

**Meeting Minutes**  
**New Hope Borough Planning Commission**  
**Monday, January 4, 2021 7:00 PM**

**The New Hope Borough Planning Commission December meeting was held virtually.**

**A. Members in Attendance:** Jason Apuzzio (JA), Peter Meyer (PM), Howard Savin (HS), Keith Voss (KV), Paul Atkinson (PA)

**Staff in Attendance:** Tracy Tackett (TT), Zoning Officer and Matthew Walters (MW), Bucks County Planning Commission

**B. Thanks to Howard Savin for Service:** Mr. Voss – So, it turns out we’ve heard from Howard and, Howard is this the end of one of your terms? Is this sort of cycling to the end? Mr. Savin – I’m not sure, but I’m a two or three years into my second term. Mr. Voss – Ok. So, he’s asked to be released from our commission. I just wanted to thank him, because I think, other than, I think you’re the first person on the Planning Commission that I met. You had talked to me at the time about how nice it was, how well we worked together, as a group. And we’ve seen some different faces over time, but it still seems that we have that kind of spirit. I feel like, one of the things he mentioned to me, was that there were times when we disagree about things and we usually hash them out and, by the time we get to the end, it’s very often the case that we have unanimous or near unanimous decisions. So, again, here I was as a new member I was sort of looking forward to seeing that and in the end we were able to resolve things. So I wanted to thank Howard for his time. Mr. Savin – thank you, I appreciate it.

**C. Reorganization:** Mr. Voss noted position open to replace Howard Savin. Reelect Chair and Vice Chair. Mr. Meyer nominated Keith Voss to Chair, Mr. Apuzzio Seconded. ALL in favor. Mr. Meyer nominated Jason Appuzzio for Vice Chair. Mr. Savin Seconded. ALL in favor.

**D. Public Comment** - None

**E. Approval of Meeting Minutes:** Following discussion Mr. Voss made a motion to approve the minutes subject to the attachment of copies of the zoning proposals, as specified, covered in the minutes. Formula restaurants and Medical Marijuana. (2, 3 & 4) Mr. Meyer Seconded. All in favor.

1. **November 2, 2020** – The November meeting minutes were approved unanimously

2. **December 7, 2020** – The December meeting minutes were approved, as amended, unanimously.

**F. New Business**

No New Business

**G. Old Business**

1. **Proposed Updates for Alternative Parking, Valet Parking Area and Formula Restaurants**

- The latest draft of the proposed zoning amendments to the alternative parking and valet parking area standards, prepared by Matthew Walters of Bucks County Planning Commission, was reviewed by the Planning Commission. The following items were discussed:
  - Addressing annual permits, as specified by Borough requirements. As proposed, all users of the alternative parking option will have to apply for an annual permit, rather

than making a report. Annual Zoning permit required every February 1<sup>st</sup>. Similar to any other zoning permit required. Fee will be outlined in fee schedule.

- Grandfathering / change to annual permitting. Notify participants of new annual permit requirements.
- Adapting application / maybe no fee for first year
- Use language Lease / arrangement. Remove “and” and use “termination of.” Specify what the grace period is and that it is on an annual basis.
- If the parking arrangements change, a new annual permit needs to be filed according to the fee schedule. Consider graduated payments for those that do not renew, as required.
- LEASE-Modify language in 2a/b
- FEE-IN-LIEU – discussion determined the basic language was acceptable. Change Zoning to Parking in 4a second word. Change to Annual Alternative Parking Permit.
- PROPOSED NEW USE REGULATIONS FOR VALET PARKING AREA – 1d “Conditional” needs Council’s approval. Suggest file new permit with new route specified.
- Back to 4) upon the approval of ZHB and then only after..... Add Confirmed by the Zoning Officer.....document process to follow. Cannot change your alternate parking arrangement without permission. Add provision at beginning requiring that any changes will require a new permit application, either reduction or increase will require resubmission of a new annual permit.
- Staff will need to develop a master list noting spaces and required spaces.
- VALET PARKING AREA DESIGN – Minimum parking stall sign. Is this more liberal than example Mansion Inn / Logan Inn. Are they facing restrictions? Will only get credit for each “lined” space. How to calculate credit if un-lined.
- ZONING DISTRICT AMENDMENTS – Added word “permanent sign.” Language regarding Valet Parking Operation license and contact info? Add general language saying sign shall include information, as required by the Borough.
- NEW DEFINITION-Borough attorney to determine location of this language.
- ZONING DISTRICT AMENDMENTS – As proposed, the valet parking areas will be allowed by conditional use in the CC, Highway Commercial, Mixed Use, and Light Industrial Districts.
- FORMULA RESTAURANTS – The PC discussed the language relating to formula restaurants and confirmed they should be permitted by-right in the SC District.
- SC District Restaurant and Take out Drive thru discussion – it was suggested that since the PC is considering changing formula restaurants from special exception to by-right in the Shopping Center District, then restaurants should also be listed as by-right in the SC District. Following discussion it was suggested that drive-thru as a use also be changed from special exception to conditional use to be consistent with other changes. All PC members agreed.

Keith Voss make motion to make changes currently presented by Matt Walters, with changes discussed. And authorize Jason Apuzzio agent to confirm the changes that MW produced are the changes that were discussed. – PM – Second ALL agreed.

## **H. Discussion**

MW presented a work program for 2021 to maintain direction and to stay on schedule relating to the overall review of the Zoning Ordinance. It was explained that the PC will start at the beginning of the Zoning Ordinance and work through it throughout the year.

PM Requested two issues, that are concerns of Borough Council, be addressed in the near term.

- One relates to the massive number of variance applications coming in to the Zoning Hearing Board, which have to do with the fact that we have Zoning Ordinances that specify side setbacks that would create buildings in downtown New Hope that would create negative squares. We need some sort of an overlay for the Historic District. It was suggested that the Zoning Hearing Board feels that way, as well.
- The second item relates to projects in the Historic District and establishing standards that when improvements reach a certain threshold that a property be required to upgrade the sidewalks to brick sidewalks. It was noted that Council has wanted this.

MW stated that these were good comments that can be incorporated into the upcoming meetings. KV noted that the schedule looks good, but could get thrown off if a significant project comes before the PC. KV asked if the PC can have supplemental meetings if they are dedicated to a topic like this. TT noted that the meeting scheduled was already advertised, but that special meetings could be advertised if the PC felt the need to have additional meetings. It was suggested some work sessions could be added every two-three months. PM stated he will discuss with the Council President and Borough Manager.

KV shared with the PC members educational opportunities for PC members. If anyone is interested, they should contact KV for more information. The sessions may emphasize planning ideas beyond just zoning. It was suggested that KV will forward the email to everyone and will include Laura from the Borough to determine if there is funding to pay for the courses.

It was suggested that Howard Savin consider postponing his resignation until the March meeting to allow some additional time to find a replacement. This would help ensure there is a quorum. Meeting adjourned at 9:15 PM.

## Proposed Amendments to Alternative Parking and Valet Parking Area (12-10-20) (revisions from 12-7-20 meeting included)

§275-57. General regulations applying to off-street parking facilities.

- M. Alternative parking. Within the Central Commercial, Highway Commercial, Mixed Use, Limited Commercial and Light Industrial Zoning Districts, any use existing as of the effective date of this chapter which can be lawfully expanded, or any new use that cannot meet the parking requirements of this chapter within the lot or boundary lines of the principal use may meet the parking requirements of this chapter in one of three ways listed below. An annual permit, as specified in §275-57.M.(4)(a), shall be required from the borough for uses meeting parking requirements through the provisions of §§275-57.M.(1) through (3). ~~If spaces are leased or licensed, the Borough shall require proof of the leasing or licensing arrangement and use of the spaces to be kept on file. Proof of ongoing leases or licenses and use of the spaces will be required every year. Parking spaces designated for one use may not be used to satisfy parking requirements for another use unless otherwise permitted by §275-18D.~~
- (1) **Valet parking.** Valet parking may be used to meet ~~any portion~~ up to 75 percent of the required off-street parking requirement, provided that the ~~application indicates where the cars will be parked.~~ use regulations for Valet Parking Area (§275-18D) are met.
    - (a) Annual permit. An annual permit shall be required from the Borough for uses meeting parking requirements through valet parking arrangements.
    - (b) The use for which the valet parking arrangement serves may continue to operate 30 days after the end of the lease to allow for an alternative parking arrangement to be made.
  - (2) **Lease.** The applicant shall provide an agreement in writing at intervals determined by New Hope Borough that the parking spaces are available and secured by lease or license, or the applicant shall provide proof of the availability of the required parking spaces, which are not needed to meet the requirements of another use and which can be used for parking purposes by the applicant. This option may be used to meet any portion of the parking requirement. ~~The use shall be discontinued immediately upon loss of parking arrangements.~~
    - (a) If spaces are leased or licensed, the Borough shall require proof of the leasing or licensing arrangement and use of the spaces to be kept on file. Proof of ongoing leases or licenses and use of the spaces will be required every year. Parking spaces designated for one use may not be used to satisfy parking requirements for another use unless otherwise permitted by §275-18D.
    - (b) The use for which the parking arrangement serves may continue to operate 30 days after the end of the lease to allow for an alternative parking arrangement to be made.

- (3) **Fee-in-lieu.** The applicant shall pay New Hope Borough a fee-in-lieu for each required parking space. Said fee shall be determined from time-to-time by resolution of the Borough Council for the acquisition, construction, and maintenance of public parking and for related parking management services. This option may be used to meet up to ~~100%~~ 50% of the parking requirement.
- (a) Variations. Borough Council may permit, through Article XI Conditional Uses, the use of fee-in-lieu for greater than 50% of the required parking requirement.
- (4) Continuing Character of Obligation for Alternative Parking Arrangements. All parking facilities provided for under the alternative parking requirements in §§275-57.M.(1) through (3) shall be provided and maintained as long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Part.
- (a) Annual zoning permit required ~~report~~. All applications for an annual zoning permit shall be made to the Zoning Officer by February 1 of each year. ~~The applicant shall provide to New Hope Borough an annual report of the status of the alternative parking arrangement. Such report shall be submitted on the anniversary date of the issuance of the zoning permit for the alternative parking arrangement.~~ All applications shall be made to the Zoning Officer in writing on forms furnished by the Borough and shall include all information necessary to enable the Zoning Officer to ascertain compliance with this chapter. The requirements for zoning permits in §275-71 apply.

## **Proposed new use regulations for Valet Parking Area**

**Narrative:** Valet Parking Area would be permitted by conditional use in the CC Central Commercial, HC Highway Commercial, MU Mixed Use, LC Limited Commercial and LI Light Industrial Zoning districts.

**275-18.D. Valet Parking Area.** A ~~private~~ parking lot or parking garage upon which the parking of automotive vehicles is the principal use of the lot, and provided:

- (1) Valet plan. The applicant must provide an operational and site layout plan that includes the following:
- (a) Adequate staffed valet services during the hours of operation of all uses, including an appropriate time following closing to accommodate the departure of valet parked cars.
- (b) Maximum wait times, distance from valet drop-off points to valet parking areas, operational modifications to the functioning of any required parking areas such as stacking, and the number of operators at peak and nonpeak hours.
- (c) A site plan showing the layout and dimensions of the parking spaces and drive aisles showing sufficient parking and maneuverability for vehicles.

- (d) A plan showing the route from the valet-drop off point to the valet parking area. Consideration shall be given to minimize the impact on local streets.
  - (e) On-site drop-off for vehicles using the parking services with sufficient queuing for vehicles that do not block the public right-of-way.
- (2) Valet Parking Area Design Standards. Valet parking areas shall meet the design standards for off-street parking of the New Hope Subdivision and Land Development Ordinance and the requirements of the federal Americans with Disabilities Act unless specified below.
- (a) Parking spaces may be in the form of tandem parking (parking of one vehicle behind another, where one vehicle must be moved to allow the second to be moved) located in areas that are only accessible to valets. Section 5.17.B. of the New Hope Subdivision and Land Development ordinance shall not apply to Valet Parking Areas.
  - (b) Design standards for parking islands in Section 5.17.E.1. and parking stalls in Section 5.17.E.2 of the New Hope Subdivision and Land Development shall not apply to Valet Parking Areas.
  - (c) Minimum parking stall size shall be 8 foot wide by 18 foot deep.
  - (d) At the main entrance to the valet parking area, a permanent sign shall be installed visible from the public way indicating the name and license number of the valet parking operator and the approved hours of operation.
- (3) Buffer yard. A buffer yard in accordance with §275-40 shall be provided along all property lines.
- (a) Buffer yards shall not be less than:
    - [1] Fifteen feet in width in the CC District.
    - [2] Twenty-five feet in width in the HC, LC, and MU Districts.
    - [3] Fifty feet in width in the LI District.
  - (b) All other requirements of §275-40 shall apply.
- (4) Joint Use. A valet parking area may occupy an existing approved parking area in common with a required parking area for one or more existing or proposed uses if the total spaces required for the existing or proposed use is still provided and not reduced below the minimum spaces required. However, Borough Council may reduce the number of spaces required for an existing or proposed use sharing its common parking area with a valet use for the specific hours of operation of the valet use if it can be demonstrated to Borough Council's satisfaction that the following criteria are met:
- (a) The existing or proposed use's hours of peak parking demand are compatible with the valet parking use's hours so that there are adequate spaces for demand at peak operation and that the parking spots to be utilized by the valet are not otherwise needed for other existing or proposed uses.
  - (b) The proposed joint-use parking area is an existing or proposed approved parking area.

- (c) The existing lot not be modified or expanded to accommodate the joint valet use without prior approval and that all existing fencing, buffering, lighting, pavement striping, landscaping, stormwater and paved areas be maintained. Additional buffering may be required as part of the conditional use approval.
  - (d) At the main entrance to the joint valet use lot, a permanent sign shall be installed visible from the public way indicating the name and license number of the valet parking operator and the approved hours of operation for the subject lot to be jointly used for valet parking.
  - (e) The Zoning Officer shall reapprove or revoke any prior reduction in required parking spaces when any change of use that shares the required parking area in common with an existing valet parking occurs. Any existing use's change of intensity, hours of operation, or other characteristics that may affect the compatibility of continued joint use is grounds for re-review and possible revocation of prior reductions in required parking.
- (5) No sale, rental service or repair operation shall be performed.
  - (6) The parking or storage of trailers shall not be permitted.
  - (7) Hours of operation. The valet parking area may operate for one hour after the permitted hours of operation of all uses for which the valet parking area serves.

## **New Definition**

**Valet Parking.** An operational system in which attendants park and retrieve vehicles. Valet parking allows more vehicles to be parked in an area and may be used to resolve parking shortages or improve customer service where parking might only be available at long walking distances.

## **Zoning District Amendments**

**Narrative:** The Valet Parking Area use would be permitted by conditional use in the CC Central Commercial, HC Highway Commercial, MU Mixed Use, LC Limited Commercial and LI Light Industrial Zoning districts.

§27-531. CC Central Commercial District

- B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.
- (3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

**(a) The use in § 275-18D, valet parking area.**

§27-532. HC Highway Commercial District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

(a) The use in § 275-15B, school.

**(b) The use in § 275-17E, restaurant with drive-through service. (proposed amendment)**

**(c) The use in § 275-17R, formula restaurant. (proposed amendment)**

**(d) The use in § 275-18D, valet parking area.**

§27-534. MU Mixed Use District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

**(a) The use in § 275-18D, valet parking area.**

§27-536. LI Light Industrial District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

- (a) The use in § 275-15C, library/museum.
- (b) (Reserved)
- (c) The use in § 275-15J, events center.
- (d) (Reserved)
- (e) (Reserved)
- (f) The use in § 275-23, coordinated development.

**(g) The use in § 275-18D, valet parking area.**

§27-536. LC Limited Commercial District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

**(a) The use in § 275-18D, valet parking area.**

## Formula Restaurants and Restaurant with Drive-through Service Amendments (12-10-20)

(revisions from 12-7-20 meeting included)

### HC Highway Commercial District

**Narrative:** Revise the HC Highway Commercial District regulations by removing the use in §275-17E, restaurant with drive-through service and the use in § 275-17R, formula restaurant from §27-532.B.(2) Uses by special exception and adding these uses to §27-532.B.(3) Conditional uses.

§27-532. HC Highway Commercial District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(2) Uses by special exception. The following uses shall be permitted by special exception only when authorized by the Zoning Hearing Board and when all conditions of Article IV, Use Regulations, are met.

(a) (Reserved)

(b) The use in § 275-19B, utilities.

(c) The use in § 275-21A, warehousing and distribution.

(d) The use in § 275-21B, contractor office.

(e) The use in § 275-24, off-premises outdoors advertising sign.

(f) The use in § 275-17D, restaurant.

~~(g) The use in § 275-17E, restaurant with drive through service.~~

(h) The use in § 275-17G, commercial recreation and entertainment.

(i) The use in § 275-17H, theater.

(j) The use in § 275-17I, inn.

(k) The use in § 275-17J, vehicle sales and service.

(l) (Reserved)

(m) The use in § 275-22G, takeout/drive-through window.

~~(n) The use in § 275-17R, formula restaurant.~~

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

(a) The use in § 275-15B, school.

**(b) The use in § 275-17E, restaurant with drive-through service.**

**(c) The use in § 275-17R, formula restaurant.**

## SC Shopping Center District

**Narrative:** Revise the SC Shopping Center District regulations by removing the use in §275-17R, formula restaurant from §27-533.B.(2) Uses by special exception and adding the use in §275-17R, formula restaurant to §27-533.B.(1) Uses by right. Remove the use in §275-17E, restaurant with drive-through from §27-533.B.(2) Uses by special exception and adding the use in §275-17E, restaurant with drive-through to §27-533.B.(3) Conditional uses.

### §27-533. SC Shopping Center District

B. Uses permitted. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any one of the following uses and no other, provided that every use, building, and structure shall comply with all applicable regulations of this chapter, including yards, lot area, lot width, building area and height, impervious surface, buffers, easements, off-street parking, and other requirements as specified by this chapter.

(1) Uses by right.

(a) The use in § 275-13C, forestry.

(b) The use in § 275-17O, limited personal service.

(c) The use in § 275-17P, financial establishment.

(d) The use in § 275-17Q, indoor athletic facility.

(e) The use in § 275-18A, parking area.

(f) The use in § 275-22D, temporary use or structure.

(g) The use in § 275-22F, outside storage.

(h) The use in § 275-22H, vending.

(i) The use in § 275-17L, retail food shop.

**(j) The use in § 275-17R, formula restaurant.**

(2) Uses by special exception. The following uses shall be permitted by special exception only when authorized by the Zoning Hearing Board and when all conditions of Article IV, Use Regulations, are met.

(a) (Reserved)

(b) The use in § 275-19B, utilities.

(c) The use in § 275-17D, restaurant.

~~(d) The use in § 275-17E, restaurant with drive-through.~~

(e) (Reserved)

(f) The use in § 275-22G, takeout/drive-through window.

~~(g) The use in § 275-17R, formula restaurant.~~

(3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Borough Council and when all conditions of Article IV, Use Regulations, and Article XI, § 275-76, General conditions, are met.

(a) (Reserved)

(b) (Reserved)

(c) The use in § 275-17K, Shopping center.

(d) (Reserved)

(e) (Reserved)

**(f) The use in § 275-17E, restaurant with drive-through.**

