

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 295-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: 10/19/2015

Re: Chapter 20 amendment - Downzoning fees (Case #16-4)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: PR 195-92

Executive Summary

If approved, this amendment would eliminate the base rezoning application fees associated with the downzoning of any property to the R-1 (one-family dwelling) district. Advertising fees would remain the responsibility of the applicant.

Discussion

With the recent adoption of the City's new comprehensive plan, Columbia Imagined, and the nearing completion of the West Central Neighborhood Area Plan there has been increasing interest in the downzoning of property from higher intensity residential districts to the R-1 district. Such requests often provide an opportunity to preserve neighborhood character which is a goal and objective of Columbia Imagined as well as the neighborhood planning process.

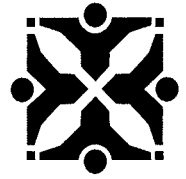
In 1992, the Council passed Policy Resolution 195-92 (PR 195-92) that gave specific guidance on how to handle downzoning requests in the East Campus Neighborhood with anticipation of similar requests in other areas of the City. The policy resolution included specific provisions stating that application and advertising fees could be waived if a "neighborhood group" were to petition Council at two specific times of the year. Since its passage the policy resolution has seen limited use.

Given the conditions under which PR 195-92 can be applied, staff questions its effectiveness in promoting neighborhood revitalization or stabilization. Staff believes permitting property owners the ability to submit downzoning requests free of "base" application charges at any time during the year would be more effective in promoting the revitalization and stabilization objectives of PR 195-92, Columbia Imagined and the neighborhood planning process.

To facilitate such efforts, the existing Schedule of Fees listed in Section 20-24 of the City Code is proposed to be revised. Such revision proposes to provide specific language authorizing the waiver of application fees for requests to downzone property from any zoning district to district R-1. There would be no limitation on when such requests would be permitted - they would be processed like any other standard rezoning request.

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While application fees are proposed to be waived, the advertising fee (which is a separate fee) is proposed to be required. Such requirement that advertising be paid by the applicant is consistent with other application types that are processed through the Planning Commission and Council (i.e. voluntary annexation).

If the proposed revision to Section 20-24 is approved, PR 195-92 is no longer necessary as a new and more clear process for downzoning property will have been established.

Fiscal Impact

Short-Term Impact: None. This change would impact future fee collections on rezoning requests. Long-Term Impact: Limited. In FY 2015 there were no requests to downzone property from higher density residential to lower density residential. Future requests may be limited and collection of fees for advertising will off-set direct costs for the services rendered.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development

Strategic Plan Impact: Operational Excellence...High-Level Service from Engaged Employees

Comprehensive Plan Impact: Land Use & Growth Management, Livable & Sustainable Communities

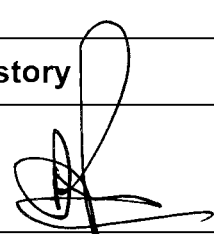
Suggested Council Action

Approval of the amendment to waive fees for downzoning of property from any zoning district to district R-1.

Legislative History

None.


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 295-15

AN ORDINANCE

amending Chapter 20 of the City Code as it relates to the schedule of fees for processing rezoning applications from any district to district R-1; 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 20 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. 20-24. Schedule of fees.

The following processing fees are established:

(1) Preliminary plat \$600.00 + \$10.00 per lot

...

(9) Rezoning from any district ~~A-4~~ to district R-1 No application fee
(advertising fee shall apply)

Rezoning to district H-P No fee

...

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

PASSED this _____ day of _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

PR 195-92

Introduced by W.C. Collum Council Bill No. PR 195-92

A RESOLUTION

establishing the City's policy on Council initiated downzonings of property in residential neighborhoods.

WHEREAS, the City Council has recently received a petition from a number of property owners in the East Campus neighborhood requesting that their property be downzoned; and

WHEREAS, these property owners have requested that the Council initiate a rezoning of their land in order that they might avoid the expense and effort of individual rezonings; and

WHEREAS, the Council recognizes that such downzonings may promote neighborhood revitalization or stabilization and is willing to initiate rezoning of the property in the East Campus neighborhood; and

WHEREAS, the Council recognizes the need of establishing guidelines for similar future requests.

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

SECTION 1. The City Council will consider initiating a downzoning requested by a group of property owners in a residential neighborhood upon receipt of a petition which meets the requirements of this resolution.

SECTION 2. A petition from a neighborhood group requesting downzoning must contain the following information for each parcel of land to be rezoned:

- a) The name and address of each owner of the property,
- b) An accurate legal description of the property to be rezoned and the street number and name of the property,
- c) The current zoning and the requested zoning.

SECTION 3. The petition requesting downzoning must be signed by an owner of each parcel of land to be rezoned.

SECTION 4. The petition must be filed with the City Planning Department in January or December of any year.

SECTION 5. The City shall pay the cost of advertising the notices of public hearings to be held in connection with rezonings initiated by the Council at the request of neighborhood groups complying with the requirements of this resolution.

ADOPTED this 4th day of January, 1993.

ATTEST:

Donald B. Daniel Mary Anne McCollum
City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

Fred Berlin
City Counselor

Permanent Record
Filed in Clerk's Office