

December 4, 2024 - 4:00 PM

Organization

Item I.1. - **Call to Order**

Vice-Chairman Councilman Coleman called the December 4th, Special Meeting Session for the City of Columbia to order at 4:00 p.m. The meeting was held in Council Chambers at City Hall.

Item I.2. - **Roll Call**

Planning Commission Vice Chairman Danny Coleman; Planning Commission Member Dr. Christa Martin; Planning Commission Member Mayor Chaz Molder; Planning Commission Member James Shannon; Planning Commission Member James Sloan; Planning Commission Member Nancy Williams.

Absent Was: Planning Commission Member Charlie Goatz

Other Attendees: Mr. Robert Archibald, Planner II; Mr. Austin Brass, Principal Planner; Mr. Paul Keltner, Director of Development Services; Mr. Tony Massey, City Manager; Mr. Kevin McCarthy, City Planner; Kellye Murphy, Tourism Director; Mrs. Melissa Sanders, Planner I.

Item I.3. - **Welcome of Visitors/Rules of Conduct**

Vice Chairman Danny Coleman welcomed guests to the meeting. The Vice Chair discussed the meeting order and the process for speakers to be heard.

Discussion Items

Item II.1. - **Request from Development Services for review and recommendation of Zoning Text Amendments concerning Principal Uses, Accessory Uses, Temporary Uses, and Limited Use Standards contained in Article 4.**

Mayor Molder inquired about the voting process for the four items being heard under discussion item number one. Mr. McCarthy explained the process, and stated that there would be one vote on the item being presented.

Sub Item Number One.

Mr. McCarthy presented the details of the items for discussion and the text amendment process, important concepts, and the required criteria for review. First for consideration is the Home Occupation Permit process. He stated that currently, there is no allowance for employees or customers to come to the residential site. The proposal is for the Home Occupations to be divided into two separate use categories, Major and Minor. The Minor HOC process would stay the same and be reviewed administratively. If the HOC is determined to be major, then the request would move forward to the Board of Zoning

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Appeals. Dr. Martin asked about the definition of Home Occupation in Article 9.3. Mr. McCarthy discussed the details of the definition. Mayor Molder asked about Professional Office and Beauty/Barber Shop uses. Mr. McCarthy addressed the question. The discussion included the BZA setting conditions and reviewing properties individually. Councilman Coleman asked about enforcement and current home-based businesses. Mr. McCarthy gave the clarification. Dr. Martin asked about the allowance of revocation and the notification to the business process. Mr. McCarthy explained the process and stated that a letter would be issued and non-compliance would result in revocation. Dr. Martin inquired about the location of the language. Mr. Keltner stated Line 79 reflected the language that was being discussed. Mayor Molder discussed BZA. Vice Chairman Coleman stated that this is a great step forward.

Sub Item Number Two.

The Commission reviewed the amendment concerning *Bars, Taverns, and Nightclubs*. Mr. McCarthy presented the current ordinance regulation and the proposed amendment. Dr. Martin asked about existing bars, taverns, and nightclubs in relation to the distance requirements. Mr. McCarthy replied that current establishments would not be affected by new religious facilities being established. This would affect new businesses. He reviewed all the regulations being proposed for this use. He brought attention to the two differently defined terms, Abutting and Adjacent. Commissioner Williams asked about the distance proximity a bar could be in relation to a residence. Mr. McCarthy discussed distances in relation to property lines and not structures. Mayor Molder stated that perhaps Adjacent could be the better place to start with the regulation and then follow with any needed modification. The discussion continued on distances, residential, adjoining, adjacent, abutting, one-way streets, traffic and parking. Councilman Coleman asked Commissioner Shannon his opinion and reflection on his prior experience with the Police Department. Mr. McCarthy suggested that the Commission could modify the suggested amendment to specifically call out the Columbia arts district overlay area as an exception. Dr. Martin asked for clarification. Mayor Molder asked if the Arts Overlay could have a reduction in the distance requirement to 200'. The Mayor also recommended the term of Adjoining rather than Abutting. Mr. McCarthy asked if Line 22 remains as a strike-through recommendation. He also asked about Lines 8-19 that the distance of 200' be input. Additional discussion included fewer restrictions in the arts district, affordability, and keeping things central to downtown.

Sub Item Number Three.

Moving on to sub-item three for recommendation, which is the use category of *Vape, Tobacco & Cannabinoid Retailers*. Mr. McCarthy stated that staff reviewed several other jurisdictions and landed closely following the current regulations found in the Murfreesboro, TN Zoning Code. The suggested edits include distance separation between uses, zones and other establishments. The distance being 500'. Mayor Molder stated he would like to separate out other establishments and recommend 1,000 ft. distance minimum, thus keeping Section 1 and adding a new section with the 1,000

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feet. Dr. Martin stated she agreed. Mr. McCarthy pointed out the current standards.

Sub Item Number Four.

The last sub-item is concerning Short Term Rental uses. Mr. McCarthy gave the details of the draft that was presented. He also discussed the permitting process. Additional discussion included, BZA the major Home Occupations, conditional use approval annual permits, the permit fee being \$300.00, everything line up in the use table, cost recovery, reaching a limit, being effective, the monitoring process, possible new dedicated position, and public input.

Mr. David Eslinger thanked the Commission for addressing the issue. He asked that staff would handle the permitting process, he asked that the fee be for two years, and he asked that there be a least restrictive approach. Mayor Molder asked if there is any other restrictions that could be added to prevent the permits being sent to the BZA. He expressed concerns about over burdening the BZA. Mr. McCarthy explained the zoning districts and the CD-3 being exclusively single-family. Director Keltner explained more of the conditional use and regulations that could be placed on the property, and the BZA process.

Autumn Potter expressed concerns about increased crime and reduction of affordable living and segregation. She also expressed concerns about the Historic Guidelines and privacy. Mayor Molder spoke to her concern about privacy issues and the BZA placing an additional requirement on the STR applicant. He would also like to hear more about potential crime implications for surrounding areas. Mr. Keltner addressed the process. Ms. Seago and Ms. Roberts did not speak when called upon. Ms. Rachel Lentz wanted to speak about crime, the high standards on the STR platforms, would it have to be on a platform to avoid burden on staff and vet out hosts, the checklist that BZA would be using, the confusion the public may have in reviewing the requirements, violations of language on Page 18 number 7, and the fees. Mr. Jimmy Duger, Chairperson of BZA, asked about grandfathering, advertising deadlines, timeline, excessive requests from applicants, and applicants that may lose revenue. Mr. Keltner addressed the questions, and following the processes. Mayor Molder addressed legality. Mayor Molder followed up on Ms. Potter's concern about crime and notification.

Mayor Molder moved to approve Item one Home Occupations as recommended by staff. He moved to approve Bars, Taverns & Nightclubs Standards with the modifications to include, in addition to what staff has provided, that we allow for the Arts District Overlay to have a 200-foot minimum requirement and the special exception and everything else would remain the same. We would use the term adjoining not abutting with respect to bars, taverns, and nightclubs being located in a lot adjoining any of the residential lots being broader there, as opposed to being less broad. With respect to vape, tobacco & cannabinoids, he recommends to approve subject to one modification, adding the requirement that there is a 1,000 feet minimum distance required between the other existing tobacco, vape, & cannabinoid retailers. He does want schools and public parks to remain in place there, in the 500 limits, adding 1000 feet being located to a similar facility. He stated that he would like to have more discussion where the Commission can

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recommend approval of the short-term rentals for Columbia as presented by staff. This is his motion. Dr. Martin seconded. Discussion included platform, regulations, renting, authority to regulate the use, collecting lodging tax, self reporting, and it will be online. Mayor Molder modified his motion to make the \$150.00 fee for staff approval versus \$300.00 for BZA approval. Dr. Martin seconded. Dr. Martin discussed the process and modifications at City Council. The amended motion to approve with conditions passed six to zero.

Item II.1. - Home Occupations

Map of Current Home Occupation Permits

Item II.1. - Bars, Taverns & Nightclubs

Map Illustrating Current Standards

Item II.1. - Vape, Tobacco & Cannabinoid Retailers

Item II.1. - Short Term Rentals

Map Comparing Current and Proposed Standards

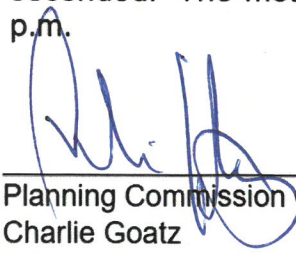
Item II.2. - Request from Development Services for review and recommendation of Zoning Text Amendments concerning minor administrative changes and corrections throughout the document.

Mr. McCarthy gave the details of the request. This request is to clean things up and changes on the garage door. Mr. Shannon moved to approve, and Mayor Molder seconded. The motion to approve passed six to zero.

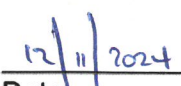
Adjourn

The Commission thanked Mr. McCarthy for his services, and stated that he is leaving Columbia better.

With no further business to discuss, Mr. Shannon moved to adjourn, and Mayor Molder seconded. The motion to adjourn passed six to zero. The meeting adjourned at 5:52 p.m.



Planning Commission Chairman,
Charlie Goatz



Date