

Planning and Zoning Commission Work Session Minutes
July 20, 2023
Conference Room 1A & 1B - 1st Floor City Hall

Call to Order

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

Introductions

Approval of Agenda

Meeting agenda adopted unanimously.

Approval of Minutes

July 6, 2023 work session minutes adopted unanimously.

New Business

A. Short-term Rental Survey Follow-up

Mr. Zenner provided an overview and explanation of the revised engagement results that removed non-resident responses from the overall responses as requested by Commissioner Loe. Mr. Zenner noted that the differences within the results were negligible with respect to the overall responses. He also explained that the total responses to each question did not equal the full 400+ respondents due an unknown glitch within the BeHeard software. He stated that with the exception of questions 6 & 7 all other were denoted as being required when the engagement tool was setup. Chairman Geuea Jones asked if there were questions and none were asked. The supplemental results were accepted as general information with respect to the engagement efforts.

B. Short-term Rental Regulations – Joint Work Session Preparation

Mr. Zenner gave an overview of what was provided in the Council Memo that was prepared in advance of the upcoming July 24 meeting noting that the agenda and memo would be provided to the Commission following the regular 7 pm meeting this evening. Given the need to post the agenda prior to the PZC work session, staff had identified several questions that it believed were necessary to have answered such that sufficient direction would be provided by the Council for where they saw the regulations heading. Mr. Zenner further described how he understood the joint meeting would be conducted to allow for Council members to give their individual direction and the potential for the Commission to respond to questions as necessary.

Following this overview, the meeting was turned over to the Chairman to engage with the Commissioners relative to the provisions within the ordinance that were view as areas of importance that would need to be communicated to Council should there be questions. There was general discussion on the format of the Tiers and the day limitations within the regulations. Concern was expressed that the structure was confusing and if Commissioners were having difficulty with them it was likely Council and the public would as well.

With respect to this observation it was asked of legal staff how the language could be cleaned up to make clear that the day limitations were related to “days rented” not advertised on a rental platform. Ms. Thompson indicated that she would work on a single term that would provide the desired distinction. Mr. Zenner noted that with all the inquires he had been receiving that he made clear the distinction the Commission felt was necessary. He further noted that he explained what the differences were between STR use and long-term rental use.

To provide structure to the discussion, the Chairman sought to approved each of the sections of the proposed regulations as discussion was completed. Having discussed the definitions, a motion was made to have the definitions approved as presented. The motion was seconded and there was additional discussion to amend the

motion to ensure that changes regarding the differentiation between days “rented” and days “advertised” be clarified. The amendment to the original motion was accepted. There was no additional discussion on the definitions and the motion to approve them, as amended, was unanimously accepted by the Commission.

The Commission then moved to discussing the remaining portions of the proposed regulations. There was general discussion on the value of Tier 1. After significant discussion relating to why Tier 1 was prepared (generally to accommodate renters and to create a less intense licensure path for “mom & pop” STR operators) it was concluded that such provisions would be retained. There was also lengthy discussion about removing the provisions associated with “secondary residence” from Tier 2 of the regulations in their entirety and considering allowing a dwelling that was not a principal or secondary residence of the owner to be considered permissible within the residential zoning districts via a CUP. This was proposed as a means of simplifying the proposed regulations given the term secondary residence was viewed by some as being problematic and addressing an underlying concern that the ordinance did not allow “investor-owned” property to be operated as an STR in residential zoning districts.

There was lengthy discussion of the proposed change and how if it were implemented it would significantly alter the regulations that had been prepared. Ms. Thompson noted that she would need to look over the standards to see how significant the changes would be, but noted there would be multiple locations that would require revisions. Commissioners discussed how the existing licensure limitations would control the number of STRs any single individual could legally operate and the fact that such uses would only be permitted via a CUP reviewed and recommended by the Commission and approved by City Council. There was also discussion that this change would create an option not previously existing and remove confusing language relating to “secondary residence”.

There was additional discussion relating to the impacts that the proposed change would have on Tier 3. After further discussion it was concluded that that the tier would need to be retained, in a modified form, since it addressed the operation of an STR for a period **greater than 120 days** which was still to remain unavailable within the residential zones.

The Commissioners reviewed the remaining provisions within the regulations and asked what impacts the proposed parking requirements would have in the M-DT. Mr. Zenner noted that he would have to look to see if any conflicts existed and would get back with the Commission. No other concerns were expressed by the Commission as it related to the provisions that had been created within the draft regulations. There was a motion to approve the provisions as written with the exception of modifications discussed to remove “secondary residence” from Tier 2 and creating a CUP process to accommodate “secondary and investor-owned” residences within the residential zoning district. The motion was passed. Staff noted that it would work to revise the proposed regulations and present a revision to the Commission at its next work session.

ADJOURNMENT

Meeting adjourned at 6:58.

ACTION(S) TAKEN:

Motion made by Commissioner MacMann, seconded by Commissioner Dunn to approve the agenda as proposed.
Motion made by Commissioner MacMann, seconded by Commissioner Dunn to approve the July 6, 2023 work session minutes as presented.