

COUNTYWIDE PLANNING COMMISSION

MEETING MINUTES

January 4, 2023

COUNTYWIDE PLANNING COMMISSION MEMBERS PRESENT: Gillian McGinnis, Michael Good, Ira Tane, Greg Roy, Leigh Girvin, Steve Rossetter, Randy Lewis, Marc Hogan, Ross Sheely, Jonathan Smith

STAFF PRESENT: Steve Greer, Jessica Potter, Brandi Timm, Jen Uhler

CALL TO ORDER:

Michael Good called the meeting of the Countywide Planning Commission to order at 5:30 pm.

APPROVAL OF SUMMARY OF MOTIONS: Greg Roy moved to approve the Summary of Motions from the November 7, 2022 meeting. Ira Tane seconded the motion. The Summary of Motions was approved by a vote of 8 – 0.

APPROVAL OF AGENDA: The Agenda was approved without any modifications.

CONSENT AGENDA - None

PUBLIC HEARINGS – PLN22-060 & PLN22-061 Greg Roy moved to recommend that the BOCC approve PLN22-061 Amendments to the Summit County Land Use and Development Code for the purpose of updating the Short-Term Rental (STR) and Bed and Breakfast regulations in Chapter 3 and definitions in Chapter 15 of the Code, and other amendments to accomplish the foregoing, with the findings as contained in the staff report and no conditions. Randy seconded the motion. The motion was approved unanimously, by a vote of 6 – 0 (Gi and Leigh had signed off zoom).

Approximately 30-40 members of the public spoke during the public comment period. Approximately 115 members of the public attended the meeting remotely, and 40-50 members of the public attended the meeting in person. Most commenters were in favor of no STR caps, or requested a reconsideration of Peak 7 as a resort zone. A minority of comments were in favor of STR caps.

WORK SESSION ITEMS – PLN22-060 & PLN22-061: Discussion of proposed revisions to the Short-Term Rental (STR) Regulations and Ordinance.

The Commissioners discussed the major topics of the regulation and ordinance revisions, and were in support of most of the topics as presented in the staff report. The CWPC agreed with the BOCC's recommendations on the following:

- Caps on the Number of Licenses in the NOZ by Basin, including where a slightly higher number accounts for some flexibility of license granting in the future:
 - Lower Blue Basin: 550 STRs (approx. 15% of units in the NOZ)
 - Snake River Basin: 130 STRs (approx. 5% of units in the NOZ)
 - Ten Mile Basin: 20 STRs (approx. 6% of units in the NOZ)
 - Upper Blue Basin: 590 STRs (approx. 18% of units in the NOZ)
- Tallying of Exceptions: 20% of the Basin Cap will be exception licenses, to be continually granted, before they start counting towards the basin cap
- Timeline for Compliance with the Occupancy Provisions Approved in 2021 (accelerate from 2025 to 2023)

- Administration of Cap: The commissioners mostly agreed that a Lottery system was fair
- Exceptions for Transfer of Title: Transfers will not be allowed unless they meet one of the exception for transfer criteria, related to ownership group changes, familial agreements, or court orders.
- Bed and Breakfast Regulations: Require STR License in residential zones, change from permitted use to conditional use in A-I zone district, and a B&B would need an STR license for at least 1 year prior to applying for a B&B.
- Water for STRs utilizing Well Water: Implement process to confirm that existing hot tubs are adequately augmented through well permits, and new STRs on well water must submit well permits going forward
- BOCC Review Timeline: Individual review periods of 1 and 2 years to present program data and intake public comment, respectively, are sufficient

The Commissioners proposed some modifications to the following topics:

- Eligibility for Exceptions to the Cap: Expand the criteria for Type 1 exception licenses from the proposed Qualified Occupant definition, to include owner-occupied primary residency as an exception criteria
- Permitted Uses of Exception Licenses: Comments were directed to situations with on-site qualified occupants, and qualified occupants in an ADU
 - For a hosted Type 1 license, the maximum number of bedrooms available for rent should be no more than 50% of the bedrooms, up to a maximum of 2 bedrooms
 - A Qualified occupant (QO) living in an ADU cannot claim property management of the STR as the majority of their hours worked for QO status
 - A slight majority of the CWPC was in favor of incentivizing ADUs through exception licenses
 - An ADU should not have been removed for 5 years prior to become eligible for a Type 1 exception license
- The Commissioners were in favor of keeping a nightly limit, but raising the limit from 135 to 180
 - Commissioners unanimously agreed to eliminate Type 3 licenses, as less nights rented might result in higher quality management of these rentals
- The Commissioners believed that the BOCC should consider revisiting the Peak 7 designation as a neighborhood zone, based on the volume of contentious comments from Peak 7's property owners.

DISCUSSION ITEMS – None

ADJOURNMENT:

Michael Good moved to adjourn the meeting. Steve Rossetter seconded the motion. The meeting was adjourned by 6-0 vote at 10:15 pm (Gi and Leigh had signed off zoom).

Respectfully submitted,

Steve Greer, Interim Planning Director