

**Planning and Zoning Commission Work Session Minutes**  
**September 21, 2023**  
**Conference Room 1A & 1B - 1<sup>st</sup> Floor City Hall**

**Call to Order**

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

**Introductions**

Kiaan Ahamed was introduced as one of the two new Planners that have recently joined the staff.

**Approval of Agenda**

Meeting agenda adopted unanimously.

**Approval of Minutes**

The September 7 work session minutes were approved unanimously with no abstentions.

**Old Business**

**A. Proposed Text Change – Substandard Lot Activation**

Mr. Zenner introduced the topic and began by explaining that distribution of the report would not occur at the as was initially indicated at the end of the September 7 work session given several technical corrections were required that been identified by the Law Department and Mr. Teddy. Mr. Zenner explained that he would instead provide the Commission a general overview of the report's structure and the topics that would be contained within it. He noted that given this delay, the report would not be presented to Council at their October 2 meeting, but rather at their October 16<sup>th</sup> meeting. This delay would permit the Commission an opportunity to review the contents at their upcoming October 5 work session.

Following this introduction, there was concern expressed that a written document was not provided to the Commission in advance of the meeting and such omission made it difficult to prepare for the discussion intended to occur at the work session. Additional comments were offered that stated the Commission needed to be confident in their work and prepared to defend it and that what Mr. Zenner was about to discuss was no different than the Commission's agreement or disagreement with what is provided in staff reports for regular agenda items. Following these comments, Mr. Zenner began his overview of the report structure.

Mr. Zenner stated the report starts with an executive summary that provided a synopsis of what the report is about. He noted that this section provides some background information and makes note the Commission's unanimous vote to approve the regulations that are attached to the report. Mr. Zenner then indicated report would go into greater details of the Commission's activities in a "discussion" section.

In this section, Mr. Zenner noted that he chose to only identify three of the most significant elements of the proposed regulations and that within each element discussion there was text providing Commission rationale as well as staff observations. He noted the "discussion" begins with the presentation of the Commission's "guiding principles", followed by a summary of activities beginning with the December 2022 Joint-work session through the July 24, 2023 Joint-work session. He noted that within the text covering the timeline that the Commission's frustration with the engagement results were expressed. He also noted that he called out the regulatory changes made during the July 20, 2023 work session creating the CUP process.

As Mr. Zenner continued explaining the content within the “discussion” section he pivoted to the three most significant elements of the proposed regulations. The first element he noted addressed the 3-Tier structure. He noted the tiers were summarized and then staff observations were offered. He proceeded to walk the Commission through the staff’s observations which address the tier structure itself, rental day limitations, and the CUP threshold.

With each of the staff’s observations there was discussion between the Commission and staff. Staff noted it was still uncertain as to the value of a 3-tier structure. Mr. Zenner noted it appeared two tiers would be sufficient and that an administrative process could address the distinctions between Tiers 1 and 2. There was significant discussion on this observation following which the Commission reaffirmed its preference for the 3-tiers was based on the public’s understanding of the ordinance up to this point and the potential change may create unnecessary confusion. The Commissioner’s also did not see any substantial difference in the administrative burden a 3-tier structure would create upon staff given they would be responsible for reviewing all application and licensure requests and deciding what tier an applicant actually fell into.

Mr. Zenner moved to the next staff observation which dealt with the limitations on the number of rental days. Mr. Zenner indicated that the text within the report provided the rationale for how the Commission arrived at the days and that staff stated its support for the maximum within the residential districts. He further noted that the text associated with this observation provided insight into how the remaining 245 days of the year could be used through a “dual” registration of the dwelling. Commissioners indicated support with the observation analysis and also inquired about what the number of days would be if 6 months were the maximum allowed. Mr. Zenner noted that 6 months is equal to approximately 182 days.

Mr. Zenner then moved onto the next staff observation which dealt with the CUP process. He presented staff perspective on this provision and asked the Commission to consider if the burden of requiring a CUP really had value given the regulations proposed identical licensure limitations and registration requirements for each class of STR operator. There was general Commission discussion on this matter following which the Commission noted that initially there may be significant impact, but that impact would wane as the ordinance became more fully implemented. Commissioners offer several suggestions on how to manage the initial administrative burden, but desired to not consider changes to the CUP process at this time. They did indicate that potential modifications following implementation of the ordinance may be necessary.

Mr. Zenner then discussed the second significant element which was STR licensure limitations. He noted that the text in the “discussion” section provided context relating to starting restrictive with the potential to relax the standards following regulation implementation. He then pivoted to the staff’s observations stated that the text indicated support of starting restrictive; however, noting that this position may eliminate STR concentration especially where existing housing was the most vulnerable. Mr. Zenner noted the staff’s observations pointed out that other tools such as STR licensure limits city-wide or block face limitations may be a better solution to truly address the spread of STR throughout the City. There was Commission discussion relating to these suggestions; however, Commissioners expressed concern with introducing this topic without a more thorough understanding of its possible impacts. Furthermore, Commissioners felt that implementation of these strategies should be held back at this point and considered as possible options for future text changes if additional relaxed licensure standards were needed.

It was also suggested that “amnesty” provisions needed to be created that would allow all illegally operating STRs to continue to do so. Mr. Zenner states he appreciated the suggestion; however, after discussion such an option with the Law Department no workable solutions were identified make such a process functional. As such, if all existing STRs were desired to be allowed to operate post-regulation adoption it would undermine the licensure limitations being proposed.

Mr. Zenner then moved to the third significant element which dealt with supplemental parking within Tier 2 and Tier 3. He noted the “discussion” text provided the Commission’s rationale for why the standards were created and that inclusion would address impacts being experienced within neighborhoods. He offered, as part of staff’s observations, that requiring additional parking may have unintended consequences within the built environment and may encourage STR operators to add impervious surfaces to maximize dwelling occupancy. He noted that the current UDC standards would cover half of the allowable STR occupancy and that in locations where construction occurred prior to reliance on the auto and driveway space may be

lacking the impacts from adding required additional parking may be more significant. Mr. Zenner suggested that the current UDC parking requirements are not based on occupancy and that households with more vehicles than garage or driveway space must park on the street. He noted asked if requiring the extra parking was potentially worth the impact it may create.

Mr. Zenner also noted that a license could still be issued to an applicant without the need to add the required additional parking. In such instances, the dwelling would be authorized for fewer transient guest. The Commission saw this as option as the factor that made retaining the additional parking requirement worth its possible impact. Comments were made that no one want to put more parking in if they can avoid it.

Having discussed the three significant ordinance elements and staff's observations of them, Mr. Zenner noted the "discussion" section concluded with an overview of the other provisions that that were within the regulations. He noted that this overview indicated that staff was supportive of the standards as written and believed that they were essential to ensure the legal and orderly integration of STRs into the community.

He then explained that the remainder of the Council report included several evaluation criteria for Strategic and Comprehensive Plan conformance, fiscal impacts, and legislative history. The report he noted would end with a "Recommended Council Action" which he stated would be to seek authorization to proceed with public hearings following time for public comments or to continue to work on the regulations and make further amendments.

Having completed his presentation, Mr. Zenner reiterated the Commission would receive what was just discussed at the next work session in a written document. He thanked the Commission for their attention and input.

#### **ADJOURNMENT**

Meeting adjourned at 7:10 pm.

#### **ACTION(S) TAKEN:**

Motion made by Commissioner Carroll, seconded by Commissioner MacMann to approve the agenda as proposed. Motion made by Commissioner MacMann, seconded by Commissioner Dunn to approve the September 7, 2023 work session minutes with no abstentions.