



**Minutes of the Regular Meeting of the
Buena Vista Planning and Zoning Commission
July 21, 2021**

CALL TO ORDER

A regular meeting of the Planning and Zoning Commission was called to order at 7:00 pm, Wednesday, July 21, 2021 **at the Community Center & via Zoom** by Chair Preston Larimer. Also present were Vice Chair Lynn Schultz-Writsel, Commissioners Estes Banks, Thomas Doumas, Craig Brown, Tony LaGreca, and Blake Bennetts.

Staff Present: Principal Planner Mark Doering and Planning Technician Doug Tart.

PLEDGE OF ALLEGIANCE

Chair Larimer led in the Pledge of Allegiance.

ROLL CALL

Tart proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Larimer called for approval of the agenda. Commissioner Doumas motioned to adopt the agenda as presented, **Motion #1** seconded by Commissioner LaGreca. Motion carried.

APPROVAL OF MINUTES

Commissioner Banks motioned for approval of the July 7, 2021 minutes as amended. **Motion #2** was seconded by Commissioner Doumas. Motion carried.

PUBLIC COMMENT

Public comments opened at 7:02 pm. With no comments, public comment was closed at 7:02 pm.

NEW BUSINESS

Doering presented the draft ordinance for single-room occupancy use and proposed changes regarding multifamily uses.

The Single-room Occupancy use is intended to allow for situations where a common kitchen exists for multiple units that do not contain an individual kitchen, with the building under single ownership.

This new definition would allow for a residential structure with unrelated people to live together with a shared space on a long-term (more than 30 days) basis. This gives the Town an opportunity to create a new use with applicable regulations.

As proposed, a Special Use Permit would be required in R-1 and R-2 zone districts, and it would be a permitted-by-right use in the MU-1, MU-2, MU-MS, and H-C districts.

The proposed use standards for all Single Room Occupancy uses would be:

1. The structure shall be under the ownership of a single owner and may not be subdivided or condominiumized to create individual units for separate ownership. Short term rentals are prohibited.
2. All rooms shall meet the applicable building code requirements. Rooms without required egress shall not be used for bedrooms.
3. A change of use for the appropriate building occupancy shall be issued to the property prior to occupation of the structure as a single room occupancy, as determined by the building official.
4. Parking shall be provided per Section 16.04.4.3.
5. The structure shall be residential in its design and compatible with the architecture of the existing structure in terms of colors and materials of the existing structure, if any, on the property and/or compatible in mass and scale of the surrounding neighborhood where it is proposed to be located.

Linda Barbeau (resides at 425 Cedar St.) commented on the proposed single-room occupancy use. She is proposing the use at her Cedar St. property and stated that the SRO use should allow property owners to have an option for short-term rentals to help offset the costs of offering affordable housing.

Staff is currently trying to get more multifamily housing in town. Multifamily housing is currently permitted in the Mixed-Use Main Street (MU-MS) and Highway Commercial (H-C) zone districts if designed as vertically mixed-use development. Staff is proposing a change allowing small & large multifamily in H-C district that removes the vertical component and would allow apartments as the primary use on property. Along with these changes would be the removal of the site plan review process for small multifamily developments in an effort to streamline the development process.

The vertically mixed-use constraint can be removed for multifamily developments if the following items listed in each use-specific standard are met:

Large Multifamily:

1. Except as permitted herein, in the MU-MS and HC districts, large multifamily dwellings are only permitted as part of a vertically mixed-use building.
2. In the HC district, subject to the approval a special use permit, large multifamily dwellings may be permitted independent of a mixed-use building if short term rental of all dwelling units is prohibited.
3. If pets are allowed in individual units and in a common pet area on the property as is established in the site plan review, required parking may be reduced to 70.0% of the minimum parking requirements allowed in Section 16.04.4.3. Those sites restricting pets from individual units shall be required to meet the minimum parking in Section 16.04.4.3.

Small Multifamily:

1. In the R-1 district, small multifamily dwellings are only permitted in the Old Town Overlay east of Highway 24.
2. In the MU-MS district, small multifamily dwellings are only permitted as part of a vertically mixed-use building.
3. In the HC district, subject to the approval a special use permit, small multifamily dwellings may be permitted independent of a mixed-use building if short term rental

of all dwelling units is prohibited. No subdivision of the units or creation of condominiums is permitted for dwelling units permitted under this subsection.

The commission directed staff to make the following proposed amendments to single room occupancy and apartment uses:

1. Single room occupancy uses to require a Special Use Permit for short term rentals. Chair Larimer made the motion, Commissioner LaGreca seconded. **Motion #3** carried.
2. Explore the pet incentive to include all 'typical' household pets and potentially define pets. Commissioner Schultz-Writsel made the motion, Chair Larimer seconded. **Motion #4** carried.
3. Investigate and propose an incentive for additional height allowance for apartments in H-C zone district only. Commissioner Doumas made the motion, Commissioner Schultz-Writsel seconded. **Motion #5** carried.

Chair Larimer motioned for staff to continue discussion until the October 6th meeting. **Motion #6** was seconded by Commissioner Brown. Motion carried.

Doering then led an introductory discussion of a new, small-lot single-family zone district (a.k.a. R-1.5). Staff is proposing the smaller lot single-family zone district in an effort to allow for the development of dense predominately single-family home subdivisions than what is currently allowed in the R-1 zone district.

This new zone district would keep character of existing residential areas while offering opportunity for smaller lots. The difference in developable lots resulting from smaller lots would potentially be donated to Town for the development of affordable housing.

As the code currently exists, the only way to achieve this is through the creation of a PUD or to rezone to R-3 (High Density Residential)

The Commission approved of the *intent* of proposal, and staff will bring this back to the commission at a later date.

Commissioner Bennetts asked staff to address rear setback minimums for houses and detached garages and change the wording of 'lot width' to 'lot area' in the proposal.

Staff will provide some visuals to the Commission to aide in the (R-1.5) zone district creation process.

STAFF / COMMISSION INTERACTION

Doering asked for Commissioners Doumas and Schultz-Writsel to send him the confirmations for the APA Conference.

ADJOURNMENT

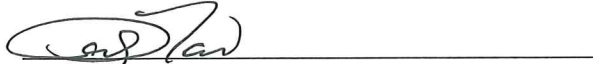
There being no further business to come before the Commission, Commissioner Banks motioned to adjourn the meeting at 10:35 p.m. Chair Larimer seconded. **Motion #7** was unanimously approved.

Respectfully submitted:



A handwritten signature in blue ink, appearing to read "Preston Larimer", written over a horizontal line.

Preston Larimer, Chair



A handwritten signature in black ink, appearing to read "Doug Tart", written over a horizontal line.

Doug Tart, Planning Technician