

PLANS AND POLICIES COMMITTEE MEETING

April 10, 2024

12:00 p.m.

Councilman Denny Whayne Conference Room (Busch Building, 4th Floor)
840 Boonville Avenue

MEMBERS

PRESENT: Abe McGull, Chair; Callie Carroll; Craig Hosmer; and Derek Lee.

MEMBERS

ABSENT: None.

COUNCIL/ STAFF

PRESENT: Jason Gage, City Manager; Collin Quigley, Deputy City Manager; Maurice S. Jones, Deputy City Manager; Jordan Paul, City Attorney; Dan Smith, Director of Public Works; David Holtmann, Director of Finance; Quincy Coovert, Licensing Supervisor; Laura Vales, Assistant City Attorney; Brett Foster, Traffic Engineer; Daniel Neal, Senior City Planner; Bob Hosmer, Principal City Planner; Anita J. Cotter, City Clerk; and Julie Greer, Deputy City Clerk.

GUEST: Marta Mieze, *Springfield News-Leader*.

Councilmember Abe McGull, Chair, called the meeting to order at approximately 12:04 p.m. Roll call was conducted. Present: Callie Carroll, Derek Lee, Craig Hosmer, and Abe McGull. Absent: None.

Councilmember Carroll moved to approve the minutes of the March 6, 2024, meeting as presented. Councilmember Lee seconded the motion, and it was approved by the following vote: Ayes: Carroll, Hosmer, Lee, and McGull. Nays: None. Absent: None. Abstain: None.

Councilmember McGull noted one of the Committee members had a schedule conflict with the current Committee meeting schedule (the second Wednesday, at noon, monthly) and noted he would entertain moving the Committee meetings so the start time was at 2:00 p.m. It was the consensus of the Committee members to change the meeting schedule and hold the Plans and Policies Committee meetings at 2 p.m. on the second Wednesday of each month. Anita Cotter, City Clerk, noted she would have new meeting schedules printed and would update the electronic calendars.

Councilmember McGull noted the next topic on the agenda was short-term rentals. He referenced an e-mail from a citizen regarding her experience with owning short-term rentals. He turned the meeting over to Jason Gage, City Manager, and asked him about the possibility of using an approval process for short-term rentals similar to the process proposed for liquor licenses.

Mr. Gage noted follow-up information had been provided for the Committee members and asked them what action they would like to take regarding short-term rentals and, in turn, what would be needed from City staff.

Mr. Gage explained one of the questions the Committee had reviewed was whether there were too many short-term rentals in residential areas. He noted if that was the opinion of the Committee members, he needed direction from the members on needed actions by staff members.

Councilmember McGull explained the first issue referred to the Committee was to determine what could be done regarding the approval process for short-term rentals type 2. He noted that process involved trying to locate property owners who were not local, and that had been an issue for applicants trying to obtain signatures. He suggested allowing an owner or an occupant of a residence in close proximity to the potential short-term rental to provide approval instead of only allowing the owner to provide approval.

Councilmember Carroll asked why a renter would have a say regarding someone renting another property. Councilmember McGull responded a neighboring tenant could be affected by the use of a property more than an owner who did not live in the property.

Councilmember Carroll explained she utilized short-term rentals and expressed her opinion the idea of them being party locations was inaccurate. She acknowledged there were initially concerns about such short-term rental uses, but she pointed out there were issues across the city with long-term renters. She expressed her opinion the issues with long-term renters should be more of an issue than a travel nurse working and utilizing a short-term rental. She suggested the Committee members re-evaluate what types of people were utilizing the short-term rentals and also suggested a long-term renter who could be conducting illegal activity at their home should not be able to deny the operation of a short-term rental in a nearby property.

Councilmember McGull noted a denial by an adjacent renter would not stop the property owner from appealing to City Council for approval.

Councilmember Carroll expressed her opinion City Council should have more of a say than a nearby renter.

Councilmember Hosmer suggested doing away with the appeal option if an applicant did not get 55 percent of the required signatures. He noted there were already 300 short-term rentals in Springfield and referenced the e-mail from the previous short-term rental owner stating there was an over saturation of them in the city. The e-mail sender had explained she had to sell her licensed short-term rentals because she was competing against owners who were not licensed. He added the e-mail sender had explained she had called the City and explained very quick and easy ways to get the addresses of Springfield properties listed on Airbnb and VRBO as well as get the five-percent occupancy fee. He further added the e-mail sender stated Airbnb had been sending funds to the State which should have gone to the City of Springfield. Councilmember Hosmer asked if that was accurate.

Quincy Coovert, Licensing Supervisor, explained Airbnb collected and remitted the sales tax directly to the State; they did not collect or remit the lodging tax.

Councilmember Hosmer asked if those who were operating illegally only paid the State sales tax. Ms. Coovert responded affirmatively.

Councilmember Hosmer asked why the City could not contact the State regarding the tax that was not being paid by the unlicensed Airbnbs. Ms. Coovert responded the City had approached Airbnb regarding entering into a voluntary collection agreement so Airbnb could collect and remit the lodging tax directly to the City. She explained Airbnb did not agree with the way the proposal was written, which stated the owner was responsible for the tax whether they had collected it or not, and Airbnb refused to enter into a voluntary collection agreement.

Councilmember Hosmer asked if a modification of the ordinance was needed. Ms. Coovert responded it took her two months to get a representative from Airbnb to speak with her; once Airbnb provided the determination, Jill Burris, Deputy City Attorney, reached out and tried to schedule a conference call to discuss the matter in deeper detail. Airbnb representatives did not respond.

Councilmember Hosmer noted the second statement from the e-mail sender noted the number of people operating without a license had continued to increase even though the City kept issuing threats that they planned to crack down on the short-term rentals not in compliance. The sender stated she had met several short-term rental owners who understood the City was not taking any corrective action, so they were proceeding without a license. Councilmember Hosmer expressed his opinion action should be taken when there were unregulated short-term rentals in the city which were not abiding by the law. He added that should be applied to a host of issues. He expressed his opinion there was not proper enforcement, and those operating legally were at an economic disadvantage. He expressed his opinion it was fundamentally unfair and fundamentally wrong, and the City should take corrective action.

Councilmember McGull responded the City was taking steps to address the situation. Mr. Gage explained the City did have information, and the new software had just been implemented. He noted staff members should be able to catch up and take the necessary actions. The process was in motion.

Councilmember Hosmer asked if any short-term rentals had been shut down. Mr. Gage responded the software had been implemented, and the ordinance was being followed and enforced. Mr. Gage asked David Holtmann, Director of Finance, to review the Compliance Plan with the Committee members.

Mr. Holtmann explained he had provided a written update to City Council in February regarding the software. Since that time, staff members had gone through the first cycle of reviewing the information and identifying the unlicensed short-term rental property owners. He noted letters had been sent to those individuals. Mr. Holtmann then turned the presentation over to Ms. Coovert to review the actions taken to date.

Ms. Coover referenced the handout and noted actions were categorized as current activities and future activities. She noted 98 packets were mailed out to properties which had been identified via the short-term rental platform as being unlicensed. She noted the sample of the cease-and-desist demand letter which had been sent. She explained lodging tax coupons for the July 2023 tax period, which was when the tax became effective, through March 2024, when they received notice to stop operating until they were licensed, had been sent. She added, to date, the responses had been: 14 responded they were long-term or mid-term rentals, and 11 responded they were operating a short-term rental and that they would go through the application process with Planning and pay the back taxes. She noted out of those 11, 8 had paid the back taxes totaling \$3,337.53 which represented \$66,750 in gross receipts. She noted three of the property owners had responded they were not operating a short-term rental but may have come up on the list because they had purchased the property within the prior six to twelve months, and possibly the previous owner had utilized the property for a short-term rental.

Two responded and admitted previous operations but had stopped when they saw on the news that the City was going to be enforcing the ordinance. Ms. Coover explained staff members would be exploring those further as far as admissible evidence on how to proceed with enforcement; even though those property owners had stopped, they still violated the ordinance during a period of time.

Two admitted that they had advertised for short-term rental test runs, but they had no bookings. One gentleman had posted to make his property available for war refugees, but he never had any renters.

Two were now licensed and in compliance. Two believed that their tenants may be operating short-term rentals; a packet would be sent to them. One additional property was added to the list because a complaint was received.

Sixty-three had not responded to Licensing but may have reached out to the City's Planning Department. Ms. Coover explained she had not cross referenced Planning's records but planned to do that within the next week.

The 30-day deadline described in the cease-and-desist letter would fall on April 22. After that time, Finance staff members would meet with Planning staff members to coordinate the process to make sure additional enforcement letters were not sent to short-term rental owners who had submitted applications but had not yet been approved.

Ms. Coover explained 10-day letters would be sent out within a week of the April 22 deadline. An example of that letter was provided to the Committee members and identified as Exhibit B. This was referred to as a "failure to obtain" letter and would be sent certified and first-class mail. That letter must be mailed before the City could proceed with enforcement in issuing a ticket to Municipal Court. If no response was received within that 10-day time frame, then the City would proceed in issuing a ticket.

Mr. Holtmann added Licensing staff members had been working with the Prosecutor's Office to determine what types of evidence would be required in order to issue tickets in these instances so the citations would be valid in court.

Ms. Coover noted City Prosecutor Pat Sullivan's team had been researching what would qualify as admissible evidence of operations because the rental software was a third-party platform. Direct evidence would be needed for further action by the Prosecutor's Office.

Councilmember McGull thanked Mr. Holtmann and Ms. Coover for the thorough report and for confirmation the City had been addressing the issue. He expressed his opinion he was pleased to see the City moving towards getting the unlicensed businesses into compliance.

Councilmember Hosmer asked about the process for shutting down an unlicensed short-term rental. He asked if there was a court process or if the ordinance should be amended. He expressed his opinion if there were not some consequence, it would be advantageous to not pay the required taxes. He expressed his opinion if a business had not paid its taxes and did not get registered within a certain amount of time, then the owner should not be able to operate a short-term rental for a certain period of time, such as two years. He noted if there were not consequence to bad action, people would keep performing the bad action.

Councilmember Hosmer asked if Kansas City was getting paid by VRBO. Bob Hosmer, Principal City Planner, responded his belief was VRBO had a tax portal on its webpage.

Councilmember Hosmer expressed his opinion the City was making it difficult to regulate; he noted hotels and motels paid what they were supposed to. He asked why a short-term rental would be any different than a hotel. Mr. Gage responded there was no difference in the Code, noting part of the difficulty was a hotel was a single, ongoing function. He added more time was needed to see what could be determined by utilizing the new software to assist with enforcement.

Mr. Gage noted a few enforcement options were available if a person violated the Code. He discussed options the Committee could recommend.

Councilmember Hosmer noted it sounded like the platform in Kansas City delisted properties which were not registered with the City of Kansas City. He suggested properties be licensed as a short-term rental or get rid of the license if they were going to operate as another type of rental. Mr. Gage responded he was unsure if a property being licensed to be a short-term rental would necessarily take away the opportunity to use the property as a long-term rental during the term of the license.

Councilmember Hosmer responded the City had made it easy for owners to transition back and forth between long-term and short-term rentals. He expressed his opinion the law should be clear.

Mr. Holtmann explained they had not yet presented the information regarding planned future activities regarding short-term rentals. He noted one planned action was to implement an online tax portal, and all short-term rental operators would be required to enroll; operators would be

required to file a monthly report with the City, whether or not they had an activity that month. He explained even if the licensed short-term rental operators were renting a residence for a long-term rental, they would still be required to log into the portal and indicate they did not collect any short-term rental taxes. Being licensed as a short-term rental operator would include the requirement to file a tax report.

Councilmember Hosmer expressed his opinion properties licensed as short-term rentals should be decertified if taxes had not been paid due to non rental over a certain period of time, such as two or three years.

Mr. Holtmann responded there were some things the property owners had done strategically to get the ability to operate as a short-term rental but may not actually operate a short-term rental; they understood how the ordinance was written, allowing only a certain number within a specific area.

Councilmember Hosmer responded some people had done it defensively. Mr. Holtmann responded affirmatively. Councilmember Hosmer expressed his opinion the property was not actually a short-term rental if it was operating as a short-term rental, which was defined as providing revenue and being licensed.

Mr. Gage responded the way the ordinance was set up, the property was authorized to operate as a short-term rental but it did not designate that as the exclusive use of the property. Councilmember Hosmer noted that was the current ordinance, but the Committee was trying to determine how they could make the system work better since it did not currently appear to be working well.

Mr. Gage explained staff members needed more time with the new software system to see if it was working. If it was not, there may be actions that needed to be taken. He noted it was still early in the utilization of the software.

Councilmember Carroll expressed her agreement with Councilmember Hosmer, noting if people were going to operate a short-term rental, she also wanted it to be done correctly. She expressed her satisfaction with the progress which had already been made in such a short time. She also expressed her agreement with the plans to move forward. Councilmember Carroll noted she did not want to make short-term rentals seem like a negative thing or make people feel badly about trying to have a business in their home.

Councilmember Hosmer expressed his frustration with the City having a law but not enforcing it. He proposed a delisting provision in the ordinance which would state if a property owner was not operating as a short-term rental and not making tax payments, the license would be forfeited so someone else could come in and actually operate a short-term rental. He expressed his opinion there should be some type of requirement or a delisting period where the property owner would be prohibited from operating a short-term rental. He also suggested a property owner could lose licenses for additional short-term rentals if one was being operated illegally. He also suggested taking some action regarding appeals, expressing his opinion there should be a higher threshold if the property were in a residential, single-family neighborhood.

Councilmember McGull responded the Committee was only addressing short-term rentals Type 2 where it was not the owner occupying the property. Councilmember Hosmer noted he did not have a concern with short-term rentals where the owner was present if they were licensed.

Jordan Paul, City Attorney, explained there was a provision with the current license which would allow the license to be revoked or suspended for up to a year if the property was not in compliance. Councilmember Hosmer asked if that would have to be enforced. Mr. Paul responded affirmatively.

Councilmember Hosmer noted he did not know how the process worked in Kansas City, but it did not appear they were having any of these issues, and most of the platforms seemed to be collecting and paying. He asked why the City would not want to do that. He noted the complications the City would encounter if businesses did not remit sales tax to the State and the City had to collect from each business individually.

Councilmember McGull expressed his opinion the compliance piece was in process for those non-licensed businesses. He suggested letting those properties work their way through the system in order to gauge whether changes were needed. He noted he had not heard any suggestions from the Committee members regarding changes to the current ordinance. He further noted there was already a delisting component in the current ordinance. He suggested letting the process work to see how Municipal Court would handle the non-compliance cases and suggested a future presentation regarding the logistics between the Municipal Court and prosecution of those not in compliance.

Councilmember Hosmer noted if this were made into a criminal prosecution process, the game was already lost. He noted the City of Kansas City had not taken property owners to Municipal Court; they had changed the platform. The platform instructed the property owners to regulate their own industry. Properties are required to be licensed in Kansas City in order to be listed on the platforms; the platforms then pay the sales tax or the tax remitted to the State of Missouri. He expressed his opinion the City of Springfield's ordinance could be modified to be more receptive to platforms.

Ms. Coovert responded Airbnb collected on behalf of several cities. Councilmember McGull suggested figuring out how to modify the City of Springfield's ordinance. Mr. Gage agreed and noted he had listed modifications needed to the City's ordinance in order to get Airbnb and VRBO to collect on the City's behalf.

Mr. Holtmann estimated there were 13 primary sites in addition to numerous other sites on the internet for short-term rentals. Even if Airbnb and VRBO collected, there were others who would not be. Councilmember McGull suggested getting the two main ones to collect first.

Mr. Gage estimated a high percentage of short-term rentals were handled through Airbnb and VRBO. He then asked what modifications would be needed to get Airbnb, VRBO, and perhaps others to collect on the City's behalf and also honor any delisting requirements. If the Committee members did not think a year of delisting was enough, they could re-evaluate.

Councilmember Carroll asked if there would be a 30-day period before the properties would be delisted. Mr. Gage responded the effort was to get everyone into compliance initially. He suggested looking at a second or third violation to determine what action should be taken.

Mr. Gage explained the next step would be to ask Kansas City representatives specifically what was in their ordinance and then approach Airbnb.

Councilmember McGull noted there was a consensus regarding trying to determine the way to make the City's ordinance comply with what was required by Airbnb and other platforms in order for them to collect on the City's behalf. Mr. Gage responded affirmatively, noting staff would learn as much as they could and share the information and possibly a recommendation.

Councilmember Lee commented he was encouraged by the progress and expressed his appreciation for the detailed report. He noted it was valuable to him when making decisions. He also expressed his appreciation to Councilmember Hosmer for keeping this matter in the forefront.

Councilmember Hosmer requested someone respond to the writer of the e-mail regarding the short-term rentals. Mr. Gage responded affirmatively.

Councilmember McGull noted the next topic was Administrative Subdivision Code which had been brought to the Committee's attention by Councilmember Lee. Councilmember Lee asked for a status update from staff.

Steve Childers, Director of Planning and Development, reported staff was still going through the process of evaluating what was currently working and what was not working. He noted, in the past, it was the policy of the City to require upgrades in either the subdivision phase or in the development phase. Approximately five years ago, there may have been a re-evaluation of that opinion by the City's Law Department. However, staff had not been able to locate a written legal opinion. He noted the City Council had recently modified cost of fee in lieu of sidewalks from approximately \$35 to approximately \$85. He explained staff members had been working to determine the best way to communicate the coming change to the development community.

Mr. Childers explained staff members had identified what was and was not working, and their findings were being taken to the Growth and Development Advisory Committee (GDAC) and the Neighborhood Advisory Committee (NAC) for input. He expressed his belief they could come up with a new determination which would possibly allow a property owner to subdivide property without making the required improvements; the requirements would be deferred. The subdivision plat would be noted, and the requirements would need to be completed when the property was sold.

Mr. Gage asked for clarification on the land development code and administrative subdivision code, noting it currently required a property owner to first meet all zoning requirements, including those related to driveways and sidewalks. He noted those had to be met, though there was a small amount of flexibility.

Mr. Gage then asked if Mr. Childers was describing what a Code change could look like. Mr. Childers responded affirmatively, noting as staff members worked with Multistudio, they were evaluating and researching to find options. He explained they were trying to determine the needs and challenges. The goal was to try to provide flexibility and streamline the process.

Brett Foster, Traffic Engineer, explained the Code today was dependent on which process the applicant was in, such as site plan, zoning, subdivision, or just obtaining a driveway permit for an existing lot. The current Code did not have a good representation of how that fit into the developer's timeline. He noted these were very complex due to multiple State statutes regarding subdivision requirements. He noted Multistudio was very intent on looking at the process and determining how the process worked and how the timing fit. Mr. Foster explained Public Works had been working with one of the best traffic consultants in the region to review practices by other communities, how the City facilitated developers, and how the City made sure land use was appropriate and that safety was incorporated and balance those all into one congruent document. Those issues were very intertwined, and even small changes in one portion of Code could have an impact in another area. Mr. Foster concluded the current disconnects were caused by changes to the separate pieces in the past without consideration of the whole Code.

Mr. Childers explained there had been too many changes to specific areas to address single issues, and staff did not want to create more contradictions. He noted Planning and Public Works were working together to create a handbook and provide clarity. He noted the intent from the beginning was to add flexibility in usage and predictability and consistency in the process. He expressed his opinion developers need to know up front what the requirements are and have the guidelines provided for them to follow, but the process should not be changed in the middle.

Mr. Gage noted one of the questions from the last meeting was regarding the recommendations from Multistudio. He asked if Mr. Childers could briefly cover those and asked Mr. Foster if he would address the concepts Public Works has considered.

Mr. Childers responded Multistudio had not completed the assessment yet, and they were trying to determine what did and did not work; they have indicated the City may not need to get rid of things but may need to make adjustments to make sure goals were being met. He explained the community design elements relate to the subdivision process and cannot be separated. He explained Multistudio was very aware that this topic was important to City staff, so this had been made a priority, and it would be one of the first things reviewed.

Mr. Gage asked Mr. Childers to review the information provided by Multistudio regarding administrative subdivisions which had been provided to the Committee members via a memo dated April 9, 2024, from Mr. Gage.

Mr. Childers explained Multistudio had responded they were looking at different levels of plats and administrative processes for many routine things but did not yet have an assessment of the current processes. Additionally, with all platting, they were going to try to address independent but related issues, specifically 1) different standards for different context and 2) better criteria for applying those standards based on the scale of the project and the amount of influence/control

the project may have over those standards versus relationships to surrounding and established patterns. Fee in lieu of sidewalks was one of the bigger issues they were addressing. They were investigating how well the fee system was working and whether it was sufficient. They had not yet made a determination on the appropriate approach for that but would involve direction from multiple impacted departments.

Mr. Gage explained he wanted that to be highlighted because a Multistudio representative spoke in general at the last meeting and was asked to provide technical advice regarding these issues. He noted it appeared there were still too many undetermined factors for those issues to be addressed at the current time.

Councilmember Lee provided an actual example of a recent situation involving a lot combination. He explained there was a small developer who wanted to build three homes on a long, skinny lot. The developer had called Councilmember Lee and informed him the process took two years because he did not want to do the buyout. Councilmember Lee expressed his opinion this was something that could be done in a simple administrative way; he expressed his opinion the City's timing stopped development, and the City's costs stopped development. The taking of a main driveway stopped development, and that is what the City was currently doing.

Councilmember Lee explained he asked a year ago, right after he was elected, for specific language from staff. He noted he never received any language, and finally wrote his own language in absence of anything else. He explained the issue had been before the Committee for an extended period of time. He expressed his opinion the fundamental issue was the City wanted to take things from development, such as their drives, so the city could have safer streets. Sometimes the cost was a small amount, and \$20,000 to \$30,000 was paid for a sidewalk; if it is a large project, the developer absorbs without too much issue. Other times, it was a big issue for the developer. He expressed his opinion the current system was broken, and expressed concerns the development process would not be made easier. He expressed his opinion that development was good for the city; the City made it more difficult than surrounding communities.

Councilmember Lee further explained the process that was utilized five years ago, when he was a City employee, allowed a City employee to make the decisions regarding an administrative replat, and it did not go to Public Works for input. The system was now very complicated, with many more things tied in. He expressed his opinion the process did not have to be complicated, and it was not in the recent past. Previously, individuals reviewed the applications and were able to approve a simple lot combination without it having to go to Public Works. He explained the City had created this process recently, and it made it difficult to redevelop in the areas that the Committee should want to have developed. He explained the Committee could continue to wait but expressed concerns progress was not being made. He expressed a desire to see something done and expressed his opinion the language he had submitted would improve the situation. He noted it could still be many more months before there was a solution provided by Multistudio.

Councilmember Carroll asked what the reason was for the additional step within the last five years. Councilmember Lee explained administrative subdivisions used to be processed without being submitted to Public Works. He noted the vast majority of applications were handled administratively, such as lot combinations.

Councilmember Lee reviewed a current situation where the City was requesting a property owner add over 1,000 feet of sidewalk in order to simply combine lots. The City viewed these situations as an opportunity to take instead of an opportunity to get. He expressed his appreciation to Planning staff members for looking into this.

Mr. Gage asked how long the City had been working under the current Code for administrative subdivisions. Mr. Hosmer responded since 1985 with many changes.

Mr. Gage noted the administrative subdivision was intended so an applicant would not have to go through the Planning and Zoning Commission and the related requirements, such as public hearings. It also had requirements regarding sidewalks, driveways, and other improvements. When the process was dissected, there were certain aspects to review. Planning would not be required to review a question regarding a driveway. He noted there was a secondary question of whether a variance to the requirements should be granted. The Planning and Zoning Commission may grant a variance, depending on the request. He noted this was not a clear-cut issue, and it would be a policy question for City Council to determine how many items should have a separate process.

Councilmember McGull noted Multistudio was conducting a review and asked for confirmation from Mr. Gage that they would review the administrative subdivision issue as part of that process. Mr. Gage responded affirmatively. He explained the goal was to have the whole Code project completed and presented to City Council by the end of December.

Councilmember McGull asked if it would be possible to take Councilmember Lee's suggestions and provide them to Multistudio. Mr. Gage confirmed Multistudio already had those suggestions.

Councilmember Lee noted there were fundamental issues, and he did not see any evidence that was going to change. He expressed concerns about Councilmembers not having a chance to work with Multistudio. He asked how City Councilmembers could communicate current concerns to the consultants so they could be addressed. He expressed his concern a final product would be presented for acceptance without any direct prior input from Councilmembers.

Mr. Gage responded Multistudio was aware of the issues raised by Councilmember Lee, and he offered to set a meeting for Councilmember Lee to share his experiences and concerns with Multistudio representatives.

Mr. Foster noted staff members would be happy to take any feedback to Multistudio from City Council. He explained his understanding was that City Council would be provided the information for feedback before it went to the public for review. There would also be an entire public feedback process.

Councilmember Hosmer noted it seemed like there were two separate issues – the taking of property and also removing driveways. He expressed his understanding of not wanting to compromise public safety or cause a liability issue and asked if it was appropriate for the

developer to have to pay to close the driveway. He asked if there was a way to cost share or for the City to provide compensation. He also suggested there could be circumstances when the City would underwrite something that they wanted to encourage, such as housing or infill situations. He suggested the City could possibly cover the cost of the sidewalks to encourage infill.

Councilmember Lee responded those were good ideas. He explained he wrote the language after trying to get input for an extended period. He noted it did not have to be his way and expressed his understanding of the complicated processes. He expressed his concern that the consultants were not actively trying to make processes easier for development, noting it did not appear to be a priority when he heard their presentation. He expressed his understanding one of the goals was to make things more flexible, but it was not one of the primary goals.

Councilmember McGull recommended letting the evaluations go through the process and not speculating on what was not known. Councilmember Lee agreed with Councilmember McGull.

Councilmember McGull thanked everyone for the discussion on the administrative subdivision code. He explained parking space requirements would be addressed at the next meeting due to time constraints.

With no further business to come before the Committee, the meeting adjourned at 1:11 p.m.

Prepared by Julie Greer