

**SANDPOINT PLANNING COMMISSION MEETING
5:30 P.M. CITY HALL COUNCIL CHAMBERS
MINUTES OF MAY 16, 2017**

COMMISSION MEMBERS PRESENT: Tom Riggs, Collin Beggs, Mark Remmetter, Danny Strauss, Tom Russell

COMMISSION MEMBERS ABSENT: Cate Huisman, Yuri Simon

STAFF MEMBERS PRESENT: Planning & Community Economic Director Aaron Qualls, Planner Melissa Bethel (minutes), City Attorney Scot Campbell

Chairman Riggs called the meeting to order at 5:30 p.m.

Matters from the Public: None

Approval of the Consent:

Commissioner Strauss moved and Commissioner Simon second to approve the minutes of April 4, 2017. **Motion passes unanimously.**

Public Hearing:

OA17-01; Accessory Dwelling Regulations: The City has initiated amendments to *Sandpoint City Code*, Title 9, Chapter 1, Section 8, regarding Accessory Dwelling Units. The Ordinance seeks to clarify the Six hundred fifty (650) square foot minimum size limit; minimizes design standards; and limits the height of ADU's in the Single Family "SF" Zone to 26 feet.

Staff presentation:

Qualls gave a brief overview of changes since the workshop. He stated staff added language to incorporate minimalistic design compatibility.

Chairman Riggs opened the public hearing

Public Comment: None

Chairman Riggs closed the public hearing

Discussion:

Commissioner Beggs clarified the language added in 9-1-8 A. allows for the removal of specific criteria and adds broader language. Qualls stated the language added to the requirements for all Accessory Dwelling Units is helpful and may influence the design, but it is subjective in terms of enforcement.

Commissioner Beggs stated he likes the added language but he visits many towns where without a doubt there are clear design standards and there is a lot to be said for cohesion of design. Commissioner Remmetter stated he likes the proposed wording.

Campbell stated he approves of the proposed wording but it is not something that is strictly enforceable. He indicated if certain design feature are well outside the boundaries; height for instance can be enforced, but if the height is 2 or 3 feet higher than some surrounding structures it might be more difficult.

Commissioner Russell clarified the ADU has to be complimentary to the principal home, not compatible.

Commissioner Strauss stated there are many streets that do not have any theme or architectural style, and so why not have the language say must not be incompatible with the neighborhood.

The Commission agreed a common sense approach to enforcement will be needed.

Motion:

Commissioner Russell moved and Commissioner Remmetter second the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code recommend the City Council approve and adopt the proposed amendments to Title 9, Chapter 1, Section 8 of Sandpoint City Code as agreed upon by a majority in this proceeding.

The reasons for this decision are:

1. Particular consideration has been given to the effects of these proposed changes upon the health, safety and welfare of the residents and the delivery of services by any political subdivision providing public services, including school districts, within the City of Sandpoint.
2. Staff has followed the notice procedures applicable to zone changes contained in Idaho Code 67-6511 and Sandpoint City Code Title 9, Chapter 9.
3. The proposed amendments are accordance with the goals and policies of the Sandpoint Comprehensive Plan.

Motion passes unanimously.

Public Hearing:

OA17-02; Cottage Housing: The City has initiated amendments to *Sandpoint City Code, Title 9, Chapter 4, Section 7*, regarding Cottage Housing. The Ordinance seeks to increase the total number of units allowed in a cottage development from twelve (12) to twenty-four (24).

Staff presentation:

Qualls stated the only changes are an increase in density from 1.7 to 2 and increase the maximum number of units from 12 to 24. He stated all other design requirements are the same.

Commissioner Beggs clarified the Ordinance has not be used since its inception. Qualls showed areas in town where the Cottage Ordinance could be utilized.

Qualls clarified the changes are demand driven.

Chairman Riggs opened the public hearing
Public Comment: None
Chairman Riggs closed the public hearing

Discussion:

Commissioner Beggs stated he likes the Ordinance and hopes developers takes advantage with the changes. Commissioner Strauss agreed a different variety of housing styles is great.

Motion:

Commissioner Beggs moved and Commissioner Russell second the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code recommend the City Council approve and adopt the proposed amendments to Title 9, Chapter 4, Section 7 of Sandpoint City Code as agreed upon by a majority in this proceeding.

The reasons for this decision are:

1. Particular consideration has been given to the effects of these proposed changes upon the health, safety and welfare of the residents and the delivery of services by any political subdivision providing public services, including school districts, within the City of Sandpoint.
2. Staff has followed the notice procedures applicable to zone changes contained in Idaho Code 67-6511 and Sandpoint City Code Title 9, Chapter 9.
3. The proposed amendments are accordance with the goals and policies of the Sandpoint Comprehensive Plan.

Motion passes unanimously.

Public Hearing:

OA17-03; Short Term Rental of Dwelling Units: The City has initiated amendments to Sandpoint City Code, Title 3, Chapter 12, regarding Short Term Rentals. The Ordinance seeks to allow for a purpose statement; decrease the inactivity clause from two (2) years to one (1); clarify the definition of “good faith effort”.

Staff presentation:

Qualls stated the Commission asked staff to look specifically at reducing the inactive clause from 2 years to 1. Qualls also advised the Commission he revised the purpose statement to accurately reflect the House Bill 216. He stated the Commission might want to take out reference to business license requirements in residential zones, which also aligns with the House Bill. Qualls stated the phrase good faith effort has been defined to a minimum of 4 days in a year as a starting point for discussion.

Chairman Riggs opened the public hearing
Public Comment: None
Chairman Riggs closed the public hearing

Discussion:

Commissioner Strauss stated he thinks the inactivity clause should be more than 4 days. He stated a vacation rental should be active and would double the rental requirement. Chairman Riggs stated he could go for 30 days. The Commission discussed the minimum number of days to be required.

The Commission agreed to change the word days to nights.

The Commission agreed to rephrase the language in 3-12-4 f to state, “Inactivity: License issuance and continued validity shall be contingent upon the owner's good faith effort to actively engage in the rental of the property. Failure to provide documentation of rental activity for a minimum of twelve (12) nights during a twelve (12) month period, pro-rated quarterly, prior to the vacation rental permit renewal deadline shall constitute an immediate forfeiture of the license.

The Commission agreed have staff remove all references to vacation rentals as businesses and references to business licenses.

Motion:

Commissioner Remmetter moved and Commissioner Strauss second the Sandpoint Planning Commission, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code recommend the City Council approve and adopt the proposed amendments (including those in bold as indicated above) to Title 3, Chapter 12 of Sandpoint City Code as agreed upon by a majority in this proceeding.

The reasons for this decision are:

1. Particular consideration has been given to the effects of these proposed changes upon the health, safety and welfare of the residents and the delivery of services by any political subdivision providing public services, including school districts, within the City of Sandpoint.
2. Staff has followed the notice procedures applicable to zone changes contained in Idaho Code 67-6511 and Sandpoint City Code Title 9, Chapter 9.
3. The proposed amendments are accordance with the goals and policies of the Sandpoint Comprehensive Plan.

Motion passes 4-1with Commissioner Russell voting no. Commissioner Russell stated he is luke warm regarding the Ordinance at best and is not in agreement to make more restrictive.

Matters from Staff:

Qualls advised the Commission there was only one bid for construction on Cedar Street, so it is possible that construction will be delayed for another year.

Qualls stated there is a vacancy for the Impact Fee Advisory Committee.

Qualls stated he is budgeting for compliance software for short-term rentals and a Comprehensive Plan Update.

ADJOURNMENT: The meeting adjourned at 7:00 p.m.