



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2021

Re: Unified Development Code Text Amendment – Accessory Commercial Kitchens (Case #136-2021, #A1)

Executive Summary

Approval will amend the UDC by creating a new, unique definition for 'Accessory Commercial Kitchen' in Section 29-1.11, amend Section 29-3.2, Table 29-3.1 (Permitted Use Table) to identify where the use is allowed, and establish use-specific standards in Section 29-3.3 intended to ensure that such use is compatible with surrounding development. The proposed amendment is in response to 2018 Council direction to research and prepare zoning standards for the use.

Discussion

In 2018, the Missouri Women's Business Center (MWBC) and Rock Bridge Christian Church requested that a church be permitted to house a commercial kitchen for the stated purpose of supporting job training. The MWBC stated that finding an affordable commercially certified kitchen space for a small business is difficult in Columbia and a hindrance to their clients. Council heard this item (REP104-18) and directed the PZC to review the issue and provide a recommendation.

Work session discussions (minutes attached) focused on limiting the scale and intensity of operations in a residential context. Staff considered the Department of Public Health and Human Services (DHHS) policies regarding inspections of shared commissary operations. Staff found that the DHHS has denied operating permits to food establishments wishing to use a commissary that would result in over-utilization of said kitchen space on several occasions.

These inspections by DHHS will supplement the City's ability to ensure kitchens are not over-utilized in a residential context. For reference, there must be a commissary agreement in place between the food establishment (caterer) and commissary provider (religious institution, school, etc.) and each of those bodies must maintain an operating permit.

This amendment grants a community-serving facility the potential to lease out underutilized kitchen space for the purpose of allowing a separate entity to prepare food or drink for sale at an off-site location. The amendment also proposes "use-specific standards" designed to establish restrictions on the operational characteristics of the expanded kitchen usage in efforts to minimize impacts on the adjoining neighborhood. The proposed use-specific standards would prohibit on-site sales, restrict hours of operation, ensure sufficient parking, and set limits on the size of kitchens to be used as a commercial kitchen. These standards cross-reference the DHHS policies which regulate food establishments and commissaries.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

It is worth noting that the amendment only proposes to allow commercial kitchens as an accessory use to a principally permitted use in a residential zone. This distinction means that a purpose-built structure for a commercial kitchen would not be permitted. Additionally, this distinction has been made given commercial kitchens are a principally permitted use in other zones that allow restaurants (i.e. M-N, M-C, M-DT, M-BP, and IG).

This proposed text amendment was published on the City website on April 1, 2021 and stakeholder comments were solicited. Stakeholders notified included, but were not limited to, the Chamber of Commerce, Community Improvement Districts (CIDs), Neighborhood Associations, places of worship, existing business operators, REDI, and local developers. Approximately 2,779 individuals, businesses, and organizations were included on the listserv soliciting input on the proposed regulations.

The Planning and Zoning Commission considered this request at their May 20, 2021 meeting. Staff presented its report. No member of the public spoke during the public hearing. Following limited discussion, a motion to approve the zoning text amendment passed (8-0).

The Planning and Zoning Commission staff report, proposed text amendment #A1, 2019 Smart Growth America Recommendation for Columbia, Missouri, Commission work session minutes, and public hearing meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

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

[Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
12/3/2018	Council directed Commission and staff to prepared UDC text amendment pertaining to commercial kitchens. (REP104-18)

Suggested Council Action

Approve UDC text amendment A1 as recommended by the Planning and Zoning Commission.