

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
October 5, 2023**

SUMMARY

A request by the City of Columbia to amend Sections 29-1.11(a) [Definitions], 29-2.3, [Base Zoning Districts], 29-4.1(a), Table 4.1-1 [Dimensional Summary Table], and 29-4.1(b) [Special Dimensional Standard or Measurements] of Chapter 29 of the City Code (Unified Development Code). The amendments proposed will revise the definition of “lot”, create a definition for “lot, substandard”, and create dimensional standards that would allow substandard lots not considered “legal” located in the R-1, R-2, and R-MF districts to be platted and potentially issued a building permit for a single-family dwelling. **(Case # 261-2023)**

DISCUSSION

The attached text amendment has been prepared to assist in facilitating infill residential construction on existing substandard lots that are not considered “legal”. Presently, such lots often require consolidation with adjoining lots to meet minimum dimensional standards (i.e. width and area) defined by the UDC. This amendment is the first in a potential series of regulatory changes that are intended to address the increasing concerns surrounding the topics of housing affordability and attainability. Additionally, this amendment furthers the Comprehensive Plan’s goals and objectives of creating livable and sustainable communities by increasing housing choice and promotion of income diverse neighborhoods.

The amendment impacts Articles 1, 2, and 4 of the UDC. The first amendment to Article 1 is the revision of the existing definition of “lot” whereby the R-MF zoning district would be added to the definition as a location in which an existing lot not shown on a recorded plat, but described by metes and bounds description recorded in the public records prior to annexation or October 5, 1964 could be considered a “legal” lot for the purposes of receiving a building permit. The current definition of “lot” only includes lots zoned A, R-1, and R-2 as being considered eligible of “legal” lot designation. This revision has the potential to permit more existing R-MF zoned lots to be productively used without the need to consolidate lots to meet minimum dimensional standards.

Per section 29-6.5(c) of the UDC, a lot that is determined to be “legal”; however, found to be substandard in required lot width or area is entitled to a building permit for any use permitted within the zoning district it is located provided it meets all other dimensional standards as defined in Section 29-4.1, 29-4.2, and other provisions of the UDC. This current provision was evaluated in light of the proposed amendment and determined necessary to be retained given it is associated with substandard lots that are found to be “legal”. The remainder of the proposed amendment address situations in which an existing substandard lot is not considered “legal” and establishes a path to make such lots eligible for issuance of a building permit.

The second amendment to Article 1 is a new definition for “lot, substandard” intended to provide clarification on when an existing lot not conforming to the dimensional standards of the R-1, R-2, or R-MF district could be considered eligible for receiving a building permit.

Amendment to Article 2 will include revisions to the existing dimensional standards summary tables for the R-1, R-2, and R-MF districts. The revision adds a footnote to the “lot standards” and “building setbacks” sections of each table providing reference to a newly created provisions within Article 4 that address reduced dimensional standards applicable to “substandard lots”.

Finally, amendments to Article 4 are proposed within two different locations. The first revisions will be within Table 4.1-1 where a new footnote (Footnote #6) has been added referring to “substandard lots”. This footnote indicates that when a substandard lot exists that meets the definition and qualifications for

such a lot it may nevertheless be eligible to receive a permit for a single-family dwelling if it meets alternative dimensional standards. The alternative dimensional standards referenced in this new footnote are the second change to Article 4 that are defined within a new subsection under the heading of “Special dimensional standards or measurements” of the UDC.

The new subsection, 29-4.1(b)(8), contains the minimum lot width and area standards that would be applicable to lots considered substandard and not meeting the definition of a “lot”. The creation of these standards would permit a property owner whose lot meets these standards to have a plat prepared as it exists (no additions or deletions) and present it to the City for review. The standards further permit the City to review the plat given an authorized alternative to the minimum dimensional standards and a definition for “lot, substandard” have been created. Presently, the City is barred from approving lots that do not meet the minimum dimensional standards established by Table 4.1-1 for each zoning district.

The proposed lot width and area standards are based on the “cottage” lot requirements permitted within the R-2 district following Board of Adjustment approval. There was discussion of adjusting the minimum setbacks on substandard lots to also match what is permitted with “cottage” development. After additional consideration and review of the current application of setbacks with respect to “legal non-conformities” it was concluded that it would be more appropriate, at this time, to have the underlying district setbacks remain applicable to the substandard lots as well. Additional considerations in arriving at this conclusion included the fact that most substandard lots are in developed areas and the belief that adjusting setbacks on potentially scatter lots along a block face may disrupt existing development patterns. As future amendments are proposed to address the issue of small lot development, it may be necessary to revisit the topic of setbacks; however, to ensure that progress is made to address the immediate issue at hand requiring compliance with the current setbacks is viewed as most appropriate.

Conclusion

The proposed regulatory changes contained within the attached amendment offer a greater opportunity to permit infill development within the City’s central city neighborhoods without the necessity of lot consolidations and possible introduction of inconsistent development patterns. Furthermore, the proposed amendments establish standards for existing substandard lots not considered “legal” a path to being productively used as sites for single-family dwellings. Finally, the amendments authorize the staff the ability to permit the platting of lots not consistent with the minimum dimensional standards (i.e. lot width and area) of the R-1, R-2, and R-MF districts such that they can be presented for approval to the Planning Commission and City Council.

RECOMMENDATION

Approve the proposed text change as presented.

SUPPORTING DOCUMENTS (ATTACHED)

- Proposed Text Amendment

PUBLIC NOTIFICATION

Public hearing ad published within the Columbia Tribune on September 19, 2023. No correspondence has been received.

Report Approved by Patrick Zenner