



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 6, 2023

Re: UDC Text Change – Definitions and Dimensional Standards (Case #261-2023)

## Executive Summary

Approval of this request would amend several sections of the Unified Development Code (UDC) to permit R-MF (Multiple-Family Dwelling) zoned lots to be considered “legal lots” as well as permit “substandard” R-1 (Single-Family Dwelling), R-2 (Two-Family Dwelling), and R-MF zoned lots, not meeting the definition of “lot,” a path to being platted and issued a building permit for only a single-family dwelling in lieu of combining lots to meet standard UDC dimensional requirements. A “substandard” lot in this context means an existing lot that is less than standard minimum width or area. This amendment is the first in a series of proposed UDC changes that are intended to create opportunities to use existing vacant or substandard lots within the City with the least impact on existing neighborhoods as a means of increasing the potential lot inventory for affordable or attainable housing.

## Discussion

The City’s Planning and Zoning Commission and staff, at the direction of Council, have prepared a series of amendments to the UDC intended to reduce the necessity of consolidation platting of existing R-1, R-2, and R-MF lots that do not meet the required dimensional standards of their respective zoning districts. An *existing lot* that does not meet the required dimensional standards of its zoning district (minimum width, minimum area, or both) is considered a “substandard lot” in this context.

If such a lot is determined to be a “legal lot”, as defined in the UDC, it is considered to be “legally non-conforming” and entitled to be improved without the necessity of consolidation platting. When an existing lot does not meet the criteria of a “legal lot” it must be platted (often requiring consolidation of multiple lots) such that it can comply with the required dimensional standards of its zoning district prior to being eligible for a building permit.

To address the expressed concerns with consolidation platting and to provide a pathway for existing non-legal lots substandard lots to be authorized to be platted, the attached amendment has been prepared. The proposed amendments will impact sections 29-1.11 [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 the UDC.

### **Revised definitions**

Two revisions are proposed to section 29-1.11. The first revises the definition of “lot” by adding the R-MF (Multiple-Family Dwelling) zoning district to the list of zoning classifications that may be eligible to be considered a “legal lot”. Given the R-MF district is presently not included in the definition, lots not compliant with general R-MF dimensional standards are



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required to be replatted to meet those requirements. This action often results in lot consolidations that can create opportunities for potential increased redevelopment impacts (i.e. density) within the surrounding built environment.

Adding the R-MF district to the definition of “lot” will reduce the necessity of consolidation plats and allow such existing lots to potentially be classified as “legal non-conforming lots” and subject to the redevelopment provisions of section 29-6.5(c) of the UDC. These provisions allow lots determined to be “legal non-conforming” to be improved with any use allowed within its respective zoning classification provided all dimensional standards, other than those that make the lot non-conforming, are met. These provisions do not guarantee that an R-MF lot that does not contain sufficient lot area to support two or multi-family development the right to develop such structures. If such lots contain lot areas less than 7,000 sq.ft. (two-family) or 7,500 sq. ft. (multi-family) the lot would only be able to be redeveloped with a single-family home.

The second revision to section 29-1.11 is the addition of the following new definition for “lot, substandard”:

*Lot, substandard.* A single existing lot, parcel, or tract of land whose zoning classification is R-1, R-2, or R-MF that does not conform to the minimum dimensional standards of the zoning classification to which it is assigned ; and such lot, parcel or tract either meets the definition of a “Lot”, as defined herein, or is platted in its existing configuration as a “lot” in accordance with the requirements of this chapter.

This definition has been proposed to provide a distinction between existing lots that are considered “legal lots” and those that are not. As noted, a substandard lot is an existing lot that does not conform to the required dimensional standards of the zoning district in which it is located and is required to undergo consolidation platting to conform to the required dimensional standards. This definition; however, offers the option to plat the lot in its existing configuration subject to alternative dimensional standards identified elsewhere within the UDC.

The remaining portions of the proposed text amendment provide references to the alternative dimensional standards which are proposed to be contained within section 29-4.1(b)(8) of the UDC. These alternative dimensional standards are necessary to ensure that existing lots that are not considered “legal lots” and that do not meet the standard dimensional requirements of the R-1, R-2, or R-MF district can be considered conforming. Once such lots are considered conforming to the alternative dimensional standards, the staff would be enabled to process the required platting action which, upon Council approval, would authorize the lot to receive a building permit for only a single-family dwelling.

## **Revised dimensional standards**

Revisions to section 29-2.3 will impact 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” section of



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each table that provides reference to proposed alternative dimensional standards applicable only to non-legal, substandard lots. The alternative dimensional standards are shown section 29-4.1(b)(8) of the UDC. The purpose for creating this new footnote is to ensure a reader of the UDC is aware that a non-conforming lot which they own or have interest in may qualify for a building permit even if it does not meet the dimensional standards listed within the summary table.

The dimensional standards table of the UDC (section 29-4.1(a), Table 4.1-1) are proposed to be amended by the addition of a new footnote, Footnote #6. This table shows all regulatory, not a summary, dimensional standards applicable to each zoning classification. The new footnote provides reference to “substandard lots” and indicates that when a substandard lot exists and it 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 purpose of adding this new footnote is similar to why a new footnote was added to the “summary” dimensional standard tables in section 29-2.3.

The referenced alternative dimensional standards are proposed to be added within a new subsection to be numbered section 29-4.1(b)(8). This section 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 presented 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 code prevents the approval of lots for construction that do not meet the minimum dimensional standards established by Table 4.1-1 for each zoning district.

The alternative dimensional standards are based on the “cottage” lot requirements permitted within the R-2 district with Board of Adjustment approval. The standards would permit an owner of an existing substandard lot in the R-1, R-2, or R-MF district, that does not meet the definition of “lot”, the ability to plat such lot as long as it is no less than 30-feet wide and contains no less than 3,000 sq. ft. of total lot area. If the lot meets these standards it would be permitted to be improved with only a single-family dwelling and would be required to meet all applicable setbacks (front, rear, side) for the district in which it is located.

A public hearing on this amendment was held by the Planning and Zoning Commission at their October 5, 2023 meeting. Staff provided its report and one member of the public spoke in favor of the amendment. There was brief Commission discussion on the matter. Following discussion, a motion was made to approve the proposed amendment subject to a single technical revision relating to the removal an errant footnote designation from the tables within section 29-2.3. The motion was approved by a vote of (7-0).

A copy of the Planning and Zoning Commission staff report, text amendment, and meeting minute excerpts are attached for review.



## Fiscal Impact

Long-Term Impact: None anticipated

## 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: Land Use & Growth Management, Tertiary Impact: Economic Development

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Approve the proposed UDC text change as recommended by the Planning and Zoning Commission.