



AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: NOVEMBER 27, 2018

DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD

SUBJECT: CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTIONED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WANT TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Minutes:

CHAIR CHERRY asked when the short-term residential rental ordinance would come forward. ROBERT SUMMERFIELD, Director of Planning, replied that on December 5th, the City Council will have a public hearing on what is being called the modified repeal which repeals the non-owner occupied short-term rental activity within single family residential neighborhoods that are not already licensed. This would mean that people could not request a Special Use Permit going forward from whatever date the Council takes action. At that same meeting, that bill will be eligible for adoption if the Council so chooses. There will be an additional bill introduced at that meeting to address short-term rentals in multi-family buildings to set a limitation on the number of units that may be rented for short-term rental purposes.

COMMISSIONER ROUSH stated that she thought it was out of line and out of order for the Commissioners to be hearing and voting on items regarding short-term rentals and taking applicants' money when they may lose their licenses in a month or two. She thought it was unfair, and she found it unconscionable. Additionally, she said that with respect to Planning staff and their good intentions, she thought that the twice-a-month meetings have proven to be unnecessary, are a huge waste of staff's time and taxpayer dollars, and she would like to go back to the once-a-month format.

MR. SUMMERFIELD clarified that at no time will anyone who is currently in the process, who has been licensed or who has a Special Use Permit (SUP) for a short-term rental be rejected on the grounds of any code change. They will receive a hearing based on the code that was effective when their application was submitted, and it has been very clear from the Council that anyone who currently has an existing license or existing entitlement will be allowed to continue to operate their short-term rental. No licenses will be revoked as a result of those Council actions at this time.

COMMISSIONER ROUSH sought further clarification. She thought that someone applies under the current process, such as the applicants who appeared at this meeting, they submit the \$1,000 application fee, and if they are denied, they are out that money. If they are approved and the City

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decides to ban short-term rentals, they will operate for a month or two and then their license is revoked. MR. SUMMERFIELD stated that if the applicant has an approved SUP or an approved business license to operate a short-term rental, they will become non-conforming and will be allowed to continue to operate for as long as they remain in good standing with the City, just like any other non-conforming use. The action of the City Council will not reverse any action this Planning Commission, the City Council or staff has made in previous licensing cases or take away anyone's current rights. If the licensee ceases to operate their short-term rental, they will not be able to get it again at some point in the future, just like any other activity that has been deemed to be non-conforming by a code change.

MR. SUMMERFIELD confirmed for COMMISSIONER ROUSH that the current ordinance being considered does not retroactively remove or negate any currently approved short-term rentals. He added that the ordinance as currently put before the City Council, and based on the intent of the sponsor and multiple members of Council in their comments, is not to take away anyone's current entitlement or license; it is only to prevent any new short-term rentals in single-family residential areas where the home is non-owner occupied. This is not a blanket repeal of short-term rentals in single family areas; it would only allow them if the owner resides at the property and is only renting out a room or two in their home.

The meeting was adjourned at 8:13 p.m.

Respectfully submitted:

Jacquie Miller, Deputy City Clerk

Debra A. Outland, Deputy City Clerk