



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 4, 2016

Re: Report: Development Code Update Project

Executive Summary

The Development Codes Update Project, a comprehensive update of the City of Columbia Zoning Ordinance and Subdivision Regulations, is entering its final phase. The consultant has produced a complete draft and the staff are preparing a public hearing draft. This report summarizes the work to date and outlines the schedule and steps for the Planning & Zoning Commission public hearing process.

Discussion

The Development Codes Update Project began in January 2014 with the engagement of Clarion & Associates and partner Ferrell Madden Associates as consultants for the City. The project scope calls for a complete review and revision of the existing zoning and subdivision ordinances and re-organization of their contents as a “unified development code” with portions of Chapter 12A (Land Preservation), Chapter 20 (Planning), and Chapter 23 (Signs). Clarion is the lead consultant; Ferrell Madden prepared the new form-based code for downtown Columbia.

Accomplishments to Date

The project to date has accomplished much:

1. A “unified development code” format. All of the City Code chapters and sections that relate to land development approvals are combined into one chapter for easier reference.
2. A much more user friendly code design that incorporates tables and diagrams and eliminates redundancies in the current ordinance.
3. Introduces a form-based code model to replace the C-2 Central Business District zoning in the downtown.
4. Condenses the multiple planned districts to a single planned district with a single process.
5. Replaces hit-and-miss, specific use descriptions with broader and more flexible use classifications.
6. Creates optional standards for pedestrian-oriented mixed use in transitional areas (current C-1 zoning) and transit-oriented development in commercial corridors (currently C-3 zoning).
7. Adds neighborhood protective standards, design standards, and “use-specific standards” to improve land use compatibility without triggering the use of planned districts.
8. Improves street and block requirements to promote connectivity and mobility.



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9. Creates bonus densities for environmentally-sensitive subdivision design.
10. In general, reduces minimum on-site parking requirements and institutes a maximum on-site parking requirement in keeping with the tenets of smart growth. (See parking comment below).
11. Reduces the number of districts overall.
12. Reassign “conditional uses” from the Board of Adjustment, an appeal body, to the Planning & Zoning Commission and City Council.

In all, there are more than 1,000 changes to the text of these code chapters recommended by the consultants. The majority of these are ordinance “housekeeping,” or changes designed to clarify, coordinate, or relocate ordinance language. Of the significant changes, the major controversies appear to be 1) The extent of the regulation in the downtown; 2) The continuing issue of large student housing complexes; and 3) The relaxation of the parking requirements for multiple family dwellings. Other issues may emerge in the continuing public process but for now these are the areas staff would suggest for particular focus.

Code Testing

Included in the consultant's scope is the performance of six code “tests” which consist of six individual sites and associated development information (hypothetical and real) used to gauge the performance of the code. The tests are a sampling of development scenarios and in no way represent all of the situations the code to which the code will be applied. They provide for comparison and contrast between current and proposed code; demonstrations of key concepts; and where applicable, suggest further changes to the code.

The test scenarios that have been run include the following:

1. Multiple-family housing on an approximately one acre site within the North Central Columbia neighborhood. The scenario is part of a site containing an actual redevelopment where row houses are currently under construction. The test examined a site with single-family residential lots on east and west sides to test the neighborhood protective standards, which require lowering height to 30 feet or adding 10 feet to a side yard to buffer the single-family use. The test concluded that the height limitation or additional buffering can be accommodated without a loss of yield in the number of units.
2. A version of the Cherry Hill C-P (Commercial Planned District) site plan, re-imagined as a submittal under either the new M-N (Mixed Use Neighborhood) or M-C (Mixed Use Corridor) base districts. Cherry Hill is the City's best example of a mixed use development using traditional neighborhood design concepts; it required a laborious planned district process due to the many variances and exceptions from standards. The draft code includes provisions that would make a future Cherry Hill development possible under base district zoning. The test scenario bore this out.



3. A conservation subdivision design. The Bear Creek Prairie PUD/C-P plan and associated subdivision were approved but never constructed. The development featured relief from regular street standards and a mix of dwelling types plus a small neighborhood scaled commercial space. The code test was intended to examine whether the narrow streets, mix of lot sizes and housing types, incorporation of a small commercial area, and large set aside of open space could be considered without a full blown planned district process. In this particular case, the development would require a PUD, though in the draft code it would be a single PUD instead of a mixed PUD/C-P.
4. Aging in place example – room additions and a new garage addition on an existing single-family residential property. Columbia's largest zoning district is R-1 single family. This test examines a hypothetical test where a property owner converts an existing single-bay garage to a room, adds a room addition to the rear of the dwelling, and erects a new two-car garage and new driveway. The test concluded that all the improvements would fit and the owner had the option of keeping the old driveway in place. The old and new codes alike would not permit the installation of an accessory dwelling unit, however.
5. Student housing complex downtown. For this test we used a building plan that was submitted but withdrawn before the plans could be considered by the Planning & Zoning Commission and the Council. The site is a corner lot with two different "Building Form Standards" and the building was a five story "4+1" structure with four levels of apartments above a ground-level parking garage. The conclusion: the building failed to satisfy a number of key requirements (C-2 would allow it) including window and door openings, parking setback, and façade composition.
6. Mixed-use building Broadway & Tenth. This is a recently-approved building that was not involved in public controversy. It would be permitted under the proposed M-DT zoning with a few caveats: an rooftop and possibly larger balconies would be needed to meet a 15 percent "private open space" requirement (private common areas that are equal to 15 percent of site area); and an additional entrance and possibly a differentiated center bay would have to be designed into the building to make a "complete and discrete" vertical composition.

A number of persons have expressed interest in expanded testing. The Downtown Community Improvement District (Downtown CID) has announced that it will conduct additional tests at its own expense; neighborhood representatives have expressed interest in additional tests of infill/redevelopment projects.

Process for public hearings, approval, and adoption

The staff recommend that the Planning & Zoning Commission convene a series of five public hearings to consider the draft development code. The five-meeting format would allow the commission to focus on different functional parts of the draft while maximizing opportunities



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for public input. Other than the final public hearing, Planning & Zoning Commission hearings on the code would begin at 6:00 P.M. and run for up to two hours to work around the Commission's ongoing case load.

Staff reports will feature different sections of the code but public comments would be welcome on any part of the draft. The proposed schedule is summarized below:

Saturday, April 30, 2016, 8:00 A.M. to 12:00 P.M., Public information forum.

May 4, 2016 Public Hearing 1 Overview of the proposed development code & code tests.

The Commission will then host public hearings at successive meetings through May and June (tentatively May 18; June 9; June 23; and as needed).

August 4, 2016 [tentative] Public Hearing and Commission vote.

September 8, 2016 [tentative] Report: Introduction & First Reading City Council.

September 22, 2016 [tentative] Council consideration.

Revisions

Comments received on the integrated draft of the code will be incorporated into the public hearing draft to the maximum extent possible as footnoted revisions. Where comments have been considered, but no revision made, footnotes will indicate such.

Map changes

Changes to the zoning map are not part of the project scope with the exception of the replacement of the C-2 District (and some M-1 General Industrial in the downtown) with the form-based M-DT District, which creates a "regulating plan" that should be treated as if it is a rezoning, with notices to property owners of the public hearings. In other respects the project is changing the content of the districts but not the locations to which they are mapped. Existing planned districts will retain the terms of their approvals. In cases where zoning districts have been consolidated (for example M-C Controlled Industrial and M-1 General Industrial become the IG Industrial District) staff will prepare materials highlighting the changes.

Fiscal Impact

Short-Term Impact: The development code update was funded in the City FY 2015 and 2016 budget.

Long-Term Impact: To the extent that the development code enables the City to work more efficiently, the development code will be a net savings to the City over the long term.

Vision & Strategic Plan Impact



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Vision Impacts:

Primary Impact: Downtown, Secondary Impact: Economic Development, Tertiary Impact: Arts & Culture

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Economic Development, Secondary Impact: Inter-Governmental Cooperation, Tertiary Impact: Livable & Sustainable Communities

Legislative History

Date	Action
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Suggested Council Action

Acceptance of the report.