

Planning and Zoning Commission Work Session Minutes

May 23, 2013

Commissioners Present: Peters, Strodtman, Tillotson, Vander Tuig, Wheeler

Commissioners Absent: Lee, Puri, Reichlin, Stanton

Staff: MacIntyre, Teddy, Zenner

ADJUSTMENTS TO AGENDA:

None

NEW BUSSINESS:

- Columbia Imagined update

Mr. Zenner gave an update on the where the staff stood regarding the Phase 5 surveys and indicated that the time for public submission would close on May 24. He then explained how staff was in the process of finalizing the draft document to include editing changes and incorporating the public's input into the implementation table – specifically the priority setting for the Strategies and Actions.

Mr. Zenner further explained what staff's thoughts were on the public hearing presentation for June 6. He noted that he would be making the presentation and it would be a modified version of what was presented at the four Phase 5 forums. He said that he would shorten the existing conditions presentation, add some new graphics for public participation, and spend the majority of the time going over the materials in Chapter 4. Mr. Zenner noted that the presentation should be no longer than 30 minutes; however, would attempt to be done within 20.

The Commission acknowledged Mr. Zenner's approach and there was no discussion about how the presentation would proceed.

- Accessory Dwelling Units (ADU) - follow up

Mr. MacIntyre gave an overview of the prior work session's discussion for those members who were unable to attend. He noted that based on the discussion at the prior work session he had developed some definitions to better clarify the differences between a "floating zone" and an "overlay" district. He noted that he was using the two types of zoning tools interchangeable in the prior discussion and that was leading to possible confusion.

Mr. MacIntyre clarified that an overlay district builds on the underlying zoning district where as a floating zone replaces underlying zoning district. A floating zone is like a "redi-made" PUD. Both types of zoning tools require a public hearing to establish and can be time consuming from a resident's perspective.

Mr. MacIntyre then presented the three possible options, derived from the prior work session, which appeared to be the Commission's preference for permitting accessory dwellings (AD).

- **Option 1**

Conditional use R-1
Permitted in R-2 (by-right)

- **Option 2**

Overlay zone (opt-in process). Once established everyone would be able request AD's in the overlaid area

- **Option 3**

Hybrid - use conditional use and overlay

Mr. MacIntyre explained that the real question has to deal with how the zoning code should permit AD's throughout the City. The conditional use process would allow for a parcel based approach whereas an overlay would be more inclusive and allow for broader application.

Chairman Wheeler asked if the Commission had any questions of the staff. Commissioner Peters indicated that owner occupied units should be part of the requirement if AD's were to be allowed in the R-1. She also suggested that AD's in the R-1 zone only be allowed as attached units.

Commissioner Peters asked if the City's conditional use permits were required to be renewed when property ownership changed. Staff indicated it did not believe so. She noted that was the requirement within the County's regulations.

Chairman Wheeler indicated that since he was not at the prior meeting he had several questions. He wanted clarification on the extent of the proposed provisions and how it would affect particular zoning districts. Staff provided answers to his general questions.

He further noted that the ordinance needed to fix the R-3 district to allow 3 units on a 7500 sq. ft. lot. Chairman Wheeler indicated that he understood that the R-3 district currently required 10,000 sq. ft. for a duplex – this didn't make sense to him. He further noted that in most of the newer neighborhoods covenants were in place that would restrict out multiple dwellings on an R-1 lot. Due to the issues that may arise by trying to include AD's in the R-1 zoning district he suggested leaving R-1 out of current effort and to add it as part of a future amendment.

Mr. Teddy indicated that one possible alternative option to having residents or neighborhoods go through the process of establishing an overlay on their own would be to allow neighborhoods to opt in upon adoption of the overall text change creating provisions for AD's. He suggested ask neighbors where they would like to see AD's and then have customized styles of overlay districts to suit different neighborhood characteristics.

Commissioner Vander Tuig expressed concern regarding the option that proposed using a conditional use process. He felt that such a process introduces subjectivity and uncertainty. Commissioner Vander Tuig favored the overlay option with a staff-prepared model ordinance and dwelling type options to choose from, so neighborhoods can select the options that best match their neighborhood character and values. He suggested starting the amendment process by creating standards for the R-2 district that would allow AD's "as-of-right" and then propose a draft ordinance for the use as an overlay model.

Mr. MacIntyre indicated that what he had already prepared could be modified to take into account the discussion comments offered this evening. He indicated that he would continue to work on putting together a model overlay ordinance and bring back a proposal at a future work session. The Commissioner's agreed that this process was a good idea and gave Mr. MacIntyre the "green light" to proceed forward.

- Sign Ordinance Amendment – follow up

Mr. Zenner gave an overview of the revised ordinance prepared by the Law Department. Due to the limited amount of time the presentation was hurried. Mr. Zenner indicated that the proposed changes would permit non-animated signs behind glass, but would prohibit signs proposed to be defined as "digital signs" or "animated signs". He noted that the Law Department simplified the proposed definitions to be added to the ordinance to just "digital signs" and tweaked some other definitions. He also noted that the Law Department removed the proposed change to window sign since the concern about signs behind glass was now addressed by the prohibition of "digital signs" and "animated signs".

Mr. Zenner noted that he and the Law Department were concerned that the original ordinance proposed may have dealt with more issues than necessary. He noted that the Law Department believes the issues with the sign code need to be comprehensively addressed as part of zoning ordinance re-write. The Law Department believes there is an easier way to deal with signage throughout the community and this amendment is only a short-term fix for the issue at hand.

Chairman Wheeler asked the Commissioners for comments. Commissioner Tillotson indicated that he wasn't supportive of the changes. He suggested that the ordinance be scheduled for a public hearing and let the public comment on it. The other Commissioners concurred with that idea and directed staff to proceed in that direction. Mr. Zenner noted he would schedule it for a public hearing and distribute the ordinance to affected parties.

OLD BUSINESS:

Due to time constraints, no Old Business items were discussed.

MOTIONS/VOTES: The work session minutes from May 9 were not approved due to the lack of a quorum. No other motions or votes were taken. Meeting adjourned at 6:55 PM.