

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 77-23

AN ORDINANCE

establishing an administrative delay on the processing of applications for a building permit to construct new multi-family units and demolition of structures which are at least fifty (50) years old within certain specified areas; providing circumstances under which issuance of building or demolition permits may be approved in such specified area; providing an exception for issuance of permits under certain circumstances; and fixing the time when this ordinance shall become effective.

WHEREAS, single-family and affordable housing in neighborhoods in the central portions of the City is being eroded by the demolition of existing single family homes and construction of new multi-family housing; and

WHEREAS, the construction of multi-family housing in such neighborhoods has historically not occurred in a manner that is compatible or consistent with the existing single family housing; and

WHEREAS, the City Council finds the construction and occupancy of multi-family residential housing in neighborhoods that were originally constructed as single-family neighborhoods is a significant change of use from the former and existing uses in such areas and requires coordinated development patterns to ensure that both uses may exist within the neighborhoods without either causing detriment to the other; and

WHEREAS, the City Council further finds historic properties and neighboring single-family residential uses in the central portions of the City are also being eroded by the proliferation of multi-family housing; and

WHEREAS, the City Council further finds the preservation of historic properties is in the public interest so that the vital legacy of cultural, educational aesthetic, inspirational, and economic benefits of such properties will be maintained an enriched for future generations of Columbians; and

WHEREAS, the City Council further finds that there are limited historic resources within the city and the demolition of such properties has been identified as a concern in the central portion of the city; and

WHEREAS, the City Council further finds the lack of coordination and regulatory controls governing the co-existence and development of multi-family housing and single-

family housing within a single neighborhood poses a direct and immediate threat to the long-term health and well-being of the community and needs additional further study and evaluation before the issuance of any additional construction permits for such housing; and

WHEREAS, the city has issued a request for proposals to hire a consultant that will develop an ordinance, design guidelines and other strategies to protect the integrity of existing neighborhoods while making reasonable allowance for new development and building rehabilitation; and

WHEREAS, the City Council believes it is important to have the Code updates in place to protect the existing city resources and guide the future development of the city in a thoughtful and organized fashion in order to promote and protect the public health, safety and general welfare of the city; and

WHEREAS, the City Council further finds a temporary delay in the issuance of permits within a limited geographic area to maintain the status quo is necessary and in the best interest of the citizens of the City of Columbia, is necessary to promote and protect the public health, safety and general welfare of the city and will not cause irreparable harm; and

WHEREAS, in the case of exigent circumstances, the City Council desires to provide for consideration of a request by a property owner for relief from the administrative delay in order to provide for issuance of a permit.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council makes and reaffirms the findings set forth above and incorporates the same by reference as if fully set forth herein.

SECTION 2. Except as otherwise provided herein, no building permit for the construction of a new multi-family structure, or series of structures when combined would include the construction of three (3) or more dwelling units on any single lot, nor permit for demolition or removal of any structure constructed fifty (50) or more years ago which is located within any of the areas described below, shall be issued from the date of passage of this ordinance until November 6, 2023, except as provided herein:

An area that extends from Old Highway 63 on the east to Clinkscales Drive on the west and between Business Loop 70 on the north and Broadway on the south, excluding any area within such boundary zoned M-DT (North Central Columbia Neighborhoods); and

An area that extends between Old 63 Highway on the east and College Avenue/State Route 763 on the west and between Broadway on the north and Bouchelle Avenue on the south, excluding any property lying east of Hinkson Creek (East Campus Neighborhoods); and

An area lying south and east of Flat Branch Creek and west of Providence Road/State Route 163 and north of Stadium Boulevard/State Route 740 (Grassland Neighborhoods).

SECTION 3. Such administrative delay on the issuance of building permits for new construction shall exclude the construction of new or conversion and/or remodeling of any existing structure containing a maximum of two (2) dwelling units and shall exclude any property owned by the University of Missouri.

SECTION 4. The City Council may, by resolution, allow the issuance of a building permit for the construction of a multi-family structure located within the area described in Section 2 hereof under any of the following circumstances:

(a) The Council determines that failure to allow construction of the structure would cause undue and substantial economic hardship on the property owner, adequate infrastructure exists (or will exist at the completion of the project) to provide necessary city services to the structure, and such construction will not be otherwise detrimental to the health, safety, and general welfare of the city; or

(b) The Council determines the owner has taken adequate steps to design and construct the structure in a manner which will maintain the vital legacy of cultural, educational, aesthetic, inspirational, and/or economic benefits of the property and surrounding neighborhood, adequate infrastructure exists (or will exist at the completion of the project) to provide necessary city services to the structure, and such construction will not be otherwise detrimental to the health, safety, and general welfare of the city; or

(c) The Council determines the construction of the structure complies with all existing and foreseeable planned city regulations, adequate infrastructure exists to provide necessary city services to the structure, adequate infrastructure exists (or will exist at the completion of the project) to provide necessary city services to the structure, and such construction will not be otherwise detrimental to the health, safety, and general welfare of the city.

SECTION 5. The City Council may, by resolution, allow the issuance of a permit for the demolition or removal of a structure located within the area described in Section 2 hereof which was constructed fifty (50) or more years ago under any of the following circumstances:

(a) The Council determines the building to be demolished is a dangerous structure; or

(b) The Council determines the building to be demolished is obsolete and no longer of such historic significance to warrant a delay in demolition pending the

study and enactment of regulations to preserve historic properties within the community; or

(c) The Council determines that failure to allow demolition or removal of the structure would cause undue and substantial economic hardship on the property owner; or

(d) The Council determines the property owner has taken adequate steps to salvage, preserve or reconstruct the historic structure in a manner which will maintain the vital legacy of cultural, educational, aesthetic, inspirational, and economic benefits of such property; or

(e) The Council determines the demolition or removal of the building would not interfere with the goal of preserving historic properties or is otherwise in the public interest.

SECTION 6. This ordinance shall not apply to any structure to be constructed at 1611, 1615 and/or 1617 University Avenue, or any other property for which there was an application for issuance of a building permit on file with the Community Development Department on or before April 13, 2023.

SECTION 7. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2023.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor