PLANO CITY COUNCIL and
PLANNING & ZONING COMMISSION
JOINT SPECIAL CALLED MEETING
May 8, 2023

COUNCIL MEMBERS PRESENT
John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Shelby Williams
Julie Holmer
Rick Smith

PLANNING & ZONING COMMISSION MEMBERS PRESENT
David Downs, Chair
Gary Cary, 1st Vice Chair – arrived at 4:10 p.m.
Bennett Ratliff, 2nd Vice Chair
Mike Bronsky
Tosan Olley – arrived at 5:53 p.m.
Tianle Tong
J. Michael Brounoff
Bill Lisle

STAFF PRESENT
Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Sam Greif, Deputy City Manager
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Andrew Fortune, Director of Policy and Government Relations

PLANNING STAFF PRESENT
Michelle D'Andrea, Deputy City Attorney
Christina Day, Director of Planning
Christina Sebastian, Land Records Planning Manager
Melissa Kleineck, Lead Planner-Development Services

Mayor Muns requested a moment of silence and thanked first responders for the recent event in Allen. Mayor Muns and Chair Downs called the Joint Special Called Meeting to order on Monday, May 8, 2023, at 4:03 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue, Plano, Texas and via videoconference. Quorums of the City Council and Planning & Zoning Commission were present. Mayor Muns then stated the Council and Planning & Zoning Commission would retire into Executive Session in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney to receive Legal Advice, Section 551.071; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Muns and Chair Downs reconvened the meeting back into the Joint Special Called Meeting at 5:35 p.m.

Open Session

I. Discussion and action on regulatory changes to housing standards
   a) **Presentation and discussion on changes to address Short-Term Rental uses.**

b) **Public Hearing on regulatory changes relating to amending Chapter 6 of the Code of Ordinances and Zoning Case 2023-004, as further described below.**

Mayor Muns opened the public hearing. Bill France, Lynn McClimon, Suzanne Pappas, Catherine Parker, Stephen Kyriakos, Bill Baker, Marla Kyriakos, Mark Pulliam, Barbara France, Cindy Patillo, and Greg Patillo spoke in support of the interim ban and registration process. Corey Reinaker expressed concerns about the registration process for short-term rental hosts. Mayor Muns closed the public hearing. In addition to the speakers, two individuals registered an opinion of support and two individuals in opposition.

The City Council and Planning & Zoning Commission recessed at 6:18 p.m. The City Council reconvened at 6:20 p.m.

c) **City Council Consideration of an Ordinance** of the City of Plano, Texas amending Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration and self-inspections of short-term rentals for operation; providing for procedures for approval, denial, and revocation of registration of short-term rentals; and providing a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

The City Council recessed into Executive Session at 6:42 p.m. and reconvened into open session at 7:09 p.m.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Williams, the Council voted 2-6, with Mayor Muns, Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu, and Council Members Ricciardelli, Holmer and Smith in opposition, to amend Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration and self-inspections of short-term rentals for operation; providing for procedures for approval, denial, and revocation of registration of short-term rentals. Motion failed.

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Ricciardelli, the Council voted 6-2, with Council Members Grady and Williams in opposition, to table the item to the June 26, 2023, Regular Council meeting.

The City Council recessed at 7:10 p.m. The Planning & Zoning Commission reconvened into open session at 7:15 p.m.

d) **Planning & Zoning Commission Consideration of Zoning Case 2023-004** - Request to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance relating to an interim ban on short-term rentals. Project #2023-004. Petitioner: City of Plano

MOTION: Upon a motion made by 2nd Vice Chair Ratliff and seconded by Commissioner Brounoff, the Planning & Zoning Commission voted 4-4, with 1st Vice Chair Cary and Commissioners Bronsky, Tong, and Lisle in opposition, to table the item to the June 26, 2023 meeting. Motion failed.

MOTION: Upon a motion made by Commissioner Bronsky and seconded by 1st Vice Chair Cary, the Planning & Zoning Commission voted 4-4, with Chair Downs, 2nd Vice Chair Ratliff and Commissioners Olley and Brounoff in opposition, to recommend approval to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance relating to an interim ban on short-term rentals. Motion failed.

The Planning & Zoning Commission recessed at 8:03 p.m. and reconvened at 8: 08 p.m.

e) **Planning & Zoning Commission Presentation of Final Report for Zoning Case 2023-004 to City Council**.

Chair Downs stated after two failed votes, the Planning & Zoning Commission took no action and the item moved to City Council for consideration.

The Planning & Zoning Commission recessed at 8:09 p.m. The City Council reconvened at 8:10 p.m.

f) **City Council Consideration of an Ordinance as requested in Zoning Case 2023-004** to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, relating to an interim ban on short-term rentals; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.

Council Member Williams made an amending motion to strike the automatic expiration date. Motion died for lack of second.

City Council Consideration of an Ordinance as requested in Zoning Case 2023-004 (Cont'd.)

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Ricciardelli, the Council voted 7-1, with Mayor Pro Tem Prince in opposition, to amend Section 14.500 (Prohibited Uses) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, relating to an interim ban on short-term rentals; as requested in Zoning Case 2023-004; and further to adopt Ordinance No. 2023-5-1.

The Planning & Zoning Commission reconvened at 8:18 p.m.

Nothing further was discussed. The joint special called meeting adjourned at 8:19 p.m.

_____
John B. Muns, MAYOR

_____
David Downs, CHAIR
Planning & Zoning Commission

ATTEST:

_____
Lisa C. Henderson, CITY SECRETARY