

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 303-22

AN ORDINANCE

amending Chapter 29 of the City Code to remove references relating to the C-2 zoning district; and fixing the time when this ordinance shall become effective.

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

SECTION 1. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-2.1. Establishment and conversion of districts.

~~Section 29-2.1(a)~~ -The Base and Overlay zoning districts listed in the New Zoning District column of Table 29-2.1 are hereby established and the zoning district classifications in effect before the effective date of this chapter shall be converted to the Base and Overlay zoning districts as set forth in Table 29-2.1 ~~with the exception of the C-2 District located outside the boundaries of the M-DT Regulating Plan.~~ The Base and Overlay districts shall be grouped into three types - Residential, Mixed Use, and Special Purpose districts and shall have the boundaries shown on the Official Zoning Map.

| Table 29-2.1: Columbia, Missouri, Zoning Districts | |
|---|------------------------------------|
| Previous Zoning Districts | New Zoning districts |
| Base Zoning Districts | Base Zoning Districts |
| Residential | Residential |
| R-1 One-Family Dwelling | R-1 One-Family Dwelling |
| R-2 Two-Family Dwelling | R-2 Two-Family Dwelling |
| R-3 Medium Density Multiple-Family Dwelling | R-MF Multiple-Family Dwelling |
| R-4 High Density Multiple-Family Dwelling | R-MF Multiple-Family Dwelling |
| R-MH Residential Manufactured Home | R-MH Residential Manufactured Home |
| PUD Planned Unit Development* | PD-* |
| Office | Mixed Use |
| O-1 Office | M-OF Mixed Use - Office |
| O-2 Special Office | M-OF Mixed Use - Office |
| O-P Planned Office* | PD-* |
| Commercial | |

| | |
|---|--|
| C-1 Intermediate Business District | M-N Mixed Use - Neighborhood (See Section 29-2.1(b)) M-C Mixed Use - Corridor (See Section 29-2.1(b)) |
| C-3 General Business District | M-C Mixed Use - Corridor |
| C-2 Central Business District | M-DT Mixed Use - Downtown (inside Regulating Plan boundary) C-2 Central Business District (outside Regulating Plan boundary) |
| C-P Planned Business District* | PD-* |
| Industrial | |
| M-R Research, Development and Office Park | M-BP Business/Industrial Park |
| | Special Purpose |
| M-C Controlled Industrial District | IG Industrial |
| M-1 General Industrial District | IG Industrial |
| M-U Underground Space | IG Industrial |
| M-P Planned General Industrial District* | PD-* |
| Agricultural | |
| A-1 Agricultural | A Agricultural |
| n/a | O Open Space |
| n/a | PD Planned Development |
| Overlay Districts | Overlay Districts |
| UC Urban Conservation | UC-O Urban Conservation Overlay |
| S-R Scenic Roadway Area | SR-O Scenic Roadway Area |
| HP Historic Preservation | HP-O Historic Preservation |
| F-1 Floodplain | FP-O Floodplain |
| * Planned districts (PUD, O-P, C-P, and M-P) convert to a planned district (PD) counterpart. For example, PUD and C-P will convert to district PD-[insert approved Ordinance number]. | |

...

Sec. 29-2.2. Base zoning districts.

(a) *Residential zone districts.*

...

(b) *Mixed use districts.*

(1) M-OF mixed use - office district.

...

~~(6) C-2 central business district (outside M-DT regulating plan boundary).~~

~~(i) Purpose. This district is intended to provide for commercial facilities not located within the boundaries of the M-DT regulating plan that were previously considered part of downtown Columbia. C-2 district parcels lying outside the boundaries of the M-DT regulating plan shall appear on the official zoning map upon the adoption of this Code; however, the C-2 district shall not be expanded to include additional parcels after the effective date.~~

The principal land uses are retail sales, services, offices, mixed-use including housing and public facilities.

~~(ii) *Other standards.* Permitted uses and dimensional standards applicable to the C-2 district are defined within section 29-3.4 and shall be subject to the form and development regulations in article 4, with the exception of those standards listed in section 29-4.1(a).~~

...

Sec. 29-3.1. General.

(a) The permitted uses and conditional uses in each zone district, ~~with the exception of the C-2 district located outside the M-DT regulating plan boundary,~~ are allowed as indicated in Table 3.1 below. Additional uses of property or restrictions on the use of property may be contained in section 29-3.3 (use specific standards) or in an overlay zone district applicable to the property in section 29-2.3. If the property is located in a PD (planned development) zone district, the permitted uses and any conditions on those permitted uses are allowed as set forth in the rezoning ordinance and related documents for that property on file with the department.

~~(b) The permitted uses and conditional uses in the C-2 district located outside the M-DT regulating plan boundary are allowed as indicated in section 29-3.4 hereof and shall be subject to the use-specific standards set forth in section 29-3.4.~~

...

Sec. 29-3.4. Reserved C-2 district outside the M-DT regulating plan boundary.

~~(a) The permitted uses and conditional uses for property in the C-2 district located outside the M-DT regulating plan boundary shall be allowed as set forth in this section.~~

~~(1) *Permitted uses.* In the C-2 district located outside the M-DT regulating plan boundary, no building, land or premises shall be used and no building shall be hereafter erected, constructed, reconstructed or altered, except for one or more of the following uses:~~

~~(i) All permitted uses in district M-N with the exception that dwelling units shall also be subject to the following floor area requirements:~~

~~(A) One-family—Not less than six hundred fifty (650) square feet excluding basements, porches and garages.~~

~~(B) Two-family—Not less than five hundred (500) square feet per dwelling unit excluding basements, porches and garages.~~

~~(C) Multiple family—Not less than four hundred (400) square feet per dwelling unit, excluding basements, porches and garages.~~

~~(ii) Armories.~~

~~(iii) Assembly and lodge halls.~~

- ~~(iv) Automobile repair facilities provided that all repair shall take place within an enclosed building.~~
- ~~(v) Bakeries.~~
- ~~(vi) Bars, cocktail lounges and nightclubs.~~
- ~~(vii) Billiard halls and game arcades.~~
- ~~(viii) Bicycle repair shops.~~
- ~~(ix) Bus stations.~~
- ~~(x) Car washes, coin-operated or attendant-operated.~~
- ~~(xi) Electrical repair shop.~~
- ~~(xii) Garment storage facilities.~~
- ~~(xiii) Government buildings and facilities.~~
- ~~(xiv) Hospitals for small animals, if within an enclosed building.~~
- ~~(xv) Hotels.~~
- ~~(xvi) Laundries, commercial.~~
- ~~(xvii) Lumberyards.~~
- ~~(xviii) Multi-level, underground or covered commercial parking for automobiles and light trucks.~~
- ~~(xix) Newspaper publishing plants.~~
- ~~(xx) Printing shops.~~
- ~~(xxi) Restaurants, cafes and cafeterias.~~
- ~~(xxii) Service stations, provided all fuel storage tanks are located underground.~~
- ~~(xxiii) Shops for custom work, or the manufacture of articles to be sold at retail only on the premises, provided that in such manufacture the total mechanical power shall not exceed five (5) horsepower for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) per cent of the total floor area of the entire building or the equivalent of the ground thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.~~
- ~~(xxiv) Sign painting shops.~~
- ~~(xxv) Theatres, not including drive-in theatres.~~
- ~~(xxvi) Trade schools.~~
- ~~(xxvii) Wholesale sales offices and sample rooms.~~
- ~~(xxviii) Customary accessory uses, including drive-up facilities, subject to the use-specific standards of section 29-3.3.~~

~~(xxix) Any retail business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.~~

~~(2) Conditional uses. The following uses shall be permitted in C-2 district located outside the M-DT regulating plan boundary only after the issuance of a conditional use permit pursuant to the provisions of section 29-6.4(m):~~

~~(i) Halfway houses for not more than fifteen (15) occupants, provided that the board finds that the proposed use would not be detrimental to the public interest considering the size and character of the proposed facility and its proximity to schools, churches, mosques, synagogues, residences, other halfway houses and halfway houses for young offenders for not more than forty (40) occupants.~~

~~(ii) Hospitals for human beings, medical or dental clinics, sanitariums, and medical laboratories.~~

~~(iii) Mortuaries, which may include a crematory.~~

~~(iv) Research and development laboratories, provided there is minimal/insignificant use of hazardous materials based on a risk assessment.~~

~~(v) Self-service storage facilities, subject to the following conditions:~~

~~(A) The application required by section 29-6.4(m) shall include a conceptual design plan that shows:~~

~~1) The location of the proposed facility in relation to the existing uses of the building.~~

~~2) The square footage of the total building and area that will be allocated for the proposed facility.~~

~~3) The means of ingress and egress to the proposed facility.~~

~~4) The use group or groups that the building is currently permitted for as defined in chapter 6 (building and building regulations) of this Code.~~

~~5) How the altered building will address parking and loading demands generated by the proposed facility.~~

~~The conceptual design plan is not required to be "sealed" by a registered design professional. The plan may be drawn by the applicant. The plan shall be prepared in a manner that all details are legible.~~

~~(B) The facility is incidental to the primary use of the building in which it is located (i.e., a mixed use occupancy building shall be required).~~

~~(C) The facility shall not be used to store flammable gases, aerosols, paints, thinners, feed, fertilizer, soil conditioners, pesticides, chemicals, explosives and other hazardous materials, construction materials, inoperable vehicles, or for bulk storage of any kind.~~

~~(D) The use of power tools, paint sprayers, or servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances and other similar equipment is prohibited in the facility.~~

~~(E) The facility shall be used exclusively for the storage of goods. No individual tenant may convert, use, or otherwise alter a leased or rented unit to sell any stored item from the facility or to conduct any type of commercial activity at the facility.~~

~~(F) When the facility is located on the first floor of a building, it shall not be located in front of the primary use so that it is the visible storefront of the building.~~

~~(G) When the facility is located in the basement or on any floor higher than the first floor of a building, it may occupy the entire basement or floor only if existing exterior windows remain intact and are "blacked-out" to ensure that stored items are not visible and that the architectural integrity of the building façade is maintained. Building facades on new or renovated construction shall incorporate design elements that break-up the façade so it does not create a blank elevation.~~

~~(H) When the facility is located in an existing or renovated building, loading and unloading activities, on public rights-of-way, shall not occur between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. (Monday thru Friday).~~

~~(I) When the facility is located in a newly constructed building, provision for off-street loading/unloading facilities shall be incorporated into the design of the structure. The facility shall be of adequate depth from the right-of-way so that no blockage of the travel way will occur during loading/unloading activities. When such provision is made, the limitation on hours of loading and unloading, stated in item (H), above, shall not apply. On-site parking requirements shall be governed by the provisions of section 29-4.3.~~

~~(J) All proposed construction, renovation, or alteration activities necessary to permit the facility to occupy an existing or new structure shall be in accordance with the requirements of chapter 6 and chapter 9 of the City Code. Activities begun before submission, review and approval of professionally sealed plans and the issuance of a building permit shall be a violation of the conditional use permit conditions and this Code.~~

~~(vi) Uncovered, surface commercial parking for automobiles and light trucks abutting a public street, except for publicly owned parking facilities. Parking areas~~

located behind buildings, not directly adjacent to a public street (except an alley), are permitted.

~~(vii) Uncovered, surface off-street parking areas, except for publicly-owned parking facilities.~~

~~(b) *Height and area regulations.* In district C-2 any building, portion of a building or dwelling hereafter erected, constructed, reconstructed or altered shall be subject to the following regulations (for exceptions, see section 29-4.1(c), exceptions and encroachments):~~

~~(1) Lot size. No minimum requirement.~~

~~(2) Yards. No minimum requirement.~~

~~(3) Building height. Buildings shall have a minimum of two (2) stories consisting of a minimum of twenty-four (24) feet. One hundred twenty (120) feet or ten (10) stories is the maximum building height permitted by right. Buildings that exceed one hundred twenty (120) feet or ten (10) stories shall be subject to review by the planning and zoning commission and approval by the city council according to the standards and procedures in item (7), below.~~

~~(4) Vision clearance. No requirement.~~

~~(5) Floor area. No minimum requirement.~~

~~(6) Parking. On-site parking is required for dwelling units in new buildings and buildings expanded after August 18, 2014. There shall be no parking requirement for new dwelling units created in buildings or enclosed portions of buildings that are at least fifty (50) years old. There shall be no parking requirement for buildings or portions of buildings that exist as of August 18, 2014 that are removed and rebuilt, in whole or in part, to restore but not expand the previously existing building, and there shall be no parking requirement for buildings that have been issued a building permit prior to August 18, 2014. (See section 29-4.3, parking and loading.)~~

~~(7) Tall structure approval. All buildings that exceed one hundred twenty (120) feet or ten (10) stories in height shall require council approval. Requests for tall structure approval in district C-2 shall require a petition on a form provided by the director and shall be referred to the planning and zoning commission for a recommendation and city council consideration of an ordinance approving the tall structure in the same manner and following the same procedural steps as described in section 29-6.4(n) of this Code.~~

~~Petitioners shall provide the planning and zoning commission with preliminary building plans (elevations and representative floor plans), site plan including adjacent streets and alleys, and a shade study. A "shade study" represents, in graphic form, the shade cast by the tall structure on adjacent properties and streets, by time of day and by season. An example of adverse impacts revealed by a shade study would be complete shading of rooftop solar panels mounted on an adjacent, lower building.~~

A tall building may be approved by the city council if it satisfies the following criteria:

- (i) ~~The height is consistent with adopted city plan recommendations for maximum building height in the specific location;~~
- (ii) ~~The additional height will not impair emergency response to the subject building or other places in the immediate vicinity in the opinion of the fire code official and chief of police;~~
- (iii) ~~The additional height will not have an adverse impact on the availability of air and light to adjacent buildings and public streets; adequate spacing exists between the proposed building and openings in the walls of an adjacent building or between the proposed building and rooftop spaces used as amenities to allow the penetration of sunlight to those openings or rooftop spaces;~~
- (iv) ~~The additional height will not create demand on any public utility or public infrastructure in excess of available capacity, as concluded by an engineering analysis of the projected utility loads and the existing and planned capacities of infrastructure to accommodate it; and~~
- (v) ~~Public sidewalks, crosswalks, and streets adjacent to the site are of sufficient capacity to handle the anticipated pedestrian and vehicular traffic generated by the tall structure, as concluded by a traffic impact analysis.~~

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2022.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor