

MILITARY INSTALLATION DEVELOPMENT AUTHORITY
Design Review Committee Meeting
February 13, 2024

STAFF REPORT

Agenda Item: #6
Prepared By: Robert Donigan, MIDA Planner
Reviewed By: Richard Catten, DRC Counsel

Project: Proposed Development Standards text change regarding Permitted Use/Conditional Use status of nightly rental of condominium units

Location: N/A

Applicant: MIDA

Representative: Robert Donigan

Recommendation: Staff recommends the MIDA DRC recommend to the MIDA Board approval of the text changes to Sections 3.02 and 3.03 of the MIDA changing nightly rental of a condominium unit from a Conditional Use to a Permitted Use.

Background/Description:

The use of condominium units as nightly rentals has always been anticipated within the MIDA land use control area. One Conditional Use permit has previously been approved by the DRC (the Pioche Village Condominium buildings). That Conditional Use Permit was granted on the basis of approving all the units in an entire building at one time, rather than individual units. A condition of the approval was that if individual units were not managed by the same company managing the common areas of the condominium project, they would need to apply for an individual unit Conditional Use. This has created a condition where multiple unit owners are requesting individual Conditional Use Permits, a problem which will likely accelerate as more units come online as the Resort Village is completed. MIDA believes that individual condominium unit nightly rentals are not a typical Conditional Use and do not need to be individually examined by the DRC as they are all essentially similar. Therefore, MIDA proposes to make condominium nightly rentals a Permitted Use, subject to rules and regulations imposed by MIDA Executive Order. The nightly rental of Townhomes would remain a Conditional Use and the nightly rental of single-family dwellings would remain a prohibited use.

RECOMMENDED ACTION:

Staff recommends the MIDA DRC recommend to the MIDA Board approval of the text change to Sections 3.02 and 3.03 of the MIDA changing nightly rental of a condominium unit from a Conditional Use to a Permitted Use.

Proposed Text Change to MIDA Development Standards & Guidelines

3.01 Permitted Uses

A. Permitted uses in the MIDA Control Area are:

1. Hotel
 2. Condominium
 3. Conference Center
 4. Employee Housing
 5. Mixed-Use Hotel
 6. Townhome
 7. Time share, Fractional interest
 8. Single-family and multi-family Dwellings and associated Private Garages
 9. Retail and office commercial uses, including outdoor retail sales
 10. Support uses appurtenant to Hotels, including but not limited to retail commercial uses, information technology, Restaurants and Bars, and spas
 11. Recreation, fitness and community centers, including Recreation Facilities, and cultural centers including libraries, museums and houses of worship
 12. Spa
 13. Swimming Pool
 14. Eating and/or drinking establishments, including Restaurants and Bars, and Grocery Stores and Convenience Stores (but excluding drive-through eating establishments)
 15. Lock-off Residential Units
 16. Parking Facilities
 17. Outdoor amphitheaters
 18. All season trails
 19. Ski Facilities
 20. Ski Patrol and medical facilities
 21. Ski resort and ski resort uses including day ski lodge, skier services and ski lockers
 22. Mountain/Snow Removal Equipment, Maintenance and Storage
 23. Snowmaking
 24. Other Outdoor Recreation components that are typical to ski resort and recreation Hotel operations, including but not limited to alpine and Nordic skiing, alpine coasters, tobogganing, ice skating, snow shoeing, hiking, wildlife tours, mountain biking, roller skating, miniature golf, zip lines and ropes courses, parks and outdoor
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events and concerts

25. Security gatehouse
 26. Infrastructure Improvements
 27. VCP Activity
 28. Fuel Stations supporting Permitted Uses (but not gasoline service stations and car wash facilities)
 - 28-29. Nightly Rentals of Condominium units only (no multi-unit Townhome structures or single-family homes). Provided that the nightly rentals of Condominium units shall be regulated and governed by such administrative rules and regulations as may be implemented by Executive Order of the Executive Director or Project Area Director.
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3.02 Conditional Uses

A. Conditional Uses in the MIDA Control Area are:

1. Any use customarily incidental to the operation of a Permitted Use or a Conditional Use not otherwise designated a Permitted Use
 2. Ossuaries, mausoleums and memorial gardens, located not less than ½ mile from a Dwelling
 3. Radio, television, or wireless telecommunication towers that utilize stealth technologies to minimize their visual impact
 4. Temporary Structures not otherwise designated a Permitted Use
 5. Support and maintenance to support a Permitted Use or a Conditional Use not otherwise designated a Permitted Use
 6. Off-premises signage, except for wayfinding
 7. Helipads
 8. Emergency heliport sites
 9. Camping and campgrounds
 10. Gasoline service stations and car wash facilities
 11. Gravel pits and borrow sites in connection with approved Construction
 12. Nightly Rentals of ~~Condominiums or~~ multi-unit Townhome structures only (no single-family homes).
 13. Overhead electrical transmission lines.
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