

Planning and Zoning Commission Special Work Session Minutes
November 29, 2022
Conference Room 1A & 1B - 1st Floor City Hall

Call to Order

Commissioners Present – Burns, Carroll, Geuea Jones, Loe, MacMann, Placier, and Wilson
Commissioners Absent – Kimbell, Stanton
Staff Present – Teddy, Thompson, and Zenner

Introductions

Approval of Agenda

Meeting agenda adopted unanimously

Approval of Minutes

No minutes to approve

Old Business

A. Draft Regulations – Short-term Rental (continued)

Mr. Zenner provided a brief overview of the meeting agenda and possible outcomes before handing the meeting over to Chair Geuea Jones who explained the general format and contents of the City Council work session memo that would be prepared. In response to Chair Geuea Jones proposed content, Commissioner Placier offer a recommendation that the preface of the memo should address why short-term regulations were being prepared. There was additional discussion regarding the memo content with an understanding that a more refined version would be presented prior to the December 8 PZC work session for the full Commission's consideration.

Having address the Council memo outline and possible content, Mr. Zenner noted that Chair Geuea Jones had prepared a proposed outline for moving forward with the review of the outstanding draft provisions that had yet to be voted upon by the Commission. Chair Geuea Jones spoke briefly regarding the outlined and sought any additional input relating to an alternative approach to work through the remaining issues/provisions. She noted that the outline generally moved from "least" controversial topics to "most" controversial such that meaningful progress could be achieved at each of next three special work session. There was hope that at least one meet could be eliminated.

No alternative recommendations were offered by the Commission to approach the outstanding issues/provisions. As such, the Commission proceeded to discuss each topic as shown on the outline and voted. The following were the result of the voting on each of the provisions.

Proposed **use-specific standard B (5) [Maximum occupancy]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (6-1). The dissenting vote expressed concern that the maximum occupancy was not consistent with the current definition of "family" within the UDC and felt that STR occupancy should match the occupancy limits current established for long-term rentals within specific zoning districts.

Proposed **use-specific standard B (11) [Separation]** was initially approved (7-0); however, prior to the end of work session was reconsidered after additional discussion regarding its possible application and impacts resulting in a second tie vote of (3-3) meaning no recommendation was made on the provision. It was agreed the Commission would come back to the provision for further discussion at a future work session meeting.

Proposed **use-specific standard B (12) [Certificate of Compliance posting]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (7-0).

Proposed **use-specific standard B (14) [ADU usage]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (7-0). There was significant discussion relating to how an ADU would be allowed to be used; however, once all issues were debated it was agreed that the current regulatory process to establish an ADU would provide sufficient oversight especially given an ADU in an R-1 zoning district is a conditional use already. The Commission also noted that given only one dwelling on a property could be used for STR purposes regardless of the rental status of other structures on the property the impacts were minimized.

Proposed **use-specific standard B (16) [Compliance]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (8-0). There was discussion on the length of time that was being allotted for a property to be brought into compliance and concerns were expressed that 180 days may be insufficient. In efforts to maintain forward momentum with the remaining regulations, the Commission agreed to support the standard as presented but indicated that it may circle back to discuss again in a future meeting.

Proposed **use-specific standard B (4) [Conditional use permit]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (7-0).

Proposed **use-specific standard B (7) [Accessibility]** was approved as written and was agreed upon to be applicable to only Tier 3 by a vote of (6-0). This applicability of the provision was questioned by several Commissioners and it was asked if it was specifically necessary. Commissioner Loe addressed why she felt the provision was needed and cited the fact that it served an “advisory” function. Under certain situations the provision of accessibility would be triggered if a structure were converted from a primary residence to one more commercially used. There was further Commission discussion on the provision after which it was agreed to be included in the draft regulations.

Proposed **use-specific standard B (5) [Multi-family Structure Usage]** was removed from the proposed regulations by a vote of (7-0). There was significant discussion regarding this provision which principally focused on the necessity of it given the proposed licensure standards. Concerns were expressed that it created unnecessary confusion. Given the concerns expressed it was agreed that the provisions were not necessary.

Proposed zoning district accommodation within the **Permitted Use Table** to allow an STR in the A (Agriculture) district was approved to be applicable to only Tiers 1 or 2 STRs by a vote of (7-0). Commissioner Loe noted that as she had been reviewing the permitted use table that it appeared the A (Agriculture) district had been omitted as a permissible location for a Tier 1 or 2 STR. The A district allows residential dwellings; therefore, it was believed that a Tier 1 or 2 STR should be allowed. Commissioner agreed that the omission should be corrected.

Proposed **use-specific standard B (8) [Reservations]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (6-0).

Proposed **use-specific standard B (9) [Dwelling Unit Usage]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (6-0).

Having arrived at approximately 8:30 the Commission agreed that they had made sufficient progress for the work session and agreed to adjourn for the evening. The Commission noted that they would resume their discussion of the outstanding STR regulatory provisions on November 30 at 6 pm.

ADJOURNMENT

Meeting adjourned at approximately 8:30 pm

ACTION(S) TAKEN:

Motion made by Commissioner MacMann, seconded by Commissioner Loe, to approve the agenda as proposed.