

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
November 18, 2021**

**SUMMARY**

A request by the City of Columbia to amend Chapter 29, Sections 29-1.11 [Definitions]; 29-3.2 [Permitted Use Table]; 29-3.3 [Use-specific Standards]; and 29-4.3 [Parking and loading]. **(Case #24-2022)**

**DISCUSSION**

Staff has prepared for consideration a list of proposed zoning text amendments to Chapter 29 of the City Code commonly known as the Unified Development Code (UDC). The UDC was adopted on March 20, 2017 and consolidated former Chapter 25 (Subdivisions) and Chapter 29 (Zoning) as well as parts of Chapters 2 and 12A, into the single regulatory document known as the UDC.

With the UDC in place for more than 3 years, work has begun on revisiting sections of the code that are leading to outcomes that were not originally intended, no longer desired, or written in a way that is confusing to the general public. There are also general errors that require correction. Evaluation and proposing amendments to recently adopted codes is common practice and is seen as a way of ensuring the code remains relevant given the dynamic conditions it is required to provide oversight for. This evaluation and amendment process is expected to continue as needed, with additional text amendment proposals in the future.

There are 3 separate text amendments proposed with this case that are numbered #A1 - #A3. Each amendment may include revisions to several sections of the UDC when the amendments to each section are related.

The proposed text amendments are attached to this report and are titled accordingly as Amendment #A1 - #A3. The original text of the amendment is listed, and any **additions to the text are BLUE, UNDERLINED, AND HIGHLIGHTED**, and deletions are **Blue, Strikethrough and Highlighted**.

***Background***

On September 14, 2021, the Board of Adjustment heard a variance request to allow parking to exceed 200% of the minimum required parking (otherwise known as the parking maximum) on property addressed as 894 Vandiver Drive. The requested variance was for a proposed Dobbs Tire and Auto Center. The proposed building would have consisted of a 9,747 square-foot building that includes a sales area as well as service bays for servicing automobiles. The use and building size would require the site to provide a minimum of 20 spaces (9,747/ 500), and would then be limited to a maximum of 40 spaces, which is 200% of the minimum. The applicant sought a variance to permit a total of 70 parking spaces. This request was denied by the Board. Following the meeting, staff was asked to evaluate the current parking ratio for *Light vehicle service and repair* to ensure that it is properly calibrated, given the vast difference in the amount of parking permitted for *Light vehicle service and repair*, and the amount of parking requested as part of the variance.

The Planning and Zoning Commission first discussed the proposed amendments at their October 21, 2021 meeting, and reviewed the specific text amendments prepared by staff during their November 4,

2021<sup>1</sup> meeting. The text amendments were presented by staff, and the Planning and Zoning Commission provided recommendations on revisions to the amendments. Based upon those work sessions, the draft text amendments were been revised to produce the final draft being presented at this time. Additional details on the discussion from those work sessions can be found at the link locate at the bottom of this page.

The principal objective of this group of amendments is to revise the minimum parking ratio for *Light vehicle service and repair*. In connection with that revision, staff is recommending that gas stations be included as a separate use, distinct from *Light vehicle service and repair* principally due to the unique differences between the two uses, such as the expected parking demand. In addition, with gas stations being a common type of business, adding a specific definition and listing it a unique permitted use should make it easier for the public to identify where it is permitted and what general criteria in the UDC apply to it.

While there are 3 separate amendments, all of them are related and can be considered a package group of amendments. Amendment #A3 applies most directly to the objective of these revisions, and #A1 & #A2 revisions are a product of revisions involving the parking amendments.

### ***Proposed amendments***

#### **#A1: 29-1.11(a) Definitions - General - Gas station or fueling center; Light vehicle service and repair**

#### **#A1: 29-1.11(e) Definitions - Mixed-use downtown - Gas station/fueling center**

Moved *Gas station or fueling center* to general definitions and revise *Light vehicle service and repair*.

The UDC includes five separate definitions sections: 29-1.11 (a) - (e). There is a general section that applies to the entire code, and then there are specialty sections that only refer to specific sections or circumstances, such as for stormwater purposes. While there is currently a definition for *Gas station/fueling center* in the UDC currently, it is located within the Section 29-1.11(e), which are definitions used specifically for subsections 29-4.2(a) to (f), the section of the UDC pertaining to the M-DT form based controls. There are three locations in Section 29-4.2 where the definition is used, and each refers to an exception granted to gas stations to avoid building to the required building line (RBL).

In order for the definition to apply more broadly to other sections of the code, it will be deleted from its current location and added to 29-1.11(a) Definitions - General. Some minor revisions are made to the definition name to make it consistent across the UDC.

The definition for *Light vehicle service and repair* will remain mostly the same, except for the removal of a reference to the use including the sale of vehicle fuel.

#### **#A2: 29-3.2. Permitted use table (Table 29-3.1)**

#### **#A2: 29-3.3. Use specific standards**

Add *Gas station or fueling center* as a new unique permitted use in the permitted use table, unique from the current *Light vehicle service and repair* definition, and revise use specific standards for each.

As mentioned above, gas stations were generally included within the definition of *Light vehicle service and repair*. To be considered a separate, unique permitted use, the use must be added to the permitted use table. Since it was previously a part of *Light vehicle service and repair*, the districts where the use

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<sup>1</sup> See agendas for background: <https://www.como.gov/Council/Commissions/meetings.php?year=2021&bcid=38>

is permitted, not permitted, or conditional will remain the same as it was before. In addition, since gas stations are a well-known and often referenced type of use, making it a separate use should make locating the restrictions around that use in the UDC easier for the general public. The use will be placed in the same land use category as *Light vehicle service and repair*, which is *COMMERCIAL USES - Vehicles & Equipment*.

A new use specific standard will be created for *Gas station or fueling center* as well (ss). The current *Light vehicle service and repair* use includes five total provisions, the first four of which pertain to vehicle repair, with the last provision pertaining specifically to gas stations, so provision (5) will be deleted and added to the new gas station use. This will be its only standard, and it waives the requirement for gas stations to be built to the required building line (RBL) in the M-DT district.

Staff is proposing two additional small revisions that are not directly related to the general theme of this package of revisions. During a previous text amendment, a new use was created for *Pawn shop*, and a new use specific standard (rr) was also created using the same standards as the retail use. However, the title of the use specific standard was not changed to reflect the new use of *Pawn shop*, and still refers to *retail, general*.

The other revision will add *Major vehicle repair and service* to the title of use specific standard (cc). The permitted use table indicates that this use is subject to (cc), along with *Light vehicle service and repair*; however the section title in (cc) does not reference it specifically as other sections do.

#### **#A3: 29-4.3(b)(1) Parking and loading - Required parking spaces (Table 29-4.3-1 Minimum Required Off-Street Parking)**

Parking in the City is regulated by Section 29-4.3 of the UDC, and more particularly, Table 4.3-1 of the UDC, which establishes the minimum amount of off-street parking that each permitted use must construct on a site, typically expressed as a ratio of the number of parking spaces per the square feet of gross floor area of a building. The current minimum parking ratio for the permitted use *Light vehicle service and repair* is 1 parking space/ 500 square feet of gross floor area (gfa). Per Section 29-4.3(e)(3), the maximum amount of off-street parking allowed on a site is 200% of the minimum requirement.

The site plan submitted with the previously mentioned variance request (Exhibit E6) included 70 marked parking spaces, which is 350% of the minimum amount required. The applicant provided evidence (attached) to the Board regarding their experiences with parking in their other locations around the St. Louis metropolitan area that states that they have encountered parking deficiencies at these locations. Exhibit E of the application submission includes an analysis of other Dobbs Tire and Auto Centers, including the location, number of bays, and parking spaces. Exhibit E also includes aerial photos of existing conditions at several of their store locations demonstrating the parking conditions.

The maximum parking limit was included in the UDC in order to put a finite cap on the amount of parking constructed on a site. There is clear evidence that when left unregulated, parking can often exceed what is reasonably needed on a site. Parking is expensive to construct, which can make goods more expensive, and it can take up physical space on a site, which can contribute to sprawl and inefficient use of infrastructure when compared to more compact development. However, when a parking maximum is utilized, there needs to be careful consideration of what the correct range of parking is for a particular use, given that each site is only permitted to construct parking within a range of 100-200% of the required minimum. The applicant in the case of the variance has provided evidence that given their business model, they require more parking than other uses that fall within the same category.

The staff’s analysis of the parking ratio for *Light vehicle service and repair* included a sample review of other communities’ parking ratios for the same use and a review of several local businesses that are in operation and would fall into the *Light vehicle service and repair* category. The first table below includes the examples of how parking is calculated for *Light vehicle service and repair* in other communities. The column title “**Minimum**” reflects the required minimum parking required (if applicable), the “**Max column**” reflects either a City’s maximum allowed parking (if applicable and indicated by an asterix\*) or what 200% of their minimum would be, which is consistent with how the City of Columbia calculates the maximums. The last column represents the application of each parking ratio to a theoretical store that includes 12 bays (as some of the regulations base the required parking on the number of bays) or one

that is 10,000 square feet in size. This closely approximates the size of the Dobbs store from the BOA case, to use a real-world example.

Table 1: Example parking ratios

	Minimum	Max	Max Spaces for 12 bays or 10,000 sq.ft
Current UDC	1/500	1/250	40
KC; Independence; Lawrence, KS	2/bay	4/bay	48
Fayetteville, AR (maximum only)		4/bay*	48
Springfield	2/bay; 1/employ.	4/bay; 2/employ.	48 + employees
Fort Collins, CO (min and max)	1/500	1/200*	50
Wichita, KS	1/333 + 3 spaces	1/167 + 6 spaces	66
<b>Iowa City (recommended)</b>	<b>1/300</b>	<b>1/150</b>	<b>66</b>
Austin, TX	1/275	1/137.5	72
Prior to UDC (Auto Repair, Major)	4/bay; 1/employ.	8/bay; 2/employ.	96 + employees
Prior to UDC (Auto Service Station)	1/200	1/100	100

While there are a variety of calculations that are used among the different municipalities, one important thing to note is that few of the cities reviewed had a parking maximum. Since the Columbia does have a maximum, and one that is based on the minimum, it is vital to calibrate the minimum required spaces so that the range of spaces that can be provided capture the range of differences that could exist within a single use category. For cities that do not have a maximum, having a parking minimum lower than what normal businesses may desire does not impact the maximum number of spaces that they can ultimately provide. Currently, for a 10,000 square-foot building used as *Light vehicle service and repair*, that range is 20-40 parking spaces.

It is worth noting that there are two cities in the table that do have parking maximums. Fayetteville bases their number on the number of bays, and they do not have parking minimums for any uses. Fort Collins’ maximum is not necessarily based on the minimum.

As can be seen in Table 1, the City’s current requirement for a minimum parking ratio of 1/500 sq.ft. is

the lowest of the cities that were sampled. It would allow 40 spaces maximum for a 10,000 square feet store. The last two lines of the table show the previous City code’s parking requirements for both *Auto Repair, Major* and *Auto Service Station*. While the *Auto Repair, Major* is not a direct comparison, it was included to illustrate that the City did also use bay doors in the past. The more relevant comparison, *Auto Service Station*, would require the most parking spaces of all the examples.

The other portion of staff’s analysis was to review current businesses in the City to review the number of spaces that are provided. It is worth noting that among the five businesses that were reviewed, none would be compliant with the current maximum parking of 1 space/250 gfa. The five locations range from

providing 1 space/234 gfa on the low end, to 1 space/200 gfa on the high end. It is important to note too that while many permitted uses could reduce the number of vehicle trips to their site by, for example, being located near a transit stop, auto repair is unequivocal an auto-centered use – the business exists to repair vehicles, and therefore it is difficult to reduce the number of cars stored on a site by utilizing transit or developing in a more walkable location.

Table 2: Columbia sites

Columbia Sites	Spaces/bay	Space/sq.ft	Spaces for 12 bays/10,000 sq.ft
1415 Grindstone Plaza	4.875/bay	1/213	59 / 47
806 Smiley Lane	3.6/bay	1/234	43 / 43
1005 Fairview	3.75/bay	1/200	45 / 50
3915 Peachtree	2.72/bay	1/223	33 / 45
Dobbs (proposed)	5.8/bay	1/139	70 / 72

Staff’s recommendation for the *Light vehicle service and repair* parking ratio is to increase the minimum required parking ratio to 1 space/300 square feet of gfa. While there are other examples of cities that require fewer spaces, many of them do not have parking maximums to consider (with the exception of Fayetteville). This ratio would put the City in line with Iowa City, IA and Wichita, KS. Another important consideration was the existing businesses in the City and their current parking ratios. With a recommend parking range of 1/300 to 1/150, all of the examples would fall within the range and would then conform with the current code. With the new ratio, the existing businesses would fall near to the center of the range, and the proposed Dobb’s Auto and Tire Center, with a small reduction in spaces, would represent the extreme upper limit of the range.

With *Gas station or fueling center* becoming a separate use, it also requires a parking ratio. Staff recommends leaving the ratio unchanged for gas stations (1/500 sf gfa). In addition, language will be added to allow spaces at the pump islands to count as a required space if desired. This will allow a site to utilize the already existing pavement at the pumps for parking, which is commonly how customers use the spaces, and potentially reduce the construction of new spaces on a site. This is also currently how staff applies the requirement, so the revision will codify the current practice for clarity.

One final revision will be to delete the phrase “**(and Maximum Permitted Off-Street Parking for Selected Uses)**” in the first row of Table 4.3-1. The table does not make reference to parking maximums, only minimums.

**RECOMMENDATION**

Approve the recommended text amendments to the UDC.

**SUPPORTING DOCUMENTS (ATTACHED)**

- Amendment #A1
- Amendment #A2
- Amendment #A3
- Work Session PPT (10/21/21)

Report prepared by Clint Smith

Approved by Patrick Zenner