

PLANNING COMMISSION MINUTES

April 8, 2019

MEMBERS PRESENT

Mr. Searce
Mr. Garrison
Mr. Petrick
Mr. Wilson
Mr. Jones

MEMBERS ABSENT

Mr. Dodson
Mr. Bolton

STAFF

Ken Gillie
Bryce Johnson
Clarke Whitfield

The meeting was called to order by Chairman Searce at 3:00 p.m.

I. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20180000105, filed by Robert L. Hogue, Jr., requesting a Special Use Permit for a daycare center in accordance Article 3:E, Section C, Item 7 of the Code of the City of Danville, Virginia 1986, as amended at 801 Kemper Rd, otherwise known as Grid 1610, Block 020, Parcels 000027, 000028 and 000029 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have a daycare center for children.*

Mr. Searce opened the Public Hearing.

Mr. Robert L Hogue Jr., asked do you have any questions for me?

Mr. Jones stated when do you anticipate opening up?

Mr. Hogue stated as soon as possible.

Mr. Jones stated how many children do you expect to have?

Mr. Hogue stated we should have about fifteen.

Mr. Wilson stated are you in full agreement with all of the requirements by staff?

Mr. Hogue stated I have one question about the parking spaces. Do we have to have all these parking spaces for different people since it's for the church?

Mr. Johnson stated it could serve for both if they are not used at the same time.

Mr. Searce closed the Public Hearing.

Mr. Wilson stated all we are really doing is recommending it to City Council that the perimeters around the building are established. Are there other steps that they have to go through to be a legal overseeing day care? I would think there are some regulations that come with opening up a day care.

Mr. Johnson stated Department of Social Services handles licensing for day cares and they do work with institutions and this would follow under provisions for Religious Day Care.

Mr. Whitfield stated and they also have to get a business license.

Mr. Wilson stated does this kind of need to be done first and those things will come later or has it already been received?

Mr. Johnson stated my understanding is they will need this first before the actual business license will be issued.

Mr. Petrick made a motion for approval for Special Use Permit application PLSUP20180000105 subjected to conditions by staff. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

2. *Special Use Permit application PLSUP20190000109, filed by Full Moon Rising LLC, requesting a Special Use Permit for a waiver of minimum lot size and yard requirements in accordance with Article 3.0, Section C, Items 20 and 25 of the Code of the City of Danville, Virginia 1986, as amended at Parcel ID#s 20833, 20834, 20835, and 20837 on Cahill Ct. otherwise known as Grid 1711, Block 006, Parcels 000012, 000011, 000010, and 000009 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to waive the lot size and yard requirements in order to adjust the property lines.*

Mr. Searce opened the Public Hearing.

Mr. Fred Shanks, stated I'm here to represent Full Moon Rising LLC. With me is Earl Vippen, he is the owner. If you were to look at the plat you will see several gas lines that come from the River. Those non-perpendicular lines are one of the issues and the other issue is the building setbacks and acreage requirements. There is presently two buildings, and one would be on 1A and the other on 1B. The current subdivision plat both of the buildings would be on one lot. We are trying to get one building on each lot. We are proposing to divide the parking lot between the buildings and make that exactly half way between the two buildings. The remainder lot 133A would fill in the use of parking requirement and that is what the plat is trying to achieve. The ordinance of 2004 happened to address that for the purpose of the M-I Zoning. They suggested bringing this light industry which is conforming as of today of the ordinance into compliance. We are here to request a waiver of properties and setback requirements and find that the terms proposed by staff we agree to everything, except the front yard setback of zero like every other lot that has improvements on that street.

Mr. Johnson stated the other properties are basically right on top of the right away.

Mr. Searce stated we can see by the map that you are very limited on what you can do on the property.

Mr. Shanks stated I will mention not to complicate issues, talking about the ordinance in 2004 allows for this special use permit for nonconforming lots. This particular situation here, that lot that now has two buildings on it, was created in 1949 so obviously nonconforming at the time of the 2004 Ordinance.

Mr. Petrick stated I have a question for staff do you see any issues with maintaining zero setbacks?

Mr. Johnson stated not really we were just trying to have some kind of setback since it is zoned differently across the street and to maintain consistency.

Mr. Jones stated does this property ever have any problem with flooding?

Mr. Shanks stated no.

Mr. Jones stated do you have further use for this property in the future?

Mr. Shanks stated right now it is being used for home school and a gym. Types of uses that allow that, we don't expect anything other than that, if so we will have to come back.

Mr. Searce closed the Public Hearing.

Mr. Garrison made a motion for approval for Special Use Permit application PLSUP20190000109 as submitted subject to conditions recommended by staff with one change to Item 2 zero setback from the front. Mr. Petrick seconded the motion. The motion was approved by a 5-0 vote.

3. Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 2 entitled "General Regulations", Section T entitled "Home Occupations", and Article 15 entitled "Definitions", Section B entitled "Definitions". The purpose is to amend regulations regarding Home Occupations, Bed and Breakfast and Home Share facilities.

Mr. Searce opened the Public Hearing.

Mr. Paul Liepe stated, I live on Main St. in the Old West End and I wish to speak on the issue of short-term rentals. First I would like to tell you about an online survey taken on Nextdoor for the Old West End neighborhood. On the general question of short-term rentals, there were 22 people who responded, and 21 of them responded favorably. I did not find anyone who responded negatively to homestays, or room rentals, or whatever you would like to call them. But folks were very cautious about whole house rentals. There would need to be some way to limit the number of homes available this way. I do not think anyone wants to create blocks of houses which are all rentals of some kind, particularly whole house short-term rentals. I think this is particularly important with the possibility of a casino on the horizon. I can imagine a party street developing, and we certainly want to prevent that.

Mr. Liepe stated, I think the whole homestay issue is important to the strategy of growing Danville. Before people can decide to become residents, they first need to stay here. Travelers and families often prefer short-term rentals over hotels. It is actually less expensive and easier to keep your family organized. And those who come for our history would certainly like the opportunity to stay in one of our historic homes in a homestay. I think homestays should be allowed by right in the Old West End Historic District and perhaps the North Danville Historic District, and by Special Use in other residential areas. These historic districts are adjacent to the River District, which includes many of our attractions. These

districts also include the museum and theatre and other attractions. Both are served by our mainline trolley, along with the River District. With the revitalization efforts going on in the Old West End, allowing homestays might even encourage more rehabs of the historic homes.

Mr. Liepe continued, now I encourage you to support homestays by right in those districts as soon as possible. I realize there are a lot of considerations in these issues. I also suggest that further study of the whole house rentals may be in order. Our experience with homestays, if that is approved now, might lead us to better conclusions in regards to the whole house rentals. Get a little experience first. Thank you.

Mr. Searce closed the public hearing.

Mr. Searce asked, in regard to what the gentleman just said, that is what you are recommending that it be by right?

Mr. Johnson stated, for homestay we are recommending it be by right for the entire city. My understanding is he was recommending it be by right for two historic districts only.

Mr. Searce state, I think he was just trying to ensure he got it in by right.

Mr. Wilson asked, what was the reasoning for the difference between the whole City versus those neighborhoods?

Mr. Searce stated, that is just he suggested. Staff is recommending it be by right for the whole city.

Mr. Wilson asked, what is the advantage to having it be by right for the whole city?

Mr. Johnson answered, for homestay if someone wanted to rent out a room or two on a short-term basis, it would be treated essentially as a home occupation. They would not have to go through the Special Use Permit request. They would still need to get a business license. If a short-term rental registry, that would be used instead. It would make it a little bit smoother.

Mr. Wilson asked, what if we started running into difficulties with that? What position would that put us in to maybe backtrack?

Mr. Johnson stated, if we start permitting them, we would not be able to stop the ones we permitted. However, staff do not see any issue with permitting the homestays because it is just a room or two.

Mr. Garrison asked, so that would make them grandfathered in if City Council were to require a Special Use Permit again?

Mr. Johnson stated, correct.

Mr. Petrick stated, back in November we recommended approval for a gentleman for what was essentially a homestay situation. From what I recall, there was considerable neighborhood opposition. I know Mr. Liepe stated his survey showed 95% favorable, but to grant this with a blanket right could have considerable opposition, I would think.

Mr. Johnson stated, that is something to consider. The case with the property on W. Main, we considered as a bed and breakfast because that was the only definition we had that would allow him to rent anything in his home, even though what he is doing is essentially a homestay. My understanding is that a lot of the opposition stemmed from the definition of bed and breakfast. It is possible that having a separate definition from bed and breakfast could alleviate those concerns.

Mr. Scarce stated, I think they came around in the end and were for it once we stipulated no banquets and stuff like that.

Mr. Petrick stated, there was something to do with parking.

Mr. Wilson stated, yeah, parking was the major issue. There was an overabundance of parking in the driveway and out to the street. And City Council limited the number of rooms. Those limitations are what changed the mind of neighbors.

Mr. Garrison asked, but that limitation would already be in this definition for homestay?

Mr. Scarce stated, yeah they are spelling it out.

Mr. Petrick stated, but granted as by right you are going to run into issues of density. If you have several of these, a majority of homes in an area that allow this, you are creating an issue in an area that may already have issues with parking, even if there is just one per house.

Mr. Johnson stated, that is true.

Mr. Petrick stated, it is changing the character of the neighborhood.

Mr. Johnson stated, it is similar to having a guest over.

Mr. Petrick asked, if we allow it by Special Use Permit, do we consider density? Do we say there can only be so many per block?

Mr. Johnson stated, you could when looking at it case-by-case. If someone is requesting a Special Use Permit you could say there are already three on this block, and we do not think it is appropriate here.

Mr. Wilson asked, is there a way in which this arrangement, particularly the short-term rental, could be open for abuse, in that people could stay a place a month, then stay another place a month, and another place to stay month? What I am imagining is if I go to Boston for a month, and get a short-term rental for my family, I see an ability to stay in a home. Is there a way people could just go from property to property?

Mr. Johnson asked, are you talking about the homestay or the entire home?

Mr. Wilson stated, the short-term rental.

Mr. Johnson stated, it could. There was a news article a couple weeks ago in which a person was renting out the entire home, and the family actually stayed long enough that

they needed to go through an eviction process to kick the people out. It is potentially opening up a can of worms.

Mr. Scarce stated, I am still trying to figure out a way to differentiate between a short-term rental and a regular rental property.

Mr. Petrick stated, one could argue it is already granted by right.

Mr. Scarce stated, yes you could live in your house on a month to month basis. A lot of people do a year lease, but then sometimes at the end of the year it converts to month to month.

Mr. Petrick stated, we are considering short-term rentals as a Special Use. Then again we have to consider, as far as density is concerned, that this is something that can change the character of the neighborhood.

Mr. Johnson stated, we could come back with a recommendation where it is allowed by right with specific conditions limiting the density. Or you could recommend it be by Special Use Permit.

Mr. Scarce stated, we could also tweak the definitions.

Mr. Johnson stated, you could also have a work session to further tweak it out.

Mr. Garrison stated, I was in the City Council work session on March 5 and there was a consensus that they want a way to collect tax, they want something less than a bed and breakfast so that we can have these homestays, and they want some kind of application process so that the City knows a house is renting out rooms on a short-term basis. There is no consensus on a Special Use Permit. Some want it by Special Use Permit. Others do not, they want it by right. I am talking about the homestay. They were not talking about any 30 day rentals of the whole house, and they wanted the homeowner in the house for the homestay.

Mr. Garrison stated, I could see more people doing this in the historic districts than in the rest of the City. I do not have a problem with by right. If we find out later it is a problem, we can change it and have those people grandfathered in.

Mr. Scarce stated, I have no problem with the homestay.

Mr. Garrison stated, I do not either.

Mr. Scarce asked, why does the short-term rental need to be there?

Mr. Garrison stated, people are renting houses now, sometimes for 30 days and sometimes for 5 years. It is a rental. I am not sure we need that designation.

Mr. Scarce asked, what is your thinking with this use? Are you thinking someone is coming in for some event?

Mr. Johnson stated, that is what we are thinking with the whole home being rented out. People come to rent a whole home for a weekend or a week. We are not talking about

people who are leasing it monthly. The 30 day limit is to differentiate between the two. Based on the people we have talked to, and looking at Airbnb and similar sites, when these residences are being rented out it is often as a whole home. It is a vacation house of sorts.

Mr. Scarce asked, for homestay the homeowner is there?

Mr. Johnson stated, correct.

Mr. Scarce asked, can we do a homestay 1 and 2, with an owner and without an owner? I am concerned that someone will find themselves in this category when they do not intend to be.

Mr. Garrison stated, yes because we do not require a Special Use Permit for someone to rent out a home. Why should we require them to get a Special Use Permit for renting for 30 days or 14 days? If someone wants to rent out a house for 14 days, then to someone else for another 14 days, it is no different than renting it out for a long period of time. I just do not see the need for that particular section.

Mr. Wilson stated, except that the Special Use idea allows neighbors to know what is being changed in their neighborhood. If it is by right, there is none of that.

Mr. Garrison stated, but if I owned 3 houses and want to rent 2 of them, I do not need a Special Use Permit now. Why should I need a Special Use Permit to rent them for 30 days? It is not changing the neighborhood.

Mr. Jones stated, I noticed the Commissioner of Revenue is sitting in the back. I wonder if he might comment. You suggested a \$250 registration fee. Who would have to pay that? All these people?

Mr. Johnson stated, if they do not have a business license and they are not paying taxes.

Mr. Jones asked, so anyone who wants to rent their home for a weekend better have their registration on file with the Commissioner of Revenue?

Mr. Johnson stated, that or they could have a business license. It is the same with hotels. They are required to have a business license.

Mr. Jones stated, I doubt these people doing this have a business license.

Mr. Johnson stated, we are talking about people renting out rooms or homes for a week or weekend at a time, like a hotel. This is what we are getting at when we say short-term rental.

Mr. Jones stated, so let us say there is a big race coming to VIR and NASCAR fans are coming in. Someone walks up to my house and says they will give me \$5,000 if we can live here for the week. Do I have to get a registration license?

Mr. Johnson stated, technically yes. It is a commercial operation.

Mr. Scarce stated, if this goes through. Or we can say I have a rental house which is vacant, then I rent it out for a month. Then someone else comes in and rents it out for a

month. I am not doing anything different than I normally would. It is just short-term. As an owner, I would not want to do that because of more wear and tear. But I could get caught up in this use unnecessarily.

Mr. Petrick stated, but these would ideally be furnished.

Mr. Garrison stated, since the Commissioner of Revenue is here, can we invited him to speak to us?

Mr. Searce stated, we could.

Mr. Garrison stated, he spoke to Council on March 5. I was going to reiterate what he said, but since he is here I think we should allow him to say it.

Mr. James Gillie stated, it can take a while if you give a politician a microphone but ok. Historically, the Commissioner of Revenue office does not dictate policy. That is for City Council as legislators. Anything I did with Bryce was to discuss what we are doing now. If someone comes up to you for VIR like that, I am not going to be involved in that. But if you advertise your home to be used to rent, then I am probably going to become involved. Let me remind the Commission, there is no business license issued until zoning is approved.

Mr. James Gillie stated, the feedback I got from the work session is that Council members want to expedite this homestay, Airbnb, whatever you want to refer to it, to waive the business license fee, to waive the tax that way. That is why Bryce and I together recommended a fee, similar to what has been done in other localities, in lieu of the tax. The consensus was that it is a burden for someone to be doing this thing if they have to be taxes, business license, zoning clearance, and stuff like that. That is the reason for that recommendation. The \$250 registration fee that was to cover any taxes they would have collected in any year. That is a yearly fee.

Mr. Searce asked, that is for a homestay property?

Mr. James Gillie stated, yes. Now let me touch on the rental property of someone's house or something like that. I am not going to be involved if someone comes to you want wants to rent your house for x number of days. But when you hold yourself out for advertisement and compensation that is when I am going to have to get involved. You are in a business. Whether you think you are a business or not, you are a business.

Mr. Jones asked, so if I have a sign in my yard that says for rent?

Mr. James Gillie stated, exactly.

Mr. Searce stated, any other questions for Mr. Gillie? Ok, thank you.

Mr. Wilson stated, I do not have any questions for Mr. Gillie. Just to come to a jumping off spot, it really strikes me that short-term home rental is the one where we have the most questions.

Mr. Searce stated, right.

Mr. Wilson asked, so for the bed and breakfast, hotel/motel, and boarding house, nothing really changes?

Mr. Johnson stated, correct.

Mr. Wilson asked, are there any major issues with homestay that are unresolved that we could not act on?

Mr. Johnson stated, I believe there was some discussion about that, about renting a room or two and density.

Mr. Petrick as far as granting that by right, I would have an objection to that.

Mr. Wilson stated, but that is what you are recommending? That is be by right?

Mr. Johnson stated, correct.

Mr. Wilson asked Mr. Liepe, and for you what was your position on that?

Mr. Liepe stated, I am for by right in the historic district. I am not sure it is appropriate for every neighborhood. I think in the historic districts it is appropriate for a homestay.

Mr. Scarce stated, could you come back up?

Mr. Wilson asked, what is your distinction between the historic neighborhoods and everybody else, that you think it is not legitimate by right for the others?

Mr. Liepe stated, there is two things on my mind when I say that. One is that by doing just the historic districts, it gives you the flexibility to expand later. I am thinking about how to expand cautiously. The other thing is that the historic districts is where people come when they are not here for work. That is where the attractions are, and in the River District. I think it should be clustered around that. I would like to see more people come here for vacation, like it, and decide to move here.

Mr. Wilson asked, so your motivation is to encourage occupancy in those areas?

Mr. Liepe stated, yes that is an important part of it. The other thing is I wonder if people know the city in Virginia with the lowest property tax rate. That city is Williamsburg because of its tourism. They are paying the taxes. That is another reason I would like to find ways to encourage people to visit here.

Mr. Wilson stated, but by extending it to everybody, we are not necessarily limiting people from coming here. It just means we are not limiting people to just coming to those two areas, those historic districts.

Mr. Liepe stated, that is true.

Mr. Wilson stated, for example would the West Main area, not the Old West End, be included in that?

Mr. Liepe stated, then are you including Forest Hills, and on and on and on? There are a lot of areas with the City with smaller homes. The Old West End has larger homes for the most part, so they could make effective use of a homestay regulation.

Mr. Wilson stated, thank you. I just needed clarification.

Mr. Garrison stated, why are we going to discriminate against people who do not live in those historic districts?

Mr. Scarce stated, I do not see any problem with by right for homestay.

Mr. Wilson stated, are we ready to act on this? It seems that there are still a lot of questions about the short-term home rental. Is there any way to work that out of there so that we can move forward, since City Council is chomping at the bits?

Mr. Garrison stated, why cannot we just eliminate the short-term home rental? It is a new section anyway. I do not see a difference between 30 days and 365 days and 10 years. If you are renting you are renting. We are not requiring a Special Use Permit for rental housing. Why should we require it if it is short-term? I think we can just take that out. I do not think anyone has a problem with the homestay.

Mr. Scarce stated, you seem to think that City Council is really pushing for the homestay.

Mr. Garrison stated, absolutely. As far as I know, they were not asking for short-term rental of 30 day. You were there, too.

Mr. Gillie stated, two City Council members said they would prefer not to have someone residing in the house while they were there. So under our short-term rental, the person is not actually living there. They are out of it. But under the homestay portion, they are supposed to be there. So there is a question.

Mr. Garrison stated, so if this goes to City Council and there is a question about that, I would simply stand up at this microphone and say to them, why do we need the short-term situation? People are renting houses every day in this city, and no one knows how long those rentals are for except for the person that is renting them and the person that is renting it to them.

Mr. Gillie stated, we have given you what we think. We are not opposed to holding it a while longer. As Bryce covered earlier, this has been a very quickly changing thing throughout Virginia. There has been no consistency. I think the Commissioner of Revenue can back us on that. Every locality has been doing something different. Some have been going one way, then pulling back and going another way. If there is still confusion, you can make a recommendation to hold this and talk about it some more. But if you want proceed on and eliminate it, we will recommend whatever Planning Commission decides.

Mr. James Gillie stated, I want to remind the Commission that if someone rents something for 30 days, that is just like a hotel/motel rent. In the Commissioner of Revenue's eyes, they would have to get the zoning, business license, and collect the 7% tax. That is unless something has changed.

Mr. Petrick stated, but presently we do not have something on the books which restricts residential rental properties from terms.

Mr. Johnson stated, right now the closest definition we have for what people are doing is bed and breakfast. Even if they are renting an entire house for a weekend, the closest definition we have is bed and breakfast where technically a host is supposed to be present and serve breakfast. But if you are renting it for a weekend, that is really similar to a hotel. You are competing with a hotel and motel, rather than people leasing for long-term living.

Mr. Scarce stated, I can see if someone says I have this nice home in the West End and I am going to furnish it and offer it for short-term rentals and designating it as such, I could maybe see it under that circumstance. But I do not think people are going to be standing up and doing that.

Mr. Petrick stated, it sounds like something we should not allow, not permit unless they have a Special Use Permit.

Mr. Johnson stated, that is staff's recommendation for the whole home.

Mr. Petrick stated, but we do not require that now. To make that illegal for these reasons, you cannot advertise it, cannot rent it as a monthly rental furnished without a Special Use Permit. How are you going to enforce that?

Mr. Johnson stated, right now we treat it as a bed and breakfast which requires a Special Use Permit.

Mr. Scarce asked, if I had a house and it was fully furnished and I rented it, it would be a bed and breakfast?

Mr. Johnson stated, if you are renting it for the week or weekend. Let us say someone is coming to visit Averett, they are looking at different colleges and the family wants to get a feel, they are visiting. It is either that or perhaps a hotel.

Mr. James Gillie stated, under the hotel/motel ordinance you can rent it up to 90 days before you have to sign a contract. You are paying the hotel/motel tax up to 90 days. After that would be a contract you would sign just like any kind of lease.

Mr. Garrison asked, would anyone happen to know how many rental houses there are in the City of Danville? I am betting 30-40% are rentals. I know areas on Westover Dr. Where whole blocks where homes are rented out.

Mr. Gillie stated, correct. Off the top of my head I do not know those numbers. I did not think that would come up so I did not pull that information.

Mr. Garrison stated, but we do not require them to get Special Use Permits and I am sure some of them are renting houses that are furnished.

Mr. Gillie stated, that is a long-term basis though. Usually it is a year. The standard year lease then it turns over. I am not aware of any short-term 30 day leases. That is one of the issues in that people who are coming here for six months ask how do I find a house. Mr. Scarce as the realtor could probably defer better it is a year, then a lease can turn over

automatically to a month to month basis. When you sign a lease, you are locked into that place.

Mr. Gillie stated, these are different. You are coming in for a day, two days, three days, four days. Same thing if you are staying at a hotel, it is just that now you are using a house. That is why we look at it as a different animal. While it is a rental, it is a different type of rental. There is familiarity with a house you have long-term. You know where the doors are. You know where your exit windows are. You know where your smoke detectors are and stuff like that. When you come in to someone's house for a weekend, if there is a fire how do you get out? This is health, safety, and welfare of the guests. Hotels have sprinkler systems and stuff like that. These houses do not. There are a lot of finer details that get involved.

Mr. Petrick stated, there are a lot of finer details to look at here. You allow up to eight people. What if all eight have vehicles. Do we put restrictions on that? That is certainly going to be an issue.

Mr. Johnson stated, it could.

Mr. Petrick stated, if you have eight people, I doubt they are all from the same family.

Mr. Johnson stated, the reason we chose eight is it could either be one large family or a group traveling together, perhaps two families. But you are right that it could end up being eight separate cars. That is another reason to look at this on a case by case basis as a Special Use Permit.

Mr. Wilson stated, I do not see any major issues around the homestay. Am I correct on that?

Mr. Garrison stated, I have none.

Mr. Scarce stated, right.

Mr. Petrick stated, except for how it is initiated. Either by right or by Special Use Permit.

Mr. Garrison stated, my issue is by right.

Mr. Wilson stated, the only real thing I have heard back is restricting it to certain neighborhoods. Is there a big issue there? So the bed and breakfast, hotel/motel, and boarding house are already in place so we are not recommending any changes there.

Mr. Johnson stated, correct.

Mr. Wilson stated, so the only real issue is the short-term home rental. Any you even suggested things like we do not even like the name. Is it possible to go ahead and act on this, but eliminate that item to deal with at a later time? We can move forward in these other areas, but we can come back to clean up this short-term home rental. Or do we need to put everything on hold and have a work session?

Mr. Scarce stated, that was my thoughts. We can bring it back next month or anytime if we feel there is a need for it.

Mr. Wilson stated, I think some people on the Commission are more clarified on it than others. I am one of those that is not clarified. I would like to work on it some more, even for the minor thing like what are we calling this. But if everything else is in place, can we move forward?

Mr. Johnson stated, if you have consensus on the homestay portion, and do not forget there is also the home occupation area, you could move forward with that. You could table consideration of the short-term home rental for a work session or consideration at another business meeting.

Mr. Whitfield stated, actually you would not even have to table it. As long as it is not voted on you do not have to deal with it. That way there is no issue with bringing it back off the table. Like you have done in the past, where you agree with these things but not with this, so you just eliminate it for the time being. That way at any point in time you can bring it back and study it at a work session or one of these meetings.

Mr. Wilson stated, I am going to have to get much more comfortable with a lot of the questions around the short-term home rental before I can say let us move forward. But I think I am ok with everything else. Unless you see a reason why doing the homestay messes up all the other stuff. You will still be using the bed and breakfast as your designation for these other things, correct?

Mr. Johnson stated, correct.

Mr. Jones asked, can we recommend staff's recommendation on homestay, bed and breakfast, hotel/motel, and boarding house?

Mr. Garrison stated, we do not have to make any recommendation on bed and breakfast, hotel/motel, and boarding house. They are already in the code.

Mr. Scarce stated, the best way to say it might be to recommend staff's recommendations, modified by removing the short-term home rental.

Mr. Whitfield stated, you might even say to be looked at at a future date. That way it could be next time. It could be two years from now.

Mr. Garrison stated, like when it becomes necessary?

Mr. Whitfield, right.

Mr. Petrick made a motion to postpone consideration regarding short-term home rentals and short-term rentals for separate discussion at a later date. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

Mr. Wilson made a motion to recommend approval of the Zoning Code Amendment for Article 2 entitled "General Regulations", Section T entitled "Home Occupations", and Article 15 entitled "Definitions", Section B entitled "Definitions" as presented by staff with the exception of the short-term home rental items. Mr. Garrison seconded the motion. The motion was approved by a 4-1 vote.

II. Minutes

The March 11, 2019 minutes were approved by unanimous vote.

III OTHER BUSINESS

With no further business, the meeting adjourned at 4:32 p.m.

APPROVED