Planning and Zoning Commission Work Session Minutes
October 4, 2018
Conference Room 1-B - 1st Floor City Hall

ATTENDANCE:

Commission Members Present: Burns, Harder, MacMann, Rushing Russell, Toohey
Commission Members Absent: Stanton, Strodtman
Staff: Bacon, Caldera, Smith, Teddy, Zenner
Guest(s): Richard Stone

ADJUSTMENTS TO AGENDA: None

TOPICS DISCUSSED

New Business -

- **Short-Term Rental & Potential UDC Amendments – Status Update**

Ms. Bacon provided an overview and displayed a PowerPoint presentation regarding this topic. Ms. Bacon indicated that the issue of Short-term Rentals (STR) was a joint project between the Convention and Visitor's Bureau, Planning Department, and Office of Neighborhood Services. She indicated that four interested party meetings regarding this topic had been conducted by the Visitor and Convention Bureau and that several changes to the City's regulations were being discussed to address the issues and impacts being created by STR's. Some of the issues that have been discussed included revisions to the definition of a "hotel" for taxing purposes and a rental registry program to ensure that STR's were included in the rental inspection program for public health and safety purposes. Additionally, there had been discussion regarding potential amendments to the UDC that ranged from a conditional use permitting process to restrictions on what zoning districts such uses could be allowed in.

Ms. Bacon noted that the purpose of this evening's discussion was to bring the Commissioners up to date on what was happening with this topic. She noted that no final decisions on approaches to addressing the issue of STR's in the City had been finalized; however, noted that there was traction on the idea of a change in the definition of "hotel" to ensure that an STR could be taxed for lodging purposes. This amendment would not be part of the Commission's ultimate discussion since taxing issues were not part of the UDC. Ms. Bacon indicated that the issues that Commission needed to focus on were more land use related. She noted that based on research there were several different approaches that the City could take to regulate STR from a land use perspective and that a choice for one needed to be tailored to the City's unique characteristics and demands. A one-size fits all approach was not recommended.

Ms. Bacon's presentation pointed out that the majority of STR's were occurring within the R-1 (One-family Dwelling) district which was not uncommon given that was the district to which a majority of the City was zoned. She noted that staff was not generally favorable to a conditional use permit approach to regulating STR's given that this would increase the number of request before the Commission and Council. An alternative she proposed was to potentially develop "use specific standards" for STR's and restrict the districts in which such use could be permitted.

There was general Commission discussion regarding Ms. Bacon's presentation. Several questions were asked about the current rental inspection program and how this would impact STR. There was also discussion about the R-1 district being intended for owner-occupied dwellings and that by allowing STR's within that district there could be a potential impact upon the quality of life for its residents. This concern generated significant discussion which touched on how different was an STR from a home being rented.

Comments made concerning the potential distinction indicated that a traditional rental home was normally long-term or annual not night-by-night. From this discussion there were comments made regarding a potential approach to allowing homes to be STR's provided the owner of the home be presented when it was being rented – a process known as "owner-hosting". Several Commissioners thought this could be an alternative approach to allowing a home in an R-1 to be used as an STR; however, there were still concerns about over-occupancy and parking.

Ms. Bacon indicated that the discussion and the concerns about how to approach the issue of STR's within Columbia was whole purpose for tonight's work session. She noted that there would need to be additional discussion on the matter and that the solution to the issue would need to be "right-sized" to Columbia. Ms. Bacon stated that she would take the information discussed this evening and look at how to incorporate it into the additional work that needed to be done on the UDC changes. As for now, she indicated that the zoning changes did not necessarily need to track with the other regulatory changes that were being discussed about taxation or about the creation of a potential rental registry. She noted that a future work session would be scheduled to discuss possible alternative regulatory approaches to address the impacts of STR's.

Old Business -

- **Rock Quarry Road Stakeholder Group Report - Discussion Follow-up**

Mr. Zenner indicated that this item was being carried over from the last work session to determine what action the Commission desired to take on the proposed Report. He noted that the pursuant to the provisions for the SR-O (Scenic Road Overlay) of the UDC the Commission was required to have a public hearing on the Report which was intended to be the "corridor plan" called in the UDC standards. He noted that the Report was prepared at the direction of City Council and was facilitated by Richard Stone of the Public Works staff. Mr. Zenner noted that Mr. Stone was present to provide information regarding the Report's contents.

There was general Commission discussion regarding the proposed contents of the Report and how they were similar to those contained within the SR-O standards of the UDC. Mr. Zenner indicated this was correct; however, it was his understanding that the Stakeholder Group was desirous of having the proposed contents of the Report be considered more regulatory than act as guidance. Mr. Stone indicated that was correct.

Mr. Zenner noted that the contents of the Report could, if desired, be effective in informing development outcomes if they were included as a supplement to the 2002 Rock Quarry Road Special Area Plan. He said this would potentially avoid possible conflicts with the existing regulations of SR-O district which are applied to all SR-O districts throughout the City. Having the Report's recommendations and guidance as an addendum to the Special Area Plan would ensure that the specific objectives of the Report were applied only to the Rock Quarry SR-O and not all future SR-O's that would be created.

There was additional Commission discussion about this suggestion. Commissioner's asked if in preparing the Report the Stakeholder Group reviewed the Special Area Plan. Mr. Stone indicated he was not certain if it had been consulted. It was mentioned that the Report, when compared to the regulatory requirements for its preparation, did not appear to include all the require elements. Mr. Zenner noted that this observation was correct. He noted that the Special Area Plan is actually the "land use" guide for the corridor while the Report was more intended to inform future design considerations and maintenance actions along the corridor.

Commissioners indicated that the SR-O standards required a Corridor Plan be prepared and some felt that the Report was not meeting this expectation. Mr. Zenner noted that the existing Special Area Plan is still used as an evaluation guide for when development is proposed in the corridor, therefore, he did not see a need to have it updated and furthermore indicated that there were limited staff resources to make such an action occur in a timely manner. He suggested that if the Commission did not feel the Stakeholder Group's report was complete that they could submit their recommendation to Council with that as part of their recommendation.

Several Commissioners did not believe that such an action was appropriate and expressed concern that to take action on the Report without fully understanding if the Stakeholder Group had reviewed the Special Area Plan would set a precedent about the quality of what constituted an acceptable corridor plan. Given these concerns, Mr. Stone recommended that he could reach out to the principal members of the Stakeholder Group and see if they could attend a subsequent Planning Commission meeting. Commissioners agreed that this would be worthwhile and allow specific

questions regarding how to best incorporate the contents of the Report into either the SR-O standards or as an addendum to the Special Area Plan to be addressed.

ACTION(S) TAKEN: September 20, 2018, minutes were approved. No other votes or motions were made.

Meeting adjourned approximately 6:55 p.m.