

**COUNTYWIDE PLANNING COMMISSION  
MEETING MINUTES**

August 27, 2018

**COUNTYWIDE PLANNING COMMISSION MEMBERS PRESENT:** Leigh Girvin, Drew Goldsmith, Kelly Owens, Erik Vermulen, Steve Rossetter, Michael Good, Ira Tane, Lina Lesmes

**STAFF PRESENT:** Don Reimer, Planning Director; Jessica Potter, Planner II; Kate Berg, Senior Planner; Keely Ambrose, Assistant County Attorney; Julie Sutor, Public Affairs Coordinator; Dan Hendershott, Environmental Health Manager

Leigh Girvin, Vice-Chair, called the meeting of the Countywide Planning Commission to order at 5:31 pm

Approval of Summary of Motions: The Commission Approved the Summary of Motions from the April 2, 2018 meeting with no changes.

**CONSENT AGENDA:** None

**PUBLIC HEARINGS:**

**PLN18-003 Small Cell Regulations**

Amendments to Section 3805 of the Summit County Land Use and Development Code to update Telecommunications Facilities regulations for the addition of small cell facilities and other minor updates for consistency with Federal regulations.

**Motion:**

Commissioner Tane made a motion to recommend that the BOCC approve PLN18-003 with the findings and conditions as contained in the Staff Report. Commissioner Lesmes seconded the motion. The motion carried unanimously.

**PLN17-151 Short-term Rental Regulations**

Amendments to Chapters 3, 12 and 15 of the Summit County Land Use & Development Code to add Section 3821, Short-term Vacation Rentals. In addition to Section 3821, such amendments include, but are not limited to Section 12000 Development Review Procedures, Chapter 15 Definitions, and other amendments to accomplish the foregoing.

**Public Comment:**

During the public comment period, public comment from 40 individuals was provided to the Commission for their consideration, representing a broad range of perspectives from STR unit owners, property managers, realtors, and neighboring residents.

Key topics raised by the STR community included concerns about the proposed occupancy limitations and local agent requirement, and requests for an exemption or streamlined process for resort area properties. Key issues noted by neighboring local residents included issues related to trash, noise, parking, bright lights, guns, and fire hazard concerns stemming from the use of fireworks and fire pits by STR renters.

**Commissioner Comments:**

- The Commission noted that the County STR regulations **may need to provide more distinction between the STR rules and regulations that should be applied to different areas of the County**, such as the following:

- single family residential neighborhoods
- multifamily residential areas (i.e., townhomes and condominiums)
- resort areas
- larger homes on larger lots, typically located in the more rural residential areas of the County

The Commission discussed the different characteristics of these varying areas of the County, noting that STRs are generally seen as an appropriate use within the resort areas, which were designed and built to accommodate vacationing guests; whereas STRs have greater impacts in the County's residential neighborhoods that warrant additional regulations to protect the residential character of these neighborhoods and minimize negative impacts to the neighboring residents in these locations. The Commission also recognized the unique nature of larger homes on larger lots, where the home size, lot size and distance to neighboring properties can potentially enable these properties to accommodate higher occupancies and additional cars parked on site.

- The Commission's concerns regarding the potential need for more customized STR requirements to be applied to different areas of the County primarily focused on the **need to protect the residential character of the County's residential neighborhoods (located outside of the resort areas)**, as well as **potential differences in the appropriate maximum allowable occupancy and parking requirements applicable within these different areas**. Some of the Commissioners indicated that the proposed STR regulations should go further to add limits on the number of STRs permitted within the County's residential zoning districts (outside of the resort area boundaries), in order to effectively protect the residential character of these neighborhoods and mitigate impacts to the overall carrying capacity of the County. **The Commission requested that staff further evaluate how the STR regulations should be applied within these varying locations in the County, and look at other ideas and options for regulating maximum occupancy.** The Commission indicated initial support for exploring the **potential for a conditional use permit (CUP) to increase occupancy and allow more cars on larger lots**, with thought given to the **thresholds that should be set for requiring a CUP**.
- The Commission noted that **the regulations should address units with lofts and clarify what constitutes a bedroom for the purposes of calculating the maximum allowable occupancy**.
- The Commission questioned whether a **longer renewal period** could be allowed (longer than one year) and suggested that the **permit revocation provisions be given some further thought**. The Commission discussed potentially supporting an **allowance for a new property owner to be eligible to apply for a new permit**, in situations where there is a legitimate sale of the property to a buyer unaffiliated with the previous owner whose permit was revoked.
- The Commission noted that, following adoption of the STR regulations, **a subsequent code amendment should be considered to apply many of these provisions to long term rental and permanently occupied residences** throughout the County as well (e.g., parking restrictions, trash and recycling standards, etc.).
- The Commissioners indicated that they would like to **further consider the issue of the managing agent and whether a local managing agent should be required**.
- The Commission requested that staff look at any available opportunities to **simplify the permitting process, if possible**.

**Motion:**

Commissioner Goldsmith made a motion to continue PLN17-151 to a second public hearing to be held at 5:30 p.m. on Monday, September 17, 2018 at a larger meeting venue to be reserved by County staff, in order

to accommodate a larger public audience. Commissioner Vermulen seconded the motion and the motion passed unanimously.

**DISCUSSION ITEMS:**

None

**ADJOURNMENT:**

The meeting was adjourned at 10:15 pm

Respectfully submitted,

Don Reimer, Planning Director