

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL PUBLIC HEARING MINUTES (ZONING TEXT AMENDMENTS)
AUGUST 22, 2022**

President Wesley Heyser called the meeting to order at 6:30 PM with the following **Councilors present:** Vice President Matthew Moon, Mrs. Judith Butterfield, and Mr. Chad Carr. Ms. Patricia Lawson, Mr. Christopher Berger, and Mr. John Lawver were absent. **Staff present included:** Mayor Rita Frealing; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; and Planning Director Carly Marshall and Director of Historic & Environmental Preservation Debra English.

Others present included: Jill Sellers, President of Main Street Gettysburg; Scott English, owner of 66-68 West High Street; Tessa Bardo and Brian Duncan, 57 Winding Drive, Gettysburg, owners of several rental properties in the Borough; Thakor Patel, 606 York Street; Minesh Patel, 205 Steinwehr Avenue; Prerana Patel, 232 Steinwehr Avenue; Charlie Field, Inn At Cemetery Hill, 613 Baltimore Street; and Donald Kingston, American Legion, 528 East Middle Street. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

President Wesley Heyser opened the meeting and said that the purpose of this public hearing followed by a special meeting, that was properly advertised, is to give citizens an opportunity to make their comments known regarding the proposed text amendments of the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances of the Borough of Gettysburg. It is to revise and clarify language for the regulation of short-term lodging uses within the Borough of Gettysburg.

Planning Director Marshall gave a brief overview of the regulations for short term lodging. She reviewed the proposed draft ordinance explaining the definitions of the zoning text amendments for Bed and Breakfast Use, Inn Use, and Vacation Rental Use (see attached).

Planning Director Marshall reported that the Adams County Office of Planning and Development submitted their County review letter to Borough Council and the Borough Planning Commission in support of the proposed zoning text amendment for short-term lodging.

Public comments: (restricted to Zoning Text Amendments RE: Short-Term Lodging)

Brian Duncan, 57 Winding Drive, Gettysburg asked for clarification that if the owner is out of town does there need to be staff presence at the Inn's property?.

Planning Director Marshall responded that the Inn must provide staff presence during the night but are not required to live at the Inn.

Tessa Bardo, 57 Winding Drive, Gettysburg, said that they currently own six vacation rentals in the Borough of Gettysburg. She asked for clarification on the proposal for vacation rentals that would only allow one unit per parcel, noting that one of their properties has two units.

Planning Director Marshall responded that Ms. Bardo would need to apply for an occupancy permit if they do not currently have one for the units. She noted that if they already have an occupancy permit then the property would be grandfathered-in for the current usage.

Moved Mr. Moon, seconded Mrs. Butterfield to authorize the publication for intended enactment of a proposed ordinance, amending the text of the Gettysburg Borough Zoning Ordinance in order to revise and clarify definitions and use regulations relative to short-term lodging used within the Borough of Gettysburg, for the consideration of enactment of the proposed ordinance and any formal action regarding the same by the Borough Council at its September 12, 2022 monthly general business meeting. Motion carried unanimously.

Councilman Carr asked that the complete definitions of each: Bed and Breakfast Use, Inn Use, and Vacation Rental Use be read for public knowledge.

The definitions were read as follows:

BED-AND-BREAKFAST USE: The use of a single-family detached dwelling and/or accessory structure which includes the rental of transient lodging accommodations and bathroom access, with a maximum of 10 rooms, which does not provide any cooking facilities or the provision of meals for guests other than breakfast, and which use is operated by a person or persons who maintain a permanent residency on or at the property, parcel or lot where the use is conducted. **INN USE:** A public accommodation that may or may not consist of a private dwelling, which contains 20 or fewer bedrooms, used for providing transient lodging accommodations, and which does not provide any cooking facilities for guests. **VACATION RENTAL USE:** A dwelling unit that is available for use or is used for short-term lodging and where such lodging is provided for compensation where the dwelling unit is not currently occupied by the operator of the use.

Other Business

Public Comment (open to other business and items not on the agenda)

There were no public comments.

President Heyser explained the purpose for the revised Civil Service Regulations by the Civil Service Commission is for the creation of the rank of Master Sergeant for the police department.

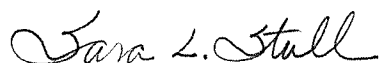
Moved Mr. Moon, seconded Mr. Carr to adopt a resolution to approve the revised Rules and Regulations as adopted by the Civil Service Commission. Motion carried unanimously.

Public Comment

There were no public comments.

President Heyser adjourned the public hearing at 6:50 PM.

Respectfully submitted,



Sara L. Stull
Borough Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AMENDING THE TEXT OF THE GETTYSBURG BOROUGH ZONING ORDINANCE, CHAPTER 27 OF THE CODE OF ORDINANCES OF THE BOROUGH OF GETTYSBURG, IN ORDER TO REVISE AND CLARIFY LANGUAGE FOR THE REGULATION OF SHORT-TERM LODGING USES WITHIN THE BOROUGH OF GETTYSBURG.

The Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, hereby enacts, adopts and ordains this Ordinance, amending the Gettysburg Borough Zoning Ordinance, codified as Chapter 27 of the Code of Ordinances of the Borough of Gettysburg, as follows:

**Part 2.
DEFINITIONS**

SECTION 1: Chapter 27, Part 2, Section 201, subsection 5, Specific Definitions, of the Gettysburg Borough Zoning Ordinance, shall be amended to revise certain definitions to read as follows:

“§ 27-201.5 Specific Definitions.

BED-AND-BREAKFAST USE: The use of a single-family detached dwelling and/or accessory structure which includes the rental of transient lodging accommodations and bathroom access, with a maximum of 10 rooms, which does not provide any cooking facilities or the provision of meals for guests other than breakfast, and which use is operated by a person or persons who maintain a permanent residency on or at the property, parcel or lot where the use is conducted.

INN: A public accommodation that may or may not consist of a private dwelling, which contains 20 or fewer bedrooms, used for providing transient lodging accommodations and which does not provide any cooking facilities for guests.

**PART 15.
GENERAL AND SUPPLEMENTAL REGULATIONS**

SECTION 2: Chapter 27, Part 15, Section 1524.2 of the Gettysburg Borough Zoning Ordinance, shall be amended to revise subsection TT.(4) and to add a new subsection to UU. to read as follows:

“§ 27-1524. Additional Requirements for Certain Specific Principal Uses.

TT. Inn Use.

* * *

(4) The use shall be operated by a person or persons who maintain a permanent residency on or at the property, parcel or lot where the use is conducted or who reside within a ten (10) mile radius of the facility, or alternatively, the inn shall provide on-site staff and employee presence at all times when guests are present at the facility.

UU. Vacation Rental Use.

* * *

(8) A vacation rental use shall be limited to only one such use per each property, parcel or lot.

SECTION 3: All remaining provisions of Chapter 27 shall remain in full force and effect unless otherwise repealed by any other ordinance. All ordinances, or parts of ordinances, conflicting with this ordinance shall be and the same are hereby repealed insofar as the same affect this ordinance.

SECTION 4: This ordinance shall take effect upon enactment.

THIS ORDINANCE DULY ENACTED AND ORDAINED according to law on this ____ day of _____, 2022, at a duly advertised general monthly business meeting of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania.

BOROUGH OF GETTYSBURG

By: _____
Wesley K. Heyser
President of Borough Council

ATTEST:

By: _____
Sara L. Stull, Secretary

APPROVED this __ day of _____, 2022.

By: _____
Rita L. Frealing, Mayor