

**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**CONTINUATION MEETING**  
**DATE APRIL 20, 2021**  
**6:30 p.m. BY THE VIRTUAL LINK BELOW**

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1. **CALL TO ORDER** The meeting was called to order at 6:35 p.m.
2. **PLEDGE OF ALLEGIANCE** The members recited the pledge of allegiance while Building Official Doudy held an image of the US flag to his screen.
3. **ROLL CALL Welcome new member Shirley Powell serving a 3-year term. Commissioners present:** Chairperson Robinson, Commissioner Truelsen, Commissioner Tucker, Commissioner Heeney, and the recently appointed Shirley Powell who will serve a three-year term ending in April of 2024. Ex-Officios Trustee Lewis and Trustee Watters. Staff present Manger Charles, Attorney Kelly, Building Official Doudy Planner Garvin and Assistant Clerk Swope. Community members, Anna Vaughn and Rachel (no last name) as well as a phone-in member.
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None declared.
5. **APPROVAL OF THE AGENDA** Commissioner Truelsen moved and Commissioner Tucker seconded to approve the agenda.  
  
Yes: all  
  
No: none
6. **PUBLIC PARTICIPATION 5 minutes per person.** No public spoke for this item.
7. **CONSENT AGENDA: None**
8. **STAFF REPORTS: Update on the Short-Term rental regulation ordinance.** Manager Charles briefly spoke about the results of the Board of Trustees decision to not pass the STR ordinance on first reading. His next meeting with the Trustees on April 26, 2021 will be

focused on identifying the items that are problematic for the adoption and work toward a version of the ordinance they will be able to approve on first reading on May 10, 2021.

## **9. ITEMS CONTINUED FROM PREVIOUS AGENDAS**

**9.1 Article 14 Signs** Planner Garvin had sent out some questions concerning some elements of sign regulations that are not in the current code. The commission was asked these questions while the section for sign standards was viewed. Concerning 14. 2 Sign Permit Required the answer was all permanent signs must have a permit for any changes or replacement. Temporary sign permitting and stickering was discussed. A policy for permitting Temporary signs would provide a tracking opportunity for the allowed time period a sign is used and a more detailed definition of a temporary signs such as the pole mounted fabric signs that advertise the services or products. There could be a nuisance enforcement included in this section.

The commission approves creating sign standards to cover any compliance issues that require the towns enforcement.

On flags, the Commission wants to see limits on the size.

On window signs, painted, cling, posters the portion of window sign coverage will be included in the total area allowed for signs on the property after some percentage of coverage is met. Small lighted signs and possibly digital signs could be prohibited? Some zones may have less restrictive standards for window signs.

For electronic message signs or display. The commission may choose a long hold time for any changes to the display. The commission can choose to prohibit signs that contribute to light pollution.to preserve the character and the dark sky attributes of this small town. Apply the lighting standards to all lighted sign application.

The remainder of the sign standards will be discussed at the next meeting.

### **9.2 Updated Use Definitions and Standards for ADUs, B&Bs, Boarding/Rooming Houses, Home Occupations, and RV Parks (will be included in Article 2 and 4 after proofing)**

Concerning Short-Term Rental Regulations. The definitions of particular uses of residential property were reviewed and clarified for the definitions and use sections of the code. The various uses are accessory dwelling units, bed and breakfast establishments, boarding/rooming houses, home occupation home based business and cottage industry uses.

Accessory Dwelling standards may be relaxed to allow for properties smaller than 6000 square feet and to allow for flexibility with size minimums and lot coverage. Conditional that any structures meet fire and building code standards and comply with the water and sewer service regulation. The reason for this is to enable the town to have increased population capacity without having to expand geographically.

For bed and breakfasts and boarding and rooming homes the commission settled on this definition: “An owner-occupied single family detached dwelling offering short term lodging for compensation to the travelling and vacationing public. Guest rooms or suites may

include a private bath but shall not include cooking facilities. Breakfast and other meals, services, facilities or amenities may be offered exclusively to guests.”

For boarding/rooming the Commission landed on this definition: A single detached dwelling unit in which the owner rents individual rooms and the individual rooms do not have individual cooking/restroom facilities. The owner resides on the premise. The unit is designed to serve as the residence of individuals subject to the following:

Rooms may be rented on a monthly basis.

The rooms are generally furnished by the owner.

Communal cooking and restroom facilities are provided.

Owner provides some housekeeping and linen services.

The relationship between owner and resident is that of a landlord/tenant with references and deposits required of the resident.

Rooms rented for a period of less than thirty-one (31) days shall be deemed a short-term rental.

For home occupation the definition was clarified to be: Home Occupation: An accessory commercial service, financial service, office, or retail sales use that is permitted to be carried on in a residence for financial gain that does not change the residential character and is clearly secondary to the use of the dwelling. The provision of short-term rentals is considered a lodging use and is not a home occupation.

The commission also reviewed two other definitions of business use in a home, one called Cottage Industry and the other called home based business.

Building Official Doudy reminds the Commission that Home based business are those types of businesses that are compatible and similar in occupancy to a residential use as the fire and building codes determine occupancy. Other types of business activity would not be compatible with a residential use should not be considered a permitted use in a residence.

The commission was still considering leaving out the Cottage Industry use because of the additional required inspections and permitting and enforcement if this was permitted in residential zones. The Commission also thinks the building and fire codes should be tied to permitted uses in residential zones.

The commissioners will continue the discussion on these items and the section on RV parks at the May 4<sup>th</sup> meeting.

**HOLD these for the May 4 meeting: Article 11 Hazards, Article 16 Common Procedures and Article 15 Nonconformities**

**10. ADMINISTRATIVE: Renew terms for Robinson - term ends April 2021 and Truelsen - term ends May 2021 or advertise for new members.**

Chairperson Robinson and Commissioner Truelsen will submit letters of interest to continue serving on the Commission to the Manager to be considered in May by the Board of Trustees.

**11. ADJOURNMENT** the meeting was adjourned at 8:45 p.m.

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Linda Robinson, Chairperson

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Ann Swope, Assistant Clerk