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## **REGULAR PLANNING COMMISSION MEETING MINUTES**

Monday, November 24, 2008, 6:30 p.m.  
Council Chambers, Garibaldi Meeting Hall

### **PUBLIC HEARING - QUASI-JUDICIAL HEARING TO CONSIDER THE CONDITIONAL USE OF A VACATION RENTAL IN THE R-1 ZONE.**

Hearing called to order at 6:31 p.m. by Chair Bil Luth. Present were Herb Dorn, Emmy Lou Orahood, Dale Jordan, and John O'Leary acting as Recorder. Also present was applicant representative Barry Boring of B&I Development. Commissioners Ev Brown and Nick Stumpf were absent.

Chairman Luth stated that this was a quasi-judicial hearing to consider the conditional use of a vacation rental in the R-1 zone. Luth described the applicant and subject properties and asked if any one objected to the jurisdiction of this commission. Luth asked if any member of the Commission had a bias or ex-parte contact to declare. Cm Dorn stated that he worked with Mr. Boring on the YMCA board, but had not discussed this application with him prior to the meeting and stated that he could be impartial in his decision. Hearing no other objections, statements or questions Luth asked Jordan for the staff report.

Jordan reviewed his written report and noted that there were no required criteria in the code. Jordan noted that his recommendations for conditions of approval were based on his interpretation of the overall code and explained that Commission could alter or delete those conditions from their approval. Dorn commented that he felt that parking along Bay Lane could become a problem. Staff, the Commission and the applicant discussed this further and agreed that language in the rental agreements should state that renters shall not park on the Bay Lane right of way. Orahood commented on the sign restrictions in the conditions of the report asked staff about what would be allowed. The Commission and staff discussed this and determined that language in that condition should specify that signage allowed out-right in the R-1 zone should not be prohibited. Luth asked if there were any other concerns.

Luth stated that this commission would make a decision tonight after this meeting based on the testimony presented, stated that a failure to raise a relevant issue during this hearing would preclude an appeal based on that issue, and asked Mr. Boring if he would like to testify.

Boring stated his name, address, association to the applicant, and thanked the City and its staff for their assistance and efficiency with this application. Boring asked that if this use is approved tonight would it continue to be allowed if the property were sold. Jordan noted that this use will "run with the property" and will continue to be allowed in the event of a sale.

Hearing no further questions or comments, Luth closed the hearing at 6:53 p.m.

I. CALL TO ORDER

Regular planning commission meeting called to order at 6:53 p.m. by Chair Bil Luth.

II. MINUTES - REGULAR PLANNING COMMISSION MEETING AND HEARING - OCTOBER 27, 2008.

**MOTION made by Dorn to accept the October 27<sup>nd</sup> minutes. Seconded by Orahood. AYES - Luth, Dorn, Orahood. MOTION PASSED.**

III. NEW BUSINESS - APPLICATION FOR A CONDITIONAL USE OF A VACATION RENTAL IN THE R-1 ZONE

Luth asked for a motion to approve or deny this application. **MOTION made by Orahood to approve the application for conditional use dated October 20, 2008, subject to the condition on page 5 of the staff report dated November 13, 2008, with amendments to conditions 2 and 3 that would specify that signage allowed out-right in the R-1 zone would be allowed for this use, and that the rental agreements for these vacation rentals state that parking by renters on the Bay Lane right of way is prohibited. Seconded by Dorn, AYES - Luth, Dorn, Orahood. MOTION PASSED.** Jordan and Luth noted the completeness of the application and thanked Mr. Boring.

IV. OTHER ITEMS

Luth asked staff if there were any other items to discuss; there were none.

Luth and the Commission discussed the December date for the next Commission meeting and canceled it.

V. ADJOURNMENT

Meeting adjourned by Luth at 7:00 p.m.

ATTEST:

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William Luth, Chair

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Kevin M. Greenwood, Secretary