technically
15 culpable.

16 We got into this discussion at the,
17 I think, the Planning Commission that if we
18 put things in place, unless we go out there
19 every week or every rental, and they don't
20 have it or something happens, then they can
21 come back to us and say, "You didn't come and
22 check."

23 DR. CAMPBELL: Tim, I'm just going
24 for the God forbid we have a fire in a house
25 with no exit from the basement to apartment

1 that they're in and they don't have fire --
2 fire -- you know, any kind of detection or
3 suppression mechanisms.

4 PRESIDENT MOURY: It would -- that
5 would be covered under the property owner
6 under the current ordinance.

7 MS. PRIMM: Right. Yes.

8 MR. JANOSIK: And we tried to be more
9 stringent around this sort of thing --

10 MS. PRIMM: Yeah.

11 MR. JANOSIK: -- but the Solicitor
12 kept pushing back. You know, if you can't do
13 this on a 12-month rental, you really can't do
14 it on a short-term rental either. There's not
15 much difference.

16 MS. PRIMM: Right.

17 And Airbnb and VRBO, they do offer
18 their own insurance plan and certain perks
19 that they -- like, that you can sign up
20 through them that's on the homeowner. So it
21 depends, you know, how far they would like to
22 go.

23 But I will say, I do have links to
24 all of -- almost all of the properties that
25 I've located and their actual postings. And

1 these are all very beautiful homes. Like,
2 they care for these homes. They're their
3 properties, too.

4 They might not live there. But I
5 will say the ones here are quite nice. So
6 they do take good care of them. And I hope
7 that that would be the standard for all of
8 them in the future, too.

9 PRESIDENT MOURY: Okay. Are there
10 any other comments?

11 (No response.)

12 PRESIDENT MOURY: Hearing none, can
13 I have a motion to adjourn?

14 DR. CAMPBELL: So moved.

15 PRESIDENT MOURY: Dr. Campbell.

16 MR. JANOSIK: Second.

17 PRESIDENT MOURY: Mr. Janosik second.

18 All in favor, say aye.

19 DR. CAMPBELL: Aye.

20 MR. CONSOLMAGNO: Aye.

21 MR. ESPINAR: Aye.

22 MS. FLINN: Aye.

23 MR. JANOSIK: Aye.

24 PRESIDENT MOURY: Aye.

25 MR. OAKES: Aye.

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PRESIDENT MOURY: Opposed?

(No response.)

PRESIDENT MOURY: Meeting adjourned.

And thank you very much.

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(Whereupon, the Public Hearing was
adjourned at 8:06 p.m.)

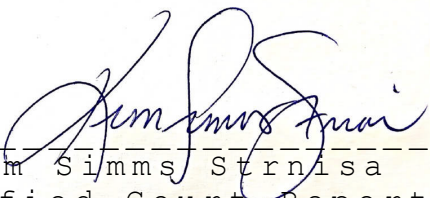
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I hereby certify that the transcript of the proceedings and evidence contained herein are a true and accurate transcription of my stenographic notes taken by me at the Bethel Park Council Public Hearing of the within cause, taken on November 30, 2022, and that the transcription was reduced to printing under my direction, and that this is a true and correct transcript of the same.

December 13, 2022



Kim Simms Strnisa
Certified Court Reporter

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