

**PLANNING AND ZONING COMMISSION  
MINUTES  
November 7, 2017**

**ATTENDEES:**

**Members**

Pam Buckley  
Peck Miller  
Lauren Taylor  
Chris Shanahan  
Palmer Gillis  
Joe Wilson

**Staff**

Bill Neville  
Frank Hall  
Kay Gordy  
Jon Bulkeley

**6:30 PM**

**I. APPROVAL OF MINUTES - Minutes of October 17, 2017**

**MOTION/Gillis      SECOND/Taylor**      Motion made to approve minutes as presented. Vote was (5-0-1-1), Chairperson Pam Buckley abstaining due to absence at that meeting, and Commissioner Joel Brous being absent this evening.

**II. SITE PLAN REVIEWS**

None

**III. COMPREHENSIVE PLAN UPDATE**

Continued discussion of comments received from the September 19<sup>th</sup> public hearing (comment period extended until October 17<sup>th</sup>), and consideration of specific requests for amendment to text, policies, objectives, or maps. The Commission deferred action on four (4) specific requests for amendment to the Future Land Use Map in addition to the R1-A / Short Term Rental issue at the last meeting.

Planning Director Bill Neville addressed the Commission and explained that agenda item d), Specific Request #4 – North OC Amusement Overlay, has been withdrawn by the applicant after meeting with the Caine Woods Community Association and receiving feedback. Commissioner Miller stated that he recommends retaining the current land use designation and zoning and handling any similar requests through the Conditional Use process.

Direction on the following potential revisions to the Comprehensive Plan Update was provided as follows so that a final version may be prepared and forwarded to the Mayor and City Council for approval.

a) Specific Request #1 – 25<sup>th</sup> Street Land

Commissioners discussed a Plan work-list priority to address transitions between commercial and residential districts, and the need for a modified version of LC-1 which limits highway corridor uses from transitional uses that would be compatible with adjacent residential areas.

**Motion by P. Gillis to approve, second by C. Shanahan, approved (4-2-1) (J. Brous absent)**

- b) Specific Request #2 – K-Coast 8600 Coastal Highway  
Commissioners were concerned with protection of adjacent residential use, the large list of permitted LC-1 commercial uses, and the need to establish new regulations for loss of non-conformity (parking) with change of use.  
**Motion by P. Gillis, second by J. Wilson to deny request, denied (2-3-2) (C. Shanahan recused, J. Brous absent)**
- c) Specific Request #3 – Ambassador Hotel  
Commissioners discussed request for future commercial land use to match existing land use, concern for permitted height in the LC-1 district, potential for a lower density LC-2 zone, potential for extension of commercial zoning from Town owned parcels to the south by applicant initiated amendment.  
**Motion by C. Shanahan, second by P. Gillis to approve request, approved (6-0-1) (J. Brous absent)**
- d) Specific Request #4 – North OC Amusement Overlay  
**No Action taken**
- e) General Comment #7 – R1-A / Short Term Rentals  
Staff presented a report with multiple recommendations as options.  
Commissioners heard comments from the public.
- Discussion included a concern that enforcement strategies only occur after a disturbance, a request for no restriction on tourist rentals, and short term rentals are a commercial use at some point. Other ideas included the need for year round residents with safe neighborhoods, an off season to recover from summer activity, and noted difference between OC and DE beach neighborhoods of large single family rental homes.
- C. Shanahan suggested Option 1.  
P. Gillis stated that year round residents are the glue that binds the community together, not all housing should be rental, and suggested Option 2 and 3.  
J. Wilson agreed that everyone should have the peaceful enjoyment of their home, however a ban on short term rentals in the R-1 district will not get there.  
L. Taylor suggested Option 2.  
P. Gillis made motion for approval of Option 2 and 3, second by P. Miller.  
Following discussion, the second was withdrawn.
- C. Shanahan made motion for Option 1, modified by L. Taylor to include the first and last sentence of Option 2, second by P. Miller, passed (4-2-1) (J. Brous absent) with clarification by the Chair that Option 3 should be included on the Commission’s priority work list for action within 90 days of the Plan Update adoption.**
- f) Other Public Hearing Comments (see updated spreadsheet)  
Staff will proceed to make corrections, edits and revisions as directed by the Planning and Zoning Commission.

Other public comment was permitted at the end of the meeting, however it was noted that the public hearing period for the Comprehensive Plan Update was closed on October 17<sup>th</sup>.

**ADJOURNMENT – 8:35 pm**

<u>Peck Miller</u>	<u>12/5/17</u>
PECK MILLER, SECRETARY	DATE