



Planning and Zoning Commission Meeting Recap

May 5, 2016 - 6:00 pm
City Hall - Council Chambers

Regular Session – Planning and Zoning Meeting

Call to Order

Members Present: Burns, Harder, Loe, Reichlin, Rushing, Russell, Strodtman, Toohy

Members Absent: Stanton

Approval of Agenda

(Action: Approved as submitted.)

Approval of Regular Meeting Minutes (April 7, 2016))

(Action: Approved.)

PUBLIC INFORMATION & COMMENT

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 first in a series of public hearings designed to elicit public opinion regarding the new zoning code. The first two hours of this meeting were dedicated to discussion of this topic.)

Discussion: Staff provided an overview of the zoning code revision process and introduced a series of six test cases that attempt to demonstrate how various individual properties would be treated in terms of zoning regulations if the new code were to be adopted. Staff indicated that any part of the code can be addressed at any point in the review process and that the proposed document is expansive and is being presented

with up to 1,100 footnotes that indicate possible changes. Staff also indicated that final code will be cross-referenced, annotated and hyperlinked to make code more accessible and streamlined. Staff also indicated that despite the fact that the new document is designed to allow more “by right” land uses, some circumstances will require a Planned Development process – a process that was earlier indicated would be minimized under the new rules.

A copy of the staff presentation and a synopsis of the six test scenarios is available at the following links. It should be noted that none of the six test cases fit perfectly into the new set of ordinances as proposed, although some could be modified to be in compliance with the new rules.

1. [Staff Report to the Planning and Zoning Commission,](#)
2. [Scenario 1 Response-Instructions,](#)
3. [Scenario 1 Map,](#)
4. [Scenario 2 Response-Instructions,](#)
5. [Scenario 2 Plan,](#)
6. [Scenario 3 Response-Instructions,](#)
7. [Scenario 3 Plan,](#)
8. [Scenario 4 Response-Instructions,](#)
9. [Scenario 4 Plan,](#)
10. [Scenario 5 Response-Instructions,](#)
11. [Scenario 5 Plan,](#)
12. [Scenario 6 Response-Instruction](#)

Staff indicated that the following general topics would be covered.

May 19 – Districts and Uses, including Overlay districts.

June 6 – Form & Development – Part 1 – Neighborhood protections, storm water provisions etc.

June 19 – 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.

Further public discussion then ensued.

Approximately 10 people spoke, mostly asking questions of the staff. These are some of the most important topics covered.

- Regarding the initial code testing, did it consider the cost impact of the changes, or simply how it would work administratively? Cost was not a factor according to city staff.
- If the intent is to get away from Planned Unit Development, why does it appear that the new rules seem to force you back into a PUD situation? Staff indicated that changes in plans could achieve conformance to the new rules and that it is

hoped that PUDs will be used more for irregular building sites or circumstances that no general code could foresee or adequately address.

- **How will the “sufficiency of resources be determined?”** According to staff, they will make an initial determination, but that the developer will be required, not only to provide engineering specifications about expected use and load patterns, but that they will be asked to show how they can meet future infrastructure demands if services do not already exist. Staff did not articulate all of the services that will be considered when determining “sufficiency”. Staff also indicated that it will be easier to determine for new subdivisions than it will be for infill, downtown or rezoning projects. Requests for building permits do not require a sufficiency test, but all rezonings and PUD applications do. This will not replace the “scorecard currently in use. That is a separate measure of project suitability.
- **Why is there a “private open space” requirement for MDT (downtown) projects?** Staff indicated that the rationale came from the consultant and that they believe the requirement results in better quality buildings being planned and built. The 15% calculation is based on the lot footprint, not on total square feet of occupiable space.
- **The Downtown Columbia CID indicated that it is pursuing additional code testing options and they will be available for consideration at the first P&Z meeting in June.**
- **Specific question posed regarding the new building project across from Jeff Junior.** Staff indicated that it was partially considered during the code testing process, that it had good front façade articulation; that it provided more parking than would be required; and that because it was a long span it probably would have been required to have a passageway from front to back somewhere in the middle of the building under the new code. Questioner wondered about the lack of building façade diversity on the back side of the building and if “four side design” would be required on new structures. Staff indicated that that requirement is only triggered if it is visible from a public street basically.
- **Regarding neighborhood protection and buffers between single family homes and multi-family buildings, is the setback or build down requirement triggered by the zoning of the adjacent parcel or by its use?** In other words, if a parcel is vacant, it has no use and therefore should not be used to limit the neighboring multi-family project. Staff indicated that it is determined by what could go there in the future and that that is partially determined by lot size and zoning. Vacant lots can still be considered single family, and that would trigger the protection regulations. Rule is not complaint driven and agreement by neighbor to the project does not waive the new rule.
- **Process question was posed regarding how the P&Z Commission would adjust the base document in terms of recommendations.** Questioner asked that the commission vote on individual parts of the new code as we go along, otherwise we will come down to the end of the process and have so many items to consider that they will either be forgotten or the meeting would last for ten hours. Staff indicated that they did not plan on issuing revised code documents as we went along, but that if individuals wanted to prepare specific changes in writing in advance of meetings, those could be considered and debated as the process continues. Staff also indicated that an updated UDO proposal will be issued and available to the public before the next P&Z meeting in May, and that will be the document used for consideration throughout the summer.

- The new form-based concept for downtown requires doorways on some long stretches of building frontage. If a doorway is not practical in a specific location, can a “false” doorway be constructed that is not functional? The argument was made that form-based zoning theory focuses on appearance, not use, and that a non-functional doorway or a non-occupied second story of a building should be allowed if it looks right. After some laughter, the answer from staff was basically, “no”, a fake door would not be acceptable and that it had to be functional, although there would be some conditions where it could be shown that future use may include doorways depending on future tenants, uses and other structures on the block.
- Questions about how currently zoned M-1 or industrial properties would be rolled into the new code and what uses would be allowed. Staff was not completely clear about individual cases, but did indicate that all current C-2 and M-1 pockets would be included in the new MDT zoning category.
- Questions regarding historic remodeling of existing buildings was raised and staff indicated that some renovations could be tough to fit into the new code due to unusual architecture of the existing building. Places like Orr Street Studios could be a challenge.
- Questions about how use was determined since some blocks are currently indicated as being suitable for office, but not commercial retail. Questioner asked that the use pattern determined for downtown be revisited to allow for greater flexibility and variety of use options.
- Question raised about how new downtown development will be required to address solid waste. An example was cited that indicated that some new buildings have reverted to putting dumpsters in alleyways rather than handling solid waste disposal on-site. Staff indicated that this was not specifically addressed in the new code and that a solution was being developed to address solid waste disposal conflicts.
- Is there a process to review parcels that were rezoned as PUD projects and get them zoning that matches the new definitions? There is no automatic way to get PUD projects reclassified, and all PUDs will be listed on the zoning map as having their own set of rules regarding land use. If someone wanted to change that designation, it would probably require a rezoning request on a case by case basis.
- Can individuals request a downzoning of their own property in order to trigger neighborhood protection rules for multi-family construction? Staff indicated that that could potentially happen, but that any such request would have to be timely and would have to go through the regular rezoning process.
- Additional comments regarding solid waste handling and the need for truck delivery regulations in the downtown area were made by commission members.

SUBDIVISIONS

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 on C-2 (Central Business District) zoned land, to be known as "Sixth & Cherry Garage Subdivision", along with an associated variance to Section 25-46(b). The 1.6-acre subject site is located on the northwest corner of Sixth Street and Locust Street.

(Action: Applicants requested a delay on consideration. Hearing will occur on May 19 at the next scheduled P&Z meeting.)

[Staff Report](#)

PUBLIC HEARINGS

Case # 16-103

A request by A Civil Group (agent) on behalf of their client, 1103, LLC (owner), for a major revision of the Lake Broadway Condominiums PUD to accommodate on-site signage. The proposed amendment would permit a 32-square foot on-site identification sign to be installed on the existing fence near the property's Broadway entrance. The subject site contains 5.17 acres, is developed with 58 residential units, and addressed as 1103-1121 W. Broadway Street.

(Action: Staff supported the requested variance citing the pre-existence of the fence to which the new sign would be attached and the fact that it would not encroach any further into any existing right of way or roadway. Request passed unanimously after brief discussion.)

[Staff Report](#)

COMMENTS OF THE PUBLIC

(No comments.)

COMMENTS OF STAFF

(Update on next meeting expectations including reference to delayed action on Case # 16-101 and second round of meetings on Unified Development Code.)

COMMENTS OF THE COMMISSION

(No comments.)

ADJOURNMENT

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