

**MINUTES**  
**CITY OF BETHANY**  
**PLANNING AND ZONING COMMISSION**  
**JANUARY 18, 2024**

MEMBERS PRESENT: Charles Snyder, Chair  
Justin Peck, Vice-Chair  
Kent Lynn  
Robert Helton  
Steve Marx  
Ron Crouch  
James Clemmer  
Trent Reid

MEMBERS ABSENT: None

STAFF PRESENT: Ray Jones, City Attorney (arrived 7:15 p.m.)  
Brendan Summerville, Comm. Dev. Associate  
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36<sup>th</sup> St., Bethany, OK 73008 on Thursday, January 11, 2024 at 11:00 a.m.

Charles Snyder, Chair called the meeting to order. Trent Reid gave the invocation. Motion was made by James Clemmer, seconded by Justin Peck to approve the November 2, 2023 Planning and Zoning Commission minutes as mailed. The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Robert Helton, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY - None. ABSTAIN- None. The motion carried unanimously 8 - 0.

**ITEM 1:**     **PC 23-10**  
Discuss and vote to either approve or disapprove a short-term rental ordinance.

**ACTION:**     Brendan Summerville, Comm. Dev. Associate presented the staff report to discuss and vote to either approve or disapprove a short-term rental ordinance. Short-term rentals are over night stays at houses or rooms that one rents out. The period for the short-term rentals are for less than 30 days. Anything greater than 30 days would be leasing the property. The input from the past meetings was taken by Ray Jones, City Attorney and put into the ordinance you see before you this evening. Any additional revenue short-term rental generates would go to the hotel/motel tax which would go toward BEDA, and then goes into economic development for the city. This would also have a path of accountability for code enforcement for code violations that would be applied to the renter. The ordinance would also enforce parking requirements as well as building requirements for the short-term rentals.

Charles Snyder, Chair mentioned under (C)(1) it does not say what the penalty will be if you do not obtain a permit for your short-term rental. We should have a penalty for someone who tries to fly under the radar and gets caught.

Brendan Summerville, Comm. Dev. Associate stated that would be a question for the City Attorney.

Commissioner Marx said in OKC you would write a citation the same way you would write any other citation for any violation (nuisance, high grass, etc.).

Brendan Summerville, Comm. Dev. Associate stated it would be approximately a \$500.00 fee.

Commissioner Clemmer suggested adding some wording to the ordinance that states anything less than 30 days is short-term and anything greater than 30 days requires a lease.

(Ray Jones, City Attorney arrived at 7:15 p.m.)

Ray Jones, City Attorney explained the short-term rental definition is 30 days.

Commissioner Clemmer asked what if the person goes beyond the 30 days.

Ray Jones, City Attorney stated if the intent of what they are doing is short-term B&B, they would probably be extending the length of 10 days. But if the people are workers coming in on a month-to-month lease, that is different because it is a long-term lease. This proposed ordinance is for short-term rentals only.

Charles Snyder, Chair asked the city attorney what the penalty would be if you do not obtain a permit for your short-term rental and try to fly under the radar.

Ray Jones, City Attorney explained any municipal ordinance where it is deemed unlawful, there is a default of penalty under section 99 of our ordinance.

Chris Powell, resident of resident of 6211 NW 31<sup>st</sup> Ter. expressed concerns about parking.

Ray Jones, City Attorney stated part of the purpose of the ordinance is how many individuals will be staying at the particular property. If there are going to be four cars, the property has to be large enough to accommodate four parking spaces.

Chris Powell, resident of resident of 6211 NW 31<sup>st</sup> Ter. asked about the wording in section (D)(5), "Prior to issuance of a short-term rental permit, the operator shall allow an on-site inspection" which is different from the city shall perform. I am interested to know if we are giving ourselves a little wiggle room as far as our requirement versus what we are requiring of the renter.

Ray Jones, City Attorney said this language is intentional. There is no duty or liability of the municipality to perform any inspection. But if you are going to operate a short-term rental in your home, the home is not typically open to the building inspection process because the home has already been constructed. So, if you are going to operate a short-term rental, you need to permit the building inspector to come in and perform inspections when the need arises. And we are ensuring the property is not a nuisance.

Motion was made by Steve Marx, seconded by Trent Reid to recommend approving the proposed ordinance with the following amendment to (C)(5) by striking the words, "Prior to issuance of a short-term rental permit". The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY- Robert Helton. ABSTAIN- None. The motion carried 7-1-0.

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Motion was made by James Clemmer, seconded by Ron Crouch to adjourn. The motion carried unanimously 8 - 0.

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Chair

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Date