

Planning and Zoning Commission Work Session Minutes
June 10, 2021
Conference Room 1A & 1B - 1st Floor City Hall

I. Call to Order

Commissioners Present – Burns, Stanton, Loe, Geuea Jones, MacMann, Rushing, Carroll, Placier and Kimbell

Commissioners Absent – None

Staff Present – Smith, Kelley, Smith, Teddy, Thompson, and Zenner.

II. Introductions

Introduction were held and welcome to new Commissioners Placier and Kimbell.

III. Approval of Agenda

Meeting Agenda adopted as presented unanimously.

IV. Approval of Minutes

May 6, 2021 work session minutes adopted as presented unanimously.

V. New Business

A. Supplemental UDC Amendments Letter

The Commission reviewed a draft letter from Ms. Loe to the Council to outline the Commission's desire to add additional study on residential zoning (specifically density and lot coverage issues and outcomes) to their work program. Mr. Zenner indicated this letter was able to go on the July 6 Council agenda as correspondence under the reports section. Ms. Low added descriptive text to the third and fourth paragraphs to let the Council know the intent was to address emerging issues in "residential" development. There was discussion on the timing and the Commission generally agreed six months or a bit longer was a realistic timeframe. Ms. Carroll offered clarifying language that the Council would give direction to the Commission to proceed with the work if they agreed with the request. There was discussion on how this amendment(s) would fit in with other ongoing text amendment work and short term rental work anticipated to begin anew. There was also need to revisit the medical marijuana ordinances as court cases progressed.

Following review of the letter and modifications, the Commission agreed to send the letter as revised to the Council.

B. Short Term Rentals (STRs) UDC Code Amendments

Mr. Zenner said the Council is redirecting the Commission to take up short term rental (STRs) zoning regulations again. He said he had the minutes from the December 7, 2020 Council meeting for the Commissioners and he would attempt to summarize the direction from the

Council. He said he would also like to discuss ground rules and a plan for getting through a new attempt based upon what they had learned from the previous attempts which resulted in amendments that had not found majority consensus or success by the Commission, Council or public. There was a desire to have a better process and better result. Commissioners had consensus that the desire was a more constructive process and outcome.

Mr. Zenner said there were three bills which were related and were all ultimately rejected/withdrawn by the Council. They were related bills that each addressed issues of taxation, rental conservation/registration, and zoning. Understanding that no element happens in a vacuum, the Commission was specifically charged with reviewing and recommending zoning related regulations and he hoped that a focus on this charge would be helpful. He noted the City Clerk had alerted the staff that the stay of enforcement for any currently operating STR would expire on July 31 of this year, so the Council was asking the work to begin again (though it was not expected they would be finished by July 31).

Mr. Zenner summarized and quoted from the Council meeting minutes at the December meeting where the Council withdrew the proposed legislation. Ultimately, the Council indicated the proposed regulations were too complicated. They expected the rules to be complaint driven. There was opportunity to look at building code and rental code enforcement as better tools. There was concerns that Council would never come to a resolution by considering too many business models and situations and too many exemptions or allowances. Being overly accommodating may not be a good service to the community at large. A new ordinance entirely was likely needed or they may end up with the same outcome where no one agreed or was happy. Council would also like to have data-driven information and considerations in regards to how regulations would impact affordable housing via displacement and other considerations.

Mr. Zenner said the staff would like to work with the Commission to have a bottom-up process to re-work the problem. He said it needed a fresh start and be data-driven. He discussed data the CVB had available. He said they'd also like to look at the landscape of ordinances in other jurisdictions as a lot had changed/evolved with experience and changing market conditions. He said they would like to specifically focus on land use principles as this was the purview of the Commission, and it may be easier to do so now that the other related ordinances were generally known and accounted for. The Commission and the public could take focus off the related issues and focus on the land use elements. They would also need to re-engage the public and have a through process.

There was discussion on which data would be useful and how to get data that wasn't driven by the STR market-promoting/investing groups. There was discussion on the perceived and likely scale of operation in Columbia and the role of complaints and how they may be used and how they may not be made until regulations were in place. Ms. Carroll had provided previous data that would be brought back for consideration. Other data sources were discussed for updates and data needs that were balanced and provided useful metrics and statistics.

There was discussion on taxation. Ms. Burns asked, was this still desired? Taxation in terms of a level playing field was still desired by the lodging groups. The role of taxation and business licensing was discussed in terms of how it would be carried out and the interplay with the zoning ordinances. The zoning part seemed inherently more complicated.

There was a desire to have a public process that was clear and had a defined end date and milestone/revision schedule. There were frustrations with what was seen as last minute revisions by the Council at the request of certain constituencies. The Commission desired that generally all public input go through the same process and consideration by the public in the same way, rather than having late amendments sneak in without the same level of analysis, scrutiny and public input as it can erode the integrity of the work of the Commission and public in drafting the regulations.

Mr. Zenner said he appreciated the feedback from the Commission in how to develop the process in a way that would building capacity and support. There was discussion on the desire to have a joint work session with the Council to avoid some of the pitfalls of the last endeavor by getting support and direction from the Council earlier in the process on what the Council desired. Also, this would help with engaging and informing the Council on the Commission's process and to build consensus.

Mr. Stanton said he would like to keep a narrow scope this round, focusing on the land use elements to the extent possible and let the other responsible groups handle their parts. He'd like to keep on track and make clear the interrelated but separate roles of land use regulation, tracking, registration, management, enforcement and taxation. Ms. Geuea Jones said she though they went too far in the business licensing and elements beyond land use. She saw benefits in staying focused on where STRs would be permitted and less into the details on how bedrooms and other micro elements were regulated.

Ms. Loe stated her understanding on what was already regulated by the building code and noted that this may help everyone understand what is and isn't able to be handled via other tools/regulations. She noted there would be public hearings on each piece of companion legislation after which the whole scope of the regulations could be put back together. She saw the zoning part was the most important piece and the other regulations could spin-off thereafter.

Mr. Zenner said the public hearings for the other elements would be at the Council level at the same time as the land use element, and he agreed that going too far was how they became lost in the last attempt. They would move forward by gartering and unpacking the data and working on a defined process with the Council and the public. The topic would be continued.

VI. ADJOURNMENT

Meeting adjourned approximately 7:00 pm

ACTION(S) TAKEN:

Motion made by Commissioner MacMann, seconded by Commissioner Geuea Jones, to approve the agenda as submitted. Motion passed unanimously. Made motion by Commissioner MacMann, seconded by Commissioner Geuea Jones, to approve the May 20, 2021 work session minutes as presented. The motion passed unanimously with three abstentions.