

BOARD OF ADJUSTMENT

1)

I MOVE TO CONVENE AS THE BOARD OF ADJUSTMENT

2)

I MOVE TO approve a conditional use permit request filed by Chris Balovich for operation of a short-term rental at 713 Lake Street as recommended by the Planning Commission and in accordance with the following conditions and findings and request that these conditions and findings be a part of the official record: *(NO NEED TO READ THEM)*

Conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, that summarizes the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

Findings:

1. The Planning Commission finds that the recommended conditional use permit
 - a. Will not be detrimental to public health, safety or welfare;
 - b. Will not adversely affect the surrounding character;
 - c. Will not be injurious to uses or property in the immediate vicinity;
2. Is consistent with Comprehensive Plan policy 2.5.2 I Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
3. That all conditions necessary to lessen impacts can be monitored and enforced;
4. Will not introduce hazardous conditions on the site;
5. Is adequately supported by public facilities and services;
6. The applicant has met the burden of proof; and
9. The Planning Commission finds that the general approval criteria have been met and the Planning Commission has evaluated the criteria set forth in 22.24.010 which is the criteria for conditional uses that deal with hours of operation and location along collector

streets.

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the Assembly and Planning Commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probably effects of extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

1. Criteria to be used in determining impacts of conditional uses:

- a. Amount of vehicular traffic to be generated and its impacts of the traffic on nearby land uses;
- b. Amount of noise to be generated and its impacts on surrounding land uses;
- c. Odors to be generated by the use and their impacts;
- d. Hours of operation, not different that a traditional residential use;
- e. Location along a major or collector street;
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario;
- g. Effects on vehicular and pedestrian safety;
- h. Ability of the Police, Fire, and EMS personnel to respond to emergency calls on the site;
- i. Logic of the internal traffic layout;
- j. Effects of signage on nearby uses;
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site;
- l. Relationship if the proposed conditional use in a specific location to the goals, policies, and objectives of the Comprehensive Plan;
- m. Other criteria that surface through public comments or Planning Commission Assembly review.

3)

**I MOVE TO RECONVENE AS THE ASSEMBLY IN
REGULAR SESSION**