

**Planning and Zoning Commission Work Session Minutes
February 4, 2021
Conference Room 1A & 1B - 1st Floor City Hall**

I. Call to Order

Commissioners Present – Burns, Carroll, Loe, McMann, Rushing, Russell, Stanton, and Toohey
Commissioners Absent – Geuea Jones
Staff Present – Smith (Bacon), Kelley, Palmer, Teddy, Thompson, and Zenner.

II. Introductions

III. Approval of Agenda

Agenda adopted as presented unanimously.

IV. Approval of Minutes

January 21, 2021 work session minutes were adopted as presented unanimously.

V. New Business

Work Session Topics

Mr. Zenner discussed recent correspondence from Paul Land in which Mr. Land indicated that the M-BP (Business/Industrial Park) district is in need of a revision. Mr. Land's concerns centered on Light Industry and its current status as a conditional use in the district. Mr. Zenner indicated that there may be some disconnect between the UDC's definition of Light Industry and Mr. Land's definition. Mr. Zenner indicated that the intent of the conditional use was to reserve space in the business and industrial park for uses that were better suited to this district as opposed to the general IG (Industrial) district. Such uses might include high-tech industries or research & development labs.

Mr. Zenner mentioned that there are approximately less than five acres of M-BP and there has been minimal discussion or interest in the zoning district apart from Mr. Land's request. Staff is bringing this citizen request to the attention of the Commission now as work is already being done on similar text amendments to the UDC. Staff would need direction on whether or not to begin researching this topic and preparing revisions for the Commission's review.

Commissioners indicated that this request and potential revision could undermine the purpose behind the M-BP district which was a sentiment shared by some staff. Commissioners noted that Columbia has a poor reputation with the business community in the region and that Light Industry is the most common classification of manufacturing these days. There was a concern that letting go of the CUP process for this use takes away the ability to address environment impacts on a specific site. The Commission stated that the order in which amendments are researched, drafted, and discussed needs to be prioritized. Mr. Zenner concluded that he would reach out to Mr. Land and ask that he discuss his proposed amendments with other members of

the real estate industry and come make a presentation before the Commission relating to the necessity of the change.

Having concluded discussion on Mr. Land's proposal, Mr. Zenner noted that Ms. Smith would continue to guide the Commission in its review of the Permitted Use Table. Prior to beginning that discussion; however, Ms. Smith noted recent events in which the Columbia Imagined Status Report was accepted by City Council and that the Raising Cane's development would break ground in March.

Following her announcements, she began discussing the Urban Agriculture use within the Permitted Use Table noting that it is not necessarily a pressing issue nor does it entail a complex revision. Staff and the Commission discussed the use's permissibility in the R-MH district. Staff stated that R-MH developments require a site plan and are typically commonly owned which means that Urban Agriculture would not be a principal use in R-MH, but rather more likely a development amenity and could be considered permissible as an accessory use in the district.

Ms. Smith pointed to amendments that would be brought to the Commission at a later date. She pointed to the administrative need to clarify Personal Services as there is some ambiguity in the definition between some specific professions and businesses that fall under either the Office or Personal Services definitions. Staff mentioned Indoor Recreation would be brought forward in the future as there is a concern for large-scale developments that would be out of context in M-N districts adjacent to residential neighborhoods. There would also be future discussion relating to Drive-In Theaters and Outdoor Recreation as there appear to be inconsistencies.

Discussion moved to proposed amendments for uses involving use-specific standards. Mr. Kelley introduced a draft amendment for Accessory Commercial Kitchens that would potentially permit community-serving facilities, such as churches or schools, to lease out underutilized kitchen space to small-scale entrepreneurs. He noted that this amendment was assigned to the PZC via Council direction after a request by the Missouri Women's Business Center (MWBC) and Rock Bridge Christian Church in which the church desired to offer kitchen space to the MWBC for job training.

He noted that the proposed use-specific standards were intended to permit the use while preventing potential negative impacts relating to traffic and commercialization by tying the scale of the use to subject sites. Such proposed standards included limits set on the amount of kitchen space to be used, restrictions regarding on-site retail, and hours of operation. Mr. Kelley indicated that there have been discussions with the Health Department regarding their commercial kitchen reviews and that this draft amendment will be revised to be consistent with their policies.

He said that commercial kitchens as a primary use were permitted in the M-N zone and above, but that any accessory commercial kitchen presently in use in a residential zone could only presently be used for the church or school functions. He clarified that the proposed standards would not regulate church or school functions directly undertaken by the primary user for their mission. The annual pancake breakfast fundraiser held by a church was cited as an example of presently legal use of the kitchens that were entirely permitted now and would not be subject to the proposed use-specific standards. The proposed use standards, if desired, were intended to

apply to churches or schools that chose to rent out their commercial kitchens to outside users such as caterers or food trucks.

Ms. Smith said there was a desire to see if this was an acceptable expansion in the use of the existing kitchens for a commercial purpose and that the proposed standards were being offered to mitigate externalities of commercialization in residential zones. She discussed that staff had been in talks with one of the churches which desired the ability to lease out their kitchen, and had used information on their facility in their research.

There was Commission discussion relating to the economic concerns for churches and the need for job training and business incubators when the barrier to entry of business can be challenging. The current pandemic was cited as a reason for economic flexibility with protections to neighborhoods. Commissioners did not want to negatively impact existing uses or functions.

There was also discussion on how many users, how to effectively regulate commercial kitchens given the unlikelihood of actually conducting trip counts, and the impact of storage and service vehicles and time of day considerations. There was concern that the regulations need to be right-sized and make sense.

There was a desire for more information and research. The Commission asked that food truck operators and churches be queried for data on likely usage, needs, and business practices. There was discussion on how to use business license data to track existing, potential and future commercial kitchen users. There was a desire to consider existing users or existing kitchens which may exceed in size the proposed standards in phasing in any regulations. When and at what scale a conditional use permit versus permitted by right was discussed in terms of context, location and operation considerations.

Staff indicated they would undertake additional research and make the proposed language clearer in how percentages of kitchen used relative to the size of the facility may be calculated. The intent was to make sure a facility was not built with a huge commercial kitchen as the primary use and a church as the secondary user in a residential zone. Large and successful commercial operations were permitted in commercial zoning and so those operations could locate in commercial zoning. There was general discussion that this amendment/the development of use-specific standards should be pursued but with the discussed revisions and reflective of additional research.

VI. ADJOURNMENT

Meeting adjourned approximately 6:59 pm

ACTION(S) TAKEN:

Motion made by Commissioner Russell, seconded by Commissioner Burns, to approve the agenda as submitted. Made motion by Commissioner Russell, seconded by Commissioner Burns, to approve the January 21, 2021 work session minutes as presented.