

**Planning and Zoning Commission Work Session Minutes
September 5, 2019
Conference Room 1-B - 1st Floor City Hall**

ATTENDANCE:

Commission Members Present: Burns, Carroll, Loe, MacMann, Rushing, Russell, Stanton, Strodtman, Toohey,
Commission Members Absent: None
Staff: Caldera, Bacon, Teddy, Zenner, Mead (CVB)

ADJUSTMENTS TO AGENDA: None

TOPICS DISCUSSED

New Business –

- **July 2019 Building Permit Report**

Mr. Zenner provided a summary of the July 2019 Building Permit Report and asked for feedback on formatting and content in terms of what was helpful for the Commission to compare prior and current data. Commissioners indicated that the format presented was more useful and that it would suffice until EnerGov data were available to produce a comparative report more similar to the one previously prepared.

- **West Columbia Area Plan**

Mr. Zenner introduced the Council's desire for the Commission to engage in a West Area Plan. He noted that the work session agenda included the August 5 Council agenda attachments (Council report and excerpts) relating to the preparation of the area plan. He said the desire by the Council was for the plan to be prepared using in-house resources and in collaboration with the Boone County Planning and Zoning Commission similar to the Northeast and East Area Plans.

Mr. Zenner outlined the likely timeline and process for the plan, and said staff desired to ask the Commission's input on how it would like to incorporate this project into its existing work program. The planning process is anticipated to extend over an 18-month period. From past experience, completion of the plan will likely necessitate additional "special call" work sessions. Mr. Zenner asked if the Commissioners would be willing to hold extra meetings or if they wanted to attempt to incorporate them into the regular work session meeting rotation. There was general discussion and consensus that special meetings would be more productive than trying to shoehorn time into the existing work program for work sessions.

Mr. Zenner said staff will engage with County personnel and take the necessary steps to get the County's Planning and Zoning Commission authorization to work on the project. He noted that they would need authorization from the County Commissioners. Upon such authorization, it is anticipated that a "scoping" meeting between the Commission's and staff's will be scheduled to refine the study area, define plan objectives, and begin the data collection and analysis process. More information would be provided to the Commission as it became available.

Old Business –

- **Rock Quarry Stakeholder Report**

Mr. Zenner summarized the recommendation/action matrix. He asked that the Commission ensure it represented what they had said correctly. He said they would schedule the public hearing on the Report when

the Commission was comfortable doing so and that it could be either the first or second meeting in October, but they would likely want to avoid holding the public hearing on the same night as the public hearing on short term rentals.

There was general discussion on how the fiscal impact component would be used. There was general discussion on how each component of the report could be voted on and how comments could also be tied to specific components as they had done with recent text amendments. Council could then direct the staff and Commission to work on text amendments, if needed. Mr. Zenner said staff would provide commentary or a recommendation on each component shown in the matrix in terms of possible impacts and other considerations in the public hearing staff report.

Mr. Stanton said it was time to move to a public hearing and let the public discourse happen there. He made a motion and Ms. Burns seconded the motion. Mr. Stanton said the reality was there was a scarcity of resources to implement the plan, and that reality would be a part of the discussion. Commissioners identified there may be other potential funding sources available. There was general consensus that it was time to schedule the public hearing and to avoid scheduling it on the same night as STRs.

- **Short-Term Rentals- Updated Draft Regulations**

Mr. Zenner said a new version had been prepared that reflected the Commission's work on the draft STR regulations that were dated March 1, 2019. He noted that due to the significant changes that the prepared copy was not a redline version as it would serve as the new draft for future redline changes. He said that the Law Department had, in subsequent legal review, found a component which would need revision and Mr. Caldera would discuss this.

There was general discussion on how an agent would need to be available and how their contact information may be made available to renters and potentially neighbors while also not putting such information on a website subject to misuse. The discussion was helpful for drafting the administrative components which would be developed to support the regulations. It would need to be available to the police as well.

Mr. Zenner summarized the primary areas of revision based upon the desires of the Commission and said they were working to make the draft as clean and understandable as possible. Mr. Caldera discussed the previous draft's component which would allow rental certificates for short term rentals to transfer upon change of ownership. He said legal review had identified some concerns and that the provision would need to be rescinded. He noted that removal of the transfer clause would ensure that there would be no confusion regarding the possible claim of a vested right when in fact the granting of a certificate of compliance and in certain instances a conditional use permit is a privilege. He said the conditional use permits would also have a sunset or duration clause which would be a part of Council's consideration and adoption ordinance.

Commissioner's asked if the permitted use table would be updated and included in the revised ordinance. Mr. Zenner apologized for the oversight and said it would be included. There was discussion on where the use would be placed within the table. Staff indicated that it would likely be located under the heading "Guest Accommodations" which is where Hotels and Bed and Breakfast are located.

Ms. Loe asked the staff to include an "and" or an "or" after the semi-colon in A.2. She also asked staff to confer with the staff of Building and Site Development to review possible conflicts with the references to the International Building Codes and the Property Maintenance Code so that the correct terminology was being used and there were not going to be conflicts created. Her primary concern had to deal with possible issues of

how sleeping rooms and lodging houses were defined in the IBC and IRC. She said they needed to be sure the regulations were not ambiguous and to look at all paths for potential issues.

The Commission indicated that they would prefer to schedule the STR public hearing for October 10 and the Rock Quarry Plan public hearing for October 24. Mr. Zenner noted that staff can prepare the hearing notices as requested. He also stated that the public hearing draft for the short-term rental regulations would be posted for public review within approximately a week following final tweaking and review by the Law Department.

ACTION(S) TAKEN: Motion made by Commissioner Russell, seconded by Commissioner Rushing to approve agenda as submitted. Made motion by Commissioner Russell, seconded by Commissioner Rushing to approve the August 22 work session minutes as submitted. Meeting adjourned at approximately 6:57 p.m.