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BUSINESS PROPERTY
LEASING & SALES

December 16, 2020

Bernie Andrews
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Dear Bernie:

There are (4) references in the Uniform Development Code (UDC) which was passed by City Council on 3/20/17 that appear to inhibit the practicality of implementing a functional Business Park zoned development in Columbia, MO. The reference pages are enclosed behind this letter to help identify the restrictions, and are also recited below:

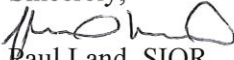
- Section 29-1.11: Definitions and Rules of Construction page 14: definition of Heavy Industry.
- Section 29-1.11: Definitions and Rules of Construction page 17: definition of Light Industry.
- Section 29-2.2: Base Zoning District, page 12, section 5i: M-BP Business/Industrial Park District defined purpose statement describes industrial uses as allowable.
- Section 29-3.2: Permitted uses table page 5: this describes Permitted uses (P), and Conditional uses (C), among others, and does not show any industrial uses as being permissible (P) and only as conditional (C) for "light industry" within the M-BP district.

Despite section 29-2.2 description of base zoning for M-BP Business/Industrial Park District, with the specific wording of "industrial" appearing both in the title of such district and within its detailed description of purpose, the defined uses appearing in section 29-3.2 permitted use table does not automatically allow either "light industry" or "heavy industry" uses within such M-BP zoning district. Section 29-2.2 and Section 29-3.2 are not in synch. Section 29-3.2 table should minimally in our opinion, automatically show "light industry" use as a permitted (P), and also allow "heavy industry" use as conditional (C).

Why require "light industry" as a "conditional use" in a district such as M-BP that specifically has the word "industrial" within its described title and purpose statement. Gaining a "conditional use" requires both Planning & Zoning Commission and City Council approval in a public hearing – a drawn out and seemingly unnecessary procedure. This is not business friendly, an expressed goal of REDI and the City of Columbia.

I will appreciate REDI visiting with City of Columbia Community Development Dept. to gain an explanation of this oversight, or inadvertent omission, and seek a recommended course of action for correcting same. Seemingly, this should be reviewed by City Staff and then sent to Planning & Zoning Commission for an adjustment and recommendation that can reconcile section 29-2.2 and Section 29-3.2, and then sent to Council for final approval.

Sincerely,


Paul Land, SIOR
Owner

utility construction, private noncommercial agricultural, or private noncommercial recreational uses which do not interfere with the growth of the trees and shrubs located on the easement. Uses and activities which are not allowed in district FP-O (floodplain overlay district) shall be prohibited.

Nothing in this definition shall be construed to prevent the City from acquiring other easements in property encumbered with a greenspace conservation easement.

Greenspace Trail Easement. A perpetual interest in land as described and dedicated by subdivision plat. Designation of a greenspace trail easement shall give the following rights:

- (1) Constructing or maintaining a permanent hiking or bicycle trail or path with accessory facilities or accommodation.
- (2) The right of entry of the City to maintain and develop hiking or bicycle trails or paths.
- (3) The right of entry of the public for pedestrian or bicycle use of the trails or paths which have been constructed within the easement. No right of entry for motor vehicles is granted to the public except for authorized emergency vehicles.
- (4) The right to construct public street, bridge and utility crossings as needed.

Nothing in this definition shall be construed to prevent the City from acquiring other easements in property encumbered with a greenspace trail easement.

Group Home, Large. A facility that provides care, treatment or custody for more than eight (8) individuals considered to be disabled or handicapped under the federal Fair Housing Act, as amended or the laws of the State of Missouri, and may include additional persons providing oversight of the facility, none of which need to be related to each other.

Group Home, Small. A facility that provides care, treatment or custody for up to eight (8) individuals considered to be disabled or handicapped under the federal Fair Housing Act, as amended, or the laws of the State of Missouri, and may include two (2) additional persons providing oversight of the facility, none of which need to be related to each other. Residences with up to three unrelated residents are not defined as a group home.

Halfway House. A residential facility primarily for persons who have been institutionalized and released, or who have been assigned to the facility as an alternative to institutionalization, and require the temporary protection of a group setting to facilitate the transition to society.

Hazardous Material. Any material or substance listed in 40 CFR Part 355, Appendix A, as an extremely hazardous substance when that substance is stored, generated, used or released in quantities equal to or greater than the lowest quantity listed for either the threshold planning quantity or reporting quantity for the substance; any materials designated hazardous and subject to special requirements by the federal government or the State of Missouri.

Heavy Commercial Services. An establishment that provides semi-industrial, more intrusive types of commercial services, less compatible with common household commercial services; such as laundry services, lumberyards, newspaper publishing plants, printing shops, sign painting shops, equipment rental, and other similar uses.

Heavy Industry. The processing, manufacturing, or storage of products under potentially hazardous conditions, such as the creation of products from extracted raw materials and the use of flammable and explosive materials. This use may include, but is not limited to, concrete plants, electroplating works, forges, galvanizing works, and other similar uses.

Light Fixture, Cutoff. Intensity at or above ninety (90) degrees (horizontal) no more than two and one-half (2.5) percent of lamp lumens and no more than ten (10) percent of lamp lumens at or above eighty (80) degrees.

Light Fixture, Semi-cutoff. Intensity at or above ninety (90) degrees (horizontal) no more than five (5) percent of lamp lumens and no more than twenty (20) percent at or above eighty (80) degrees.

Light Fixture, Non-cutoff. No limitations of light distribution at any angle.

Light Industry. The manufacturing, compounding, processing, packaging, storage, assembly, treatment of finished or semi-finished products from previously prepared materials, sheet metal shops, or servicing or sale of consumer products, which activities are conducted at a minimum of 80 percent or wholly within an enclosed building and that do not emit noxious fumes or odors.

Light Loss Ratio. The ratio of the illuminance on a given area after a period of time to the initial illuminance on the same area. Note: The light loss factor is used in lighting calculations as an allowance for the depreciation of lamps, accumulation of dirt on luminaire, light control elements and room surfaces, to values below the initial or design conditions, so that a minimum desired level of illuminance may be maintained in service.

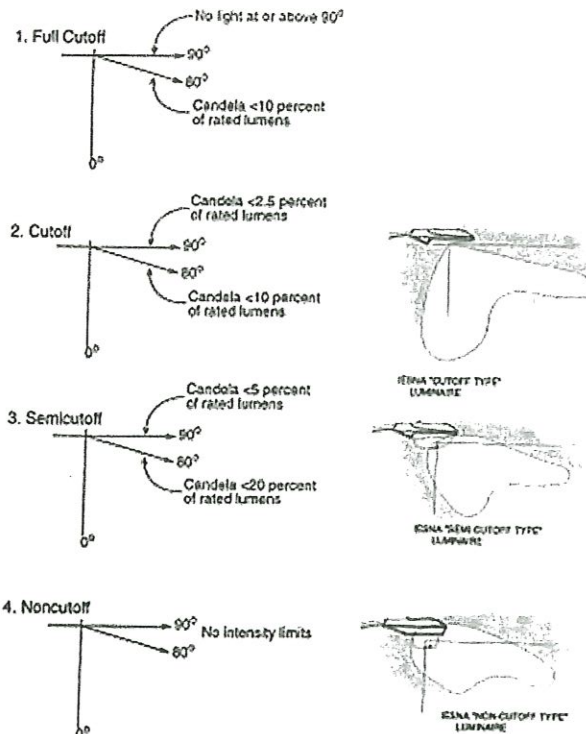
Light Spillage. Lighting that illuminates property adjacent to the property on which the light source is located.

Lighting Engineer. A person having the education and training to design outdoor lighting systems and prepare and interpret lighting plans.

Light Vehicle Sales and Rental. The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, and recreational vehicles. This use shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.

Light Vehicle Service and Repair. The sale of vehicle fuel from a facility or lot having pumps and underground storage tanks and minor vehicle repair and maintenance activities such as engine tune-ups, oil change and lubrication, brake and muffler repair, tire rotation, glass replacement, and other limited repairs customarily done in service stations, but not including vehicle bodywork or painting, or major engine or transmission repairs.

Logging. The removal of more than three (3) qualifying existing trees, per acre, from a lot, tract, or building site larger than one (1) acre.



Examples:



- (ii) Additional Regulations. Development and redevelopment in the M-DT district shall comply with those Building Form Standards in Section 29-4.2 (M-DT Building Form Standards), and shall also comply with all other standards in this Chapter unless those standards contain an exception for the M-DT district or the type of use, building, or development proposed.

(5) M-BP Business/Industrial Park District.

- (i) Purpose. The purpose of the M-BP district is to accommodate a mix of **light industrial**, institutional, and supporting commercial uses in close proximity through the use of innovative and flexible designs that buffer potential impacts of each use from surrounding uses and adjacent areas, and to promote environmentally sound and efficient use of land without the need for rezoning to a Planned Development district. A wide variety of commercial, research, development, office, **distribution**, **processing**, and institutional uses are permitted, as listed in Table 29-3.1 (Permitted Use Table).

TABLE 29-2-10
M-BP DISTRICT DIMENSIONAL STANDARD SUMMARY

LOT STANDARDS	
Minimum lot area	N/A
Minimum lot width at building line	N/A
BUILDING STANDARDS	
Minimum depth front yard – from arterial and collector streets	25 ft.
Minimum depth front yard – from other streets	15 ft.
Minimum width of side yard – general	0 ft.
Minimum width of side yard – corner lot frontage on arterial or collector street	25 ft.
Minimum width of side yard – corner lot frontage on other streets	20 ft.
Minimum width of side yard – adjacent to residential district	20 ft.
Minimum depth of rear yard – general	0 ft.
Minimum depth of rear yard – adjacent to residential district	20 ft.
Maximum height of primary building	45 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.

- (9) Each use that exists on the Effective Date that is required by this Code to obtain Conditional Use Approval, but that was a Permitted Use (without the need for Conditional Use Approval) prior to the Effective Date is deemed to have a Conditional Use Approval to (a) continue operation in structures and on land areas where the operation was conducted on the Effective Date and (b) to expand operations without the need to obtain a Conditional Use Approval, provided that the expansion complies with all Use-specific Standards and all other applicable standards of this Chapter.
- (10) All uses required by the State of Missouri to have an approval, license, or permit to operate issued by the State or by another public or quasi-public or regulatory agency are required by the City to have that State approval, license, or permit in effect at all times, and failure to do so constitutes a violation of this Code.

29-3.1(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.

29-3.2 Permitted Use Table.

Table 29-3.1: COLUMBIA, MISSOURI, PERMITTED USE TABLE														
P=Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use														
Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in Section 29-3.3
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
RESIDENTIAL USES														
Household Living														
Dwelling, One-family Detached	P	P	P	P	P	P					P			(a)
Dwelling, One-family Attached		P	P		P	P								(b)
Dwelling, Two-family		P	P		P	P								
Dwelling, Live-work			C		P	P	P	P						(c)
Dwelling, Multi-family			P		P	P	P	P						(d)
Manufactured Home Park				P										
Second Primary Dwelling Unit											C			(e)
Group Living														
Boarding House			P		P	P	P	P						
Continuing Care Retirement Community			P		P	P	P	P						(f)
Dormitory/Fraternity/Sorority			P		P	P	P	P						
Group Home, Large			P		P	P	P	P						(g)
Group Home, Small	P	P	P	P	P	P	P	P			P			(g)
Halfway House			C		C	C	C	C						(h)
Residential Care Facility			C		P	P	P	P						
Temporary Shelter			C		C	C	C	C						(i)

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
PUBLIC and INSTITUTIONAL USES														
Adult and Child Care														
Adult Day Care Center		P	P		P	P	P	P	P				Per PD	
Family Day Care Center	A	A/C	P	A	P	P	P	P	P		A			(j)
Community Service														
Assembly or Lodge Hall						C	P	P		P			Per PD Approval	
Cemetery or Mausoleum	C	C	C	C							P			
Community/Recreation Center	P	P	P		P	P	P	P	P	C	P			
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P		(hh)
Elementary/Secondary School	P	P	P	P	P	P	P	P	P	P	P	P		
Funeral Home or Mortuary					C	C	P	C		P				(k)
Higher Education Institution			P		P	P	P	P	P	C				(l)
Hospital					P	P	P	C	P	P				
Museum or Library	C	C	C		P	P	P	P	P	C	P			
Police or Fire Station	P	P	P	P	P	P	P	P	P	C	P			
Public Service Facility	P	P	P	P	P	P	P	P	P	P	P			
Public Park, Playground, or Golf Course	P	P	P	P	P	P	P	P	P		P	P		
Religious Institution	P	P	P	P	P	P	P	P	P	P	P	P		
Reuse of Place of Public Assembly	C	C	C	C										(m)
Utilities and Communications														
Communication Antenna or Tower as a Principal Use	See 29-3.3(n)													(n)
Public Utility Services, Major	C	C	C	C	C	P	P	P	P	P	P	P		
Public Utility Services, Minor	C	C	C	C	P	P	P	P	P	P	P			
Wind Energy Conversion System (WECS) as a Principal Use	See 29-3.3(o)													(o)
COMMERCIAL USES														
Agriculture & Animal-Related														
Agriculture											P		Per PD Approval	
Farmer's Market	T	T	T		T	P	P	T	T	P	P	P		
Greenhouse or Plant Nursery						P				P	P			
Pet Store or Pet Grooming						P	P	P	C	C				
Urban Agriculture			C		P	P	C	C			P			(p)
Veterinary Hospital					C	C	P	P	P	P				(q)
Food & Beverage Service														
Bar or Nightclub						C	P	P		C			Per PD	

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
Restaurant						P	P	P	P	P				(r)
Guest Accommodations														
Bed and Breakfast		C	C		C	P	P	P					Per PD Approval	(s)
Hotel							P	P	P	P				
Travel Trailer Park							C				C			
Office														
Commercial or Trade School					P	P	P	P	P	P			Per PD Approval	(t)
Office					P	P	P	P	P	P				
Research and Development Laboratory					P	P	P	P	P	P				(u)
Wholesale Sales Office or Sample Room							P	P	P	P				
Personal Services														
Personal Services, General					C	P	P	P	P	P			Per PD Approval	(v)
Self-service Storage Facilities							P	C		P				(w)
Tree or Landscaping Service							P		P	P				(oo)

Recreation & Entertainment														
Indoor Recreation or Entertainment						P	P	P	P	P			Per PD Approval	
Indoor Entertainment, Adult							C			C				(x)
Outdoor Recreation or Entertainment							P		C	P	C	C		(y)
Physical Fitness Center						P	P	P	P	P				
Theatre, Drive-In							C			P				
Retail														
Alcoholic Beverage Sale						P	P	P	P	P			Per PD Approval	(z)
Retail, Adult							P	P		P				(x)
Retail, General						P	P	P		P				(aa)
Vehicles & Equipment														
Car Wash						C	P	P	P	P			Per PD Approval	
Heavy Vehicle and Equipment Sales, Rental, and Servicing										P				
Light Vehicle Sales or Rental							P	P	P	P				(bb)
Light Vehicle Service or Repair						C	P	P	P	P				(cc)
Major Vehicle Repair and Service							P		P	P				(cc)
Parking Lot, Commercial							P	P	P	P				
Parking Structure, Commercial							P	P	P	P				
INDUSTRIAL USES														
Commercial Services														

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LAND USE CATEGORY														
Heavy Commercial Services							P	P		P			Per PD Approval	
Mechanical and Construction Contractors							C			P				
Storage and Wholesale Distribution									P	P				(dd)
Manufacturing, Production and Extraction														
Artisan Industry						P	P	P	P	P			Per PD Approval	
Bakery						C	P	P	P	P				
Heavy Industry										C				
Light Industry									C	P				(ee)
Machine Shop							C			P				
Mine or Quarry										C	C			
Transportation														
Airport											C		Per PD Approval	
Bus Barn or Lot							P			P				
Bus Station							P	P		P				
Rail or Truck Freight Terminal									C	P				
Waste & Salvage														
Sanitary Landfill											C		Per PD	
Vehicle Wrecking or Junkyard										C				(ff)
ACCESSORY USES														
Accessory Dwelling Units	C	A	A										Per PD Approval	(gg)
Backyard or Rooftop Garden	A	A	A	A	A	A	A	A	A		A			(hh)
Communication Antenna or Tower as an Accessory Use	See 29-3.3(n)													(n)
Customary Accessory Uses and Related Structures	A	A	A	A	A	A	A	A	A	A	A	A		(ii)
Drive-Up Facility					CA	CA	A	CA	A	A				(jj)
Home Occupation	A	A	A	A	A	A	A	A	A		A			(kk)
Home Occupation with Non-Resident Employees	CA	CA	CA	CA										(ll)
Outdoor Storage in Residential Districts	A	A	A	A										(mm)
Wind Energy Conversion System (WECS) as a Principal Use	See 29-3.3(o)													(o)
TEMPORARY USES														
Temporary Construction Office or Yard	T	T	T	T	T	T	T	T	T	T	T	T	Per PD Approval	
Temporary Parking Lot					T	T	T	T	T	T	T	T		
Temporary Real Estate Sales/Leasing Office	T	T	T	T	T	T	T	T	T		T			(nn)

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LAND USE CATEGORY														
Temporary/Seasonal Sales or Event, Other	T	T	T		T	T	T	T	T	T	T	T		