

TOLEDO CITY COUNCIL
WORK SESSION MINUTES
June 7, 2016

Mayor Billie Jo Smith called the Toledo City Council work session to order at 6:15pm.
Councilors present: Michele Johnson, Julie Rockwell, and Council President (CP) Jill Lyon.
Councilors excused: Jackie Kauffman, Alma Baxter and Terri Strom.

City Staff present: City Manager (CM) Jay Baughman, City Attorney/Planner (CA) Michael Adams, Police Sergeant (PS) Michael Pace, Public Works Director (PWD) Lee Ritzman, and City Recorder (CR) Nancy Bryant.

Visitors present: There were no visitors.

Visitor Comments:

There were no visitor comments.

Discussion and Information Items
Committee Updates

Mayor Smith reported that the committee forming in support of the Swimming Pool will be meeting Thursday at library.

Webinar- “Executive Sessions”

CR Bryant presented a video produced by the League of Oregon Cities titled “How to do Executive Sessions Right”.

Potential Zoning Regulation for Airbnb

CP Lyon suggested that the topic for the potential regulations is actually about transient guests in residences as opposed a label like Airbnb.

CA Adams provided a document titled “Relevant Hotel/Bed and Breakfast regulations and standards. He noted that the permitted outright uses for home occupations is allowed in both General Residential Zone and Single-Family Residential Zone which comply with the Toledo Municipal Code Chapter 17.46. However, Chapter 17.46 restricts permitted business hours from eight a.m. to eight p.m. only and would conflict with a transient guest business.

CP Lyon noted for the record that she has been affiliated with the Airbnb website service in the past but her home has not been listed with that service for almost two years and she does not have a financial interest that would affect her participation in this topic.

Mayor Smith suggested that providing off-street parking, the number of rental rooms allowed, charging a transient room tax, and requiring a business license should be considered in the regulations for outright use. The group discussed how parking issues would impact some neighborhoods within the city.

CP Lyon stated that there is a fundamental difference between being part of a service like the Airbnb web-based service and owning a Bed and Breakfast business and that the standards should be different. She stated that the Airbnb service runs the business and the owner provides a rented

space. The owner of the space may or may not be present when the space is in service whereas a Bed and Breakfast business has a facilitator who is present when the guests are present and provides more service than just a space to rent. She suggested creating something simple in an outright use for transient paying guests in one or two spaces and a slightly higher requirement for whatever is appropriate for a bed and breakfast business.

CA Adams proposed leaving the bed and breakfast in the conditional use where the planning commission can impose conditions and create an outright use as suggested by CP Lyon for transient paying guests. Also, clear definitions will be in order. CP Lyon suggested using the term "space" instead of "room" in the definition.

CP Lyon said that she would discourage charging a transient room tax for the transient paying guest services. She noted that the guest pays fees in addition to the rental fee, the city would not receive a great amount of revenue, it would be difficult to enforce the tax, and it may cause a disincentive to providing the service.

CP Lyon noted that "Home occupations which comply with Chapter 17.46" would accommodate the transient guests if the business hour regulation in Chapter 17.46.070 is removed. CA Adams noted that he would prefer to add an additional subsection.

CP Lyon suggested the following language be added to uses permitted outright- "Accommodation of transient paying guests in no more than two spaces in or on the property" to be added in both Residential Zone (R-S) and General Residential Zone (R-G). The Bed and Breakfast definition becomes three or more paying guests.

Easement and Water Service Agreement with the Port of Toledo

CA Adams reported that this topic is in progress but not ready for council review.

Public Lands Zone Revision

CA Adams provided a document titled "Proposed Amendments to Implement Public Lands Zone Updates". He explained that the proposed language in the amendment changes the purpose of the Public Lands Zone (P-L). He noted that the 45 day notice has been sent to the Department of State Lands Division (DLCD) and will go before the Planning Commission next month.

The group discussed the definition of semi-public, city owned property zoned or not zoned as public lands, and conditional uses permitted in P-L zone.

Council agreed that it would prefer that property used for public uses be zoned P-L and property owned by non-governmental entities would not conform to the P-L zone. CP Lyon stated that she is not in favor of non-government ownership the P-L zone.

CA Adams stated that he will continue to work on the proposed amendments.

Additional Council Comments

CP Lyon reported that the Economic Development Alliance of Lincoln County held the first annual membership meeting with good attendance. She noted that CM Baughman was one of three presenters who spoke about the Lincoln County Economic Development grant award projects.

Mayor Smith read aloud a letter from Senator Ron Wyden congratulating the City on receiving the Tree City USA award.

City Manager Comments

CM Baughman reported the following:

- He will be out of the office for first two meetings in July and CA Adams will be out of the office during the second week
- He noted that the City has received a complaint about the new dog park regarding kennel cough.
- The June 15th City Council meeting will begin at 6:45pm with an interview for the Planning Commission vacancy.

By consensus, Council chose to cancel the work session of July 12, 2016.

Councilor Kauffman arrived at 8:21pm

Adjournment:

Mayor Smith adjourned the meeting at 8:29pm.

ATTEST:

APPROVE:

City Recorder



Mayor