

**PZC Work Session Minutes
April 18, 2019**

I. Call to order

Commissioners Present: Burns, Harder, Loe, MacMann, Stanton, Strodman, Toohey
Commissioners Absent: Rushing, Russell
Staff: Bacon, Caldera, Palmer, Teddy, Zenner

II. Introductions

III. Approval of Agenda

Motion to approve without modification (Burns/Strodman). Unanimous voice vote.

IV. Approval of Minutes

Motion to approve without modification (Strodman/MacMann). Unanimous voice vote.

V. NEW BUSINESS

A. March Building Permit Report

Mr. Zenner presented the monthly report. There was limited discussion regarding the permitting data.

B. 2020 Capital Improvement Program Review

Mr. Zenner introduced the topic and noted that the Commission would have department presentations and discussion at the May 9 meeting. He said this would allow time at their May 23rd work session to wrap up the discussion and provide direction to the staff to prepare a memo to the Council for the Council's budget retreat prior to the May 27 Finance Department deadline. Commissioners thanked staff for providing the information ahead of the discussion to allow time to review.

VI. OLD BUSINESS

A. Medical Marijuana Text Amendment- Discussion

Mr. Zenner said the same attachments as had been provided on the May 11 work session agenda were attached to this agenda as they were mid-way through the Commission's review and discussion of the documents. He recapped the previous discussion.

Mr. Zenner said staff was recommending the regulations include the 1,000 separation buffer from churches, schools and daycares as allowed by the State, citing the

discussion at the previous meeting that the map indicated a large supply of available sites for the four use types spread throughout the city along good transportation corridors and that the Council could decide to reduce the number now or in the future if it found need to do so.

Mr. Zenner said the previous discussion and Commissioners comments were being reflected in the minutes and the record with some Commissions offering variations or alternate recommendations. He summarized the four use types generally and recapped the discussion on where each use type would be permitted in the UDC. He noted that planned developments would require a statement of intent revision to accommodate any of the four types of facilities since the facility types did not exist at the time of the existing planned development receiving its zoning entitlement.

It was noted that the use specific standards for medical marijuana uses were shown as item (qq) of Section 29-3.3 in the text amendment. A question was raised about such designation and that it should be use-specific standard (pp). Mr. Zenner noted that (pp) had been reserved for the use-specific standards associated with the draft short-term rental text amendment. He noted that if no provisions were adopted for short-term rentals that the reference could be changed.

As Mr. Zenner proceeded to outline the use-specific standards when he reached the provisions dealing with the allocation of local licenses Mr. Caldera noted the State was using the 8 Federal Congressional Districts to determine population allocations. Mr. Zenner explained the allocation system based on the Columbia population. There was general discussion to ensure clarity in how the City determined population estimates in the use-specific standards.

There was also discussion on the potential to reduce the population number associated with dispensary facilities to permit more than the 6 proposed. This recommendation was made given the unique location that Columbia has within Missouri and the population that the city serves. It was suggested that dispensaries should be allowed based on a 1 per 10,000 persons. Mr. Zenner stated that the proposed licensure limits acknowledged the City's willingness to accommodate its "fair share" of facilities, but not become the favored location for them which would undermine the State's goal of dispersion not concentration of facilities.

Moving on from the licensure limits, there was general discussion on the timing between issuance of zoning verification letters and State/local business licensure processes. Mr. Zenner noted this the verification of conditions would be a "point in time" verification. Conditions could change in terms of a school or church or daycare coming in while the application was being processed. He noted that keeping a tight timeline would be important for applicants.

Mr. Zenner continued through the list of use-specific standards highlighting particular aspects of each. He noted that the use-specific standards relating the Security, Operations, and Emergency Plans were to be removed and placed in a companion Business License revision. Once he finished, he asked the Commission to provide comments on the proposed standards.

There was discussion of dispensaries in multi-tenant buildings. Mr. Zenner clarified they would be allowed but there would need to be full walls between tenants. If the zoning allowed multiple types of medical marijuana businesses they may co-locate as long as each business was separate in the structure.

There was discussion on the proposed second floor and above standard for dispensaries in the M-DT zone. Staff had reviewed the Commission's comments and sought relief from City leadership; however, was asked retain the provisions. Mr. Zenner noted City Council would be provided the Commission comments and that they would have to make a final call on the appropriateness of the standard.

There was discussion on how facilities may visually integrate in terms of building design and within the context of an area. This would primarily apply to new structures. For new and existing structures security measures were important but cages and bars were prohibited. Odor control and noise and lighting were important.

Concern was expressed that there was no specific reference to compliance with the lighting standards of the City's code. Mr. Zenner noted that such a provision could be added similar to others that indicated compliance with Department of Health and Senior Services (DHSS) standards or those of the City, whichever, were more restrictive. This proposed solution was considered acceptable.

Mr. Teddy said at a recent conference he had learned that the trade-off for better odor mitigation systems was louder equipment. Screening would also be important as would landscaping. Mr. Zenner noted that the UDC did address "mechanical equipment" screening and baffling standards. Mr. Caldera also noted that the DHSS regulations were contemplating how to address waste generated from the facilities. He noted that it appeared the State was leaning toward following the DNR standards and not creating anything new. There was discussion that the City was trying to avoid duplicating State regulations but there could be standards developed as needed.

There was discussion of looking at the present sign ordinance. No additional sign-related use-specific standards were proposed at this time.

Mr. Zenner said there would be coordination between the business license office, the zoning staff, and police and fire. Mr. Caldera said the Police and Fire Chiefs or their designees would have to approve the security plans. Public safety review was already a part of the business license review but this would be a step further than required for

other businesses. Additionally, Mr. Zenner said all materials and signs would need to be removed within 30 days if not active. This was not common to other business types.

There was general discussion on how the City might limit facilities. Some Commissioners did not support any additional restrictions. There was support to use a consistent and standard definition for the city's population.

Commissioners noted that the felt consistency with the application of standards across the facility types was necessary. When it came to cultivation facilities, Commissioners indicated that future discussion could look at creating standards that addressed indoor versus outdoor facilities, but generally thought that growing operations would occur inside.

There were additional concerns expressed regarding the lack of accessibility of dispensaries on the second floor in the M-DT. There were concerns about over lighting. Mr. Caldera said lighting would be included in the security plans and could be reviewed for excessive lighting. Mr. Zenner said he was looking at the current code and the state requirements for conflicts. He did not yet know how state requirement might supersede the UDC's requirements.

There was general discussion that the Planning Commission review may be complete and may not need additional work session discussion. Mr. Zenner indicated that he would address this issue during the Staff Comments section at the end of the Commission's regular meeting.

VII. NEXT MEETING DATE – April 25, 2019 @ 5:30 pm (tentative)

VIII. ADJOURNMENT

Meeting adjourn at approximately 6:59 PM.