

MEMO

DATE: January 27, 2021

TO: Planning and Zoning Commission Members

FROM: Brad Kelley, AICP Candidate, Planner

Re: Unified Development Code Text Amendment Project – Zoning

This work session will finish up the prior discussion on the Permitted Use Table and introduce draft text amendments for Accessory Commercial Kitchens and Artisan Industry. These amendments should be viewed as a starting point. Staff anticipates using the same general format (round-robin discussion, votes on each amendment, revised/follow-up text in blue, etc.) and used during the last UDC amendment discussion. Existing regulatory provisions will be annotated with new/proposed text being shown in **bold** and deleted text being shown as strikethrough.

UDC Code Amendment Topics:

A. Accessory Commercial Kitchens

Background

In 2018, the Missouri Women’s Business Center (MWBC) and Rock Bridge Christian Church requested that a church be permitted to house a commercial kitchen for the stated purpose of supporting job training. However, the MWBC states that finding an affordable commercially certified kitchen space for a small business is difficult in Columbia and a hindrance to their clients. They believe this effort would support the City of Columbia’s Strategic Priority outcome of reducing the wage gap between white and minority populations as well as reducing the skills gap.

City Council heard this item on December 3, 2018 and discussed neighborhoods’ expectations of no commercial activities and the ability to provide a benevolent service without impeding on those expectations. Councilman Trapp made a motion directing the Planning and Zoning Commission to review this issue and provide a recommendation. *The motion was seconded by Councilman Skala. Councilman Pitzer stated he would support it, but noted he was worried about unintended consequences.*

Building & Site • CATSO • Housing Programs • Neighborhood Services • Planning • Volunteer Programs

General Revisions

Purpose of Revisions: This amendment has been requested by a few churches desiring to co-share their commercial kitchens with food trucks, caterers, etc. Places of worship, schools and daycares¹ are a permitted use in all residential zones, as well as the mixed-use zones. Presently, commercial kitchens are generally considered a customary accessory use to a principal permitted use, and are used for in-house functions or related mission work such as feeding the homeless. Staff has related challenges with home occupation and food truck business license review that may be addressed by this revision. To be coordinated with any building codes which may apply.

Definitions: Creating a new definition.

Permitted Use Table: Permitting this as an Accessory use in the residential zones as commercial kitchens are a primary permitted use in other zones.

Use Specific Standards: Creating standards that prohibit on site sales, restrict hours of operation, ensure sufficient parking, and set limits on the size of said kitchen to be used as a commercial kitchen.

Other Considerations: The primary concern with this use is the impact to the neighborhood regarding traffic and other increased nuisances as a result of commercialization. Scaling the amount of kitchen space to be used on-site is one appropriate means of limiting impacts to not much more than what current site operations would produce. Minutes from Council's discussion on the issue reflect this matter as balancing the benevolent benefits against the unexpected impacts to the neighborhood.

Scale is easy to reference from a regulatory perspective - similar to home occupations where floor plans are submitted along with a signed document agreeing to the conditions. Council's discussion mentioned the possibility of looking at the frequency of use. This aspect was considered through regulating scale and restricting types of sales/service. The commission could use a similar provision, from home occupations, whereby trip generation is referenced. Additionally, the Commission could limit and/or require additional parking so as to accommodate potential parking concerns.

The commission may also find that they prefer accessory commercial kitchens to be permitted only through a conditional use permit subject conditions as mentioned above.

B. Artisan Industry

Background

Smart Growth America (SGA) and Recast City partnered together on a project called *Small Scale Manufacturing and Place-Based Economic Development* that is designed to help communities make strategic land use decisions that will enhance small-scale manufacturing and improve economic revitalization. The Loop CID requested technical assistance, funded by the U.S. Economic Development Administration, and was selected through a competitive process that resulted in a variety of virtual meetings and a site visit in which the SGA technical assistance team visited Columbia in 2019 to meet with local business and community leaders, city staff, developers, property owners, and more for the purpose providing a set of steps to bring more small scale manufacturing business to The Loop.

Attached is a memo summarizing those workshops, on-site interviews, assessments of existing conditions, and recommendations for strengthening local small production businesses and supporting investment on The Loop as well as other parts of the City.

Staff reviewed these recommendations and found them to be a good start- although insufficient as it relates to a city-wide amendment. Staff researched several other case studies from around the country and found them helpful in understanding the scale and impacts of artisan manufacturing. Currently, Artisan Industry is permitted in M-N, M-C, M-DT, M-BP, and IG but carries no use-specific standards.

General Revisions

Purpose of Revisions: This amendment will provide use-specific standards related to the intensity of uses permitted in different zones for this use. The intent of the Artisan Industry use is to allow less intensive cottage-type production uses; as this use is permitted in the M-N zone, standards are desired that permit an operational scale and intensity that fits the neighborhood-commercial level as this use may include manufacturing, storage/warehousing, production and shipping. This amendment will be informed by information provided by the Business Loop CID, which is promoting “maker” businesses.

Definitions: Revising the existing definition to omit the limitation to production by hand or with minimal automation; including a reference to the State’s regulation of micro-breweries; and adding text to include shared workspaces amongst artisans.

Permitted Use Table: Adding a reference to the use-specific standards column. No other changes.

Use Specific Standards: Creating a gross floor area size limit of 5,000 square feet for M-N and 15,000 square feet for other mixed-use districts; referencing screening, loading dock, and

delivery area provisions as they exist in the UDC; restricting outdoor storage; and restricting the use of hazardous materials in the M-N, M-C, M-DT, and M-BP districts.

Other Considerations: The size limits, particularly in M-N, are proposed to counter broadening of the definition. 5,000 square feet is proposed as research shows that most artisan industries do not exceed that size. Many artisans begin in their garage, graduate to a shared space or ~1,000 square feet and finally move to a space up to 5,000 square feet. The most successful artisans may then upscale to a larger production space. Staff advises that 15,000 square feet be near the ceiling set forth for Mixed-Use zones other than M-N and that 10,000 be nearer the floor. Uses exceeding the size limit could apply for a conditional use permit.

As a brewery reference, staff found the typical gross floor area required per 1 barrel produced yearly is 2.16 (one standard deviation) which if applied to the maximum size of a microbrewery in Missouri equates to 21,600 square feet.

Staff also found that some communities chose to have two definitions: One for artisan, food and beverage and another for artisan manufacturing with the only difference in standards being size limitations.

Although no changes have been proposed to screening and buffering in this draft, staff feels that this should be a topic of discussion and seeks guidance. Currently, this use would be considered Industrial and be subject to a level 3 buffer against all uses/zones except industrial. It may be more appropriate to view this as a commercial use and make an appropriate amendment reflecting that for clarity.

If the Commission finds that unique and separate regulations are appropriate for The Loop corridor then an overlay district could be explored as an option with the CID's input.

Work Session 2/18/21:

For the following session, staff anticipates introducing the topic of Personal Services and having a continued discussion about amendments relating to housing, if time allows, per the work session on January 21, 2021. Research is still needed as it relates to the State's applicable housing regulations and definitions and staff anticipates having more discussions with the City's Housing Division staff.

Review the definition of Personal Services and Use-Specific Standard revisions for Personal Services.

Purpose of Revision: Personal services are a conditional use in the M-OF zone and a permitted use in the M-N, M-DT and M-C zones. This amendment is desired by staff to address challenges with business license review in terms of defining an activity as a use in the UDC. Specifically, there are some categories of activities which have aspects of medical office versus a personal service or a gym. Aestheticians, therapeutic massage, and Pilates business license applications are some that have recently come up.

The proposed text amendments to review on February 4, 2021 are listed within the attachments to this memo.

Attachments:

- *Accessory Commercial Kitchens Amendments (for items A listed in this memo)*
- *Artisan Industry Amendments (for items B listed in this)*
- *2019 Smart Growth America Report Recommendation - Columbia, Missouri*

¹ Daycares are subject to use-specific standards; non-in-home daycares are permitted in the R-MF (multiple-family district) zone and the mixed-use zones. In-home daycares in the R-1 and R-2 zone are not anticipated to be permitted to have commercial kitchens nor be included in this amendment given the existing restrictions.