



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 20, 2017

Re: Public Hearing: Unified Development Code

Executive Summary

Attached for Council consideration is legislation that will adopt a new “Unified Development Code” for the City of Columbia. The Unified Development Code (UDC) replaces the current zoning and subdivision ordinances (City Code Chapters 29 and 25), and combines these ordinances with regulations currently found in other chapters of the City Code, including Signs (Chapter 23), Tree Preservation and Stream Buffering (part of Chapter 12A), and Community Development/Planning functions (Chapter 20).

Discussion

On February 6, 2017 the City Council set a public hearing on the Unified Development Code (UDC). The UDC is a code chapter that will replace current Chapters 29 (Zoning), 25 (Subdivisions), Signs (23), Planning (20), and part of 12A (Land Preservation). The “UDC” also includes a form-based code district, M-DT (Mixed-Use Downtown) that will replace the C-2 Central Business District, including a remap of the downtown. Land that is currently zoned C-2 Central Business District (and some areas within the downtown zoned M-1 General Industrial District) are included in the remap (the “Regulating Plan”).

Tentative Schedule

February 6th - Regular Council Meeting: Introduced a resolution to set the dates for the public hearing(s) for the UDC. Council outlines the following schedule as well as ground rules for the hearing.

February 20th - Regular Council Meeting: First night of public hearing and bill will be on the Council agenda for introduction and first reading.

February 25th (tentative) - Special Council Meeting: Council will hold a special meeting with the only agenda item being the UDC bill. The bill will have second reading and additional public comment will be received under the public hearing segment of the meeting.

March 6th - Regular Council Meeting: The bill will have its third reading and additional public comment will be received under the public hearing. Council should vote on any substantive amendments at this meeting (Section 2-85 of the City Code requires at least one week between an amendment which constitutes a change in substance and final vote on the ordinance).

March 20th - Regular Council Meeting: The council may receive additional public comment on the bill, as amended, and vote.



Unified Development Code (UDC, or Unified Development Ordinance, UDO)

“Unified Development Code” in general refers to a land development code format that combines ordinances that are traditionally separate: zoning, subdivisions, signs, etc. Unified Codes are a popular format among municipalities because they combine ordinances that relate to the land development process in a single place and organize the contents in a logical order that resembles the development process.

A Form-based Code for Downtown (“M-DT”)

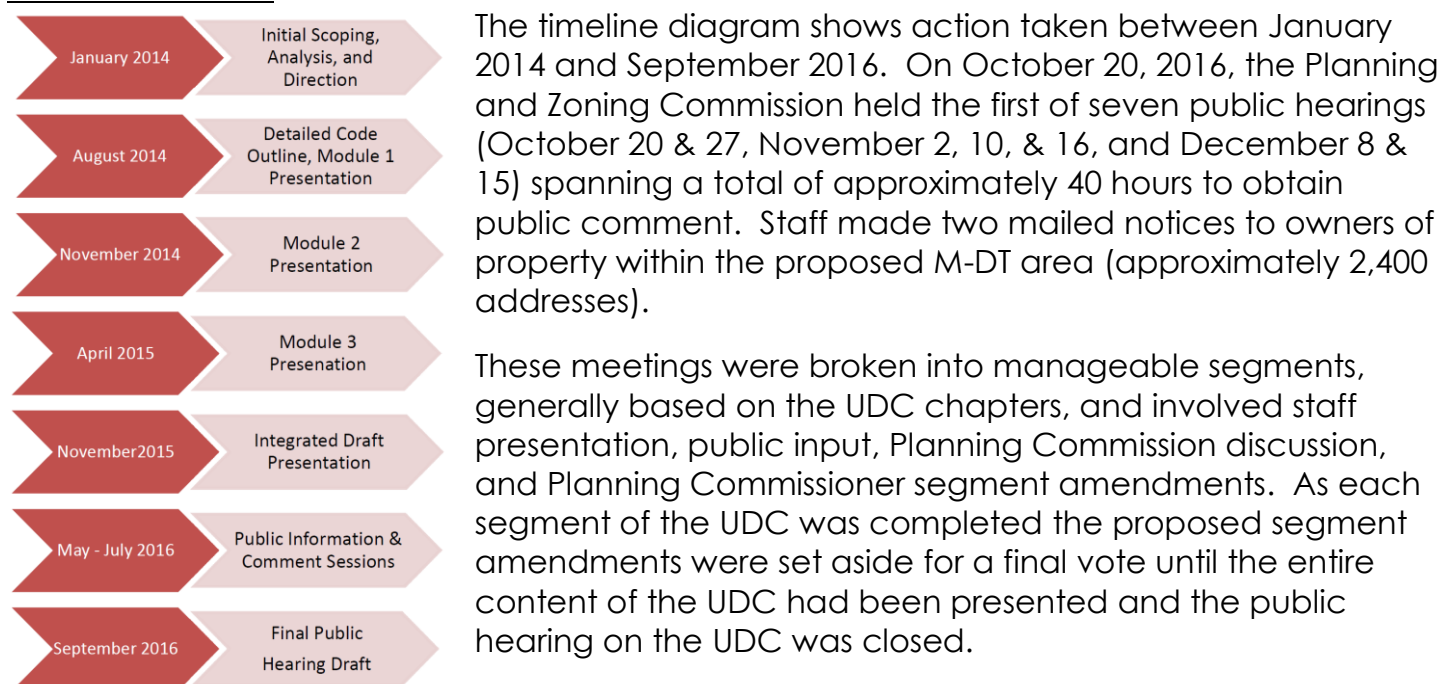
As a Unified Development Code, Columbia's proposed code is also a “hybrid” code including conventional zoning districts over the majority of the city and a “form-based code” in the downtown area. The *Imagine Columbia's Future* community-wide visioning also recommended adoption of a form-based code model, as did subsequent planning efforts such as the *Downtown Charrette Report* (2011).

Unique to the proposed M-DT Mixed-Use Downtown District, the zoning map is called a “Regulating Plan” and it designates property in one “Building Form Standard” or another based on the street frontage where the property is located. For the first time, downtown zoning rules will vary based on whether property is located in the core of downtown, or in a more peripheral location such as the redeveloped area west of Providence Road or the area at the north end of downtown C-2 District

Planning & Zoning Commission recommendation

On January 5, 2017, the Planning and Zoning Commission voted 9-0 to recommend approval of the Unified Development Code, with multiple amendments and corrections (or “errata”). Staff has integrated the “errata” in the ordinance document as approved by the Commission, and has printed the ordinance in proper legal form (footnotes and marginal notes removed, headings revised, minor corrections made).

Process of review





The final public hearing on the UDC was held on December 15, 2016. At this meeting, following the final Commissioner amendment, the Commission moved for a continuance of the case to its January 5, 2017 meeting.

In preparation for the January 5, 2017 meeting, the UDC “Errata Sheet” (dated December 30, 2016) was prepared. This document contained all proposed amendments that were recommended at each of the public hearings between October 20, 2016 and December 15, 2016. The recommended graphic revisions have been incorporated into the final UDC document presented to Council.

Overview of Columbia Unified Development Code Contents

The City Council public hearing draft is a “clean” draft with no extraneous content. Persons desiring to track changes and distinguish new provisions from existing may refer to earlier drafts, in which all of the consultant changes are denoted by footnotes and all the staff and Planning & Zoning Commission changes are denoted by marginal notes or the “errata sheet” referred to above.

The UDC is organized into six articles:

1. General provisions, which can be thought of as the ground rules of the code.
2. Zoning Districts, an explanation of the type (base, special purpose, overlay, planned), purpose, and dimensional standards (lot area and width) associated with each district.
3. Permitted Uses, including a table that specifies in which districts a particular use is permitted as of right, or permitted as an accessory use, conditional use, or temporary use. A list of “use-specific standards” follows, adding standards to selected permitted uses.
4. Form and Development Controls, a large section containing the many regulations for site planning and designing specific sites, including the regulations associated with zoning districts and cross-cutting regulations for parking, landscaping and tree preservation, lighting, and signs. This section contains the development standards for the M-DT Mixed Use Downtown District.
5. Subdivisions, which was originally divided among form and development standards and procedures and enforcement. Because of the legal distinction between zoning and subdivision controls, staff believes it best to house subdivisions – the substantive regulations and the procedures for approval – in its own article.
6. Procedures and Enforcement, including the powers and duties of the decision-making bodies, a regulatory procedures table assigning each type of approval to reviewing and decision-making bodies, standard regulatory procedures common to multiple types of actions, and specific regulatory procedures unique to each type of action or approval.

The six articles are followed by Appendix A, Street Standards.



Major Issues

This should be thought of as a selective list of the issues that were among the most difficult of many considered by the Planning & Zoning Commission. It is by no means exhaustive; there are many issues important to many different participants. The public may refer to the meeting minutes and the spreadsheet of issues (more than 200 were identified and discussed) for more detail.

Parking

The Planning & Zoning Commission has heard difference of opinion on the importance of minimum parking requirements, particularly with reference to the downtown and neighborhoods adjacent to downtown, some of which have parking problems currently. The ordinance specifies minimum parking supply required for new and expanded uses and establishes dimensional standards for the layout of parking areas. The consultant generally had recommended relaxation of minimum parking supply standards, including elimination of a parking requirement in the downtown.

The latter advice was based on a belief that *in the long run* elimination of parking requirements incentivizes construction of more public parking and discourages high rates of automobile ownership. Several City commissions and many members of the public believed new residential development still needed to supply parking. As a result, the 0.25 parking spaces per bedroom standard is proposed to be retained. The distance to off-site parking was reduced from one half-mile to one-quarter mile for downtown residential that purchases parking off-site.

Multiple-family dwelling parking has also been changed since the initial recommendations in response to concerns that parking “spillovers” will occur if on-site parking requirements are relaxed.

The parking requirements for new development may be revisited as the City continues its ongoing review of parking issues and proposes comprehensive solutions to problems.

Neighborhood Protections

This term refers to a new section of the code (29-4.7) concerned with transition from more intense to less intense land use. The Commission deliberated the new standards for the protection of single-family dwellings. The neighborhood protection standard that requires a “step down” in building height or an increased setback when single family dwellings are adjacent was thoroughly debated. Included in these discussions was whether the protective standards should apply to intense uses adjacent to actual single-family dwellings regardless of zoning, or any single-family zoning, regardless of present use (the “use versus zoning” debate). The M-DT District also has neighborhood protections that limit the distance of buildings and building heights within specified distances of single-family lots.

More broadly, “neighborhood protections” should be thought of as the new Neighborhood Protections section, another new section (29-4.6) called “Design Guidelines” (most of which



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apply to multi-family buildings), and new “use-specific standards” for multiple-family dwellings (29-3.3). While not revolutionary, these standards apply minimum quality standards to buildings that make them more compatible with neighborhood settings.

Downtown buildings size and scale

The M-DT District places limits on the size and scale of buildings. In traditional zoning ordinances, uses are either considered appropriate or not for a district, regardless of the size of the building and site. Form-based code approaches the problem differently, emphasizing the impacts of buildings on the district (especially on the street as a public space) more so than it concerns itself with the occupying uses within.

Accordingly, a single-building footprint limit of 34,000 square feet of *footprint* is proposed (up from 27,000 square feet in the original draft). The 34,000 square foot standard approximates the amount of land in a traditional 240 foot by 142.5 half block in the Original Town of Columbia plat, allowing a building bounded by three public streets and a public alley.

To address the sensitive issue of large student housing complexes in the downtown, the Commission recommended that a maximum 200 bedroom standard for multiple-family buildings with more than 50 percent three and four bedroom mixes apply to buildings in the M-DT Mixed Use Downtown. This will discourage the construction of “superblock” purpose-built student housing complexes.

Mixed-Use Downtown Detailed Standards

Other downtown issues that the Commission spent a lot of time on include:

- Mandatory “open area” – the M-DT district requires minimum open area within buildings to insure a certain minimum level of amenities. Early drafts were found by the public and the Commission to be too restrictive, inflexible, or vaguely written, as well as more onerous for small projects.
- Street walls: A street wall is a decorative barrier preserves the continuity along the sidewalk where buildings are absent. Many in the public raised objections to the expense of building walls that may only prove temporary or may actually hide something worth viewing. The proposed code has been modified to require street walls when they are actually needed to screen parking or refuse storage, but otherwise allow some openness along the street.
- Civic structures: The Commission spent a lot of time on “civic structures” – government, religious, and educational structures that are exempt from the form based code regulations. The consultant proposed the exemption because these structures by nature are welcoming to the public and, especially in the case of places of religious worship, often follow their own design traditions. Revisions to the civic structures may be proposed from time to time, and will be processed as map amendments.
- Building Form Standards mapping-Urban General/Urban General West: The M-DT map has been changed to reassign the majority of street frontage on Providence Road from Urban General to Urban General West, reducing the percentage of buildings that



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must be located at the required building line; Urban General West is a compromise between the existing patterns of development in the core of downtown compared to the areas west of Providence Road.

- Building Form Standards mapping - Urban Storefront: Urban Storefront is a Building Form Standard that requires non-residential space on the street level so as to preserve contiguity of storefronts. It is the mall principle: group commercial functions in tight corridors so the customers, typically pedestrians, can maximize their reach. The Commission received some advice to expand the Storefront BFS but ultimately decided to keep it focused on central Broadway and several blocks of Ninth where a concentration of storefronts currently exists.
- Non-conforming structures and uses: Some of the greatest apprehension regarding the new code has been expressed over its impact on existing structures and uses. This is not strictly an M-DT issue. The concern was that the code would require existing buildings to be brought into conformity with all of the urban-oriented M-DT standards even if a project was remodeled or an expansion made. The rule is that only when new development occurs or expansions are made will this be the case, and for expansions only the new construction portion would have to conform. Flexibility is allowed for expansions of existing buildings with setbacks.

Infrastructure Coordination

In the early stages of the project the consultant received a lot of feedback on the coordination of infrastructure with development as an issue. The UDC includes several new sections that address this:

- Article 5, Subdivisions, includes more information to be submitted on suitability of land to be subdivided and developed, under Avoidance of Sensitive Areas, 29-5.1 (b) – which has implications for “green infrastructure.”
- Street connectivity and walkability standards have been improved through connectivity requirements and maximum block length standards.
- A transportation impact analysis threshold has been codified. “TIAs” are used as the basis for off-site traffic improvements.
- Resubdivisions require no adverse impact on infrastructure or provision of adequate utilities to mitigate the impact.
- Adequacy of utilities is a criterion for approval of conditional uses (and such conditional uses will be reviewed by Planning & Zoning Commission and approved by City Council).
- Review of zoning map amendments (rezonings) will require a written recommendation by the Community Development Department on the adequacy of utilities required to support the development that would be enabled by a zoning map change.

Future Work

Though the scope of the UDC project is comprehensive, the scope of services simply cannot accommodate all of the needs expressed in the hearing process. The Planning & Zoning Commission did discuss a number of future “one-off” projects or tasks which might further amend the UDC:



- Review and amendments to the Sign Code. Though Chapter 23 has been folded into the UDC as part of the form and development regulations, minimal changes to the sign provisions are proposed at this time. This was a practical decision; sign ordinance reviews are time consuming, with precious time often spent over minutia.
- “Bonus zoning”: The concept of zoning incentives (e.g., built-in provisions allowing higher densities) in exchange for features that benefit the general public, for example set-asides of affordable housing, is recommended by the Commission (and the consultant) as a topic for future work. Bonus systems are simple and intuitive in concept but complicated and detailed in execution; this is best tackled as a “stand-alone” project.
- Future rezonings: Staff pointed out during the hearing process that zoning district regulations changes will result in some needs to change the zoning of a select group of properties. For example, a number of non-contiguous C-2 properties exist. It is impractical to convert these to M-DT because the form-based code Regulating Plan does not work well with isolated properties. Also, there is an area on Rangeline Street that was planned for industrial development and zoned M-1 General Industrial but actually developed as a commercial-retail and services corridor. Though many of the retail-commercial functions have been included under the new IG District, some uses (such as restaurants) are handled differently and residential is still excluded from IG.

Fiscal Impact

Short-Term Impact: The Department anticipates there will be some additional costs, mostly staff time, associated with roll-out of the new code. After the adoption of a major new code there will be a need to update forms, revise work flows, and train staff in the new regulations.

Long-Term Impact: None. In the long term adoption of the code should result in savings because it has streamlined processes to reduce the number of separate actions required to achieve compliance with the ordinance.

Vision & Strategic Plan Impact

[Vision Impacts:](#)

Primary Impact: Development, Secondary Impact: Environment, Tertiary Impact: Downtown

[Strategic Plan Impacts:](#)

Primary Impact: Economy, Secondary Impact: Infrastructure, Tertiary Impact: Social Equity

[Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Livable & Sustainable Communities



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Legislative History

Date	Action
12/17/2013	Ord. 21927 Authorizing an Agreement with Clarion Associates, LLC for professional services for a comprehensive update to the City of Columbia development codes.
7/18/16	Public Hearing Date for the Unified Development Ordinance (Report)

Suggested Council Action

The City Council public hearing begins on February 20, 2017 and should be continued to a date certain, on the current schedule Saturday, February 25, 2017.

Ultimately, the Council may accept and adopt the ordinance as recommended by the Planning & Zoning Commission or adopt the ordinance after amending the document as Council sees fit.