

**Minutes**  
**Planning Commission Meeting**  
**Town of Paonia, Colorado**  
**February 07, 2024**

**RECORD OF PROCEEDINGS**

**Roll Call**

PRESENT

Vice-Chair Mary Bachran

Commissioner Steve Clisset

Chair Dave Knutson

Secretary Lyn Howe

Commissioner Suzanne Watson

**Approval of Agenda**

Vice-Chair Bachran makes a motion, seconded by Secretary Howe, to approve agenda.  
Motion carries unanimously.

**Approval of Minutes**

Vice-Chair Bachran makes a motion, seconded by Secretary Howe, to table approval of minutes until next meeting to they have time to review them.

Motion carries unanimously.

**Actions & Presentations**

1. Review of Town Code covering Short Term Rentals (STRs)
2. Review of Affordable Housing Plan STR Data
3. Review of Affordable Housing Plan Recommendations Regarding STRs

Chair Knutson asks Town Administrator Wynn to give a review of what the town code covers regarding short-term rentals.

Town Administrator Wynn discusses Municipal Code Section 16-1-100, read definition of dwelling unit(s).

Vice-Chair Bachran mentions section 16-11-30, discusses renting units.

Commissioner Watson suggests that renting rooms and roommate situations should not be considered ADU or STR.

Vice-Chair Bachran mentioned that renting a room with a bathroom in someone's house should also be considered when discussing STR's.

Commissioner Watson questions what right the town has to tell you how long you can live with a person in your own room. She asks for review of code sections being discussed.

Town Administrator Wynn explains that Shay & Andrew (Colburn) have provided guidance in what code sections need to be put this as part of the housing needs assessment and the housing action plan, where they not only list the code section, but then also being was recommended edits and an explanation of why they it needs to be edited.

Town Administrator Wynn defines dwelling unit and explains recommendations where it says revised dwelling unit definition is the same definition adapted with the International Building Code.

Chair Knutson asks what the Town standard for enforcing short term rentals is.

Town Administrator Wynn explains he's been able to stop investment and resort companies from purchasing properties in residential neighborhoods for the sole purpose of granting them the short-term rentals using definitions of the Land Use Code.

Commissioner Watson suggested those individuals using their property as a business use should have to go through the public hearing process, including notifications and public input.

Secretary Howe discusses the approach taken by Durango, where they call it a vacation rental need to have a limited use permit before they can add it so that would kind of eliminate that confusion of are they just renting to a friend, they'd have to get a permit and then it goes through all the different fee structures.

Town Administrator Wynn said that's one of the recommendations the consultants brought up and is the best path forward and is a little different than a home-based business because anyone could go buy the house for sale in town, not live there, and still run it as a short-term rental. He suggested that if the Town goes that direction, the Town should have a finite number of licenses available. To avoid discriminating from who can purchase them, utilization on select bulletin boards that license, once an ordinance gets passed, licenses are available for sale. With this approach, residents are the first to pick them up. The Town can't just say no, requiring someone to be a resident of town to be able to rent out a property is discriminatory.

Commission proceeds to discuss various housing plan recommendations, approaches, draft code changes recommended, and links.

Commissioner Clisset suggests that the Town's driving force, which is providing housing for locals.

Town Administrator Wynn provides the commission background history of STR's impact on one of the coastal cities he came from. He and the commission members discuss the approach taken by Durango.

Chair Knutson asks for any input from the public in attendance.

C. Patterson – speaks about the need to identify how filled available units are. Feels a Committee for these rental units should be created.

Town Administrator Wynn demonstrates Granicus web site for monitoring compliance of str's. Discusses issues with not receiving revenue due to additional services and costs. Doesn't recommend a Committee but rather addressing the land use code.

Secretary Howe asks for bullet point items of what Paonia wants to consider regarding Land Use Code.

Commissioner Watson suggests questions Commission is asking for Shane and Andrew to be written down.

Town Administrator Wynn, referring to the March 3<sup>rd</sup> meeting, clarifies it will be led by Phoenix Rising, not Urban Renewal. He goes on to explain to the Commission when a special review is required and when not.

M. Lawson (virtually) speaks to focus on affordable housing for the community and to ensure regulations move towards the kind of housing that works for Paonia.

M. Wheelock states she is here as a representative of the Comprehensive Plan to observe and to answer any questions from the Commission or public.

K. Marshal states he is sitting in to hear what is being discussed.

Chair Knutson states he is looking forward to the March 3<sup>rd</sup> meeting.

M. Wheelock explains what will happen on March 3<sup>rd</sup> meeting and items that will be presented in draft form and available for comment, feedback, interaction with public.

Town Administrator Wynn, due to internet issues, asks M. Lawson to email comments since connection keeps dropping. He goes on to explain how to gain access to the housing plan on the town web site.

Chair Knutson asks how the public can access Shay & Andrew's recommendations for short-term rentals.

Town Administrator Wynn clarifies that what was provided was a guide to changes.

Vice-Chair Bachran states that the Board may have already agreed to Shay and Andrew and pay for a draft ordinance.

Town Administrator Wynn investigates it and reads off agreement that was voted on is a detailed strategy for the development of an affordable housing project. He further explains that a first draft of proposed revised language for up to four of those qualifying strategies to include the creation of an expedited development review process, authorizing the sale of accessory dwelling units when appropriate. Also, insurance small square footage was mentioned, what unit sizes are allowed in regulating rental residential units on a short-term basis with 30 or fewer days.

No Motion is made on above 3 items.

4. Recommendations to Town Council Regarding STRs.

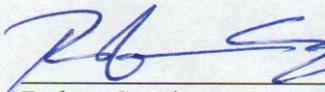
No recommendations to the Town Council currently.

Vice-Chair Bachran makes a motion, seconded by Commissioner Clisset to continue recommendations to the Town Council regarding STRs to April Planning Commission meeting.

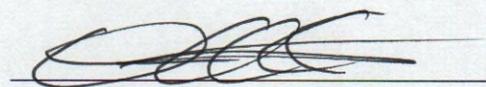
Motion carries unanimously.

**Adjournment**

Chair Knutson adjourns the meeting at 5:57PM.

  
Ruben Santiago, Deputy Clerk



  
Dave Knutson, Chair