

**Planning and Zoning Commission Work Session Minutes
January 19, 2023
Conference Room 1A & 1B - 1st Floor City Hall**

Call to Order

Commissioners Present – Burns, Carroll, Geuea Jones, Kimbell, MacMann, Stanton, Placier, and Wilson
Commissioners Absent – Loe
Staff Present – Teddy, Thompson, and Zenner

Introductions

Approval of Agenda

Meeting agenda adopted unanimously

Approval of Minutes

November 29 & 30, December 1 & 6, 2022 and January 5, 2023 work session minutes adopted as presented.

Old Business

A. UDC Text Amendment – Drive-through facilities (follow-up)

Mr. Zenner provided an overview of the staff memo and explained the status of the public engagement process and surveying that was discussed at the prior work session. He noted that staff anticipated to have the survey out by the beginning of the following week and would be collecting comments that would be summarized and presented back to the Commission during a scheduled public hearing on February 23, 2023.

Mr. Zenner noted that a new public hearing was believed necessary to allow for public comment to be received on the record. Additionally, the public hearing would allow the Commission to provide a “fresh” recommendation to the Council on the proposed text change based on the added input from the public. Mr. Zenner noted that depending on the outcome of the public hearing the staff would be prepared to provide Council with an updated recommendation on the text amendment for Council’s March 6, 2023 meeting or request that there be an additional delay in Council action to allow the text amendment to be revised to address public comments.

Commissioners agreed with the format described and directed staff to proceed forward.

New Business

A. Planning Commission Training – Sunshine Law & FOIA

Ms. Thompson from the City’s Law Department provided a PowerPoint presentation of the State’s sunshine law as well as FOIA requirements to the Commission as part of its annual training on the topics. She discussed the various provisions of each regulation and offered insights as to where each were applicable to the Planning Commission in their operations and where particular situations may arise. Following her presentation there was general Commission discussion which focused principally on the issue of conflicts of interest and disclosure. Commissioners also discussed closure of meetings and how such an action would likely be very limited given the topics covered by the Commission itself and the criteria within the Sunshine Law pertaining to such meetings.

With respect to the requirements of posting agendas and the possibility of creating sub-committees of the Commission, Mr. Zenner provided guidance that such sub-committees should be avoided whenever possible. He stated that such groups stretch staff resources and, at times, do not lend to robust discussion of matters before the Commission. He noted Commissioners working on assignments such as the STR data compilation are permissible and often valuable and that they do not constitute a sub-committee since all discussion on the finding are brought back before the full Commission in an unedited/raw format. He noted his caution on creating sub-committees was in light of the significant tasks the Commission will face in the coming year and the desire to ensure the full

Commission hears those issues collectively rather than in smaller groups giving abridged reports back to the full body. There was general Commission discussion on this point and support for not utilizing sub-committees.

B. Potential UDC Amendment (i.e. small lots) - Discussion

Mr. Zenner presented the topic and identified an approach via his observations with prior text changes that may prove useful to produce a more productive and efficient review of text changes. He recommended that the staff present proposed adjustments to the Commission with the purpose of gaining insight not for the purposes of gaining consensus. Utilizing this approach, he believed, would allow staff to more efficiently move from drafting text changes for routine matters to the required public hearing on those matters than has been experienced in the recent past.

He noted that it appears the Commission desires to “perfect” amendments rather than rely on the staff to draft changes to the current standards it believes are necessary for effective management and administration of the UDC. Mr. Zenner noted that more significant regulatory changes such as STR or new lot area/zoning districts may require a more methodical approach where multiple work sessions are required to fully understand the topic. In such instances, he believed the approach that was taken on STRs would be appropriate.

Mr. Zenner further noted that the Commission can always disagree with the staff in its approach to a text change or its breadth during the required public hearing. Those comments would always be forwarded to Council for their ultimate consideration. The proposed change simply is to keep more routine text changes flowing through the process without getting hung up in sometime what appears to be endless discussion. Mr. Zenner noted the code is always capable of being amended again if an initial change misses the mark or produces other unintended consequences.

There was general Commission discussion on this proposed shift in text change presentation. Recommendations as to how to streamline or better inform/educate the Commission prior to engaging in specific amendments was discussed. It was suggested that there be some type of “pre-education” data presentation that the Commissioners would be expected to review to gain understanding of what the current code offered and why a change was being proposed. Mr. Zenner noted that such a procedure could be implemented and it could be in a web-cast format. Commissioners noted it didn’t necessarily need to be that complicated or advanced. Several Commissioners noted that understanding the Code was part of their responsibility as a Commission member and burdening the staff in such a manner wasn’t likely good use of their or Commissioners time.

Mr. Zenner also noted that before the Commission begins its next round of “major” text changes such as that dealing with the lot area discussion, the Council needs to be consulted and asked to bless that activity. It is possible the Council may want the Commission to focus on other higher priority (at least in their minds) activities. With respect to the current topic of discussion, it is likely that Council will agree some consideration by the Commission on the topic of lot area and density may be valuable and useful for the consultant that they have asked be hired to address “central-city” redevelopment activities. It is essential that the Commission be given clear authorization before we go head-long into a text change discussion that may not be desired.

There was also discussion if the text changes to address cottage-housing should be prioritized along with the lot area/density discussion. Mr. Zenner indicated that it was and proceeding forward with such a discussion at this time was viewed as appropriate. He stated that the potential change in how the process for authorizing cottage-housing in the development process was viewed as more of an administrative change to increase UDC effectiveness and efficiency.

He noted that he would recommend that correspondence, on behalf of the Commission, be prepared and forwarded to Council for authorization to proceed with two separate text amendments one for “cottage-housing” and the other pertaining to lot area/density. The Commission agreed that producing the correspondence was appropriate and direct Mr. Zenner to do so.

With respect to discussing the specific attachments to the agenda item, given Ms. Loe’s absence it was agreed that the matter would be carried forward to the next work session agenda. Mr. Zenner provided context for what was included in the packet noting it contained not only the cities used in the research sample, but also several graphics

prepared by Commissioner Loe for the UDC's current lot coverages for several zoning districts and the "cottage-style" dimensional standards.

ADJOURNMENT

Meeting adjourned at approximately 6:55 pm

ACTION(S) TAKEN:

Motion made by Commissioner MacMann, seconded by Commissioner Kimball, to approve the agenda as proposed. Motion passed unanimously. Motion made by Commissioner MacMann, seconded by Commissioner Carroll, to approve the November 29 & 30, December 1 & 6, 2022 and January 5 work session minutes as presented. Motion passed unanimously.