

Short-term rental proposal headed back to city council

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THE JOURNAL

SENECA — A proposal allowing short-term rentals in the city of Seneca is headed back to city council.

The Seneca Planning Commission voted unanimously Monday night to recommend approval of an amendment to the zoning ordinance allowing short-term rentals inside the city.

Seneca city adminis-

trator Scott Moulder, who attended Monday's commission meeting, said he expects the amended ordinance to go to council for first reading on June 11.

The proposed amended ordinance would limit the number of people staying in a short-term rental to two people per bedroom up to a maximum of 12 people. It would also require one paved parking space on-site

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— not on the street — for each bedroom and would require the property to have local management available 24 hours a day, seven days a week. Local management is defined as a property manager living 20 miles from Seneca or the property owner living 75 miles away.

Monday night's meeting marked the third time the issue had gone before the planning commission in the past 18 months. City council approved a short-term rental plan on first reading and sent it to the commission in April 2018. The commission voted against recommending the plan, and city council delayed a vote on second reading. It was later voted down at Moulder's request so he could "start over" with a new proposal.

Last fall, Moulder presented a revision that did get approval from the planning commission with changes recommended to the council, but council has not voted on it.

The proposed ordinances have been in response to a legal challenge to the current zoning ordinance.

Leonard and Julie Chace filed a suit against the city in the fall of 2017. The Chaces have used their home in the Normandy Shores community as a short-term rental property.

Normandy Shores residents have been the most vocal in opposition to the city's proposals allowing short-term rentals. About a dozen Normandy Shores residents attended the meeting Monday.

Flora Riley, president of the Normandy Shores Association, said the association approved a change in its covenants to prohibit short-term rentals. Moulder said Monday after the meeting the association covenant would still prevent short-term rentals in homeowner communities with such covenants even if the city makes the change.

Riley asked city officials to verify those who apply for short-term rental permits do not live in a community where a homeowners association has prohibited it in their covenants.

"We're not the only development in the area that does not allow short-term rentals," she said. "There

are going to be other developments that are going to ask you to do the same thing. We did our part, now it's up to you and the city to your part."

Normandy Shores homeowner Bob Atwater asked that the Chaces be grandfathered into the ordinance, with Riley's husband, Ernest, suggesting the Chaces get the grandfather clause for 10 years.

Atwater also asked that the minimum lot area for a short-term rental be 40,000 square feet, which he said is "consistent with the additional requirement for a bed and breakfast as a conditional use under the existing ordinance."

"A bed and breakfast has far less potential for being a neighborhood nuisance than a short-term rental without an on-site manager," Atwater said, adding he wants to see property managers and property owners both required to live within 25 miles of the city.

Moulder said he was at the meeting to get information and will consider suggestions including grandfathering in the

Chaces before making a recommendation on the ordinance proposal to council.

"It's something I'll give full consideration to," he said after the meeting. "Whether I recommend it to council or not, I don't know at this point in time. I want to evaluate what was said here and I wanted to hear the reaction of the planning commission. I will base all that with my discussions and make a recommendation (to council)."

Commission chairman Barry Duvall said the ordinances approved by the commission in October and Monday night are different.

"We're saying now council has two completely separate ordinances to choose from, and they can go anywhere between those two," Duvall said after the meeting. "We do not carry anything but a recommendation. We want to give council the tools they need to make that decision. I think we did that, being that the buck does stop with them."