



## Columbia Planning & Zoning Commission Meeting Recap

Council Chambers, Columbia City Hall  
6:00 PM Thursday, July 21, 2016

**CALL TO ORDER** (Members Present: Strodman, Burns, Harder, Loe, MacMann, Rushing, Russell,  
(Members Absent: Toohey, Stanton)

**APPROVAL OF AGENDA** (X)  
**APPROVAL OF MINUTES** (X)

### SUBDIVISIONS – REQUEST TO TABLE

#### Case # 16-137

A request by Crockett Engineering Consultants (agent) on behalf of Manor Homes, LLC (owner) for approval of an 8-lot preliminary plat to be known as "Kitty Hawk Manor, Plat No. 6". The 3.80 acre subject site is generally located at the southwest corner of Northland Drive and Parker Street.

(Action: Item tabled until August 18 meeting. Motion to table agreed to unanimously.)

### PUBLIC INFORMATION AND 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.

[Staff Report to Planning and Zoning Commission](#)

[Chap. 29-5 \(May 2016\)](#)

[Table 5.2-1](#)

(Discussion: Staff Report presented by Pat Zenner and Ryan Mohlman. See attached.)  
(Questions from commissioners included the following items:

- MacMann asked if any code testing focused on non-conforming uses or buildings. Staff indicated that that was not done. MacMann indicated that it would be useful to know how non-conforming properties would fare under the new proposals. He also asked about general residential properties rather than downtown properties. Indicated that there was a demolition and affordable housing crisis in Columbia and that small properties should be given consideration. Staff indicated that sometimes rules result in unintended consequences, and that exemptions for small properties could result in more intense uses being allowed, particularly in mixed use districts. Staff indicated that they were trying to err on the side of neighborhood protection in some cases. Also indicated that the allowance of uses under certain circumstances could allow the construction of tiny houses, but that rules could also allow additional mixed-use uses.)

(The public discussion then occurred including the following items:

Approximately 10 people representing non-resident owners of property in the East Campus neighborhood attended the meeting to discuss the status of the East Campus Overlay zoning district as it relates to the new zoning code proposal. Two members of that group addressed the Commission. They indicated that they believed that a process was underway to rewrite the terms of the East Campus Overlay and that as non-resident property owners they had been excluded from that process. They asked for clarification on the process and challenged both the legality and propriety of the process they believe is underway. They stated that they would prefer that the current terms of the overlay be retained and indicated that there is a legal process outlined in the overlay ordinance that specifies how changes can be made. They also presented a petition in favor of the position to leave the overlay ordinance as is.

Staff indicated that although they had received overlay revisions from the Benton-Stephens neighborhood, they had received nothing from the East Campus Neighborhood and are unaware of any specific changes that may be contemplated. Staff also indicated that in the absence of any legally adopted changes, the current rules would remain in force and would be reflected with minor technical revisions in accordance with the new code. Staff also indicated that a public hearing to discuss this specific item should be requested and could be held. No one spoke in opposition to the concepts presented by the non-resident property owners.

Discussion then resumed on elements of the new zoning code ordinance including the following questions, clarifications and opinions:

- Commission was praised for the manner in which it had conducted hearings to date.
- Speaker asked if Historic Preservation Commission would be subject to the same rule being proposed for the Board of Adjustment and P&Z Commission regarding the adoption of rules. Staff indicated that it would be and that the absence of that rule in the current document was an oversight and would be corrected. Staff also indicated that Historic Preservation rules and procedures were included in some versions of the new code proposal, but not in all partial versions and directed the speaker to the main document.
- Speaker asked that before powers of the city are delegated to any commissions, boards or divisions that an iron-clad legal opinion regarding the ability to the city to delegate such powers be obtained. Also asked that a copy of the Administrative Manual regarding procedures be produced and available for review before adoption of the new zoning code goes forward. Staff indicated that such a document was in the works.
- Speaker challenged the idea of making preliminary plats expire in three years rather than 7 years if no final plat was recorded during that time. Speaker indicated that it would be more

costly, provides less certainty for property owners and lenders, that the change was arbitrary and that the change puts the city in a position of affecting the market without that being their primary responsibility. Speaker also indicated that other rules in the same section insured that development of any property would have to be completed in accordance with existing building codes and regulations even if the development did not occur for 7 years. Staff responded that such a rule would help keep developers from biting off more than they could chew and that the cost of maintaining new infrastructure, even if it is built out by the developer, had to be taken into account and that a 3-year window provided ample time for reasonable development.

- Speaker asked for clarification on the rule that suggests that if any part of the preliminary plat is not final plat that the entire preliminary plat expires. Asked for the wording to be changed that would allow any part of the preliminary plat to be acted upon to avoid expiration. Staff indicated that they would look at the ordinance again.
- Speaker engaged Commissioner MacMann who asked if a 5-year expiration rule would be a good compromise. Speaker indicated that both numbers were arbitrary and would want good rationale to change from the existing 7-year rule.
- Speaker asked for clarification about how much redevelopment of a non-conforming existing property would require full compliance with new code rules. Generally, staff indicated that a 25% addition to a property would require compliance unless a variance was obtained. Follow up asked if that meant that a one-story building would have to build a second story downtown if they expanded footprint by more than 25%. Answer seemed to be yes unless a variance was obtained, however, the answer was not entirely clear.
- Speaker asked if interior renovations triggered full compliance. Staff indicated that the general answer is no unless some interior modification triggered other factors such as required parking, in which case more compliance may be necessary. This item will receive further discussion during Commission work sessions.
- Speaker indicated opposition to recent change in rule that require M-DT property owners to lose right to prior use if use were discontinued for more than 6 months. Prior rule was 12 months. Staff indicated that 6 months should be enough. Speaker disagreed with that determination indicating that such a time frame was not practical.
- Speaker commented on the proposed rule change regarding expiration of a preliminary plat after three years. Thought that 7 years was too long and that it promoted speculation not wise land use. Encouraged rules that make developers choose projects that will get done. Implied that bankers would like hearing that a project has definitive not speculative plans.

Public discussion closed.

**COMMENTS OF THE PUBLIC**  
**(No further public comment.)**

**COMMENTS OF THE STAFF**

(Staff indicated that the next regular Planning and Zoning meeting would be cancelled but that a work session on the new zoning code would be held on that date and that it would begin at 5:30. Indicated that the next full meeting of the Commission would be on August 18 and that it would be a very full meeting with possible hearings on the East Campus overlay, 5 subdivision hearings and 3 public hearings

that all included PUD plan approvals. Suggested that alternative notification plans may need to be made if current property owners were not being included in the process in East Campus.)

**COMMENTS OF THE COMMISSION**

**(None.)**

**NEXT MEETING DATE - August 18, 2016 @ 7 pm**

**ADJOURNMENT**

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