

# Presence of the homeowner the sticking point for proposed short-term rental legislation

The Bethlehem Gadfly Airbnb, Short term lodging August 7, 2020

 Latest in a series of posts on Airbnb and short-term lodging 

*from Christina Tatu, “Bethlehem Council fails to pass short-term rental regulations, questions whether they are too restrictive.” Morning Call, August 5, 2020.*

Bethlehem City Council deadlocked on a zoning amendment that would institute strict conditions on short-term lodging in the city, including requiring the homeowner to be present when a room is being rented.

The ordinance, up for introduction at Tuesday’s virtual City Council meeting, failed to pass by a vote of 3-3. Several council members have used services such as Airbnb and questioned whether the ordinance was overreaching.

Council President Adam Waldron, Councilman Bryan Callahan and Councilwoman Grace Crampsie Smith voted against. Councilmen J. William Reynolds and Michael Colon, and Councilwoman Olga Negron, were in favor. Councilwoman Paige Van Wirt was absent.

Waldron, who has several small children, said sometimes Airbnb is the only option if his family wants to go on vacation.

“I think this goes too far, and I think it punishes people who are doing a good job of renting out their homes. They are encouraging people to come to Bethlehem and spend their money and visit our downtown,” he said. “I don’t want to be a hypocrite. I am willing to continue conversation about a way we can go after some of the problems regarding short-term rentals.”

Crampsie Smith said she knows people who rely on Airbnb rentals to supplement their income. She also said it's not uncommon for visitors to rent an entire house so they can have some privacy on their getaway.

Negron said she too has used Airbnb, but it's usually in a beach setting and not in quiet residential neighborhoods like those in Bethlehem.

"These are topics I have heard a lot of members of our community speaking on and they are concerned," she said. "I believe what's in front of me goes along with the residents' request to make things tougher."

There are 25 registered short-term rentals in the city. A search of Airbnb pulls up at least 18 more that are not registered, city officials said.

Some of the restrictions in the proposed ordinance include limiting a guest's stay to no more than 30 consecutive days, allowing no more than two rooms to be rented at a time, and requiring the homeowner be present during rentals.

The ordinance also restricts short-term rentals to homes constructed and occupied by Jan 1, 2020, and requires the property to have two off-street parking spaces. One additional space is required if more than one room is rented. The parking requirement does not apply to properties in the commercial business district.

It attempts to provide a way for residents to engage in such rental arrangements, while protecting the integrity of Bethlehem's neighborhoods, city officials have said. The city planning commission recommended the zoning amendment to council in January, and the Lehigh Valley Planning Commission gave a favorable review of the proposal later that month.

The reasoning behind having the owner occupy the house during the rental is that they would have a vested interest in who they are renting to and would not allow inappropriate behavior or wild parties. City officials also hoped the ordinance would deter investors from buying homes in

the historic district solely for the purpose of converting them into short-term rentals.

Callahan and Negron asked whether the ordinance could be amended to require the homeowner only be present for a certain amount of time instead of during the entire length of a guest's stay, but city Planning Director Darlene Heller said that would be difficult to enforce.

Any amendment could also table the ordinance for a couple more months as it makes its way through the approval process again.