



Planning and Zoning Commission Meeting Recap

May 19, 2016 - 6:00 pm
City Hall - Council Chambers

Regular Session – Planning and Zoning Meeting

Call to Order

Members Present: Burns, Harder, Rushing, Russell, Strodman, Toohey

Members Absent: Loe, Reichlin, Russell

Approval of Agenda

(Action: Approved as submitted.)

Approval of Regular Meeting Minutes (May 5, 2016)

(Action: Approved.)

TABLING REQUEUSTS

Case #16-101

A request by Engineering Surveys and Services (agent) on behalf of the City of Columbia (owner) for approval of a two-lot final minor plat to be known as "Sixth & Cherry Garage Subdivision", along with an associated variance to Section 2546(b). The 1.6 acre subject site is located on the northwest corner of Sixth Street and Locust Street. (The applicant is requesting that this item be tabled to the June 9, 2016 meeting)

(Action: Item tabled until June 9, 2016.)

PUBLIC INFORMATION & COMMENT

(Initially, the quorum requirement was not met, so the Commission continued with informal hearings until a late arriving member was able to attend.)

Case # 16-110

A request by the City of Columbia to adopt a Unified Development Ordinance (UDO) governing subdivision and land use regulations throughout the City of Columbia's corporate limits as

requested by the City Council and supported by the City's 2013 comprehensive plan entitled "Columbia Imagined - The Plan for How We Live and Grow." The UDO will replace Chapter 25 (Subdivisions) and Chapter 29 (Zoning) of the City Code as well as incorporate provisions from Chapter 12A (Land Disturbance), Chapter 20 (Planning), Chapter 23 (Signs), and 24 (Streets, Sidewalks, and Public Places) into its contents.

(This is the second in a series of public hearings held by the Planning & Zoning Commission designed to elicit public opinion regarding the new zoning code. The first two hours of this meeting were dedicated to discussion of this topic.)

(The latest working version of the Unified Development Code Update was introduced for discussion purposes. It is dated May 2016. This is the current operational version of the draft. A link to that version containing the first three chapters follows.)

<http://www.como.gov/community-development/wp-content/uploads/sites/14/2015/09/Chapters-29-1-29-29-3-5-14-16.pdf>

Further discussion then ensued.

City staff presented a report outlining some of the changes made to the current document and identified some of the issues/benefits of the new proposal. Highlights of that presentation included the fact that the definitions section of the code had been significantly expanded; that the online version of the new code will be cross-indexed and hyperlinked for easier use; that the total number of zoning classifications has been reduced, including the combination of Office zoning classifications; that some uses in Industrial classifications have been eliminated; that the enactment date for the new code is undetermined at this time and that council will decide if it is enacted immediately after passage or in phases; that some new Mixed Use classifications have been identified; and that all Planned Zoning classifications have been combined into a single classification so the rules for application and enactment are consistent across all Planned zoning requests.

Overlay Districts are supplemental to the new code, but, will be presented with the new zoning code for clarity. At least two Overlay Districts are being revised while the major overhaul of the code is taking place. Those districts are the Benton-Stephens Overlay and the East Campus Overlay. It was also indicated that there may be some additional amendments coming in the future that will deal specifically with the demolition of historic resources and with some sort of control regarding student housing – a term that is NOT defined in the new code proposal.

There are a few references in the new code to buildings containing 4-bedroom apartments and limits on balcony and activity space placement – but no real specific regulation on purpose-built student housing projects.

There was also the concern expressed by staff that some people believe the current zoning arrangement and market is encouraging people to buy existing homes as if they were vacant lots for re-use as multi-family investments. Nothing was proposed to address that phenomenon nor was there any statistical evidence of that being a widespread practice.

Public comment continued. (8 speakers in all.)

Three individuals attended the meeting to discuss the Benton-Stephens Overlay District proposal that is now being completed. Speakers indicated that there was overwhelming support for the newly drafted version of the overlay requirements, and noted that the new draft would require additional green space and additional off-street parking on lots not used as single family dwellings. They indicated that the area had been overrun by the construction of inappropriately sized buildings and assed to put an end to the allowance of zero lot line construction in the overlay. One speaker indicated that the new definition of yards in the ordinance does not allow for trees in the front yard and that rental rates were being pushed up in the neighborhood due to the construction of other student housing in the area. Yet another speaker indicated that this overlay was specifically being created to “stave off the influx of student housing and associated parking problems” in the neighborhood.

Three speakers indicated support for changes to the new code proposed by the Business Loop CID. Speakers provided some history of the area, indicating that when many of the businesses and buildings along the strip were first established, they pre-dated the current zoning rules, and many were small parcels that could not be adequately redeveloped under the proposed new zoning rules. It was indicated that only two or three lots have actually seen true redevelopment in this area during the past decade, and that the new proposals were even more restrictive and would run counter to the idea of neighborhood redevelopment and improvement cited during the establishment of the Business Loop CID. Ennis Appliance was cited as a good business on a restricted lot. Speakers praised parts of the new ordinance that encouraged pedestrian access, but asked for leeway in accomplishing the goals of redevelopment or business replacement.

Additional testimony cited the following concerns about the new zoning proposal:

- The new public draft of the revised zoning proposal document was not made available for review until three days prior to the hearing, which is insufficient time to review such a massive document.
- Published maps showing the uses by street of new downtown regulations are too small to read and need to be published in a larger format.
- Asked for clarification on rules relating to designation as historic properties versus historic districts and how districts could be formed by 60% of area residents without consent of all property owners. Suggested that a minimum number of homes be required to petition for district status to prevent two or three homes from imposing district status on unwilling property owners.
- Cited the fact that some previously allowed uses are now excluded for the same property under the new classification and asked that all property owners, whether in town or out of town be notified of a change in zoning that could negatively affect both the use and value of the property.
- Specific reference was made to industrial properties in the downtown area that would now be precluded from uses previously allowed by right such as restaurants, nightclubs, bed and breakfasts, etc and challenged the rationale for such a proposal. Believed this would inhibit rather than expand flexibility and rational use of properties in the mid-town area and could force applications for rezoning prior to the passage of the new ordinance.
- Asked for definitions and clarification of the concept of “four-sided design”, why it is named that since almost no structures face four streets or public travel ways and how the determination of visibility is made. Also suggested that the commission devise a definition for the term “story” or “second story” to avoid future problems such as were encountered during the CVS development proposal.

- Observed that the comprehensive plan which is cited in the Purpose section of the new document is sometimes self-contradictory, sometimes conflicts with other sub-plans such as the North East Columbia Area Plan and the East Columbia Area Plan and others, and that all were created under the old zoning rules and encourage the use of Planned Unit Development which the new proposal purportedly is trying to get away from. Asked that commission remember that the comprehensive plan is not a rule – it is a guide and make decisions not based on individual citations of the comprehensive plan but upon rational land use practices and reasonable guidelines.
- Asked that the special use requirement for funeral homes that requires and funeral home to be completely contained in a building would not allow for carports and courtesy areas for transfer of bodies from the funeral home to a hearse during funeral ceremonies held in inclement weather. Indicated that this was standard practice throughout the country and that this item should be changed.

Public hearing was closed.

COMMENTS OF THE PUBLIC

(No comments.)

COMMENTS OF STAFF

Staff then indicated that the next meeting would be held on June 9 and that there would be a 2-hour hearing on the Unified Development Code as well as consideration of 3 subdivision requests and one public hearing on a zoning change request.

Future meetings will include:

June 9 – Form & Development – Part 1 – Neighborhood protections, storm water provisions etc.

June 23 – Form & Development – Part 2 – All things MDT – This is the discussion that focuses on the new downtown district and is expected to be a big discussion.

July 7 – Form & Development – Part 3 – Parking, Signs and Landscaping will be the highlights of this meeting.

July 22 – Enforcement – How you navigate applications, to whom and appeals.

August 18 – Final consideration by Planning & Zoning of UDO recommendation.

Recommendations will then be forwarded to City Council for anticipated consideration in September.

COMMENTS OF THE COMMISSION

Commissioner Burns congratulated Commissioner Reichlin on his service to the Commission and welcomed his success, Mike McMann to the Commission.

Commissioner Strodman also cited former Commissioner Reichlin for his work and praised him for his non-political approach to the work of the Commission which was appropriate. He also asked staff for a methodology to track notes, testimony and progress on the zoning code process prior to the meetings for a final vote currently scheduled for August. Predicted that without such a mechanism additional time may be required to reach consensus. Staff indicated that verbatim meeting transcripts would be available throughout the process, that written comments would be collated and that a final document with margin notes would be produced to track all suggestions for changes or amendments, but that without additional meetings it would

be impossible to produce such a document until July at the earliest. Some Commissioners indicated that they would be willing to have the extra meetings to avoid problems at the final hearings.

Commissioner Rushing asked city staff how and when the Commission gets to weigh in on the discussions of what should and should not be included in the final draft ordinance if that was being prepared by city staff independently of these hearings. Staff indicated that they will flag areas of greatest concern as expressed by public testimony, but again indicated that such a discussion document would not be available until July. Rushing indicated that she would prefer to have a list of priority items before that.

Commissioner Strodtman reiterated that concern and indicated that the Commission should debate items as the hearing schedule continues and that the current procedure is missing a critical piece. Asked staff to investigate alternatives.

ADJOURNMENT

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