

**BOONE COUNTY PLANNING & ZONING COMMISSION WORK SESSION**  
BOONE COUNTY GOVERNMENT CENTER, CONFERENCE ROOM 301  
801 E. WALNUT, COLUMBIA, MISSOURI  
(573) 886-4330

**Minutes**

**5:00 P.M.**

**Monday, January 8, 2018**

Present: Boyd Harris, Erik Kurzejeski, Loyd Wilson, Rhonda Proctor, Bill Lloyd, Jeff McCann

Also Present: David Butcher and Phil Clithero, Stakeholder Committee

Staff: Stan Shawver, Bill Florea, Thad Yonke, Uriah Mach, Paula Evans

*Staff Note: For those not attending the work session please reference the comment matrix emailed to you as a guide to the minutes. Only responses to questions proposed for change, questions with lengthy discussion, and responses with further clarification are addressed in these minutes.*

Mr. Florea informed the Commissioners that the plan is to do new topics at each work session. The sessions will be recorded and minutes will be taken. Staff is working on setting up the capability to send a link to the Commissioners and Stakeholder group so they can listen to meetings if they miss one. Even though we are moving on to a new topic at every session, if you miss a work session and there was something discussed that doesn't sit right with you and you want to talk about it, by all means bring it up, staff is not trying to close down discussion. There are several unresolved issues that were held over for further discussion. Discussion on those items will take place after going through the comments.

We will begin by editing the responses to public comments received from the public hearings.

Concept Review: "Currently you don't have to get very technical with it because it is a concept...".  
Change response to change "Four items have been added to the list of submittal requirements" to "The new regulations added four items to the list of submittal requirements."

Admin Survey: "If surveying 80 acres out of 100 acres will you need two surveys?"

Response: "The twenty-acre tract will need to be surveyed."

Discussion: The response is not saying "yes" or "no", the 20 acre tract will need to be surveyed. Commenter mentions 100 acres but does not specify if the 100 acres consists of 10, 20, or 40 acre tracts, the question is vague. Chairperson Harris understood the question as one 100 acre tract and dividing 20 acres out of it. Mr. Butcher believes the commenter is asking from a regulatory standpoint if I am surveying 80 acres out of 100, does he have to have two surveys because the other tract is below 40 acres, the answer is no because it can all be on one survey. Mr. Florea stated that is the problem with the question, we have all come up with a different way to interpret the question. **NO CHANGE PROPOSED TO THE RESPONSE.**

Admin Survey: "You need to submit a recording fee at submittal..."

Staff note: Delete the second "the" in the first sentence.

Staff note: Recently the Recorder of Deed's Office has a new policy that they will no longer accept checks more than 90 days old; most plats get done within that time frame but if not, the applicant may need to submit new check if the process takes over 90 days.

General: "State Law only allows the regulation of subdivisions..."

Change response to: "Both easement and retracement surveys are reviewed..." at the beginning of the sentence.

General: "These regulations are going to increase time and cost for projects"

Response changed to: Replace the first two sentences with: "This is a generalized statement that needs to be clarified in order to develop a response", leave remainder of response as is.

General: "What is the fiscal impact of these regulations?"

Discussion: Staff stated the County does not have staff that do that kind of work, there is little to no fiscal impact to the County. Chairperson Harris stated there are too many variables in each development to try to come up with a fiscal impact. Commissioner Loyd stated the county has no regulatory requirement to do a fiscal impact, but can they? Mr. Florea stated he doesn't see why we can't, I don't think there is anything preventing us from doing it. Chairperson Harris stated he didn't think the question that was posed had to do with the County's impact but what is it going to cost the project developer and there is no way the County can know that. Mr. Yonke stated that may be true but we can only answer the question that was asked. Mr. Florea stated if they are asking a different question and you answer that there will be no fiscal impact you need define what you are actually answering. Mr. Kurzejeski stated he does not like saying one has not been done. Mr. Florea asked if you were setting yourself up by doing a fiscal impact, will you have to do it every time? If one were to be done that is something that would be done at the County Commission level. There are all kinds of regulations that are passed by the County Commission and if you do a fiscal impact for one, are you going to raise the expectation that it will be done for every regulation? THIS COMMENT WILL BE READDRESSSED AT THE NEXT WORK SESSION.

General: "Where is the master plan?"

Correct "decision" to "decisions"

General: "Who was on the Stakeholder Committee?"

Change sentence to ".....open to anyone who chose to participate."

General: "When citizens supported Planning and Zoning they placed upon them a public trust."

Response: "The Planning and Zoning Commission should discuss these ideas and develop a position as a Commission."

Discussion: Mr. Florea stated we did not form a response for this.

THIS COMMENT WILL BE DISCUSSED AT A LATER SESSION

General: "Suggest an effective date of 6 months after the new regs are approved by the CC."

Comment: Mr. Kurzejeski later stated the lack of showing at the public hearings makes this irrelevant.

Discussion: Mr. Florea stated that Commissioner Kurzejeski later rescinded this comment. Commissioner Kurzejeski agreed he did rescind his comment but believes more discussion is needed. Chairperson Harris stated if something is in process under the current rule let it finish under the old regulations. When the new regulations take effect you have to draw a line, it is not like notice is going to go out tomorrow stating that we are now under the new regulations, there will be some leeway.

Private Access Easements

Staff Note: There was a lengthy discussion about PAE's. No changes proposed to the responses at this time. Due to the fact that this topic will be discussed at length at a future work session this discussion was not included in these minutes. This work session is dedicated to responding to comments.

Definitions:

1.4 "Add "Conditional Use Permit" definition"

Response was deleted, staff will add Conditional Use Permit definition to the Subdivision Regulations

1.4.1 Change response to "Current regulations, this is not proposed for change." and keeping remainder of response.

1.4.12 "bullet 5: This is development?"

Discussion: Commissioner Wilson asked if this was a new definition to these regulations. Mr. Florea stated yes, but it is not a new definition for the county, it is in our zoning regulations.

1.4.15 “bullet 1: Are all surveys a lot?”

Response was changed to “This is a generalized statement that needs to be clarified in order to develop a response”

1.4.15 “Are all tracts considered lots?”

Discussion: Commissioner Kurzejeski stated in reading through the regulations it looked as though “tract” and “lot” were interchangeable and asked if there was any way to standardize those terms. Mr. Florea asked if it mattered and stated that it might but not sure if it really does. Commissioner Wilson asked if there was a definition for tract in the zoning regulations. Mr. Florea stated no. Mr. Butcher proposed to add “in general, lots and tracts will be used interchangeably throughout these regulations”. Commissioner Wilson stated unless there is a reason not to do that I think that is a good idea. Commissioner Kurzejeski stated in section 1.7.3.2.4.4 they are used in the same sentence interchangeably. Mr. Florea stated if we wanted to insert the statement similar to Mr. Butcher’s that they can be used interchangeably then we probably should define tract stating it can be used interchangeably with lot and in the definition for lot say that it can be used interchangeably with tract. Mr. Butcher stated that a tract doesn’t always mean a legal lot. Mr. Florea stated he believes we are trying to solve a problem that doesn’t exist, this has never been an issue other than this comment. Mr. Yonke stated staff will do some research. **THIS ITEM WILL BE REVISITED AT A LATER DATE.**

1.4.18 “Delete the sentence "For corner lots the front shall face the shortest street dimension of the lot.”

Response was changed to delete the last sentence.

1.4.21 “Where do we find the Major Thoroughfare Plan? Shouldn't they be part of these regulations?”

Response was changed to spell out Columbia Area Transportation Study Organization (CATSO).

1.4.25 “Why not call it a shared driveway?”

Response was edited to delete the word “why”

1.4.30 “This is not a definition”

Response was edited to delete the first sentence.

1.4.34 through 1.4.36

Staff Note: These sections received lengthy discussions regarding PAE’s. No changes proposed to the responses at this time. Due to the fact that this topic will be discussed at length at a future work session this discussion was not included in these minutes. This work session is dedicated to responding to comments.

The meeting ended having reviewed comments for section 1.4.37.

The next work session is scheduled for Wednesday, January 10, 2018 at 5:00 pm where we will pick up where we left off starting with section 1.4.38

The work session adjourned at 7:00 pm

Minutes taken by Paula Evans, Administrative Coordinator, Boone County Resource Management