

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 5-21-19

TIME: 7:00 p.m.

PRESENT: Dawn Goodman, Gary Jonet, John Metzler, Jason Miller; Brad DeChamps, Dylan Mercier, Mike Gilson. **OTHERS PRESENT:** Town Resident, Debbie Olson.

APPROVAL OF LAST MEETING’S MINUTES (7:01-7:02) : John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The 4/16/19 meeting minutes were reviewed.

MOTION MADE BY: Jason Miller to accept the minutes as presented. **MOTION 2NDED BY:** Gary Jonet
AYES: 7 MOTION CARRIED.

Note: At this point (7:02-04), the PC amended the Agenda to include a re-appointment/swearing in of Mike Gilson to serve another 3-year term on the Planning Commission. Per advisement from Town Clerk Debbie Mercier, Planning Commission Secretary, Dawn Delvaux-Goodman swore him in.

ISSUE #1: (7:05-7:15) Continue work on an ordinance Establishing Driveway Standards. PC Secretary Dawn Delvaux-Goodman handed out copies of Draft 2 of “Chapter 15 Driveways” Ordinance, which was based on a revision of the first draft which was reviewed and revised by the PC at their 4/16/19 PC meeting. After short discussion, the PC decided to accept it. **MOTION MADE BY:** Jason Miller to **Recommend** to the Town Board: **Approval of the “Chapter 15 Driveways” Ordinance.** **MOTION 2NDED BY:** Dylan Mercier **AYES: 7 MOTION CARRIED.**

Note: A Public Hearing time was set for 6/11/19 at 6:45pm.

ISSUE #2: (7:16-8:30 pm) Vacation Rental Ordinance. PC Secretary Dawn Delvaux-Goodman handed out copies of a Short-Term Rental Licensing Ordinance model which Town Clerk, Debbie Mercier, had obtained from the Wisconsin Town’s Association. She explained that the Town Board would like them to use it for the Town to develop an ordinance. The PC reviewed the model in detail, fine-tuning it, where applicable, to fit the Town.

1. There will **need to be clarification from the Town Clerk** regarding “Section IV: Short Term Rental License B) 4”, regarding suspension, revocation, or non-renewal if the licensee has outstanding fees, taxes or forfeitures owed to the town. **The PC would like to know from the Town Clerk and Town Board if the Town should add an ordinance requiring “payment of local claims as condition of obtaining or renewing town-issued licenses”** (the WTA has a model ordinance available for this).
2. It was also noted that “Section V: Operation of Short-Term Rental #2” **needs clarification from the Town Clerk and Town Board** as to the 180 days mentioned: “*if a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days*”. There is a notation on the model, in that area, that suggests **the town may require that the 180 days run consecutively.**
3. There was also discussion about time periods less than 7 days were not allowed. Some PC members felt there must be a reason why the model did not allow for that and did not want to change it.
4. Item “Section V: Operation of Short-Term Rental #6”, specifies a local property management contact be located within a certain amount of miles of the short-term rental and be available 24 hours a day, 7 days a week by telephone. The PC decided it would be helpful to have the Owner or an appointed Property Manager

located within **50 miles** distance of the short-term rental.

5. It was also noted that “Section V: Operation of Short-Term Rental #9” mentions the rentals shall be subject to a Town room tax”. Dawn Delvaux-Goodman stated that should be eliminated because her understanding is that there would need to be an election involving a Town referendum in order to implement a room tax. She wondered if such a referendum would pass? The PC decided that the fee being collected would be enough for now and that the matter could be revisited in the future if needed.

6. “**Section VI: Penalties**” required designated forfeiture amounts. The PC decided: “Any person, partnership, corporation or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than **\$50** nor more than **\$500**, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this ordinance or otherwise.”

7. “**Section VII: Fees**” required designated amounts. After consulting with the Town Clerk as to cost of other licenses, the PC decided on:
 - Initial** Short-term Rental License Application fee **\$150**.
 - Renewal** Short-term Rental License Application fee **\$150**.

MOTION MADE BY: Gary Jonet to **Recommend** to the Town Board: **Approval of the “Town of Green Bay Chapter 16 Vacation Rental Ordinance”, including the Town Clerk and Town Board’s clarification on above mentioned items #1 and #2.**

MOTION 2NDED BY: Jason Miller. **AYES: 7 MOTION CARRIED**

Note: Public Hearing was set for 6/11/19 at 6:30pm.

ISSUE #3: Information on the Update of the Farmland Preservation Information for DATCP. (8:31-8:33pm). Dawn Delvaux-Goodman reported that the Town Clerk had spoken with the County and may have them or another individual help update the Farmland Preservation Information for DATCP. At a meeting she attended, the clerk reported the County was agreeable to doing the project. More details will follow as she works out everything.

Any Other Business as authorized by law. (8:33-8:34) Dawn Delvaux-Goodman stated the Planning Commission should commence review and update of the information in Town of Green Bay Code of Ordinances Section XII Light Industrial District. It was agreed upon to put it on an upcoming agenda to start the process.

Date & Time of Next Planning Commission Meeting were set: Tuesday June 18, 2019 at 7 pm.

Motion to Adjourn Made by: Mike Gilson. Dylan Mercier **2nded**. **AYES: 7 NAYS: 0. Motion Carried.**
Adjournment time: 8:35 pm.

Planning Commission Chairperson

Planning Commission Secretary