

**Planning and Zoning Commission Special Work Session Minutes  
November 30, 2022  
Conference Room 1A & 1B - 1<sup>st</sup> Floor City Hall**

**Call to Order**

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

**Introductions**

**Approval of Agenda**

Meeting agenda adopted unanimously

**Approval of Minutes**

November 29, 2022 minutes to be presented at a future work session

**Old Business**

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

Mr. Zenner provided a brief overview of where the Commission left off at the end of the November 29 work session and opened the discussion to begin with the remaining outstanding provisions that were not previously addressed. However, prior to engaging in that discussion the Commission indicated it wanted to circle back to discussion of the proposed provision dealing with requiring separation between STRs (use-specific standard B.11).

There was additional discussion that having the provision included in the regulations or at least as a consideration when a CUP may be required would be worthwhile. There was Commission discussion on this concept and it was agreed that the provision should be removed from the body of the regulations and added to CUP review considerations that would be discussed later in the work session or as part of an upcoming session. It was further discussed that provisions should be made more “generic” by removing a specific separation distance between possible STR locations.

Commissioners noted that when staff would be conducting its review of a CUP request it could comment on the number of STRs already in the vicinity; thereby, providing a better gauge of STR concentration in that specific location. There were also comments offered that indicted removing the arbitrary separation distance would not create “winners or losers” when decisions needed to be made on allow additional STRs in a particular location. The recommended move of the provisions found in **use-specific standard B (11)** to only be applicable when a CUP is sought was approved by a vote of (7-1).

Having addressed the only “circle-back” issue from the November 29 meeting, the Commissioners resumed discussion of the remaining outstanding regulatory provisions following the outline prepared by Chair Gueau Jones. The following is a summary of the discussion and votes taken.

Proposed **use-specific standard B (18) [Revocation of Certificate of Compliance]** was approved as written and was agreed upon to be applicable to all STR tiers by a vote of (8-0).

Proposed **use-specific standard B (3) [Proof of Ownership]** was approved as written with modifications to address authorized tenants and was agreed upon to be applicable to all STR tiers by a vote of (8-0).

Proposed **use-specific standard B (2) [Limits on Licensure]** was approved as written with modifications for tenants and was agreed upon to be applicable to all STR tiers by a vote of (8-0). There was Commission

discussion and clarification on the fact that this provision would allow a property owner with multiple rental properties the ability to grant “authorization” to tenants for the tenant’s own personal STR licensure. Such granting of “authorization” would not result in the property owner from forfeiting their right to have single dwelling unit licensed for STR purposes under their individual name.

Proposed **use-specific standard B (10) [Parking]** was discussed and concerns were expressed relating to the impact that requiring additional parking may have on neighborhoods given such paving may go unused for significant periods of time. Staff explained that if insufficient parking already existed at a dwelling, failure to provide adequate parking may exacerbate parking existing deficiencies. The Commission discussed this observation noting that if such properties were used as primary/secondary residences the resident was already parking somewhere to meet their needs and that paving for more parking just because the dwelling was licensed for STR was not necessary. There was discussion that availability of parking may serve to self-regulate the impact that a dwelling used for STR purposes would really have on the neighborhood.

A vote on this provision was taken on a tier by tier basis. The Commission voted to approve the provision for use within Tier 2 and Tier 3 by votes of (7-1) and (8-0), respectively. The Commission voted to deny (2-6) to have the provision applicable to Tier 1.

Proposed **use-specific standard B (16) [Compliance]** was reconsidered given concerns about the number of days to bring a property in compliance being sufficient. The Commission expressed concern that 180 days would not allow a property owner sufficient time to become compliant or to make decisions on what to do with a dwelling if such compliance was not possible. Commissioners also cited several administrative issues that could arise as well as questioned when the actual “effective date” of the ordinance would be.

Staff agreed with the Commission on possible administrative burdens and noted a short compliance period could result in operators going “underground”. However, staff cautioned that creating standards complicated may create similar compliance issues. Mr. Zenner stated that in reviewing other ordinances compliance periods ranged from 180 days to 365 days. Ms. Thompson noted that the “effective date” is typically the same day the ordinance is approved by Council; however, can be delayed by Council. Mr. Zenner noted that staff would seek to delay the effective date to ensure that all forms for administration were prepared and sufficient public notice was given regarding the new regulations.

There was additional Commission discussion resulting in a decision being made that revising the 180 days to 365 days for becoming compliant was sufficient. Commissioners noted that any longer period would only prolong the inevitable with limited added value. Allowing a year seemed reasonable given this would allow someone to clear their booking calendar and decide what to do with a dwelling/property that could not become compliance by any means. The Commission made a motion to approve the revised provision by a vote of (8-0).

Commissioners also inquired on how members of the public could access STR licensed STR properties. Mr. Zenner stated that the GIS Division and Community Development would partner to create a database of licensed STRs and a corresponding STR map. The map would likely become public and could serve as a tool to help in regulation enforcement. The map content still needed to be discussed with the GIS Division and will need to consider possible limitations to protect personal information. A map associated with STRs has always been anticipated as part of the regulatory process.

Having arrived at approximately 8:30 pm the Commission agreed to adjourn for the evening. Discussion would resume on December 1 at 6 pm. Topics for the next meeting would include conditional use criteria specifically for STRs and possible revisions to the Council work session report/memo.

## **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.