PLANNING COMMISSION MINUTES

DATE:	February 11, 2013
TIME:	4:30 p.m.
PRESENT:	Commissioners Hahn, English, Ballard, Gromek, Boettcher, and Porter
ABSENT:	Commissioners Buelow, Davis, and Olson
STAFF PRESENT:	City Planner, Mark Moeller

The meeting was called to order at 4:30 p.m. by Chairman Porter.

Approval of Minutes – January 28, 2013

The minutes from the Commission's meeting of January 28, 2013, were reviewed and upon motion by Commissioner Boettcher and second by Commissioner Ballard were unanimously approved as submitted, with the amendment that Carlos Espinosa was not present.

Public Hearing – Zoning of Annexed Properties – Pleasant Valley Terrace Subdivision #1 Area

Chairman Porter introduced this item and concluded by calling on Mr. Moeller, City Planner, to present a summary of the issue. Mr. Moeller noted that during its meeting of August 13th of last year, the Commission initiated the zoning process of 20 parcels which have been annexed into the City since enactment of the City/Wilson Township Orderly Annexation Agreement in 2005. Since newly annexed lands come into the City with an unzoned status, the purpose of the Commission's action was to consider R-1 Zoning for 18 of these parcels, R-S Zoning for 2 parcels and Agricultural Zoning for 1. Given that action, staff has broken the total down into 3 separate "applications". The first of these, related to the zoning of 8 parcels located within the Pinecrest neighborhood, was completed in November of 2012. The application before the Commission this afternoon pertains to the zoning of 10 parcels located within the Pleasant Valley Terrace Subdivision #1 and two parcels located southerly of the subdivision along County Road 17. As recommended in the attached staff analysis, lots within the Pleasant Valley Terrace #1 Subdivision are proposed to be zoned R-1 (One Family Residence). The 2 parcels located along County Road 17 are proposed to be zoned R-S (Residential Suburban). As reflected in the staff analysis, proposed classifications would lock in use which presently exists, while the purpose and intent of the City's 2007 Comprehensive Plan would be achieved. Here, it was noted that the Comprehensive Plan has slated the area for low density residential use. By definition, both districts meet this class of use.

Mr. Moeller noted that in conformance with public hearing protocol, this hearing had been preceded by media and property owner notice.

At this point, Chairman Porter opened the public hearing by calling for anyone who wished to speak to the issue to present first their name and address. There being no one in attendance to speak for or against the proposal, the public hearing was closed.

Following brief discussion, it was moved by Commissioner Gromek and seconded by Commissioner Boettcher to recommend approval of the proposal as outlined in the staff report, to Council. When the question was called, the vote of the Commission was unanimous to approve the motion.

Mr. Moeller noted that the next step in this process would be a Council hearing which is expected to occur within early March.

Public Hearing – Proposed Code Amendments – Bed & Breakfast/Tourist Homes
Chairman Porter introduced this item and called on Mr. Moeller to provide a summary of it.

Mr. Moeller noted that given discussion occurring during Commission meetings of January 14th & January 28th, the purpose of this hearing was to consider proposed amendments to City Code Sections 43.54.1, 43.55, 43.57, 43.58, and 43.65, pertaining to Bed and Breakfast/Tourist Homes within the City. He noted that in part, initial discussion of this item stemmed from a citizen request seeking to establish a tourist home on property located within an R-R (Rural Residential) Zoning District, and which presently does not permit such use.

Mr. Moeller noted that, although approval of the proposal would serve to modify a number of standards pertaining to the regulation of Bed and Breakfast/Tourist Homes within the City, the more significant of these changes would include:

1. The application of the Bed and Breakfast/Tourist Home use concept would be extended to low density (R-S & R-R) residential zoning districts as well as the agricultural zoning district. Uses are presently permitted within R-1, R-1.5, R-2, and R-3 zoning districts. Given this change, the permissible number of guest rooms within the R-S and R-R District would be 3 while a maximum of 5 would be permitted within an agricultural zone. The proposal would also serve to downscale the number of guest rooms within R-1 and R-1.5 districts from 4 to 3 (consistent with R-S and R-R Districts). Within Medium Density (R-2) Districts, the number would be reduced from an undefined maximum to 5. Although no maximum applies to Multiple Family (R-3) Districts the number of guest rooms could not exceed lot area divided by 1,500 square feet as found under Code Section 43.54.1 (Bed & Breakfast/Tourist Home Performance Standards).
2. Bed & Breakfast/Tourist Homes would be treated as "conditional uses" in all but the R-3 Zoning Districts. Given this, Board of Adjustment hearings and approvals would be required for any such use proposed within any Agricultural or Residential Zoning District but the R-3 District. Since Board of Adjustment hearings are preceded by notice to the immediate neighborhood, this process would provide maximum transparency to most use proposals.
3. Presently, Bed & Breakfast/Tourist Home uses are permitted only upon properties that have "demonstrated community historical significance". Since

this language is proposed to be removed from the ordinance, new uses would not be subject to any form of locational requirement. If the use meets performance standards of Section 43.54.1 and required Board of Adjustment approvals, it would be permitted at any location.

4. Currently, Bed & Breakfast/Tourist Homes need to provide two off street parking spaces for the host or host family. Additional spaces for guest rooms are not mandated. Amendments would require the provision of guest room off street parking spaces at a ratio of one space per guest room, in addition to the two spaces for the host family. This standard would be consistent with that required of hotels & motels.

At this point, Chairman Porter opened the public hearing and called for anyone who wished to speak to present first their name and address. There being no one present to speak for or against the proposal, the public hearing was a closed.

During subsequent deliberation, discussion ensued relative to the provision of cooking within guest units. It was noted that the definition could extend to something as simple as a microwave located within a guest room. Although no reference to cooking within guest rooms is made in the draft proposal, the consensus of those present was that cooking within guest rooms should be permitted if properly certified and licensed for that purpose.

Mr. Moeller noted that the concept of a Bed & Breakfast use is generally consistent with a rooming unit within an owner occupied home. Although formal kitchens are typically not a part of such uses, it was conceivable that rooms could incorporate microwaves for a limited cooking function. Absent that, the basis of a Bed & Breakfast facility is that a breakfast meal is served and other meals are typically found outside of the home.

Unlike the Bed & Breakfast concept, Mr. Moeller noted that a tourist home could consist of a modified apartment which is rented on short term basis to transient guests. Such units may include kitchens and may or may not include a breakfast with stays.

Following significant discussion of this item, Commissioner Ballard suggested that the ordinance be modified to allow no guest room cooking within Bed & Breakfast Homes and to allow cooking within guest rooms of Tourist Homes. This concept was subsequently submitted as a motion by Commissioner Ballard and seconded by Commissioner Boettcher. When the question was called, the vote of the Commission was unanimous.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

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Mark Moeller
City Planner