

the City had done with regard to Old Plank Road. He noted it had been in the out years of the Capital Improvement Program (CIP) as a recognized need.

Mr. Thomas explained the City charged new development \$0.50 per square foot of interior space to go toward road improvements, but felt it should be about \$5.00 per square foot in order to actually cover those costs. The remaining \$4.50 was being paid from the transportation sales tax, the capital improvement sales tax, and other similar sources instead of the new development that was driving the cost of infrastructure. He hoped the growth impact study would provide more verifiable data in that regard.

Mr. Skala commented that they were in this situation because zoning was forever. They also now had a Unified Development Code (UDC), which leaned toward straight zoning versus negotiated zoning so they did not have the luxury to deal with some of the issues that Ms. Peters had mentioned. He stated he was not sure the \$5.00 figure was accurate, but agreed they were subsidizing development and that they needed to take another look at the development fees. He reiterated he felt they were in this predicament because the zoning had existed for a long time.

Ms. Fowler commented that the statement reading "the subject property is surrounded by annexed properties in all directions" on the second page of the staff report did not seem to be accurate. She asked if they could be more precise in how they represented that information because subsequent people would go to the minutes and the staff report to try to determine the proper path forward and she did not feel that was an accurate representation. Mr. Teddy replied he appreciated the comment and stated they would try to sharpen their characterizations.

Mayor Treece opened the public hearing.

There being no comment, Mayor Treece closed the public hearing.

Mayor Treece understood there would be an accompanying bill at either the next meeting or the first one in January. Ms. Amin replied it was being introduced tonight and noted she believed it was scheduled for the consent agenda at the next meeting.

## VI. OLD BUSINESS

B348-19 Amending Chapter 29 of the City Code to establish use-specific standards governing the operation of short-term rentals (Case No. 31-2019).

Discussion shown with B23-20.

B22-20 Amending Chapter 13 and Chapter 26 of the City Code relating to bed and breakfast establishments and short-term rentals of residential dwelling units.

Discussion shown with B23-20.

B23-20 Amending Chapter 22 of the City Code to add short-term rental provisions to the City's Rental Unit Conservation Law.

B348-19A was given seventh reading by the Clerk and B22-20A and B23-20A were given fifth reading by the Clerk.

Mayor Treece explained they had discussed this at a work session and at the previous council meeting. He thought the intent was to withdraw all three items and bring them back as new items for introduction and first reading sometime in May, and asked if that was correct. Ms. Fowler replied yes.

Mayor Treece made a motion to withdraw B348-19A, B22-20A, and B23-20A. The motion was seconded by Mr. Skala.

Mr. Pitzer commented that his concern was that they were two years into this and they did not seem to be any closer to a resolution. He understood there were other pressing issues and they were not sure what the landscape would look like in six months. He felt they were likely going to be in the same pickle when this came back in six months in terms of a consensus. He also did not believe they had given staff or PZC any direction

in terms of what to do next. He thought they would likely hold a six-hour meeting six months from now that yielded nebulous results. He wondered if there was something they could do between now and then to determine if there was consensus amongst four of them to refer it to the PZC in advance so they were actually moving toward a resolution.

Mayor Treece stated the pressure to regulate these was off, and the desire to have a packed room with a lot of passion on both sides of the issue was contraindicated given the current public health environment. As a result, he was comfortable with postponing it and was intrigued with what to do in May when they picked the issue back up. He commented that he was not sure where his vote was on the issue. He understood PZC was not happy with it or the Council. He stated he thought it was way too complicated. If he had to vote on something today, he would want it to be complaint-driven. He pointed out Sara Loe, the current chair of the PZC, had suggested the building codes would require sprinklers for residences with this use, and noted it might solve the problem if they enforced the building code. He stated he would be interested in a staff response to her suggestion as that could eliminate some of the need to come back with overly burdensome regulations. He commented that he also felt they should be inspected for health and safety, taxed, and complaint-driven. He explained he thought they should strengthen neighborhood enforcement for all rentals and residential uses. He stated he was happy to work to help reach some consensus that met all of the neighbor and constituent concerns.

Mr. Skala commented that he agreed they were libel to be in the same place they were now later, and noted he had been prepared to vote on it when it had come through previously. He agreed with Mayor Treece in that it had been complicated by COVID and lots of other issues, to include the deadlock between the PZC and the Council. He noted they might not ever be able to resolve some of the differences and felt it needed to be reconsidered in view of some of the COVID exigencies. He also thought they would need to be prepared to make a decision when it was back on their agenda regardless of whether there was consensus.

Mr. Pitzer understood they were withdrawing these items, and pointed out they did not have to be reintroduced. Mayor Treece agreed. Mr. Pitzer asked if that meant having another work session amongst the Council to give some direction on what they wanted reintroduced and when. He noted they would likely need to restart the entire public input process if they had a new ordinance.

Mayor Treece asked Mr. Teddy if there was a more elegant way to address the issue. Mr. Teddy replied that he would recommend looking at new approaches to ordinances that were simpler in structure and bringing forward some ideas due to the dissatisfaction with the ordinance as it was structured today. They could then respond to the community like they normally did with any kind of issue that might become an emerging issue. He noted they could continue to do research and look for good models and approaches other communities were practicing. He felt the issue was primarily with the land use in terms of deciding where and under what terms they should be allowed to operate, i.e., whether they should be allowed in all single-family districts or all two-family districts or something different.

Ms. Peters commented that the current proposed ordinance seemed to be too complicated. She noted part of the problem was with them trying to accommodate everyone. While she was sympathetic, she wondered if they might be better off voting this down and starting over again without being as accommodating so it was much simpler. They could always make it more complicated in the future. It was currently too convoluted making it hard for anyone to figure it out.

Ms. Fowler stated she agreed the current proposed ordinance was convoluted and difficult, and understood no one was really happy with it. She commented that she did not feel they had given enough attention to the fact that enabling this industry would displace affordable housing for their residents when they were already in a place where

they were suffering from the lack of affordable housing for their residents. She understood members of the PZC had been researching this issue based on other cities, and felt that information needed to come forward in a sufficient quantity for them to discuss and understand it. She pointed out R-2 and R-MF were where most of the affordable housing existed within Columbia so when they spoke of limiting the use of short-term rentals to those neighborhood, it could result in real displacement. She stated it needed to be a part of the conversation whenever it came back, whether that was at a work session or via some other method. A work session would allow them to discuss how they might want to simplify it so it was understandable and how they might want to plan for the remedies for the displacement it could cause, depending upon how it was implemented.

Ms. Peters stated she would like to explore that as well because she was not sure it would actually displace affordable housing and did not have enough information to make a clear decision in that regard. She reiterated it needed to be simplified.

Mayor Treece asked for a legal opinion to be provided on the letter from Ms. Loe, the Chair of the PZC, and noted he would provide the letter to Ms. Thompson if she did not already have it.

**The motion made by Mayor Treece and seconded by Mr. Skala to withdraw B348-19A, B22-20A, and B23-20A was approved unanimously by roll call vote with Mayor Treece, Ms. Fowler, Mr. Trapp, Mr. Skala, Mr. Thomas, Mr. Pitzer, and Ms. Peters voting yes.**

Mayor Treece understood the administrative delay they currently had in place expired January 31, 2021, and asked if they could have an ordinance come back to continue the status quo no later the first meeting in January so the delay could be extended. He noted his desire was to extend it through at least the end of next year, and asked if there was any objection. No one objected.

B321-20

Granting a design adjustment relating to the proposed Final Plat of Alpha Phi Subdivision Replat located on the east side of Providence Road and south of Burnam Avenue (906 and 912 S. Providence Road) to waive the additional half-width street right-of-way dedication (Case No. 189-2020).

Discussion shown with B322-20.

B322-20

Approving the Final Plat of "Alpha Phi Subdivision Replat" located on the east side of Providence Road and south of Burnam Avenue (906 and 912 S. Providence Road); authorizing a performance contract (Case No. 189-2020).

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked if the existing right-of-way for the sorority to the north, Delta Gamma, which was less than the 17.5 feet, was the product of a settlement for the acquisition of the road right-of-way for the Providence Road improvement project. Mr. Teddy replied he was not aware of the nature of any negotiations. He noted a number of variances had been granted to enable the structure at the size they saw. He stated the portico was likely 10.5-11 feet from the right-of-way line to provide a sense of scale.

Mayor Treece asked for the reasoning of the PZC for denying the final plat. Mr. Teddy replied it did not show the dedication of right-of-way, and they had voted against the waiver. Mayor Treece understood nothing beyond the dedication of right-of-way was noncompliant.

Phebe La Mar, an attorney with offices at 111 S. Ninth Street, explained she was present on behalf of the Alpha Phi House Corporation Board and noted the replat being considered this evening was to combine two separate lots into one single lot. With