

**PLANNING & ZONING COMMITTEE MEETING
WEDNESDAY MAY 3, 2023
10:00 AM
3608 HIGHWAY 246 & Via Teleconference (Zoom)
SKY VALLEY, GA 30537**

MINUTES

THOSE PRESENT: David Spears, Bill Oliver, Hollie Steil, Dan Mcafee, Don Germano, City Manager Streetman, City Attorney Kidd (Via Zoom), Building Inspector Pyburn, and Communication Specialist Van Camp

THOSE ABSENT: Tony Allred

CALL TO ORDER

Dan Mcafee, Chairman, called the meeting to order at 10:00 a.m.

Approval of Minutes

Nov. 16, 2023 – Meeting

Bill Oliver made a motion to approve the minutes as written, seconded by David Spears; unanimously approved.

Discussion Items:

Meeting Intent – Dan Mcafee

Chairman Mcafee stated the intent of this meeting is to discuss, take questions and possibly forward a recommendation to the City Council for the Short-Term Rental Ordinance. Jim Curtis stated that the intent of the ordinance needed to be better defined. A suggestion was made and given to the city for update into the ordinance draft.

Chairman Mcafee asked City Manager Streetman if there were any citizen comments. City Manager Streetman stated that Karla Stahl had concerns about the owner agent and definition of bedrooms, Robert Smalley had noted some typos in the draft, and Doug Parks had concern regarding the city's liability in matters of deck inspections and collapsing etc.

There was a lot of audience participation from both those in attendance in the council chambers as well as online via zoom. Those that gave their name are notated. A question from an unknown attendant was how the definition of a bedroom was defined and Chairman Mcafee stated from building code and the city was not creating any new definitions of what a legal bedroom is. Don Germano further commented as to the definition of a bedroom.

An unknown participant asked did or would this ordinance apply to long-term rentals and was told no by the committee. Another participant stated that licensing would put the city essentially in business with the short-term rental owners. Noisy discussion ensued and the Chairman had to ask for order. Further opinions and comments dealt with police concerns and lack of enforcement, trash, parking on the roads, animals running loose, and late-night noise. Gary, a zoom participant gave an opinion that the legality of this ordinance would be challenged.

Barbara Kobacker, Pleasant Mtn. Road- asked could there be a limit or cap on the number of short-term rentals allowed within the city and was told no.

An unknown participant asked could the city require the short-term rental owner to carry liability insurance and City attorney Kidd said that there were no state laws, however the city could require this as a policy choice if that was the desire of the council.

An unknown participant echoed that they were concerned about deck collapsing and the city getting sued. City Attorney Kidd said that if the city were to inspect the deck prior to issuing a permit, the city may be at risk of legal action.

Don Germano- wanted the word licensure removed as he felt it was unnecessary.

Further questions, discussion and comments from unknown participants both in person and via zoom were made; primarily as to what types of inspections would be required for a short-term rental to obtain a license?

Another unknown participant stated they felt this should be considered like a new home inspection.

An unknown participant asked about fireplaces and codes. Ken Sigler with the Sky Valley/Scaly Mountain volunteer fire department stated that recommendations could be made as to code updates but unless renovations were be done, there was nothing that could force someone to bring a structure up to current code.

Marissa Stahl via Zoom attempted to speak and was told she could not. She stated that those physically in attendance were able to speak freely and fairness needed to be given for those attending via Zoom also.

Chairman McAfee allowed Ms. Stahl to speak briefly, and she stated she felt that short-term rentals were being picked on and it was not fair to impose restrictions or not require long term rentals and residents to have to do what is being proposed for short-term rental owners.

A Mr. Escobar via Zoom explained that the city needs to exercise caution with enforcement. An unknown participant expressed concerns over parking; particularly in the street. Many unknown participants both in person and via Zoom stated their concerns about short term rental owners overstating the occupancy of their homes and septic tanks being overburdened.

An unknown participant wanted to make sure the proposed “3 strikes you are out” policy would be enforced.

An unknown participant asked could the inspections be outsourced, and a septic inspection should be made a part and requirement of the licensing process. Chairman McAfee stated that these were possibilities to consider.

Jim Curtis stated that short-term rentals are often booked months out in advance and requirements of things needed as part of a licensing process need to be considered. Dale Fenwick, Big Bear Trail- spoke and said that these issues were not unique to Sky Valley as other communities were dealing with these matters too. He mentioned a grace period and compliance and an annual septic inspection should be required as part of the license process.

An unknown participant stated that the police or building inspector should have to witness a violation for it to be considered a strike.

Ken Segler- Evergreen Lane said that the 911 address of the short-term rental should be required to be posted in a conspicuous place so short term renters know where they are at in the event an emergency call is placed so first responders know where to go,

Chairman McAfee stated that there were still a lot of unanswered questions and that another planning and zoning committee would be needed at a future date. He asked for a motion to adjourn, and a motion made by Bill Oliver to adjourn, seconded by Don Germano and was unanimous. The meeting ended at 11:47AM.

Attest: 
Jason Streetman, City Manager