

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Integration of Chapters 12A, 23, 24, 25 - are they being changed as well?	29-4.3, 29-4.6, 29-4.10, 29-5	Revision have been made and are footnoted. No substainatial changes to Chap. 12A except for Tree Preservation. No changes to Chap. 23	Y	
Has the UDO been prepared in a "compare" format?	N/A	Footnotes and margin notes used in place of "comparson" document	Y	
Are the tree preservation requirements those prepared by the City Arborist?	29-4.5	Revision from Arborist and Tree Task Force are noted	Y	
Legal lot status - is platting the only option in the future?	29-1.13	Platting is only option. Request submitted to permit recorded "surveyor or plats" prior to Oct. 1, 1964 to be allowed	N	Permitting recorded surveys or plats does not resolve the issue of development occuring across property lines or on part of previously recorded lots. The proposed requirement is consistent with new provisions not permitting construction across propoerty lines and will "contemporize" the platted lot inventory throughout the City.
Protections to not push "by-right" zoning requests to PD?	N/A	The code proposes new standards intended to mitigate potential impacts (i.e. design standards, neighborhood protections, revised landscaping and screening)	N	Providing assurances for not requiring a PD zone is not within the purview of the UDO. Rezoning actions are a political function and as such other forces may be at work which lead to requiring a PD. The UDO attempt to eliminate this need by expanding uses within fewer districts and providing new methods for limiting impacts.

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Will PD requests be handled like they are today?	29-2.2, 29-5.4	PD zones will be possible in all locations except M-DT. Uses permitted will be chosen from the Permitted Use Table. Modifications to the other Development and Form Standards will need to be stated in PD application and SOI. A development plan will be required at the time of application.	N	It appears as though objection exists with the requirement that a PD plan be submitted at time of application. This requirement was created to address what is generally the current practice for successful PD requests and consistent with national trends. Furthermore, such a requirement reduces the potential for speculative request to PD zoning that are not needed given the revised land use mixtures within the new zoning district structure. Property only with unique characteristics or a proposed development pattern unable to be accommodated should be zoned PD under the UDO.
Design Standards - where are they located?	29-4.8	Design Standards and Guideline for all development are located in Section 29-4.8	Y	
Sufficiency of resources test - is it being included in the UDO?	29-5	Providing proof of sufficient infrastructure to support a "known" request (i.e. zoning or subdivision) will be a responsibility of the applicant through coordination with local utility providers. City is working to establish a "base" of infrastructure availability/capacities for which such testing can be compared.	N	This issue is mentioned in the UDO in a generalized manner and is not typically spelled-out specifically within a development code. Analysis of infrastructure availability and capacity is a fluid activity and to create potentially rigid criteria for assessing it may limit effectiveness.
What would be an example of proof that sufficiency of resources existed?	NA	The UDO does not provide examples. This would be determined on a case-by-case basis.	N	The City utilizes the development review process to determine what impacts a proposed development will create on its utility system based on project specific and existing capacity and future expansion plans.
15% open space in the M-DT - is that based on footprint of building or total square footage?	29-4.2, 29-4.5	Open space is based upon the buildable lot area.	Y	
Would sufficiency of resources be applied to all projects or select ones?	29-5	It would apply to all projects requesting to increase the intensity of development (i.e. rezoning, PD, subdivision)	Y	
Would the "scorecard" for sufficiency of resources be incorporated into the UDO or would the UDO language replace it?	29-5	The "scorecard" would likely be a part of the evaluation matrix for determining sufficiency of services. The UDO's general language would not be superseded. It is advisory in nature. The "scorecard" would be a tangible element of assessing sufficiency and provide a objective way of stating if there were or were not adequate resources available.	Y	

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Description of differences between new UDO standards and actual development in R-MF during code test on Circus	NA	Provided during the presentation of code testing	Y	
What design standards exist for building articulation and 4-sided architecture?	29-4.8	Section 29-4.8 provides design standards for all development that is not 1 or 2 family residential.	Y	
Neighborhood protection - Is it possible to have R-MF next to R-MF and one parcel's ability to build-out restricted?	29-4.9	Yes. Depending on when an application to construct a structure is submitted and when an application to possibly rezone a vacant R-MF lot to a R-1 or R-2. To effectively block the full build-out the rezoning request would need to be approved by Council.	N	The timing of an application to construct and to rezone is not fully defined within the UDO. Construction plans may be submitted and delayed while a rezoning action may not encounter the same issues. Additional provisions may need to be added to address this scenario.
Two lots adjacent to each other and one is R-MF and the other is a different zone and vacant - do the Neighborhood Protection Standards apply?	29-4.9	Height restrictions would apply and there would be landscaping and screening as defined in 29-4.5.	N	Height restrictions may need to be clarified so they only apply to development adjacent to 1 and 2 family use or R-1 or R-2 lots. It appears as though the standard as written applies at all types of development on lots other than R-1 or R-2 abutting R-1 or R-2 .
When Neighborhood Protection Standards are required does it matter if the adjacent property owner to the pending development objects or doesn't object to the standards?	29-4.9	No. The UDO does not contemplate creating this exception	N	No change is recommended. Creating waivers based upon ownership at time of construction is no guarantee that ownership will remain the same throughout the life of the development.
Will a "fake" door be permitted in the M-DT to meet the requirements?	29-4.2	At least one functioning entry door shall be provided along each Ground Story Façade. No Ground Story Façade may include a section of greater than seventy-five (75) feet without a functioning entry door	N	The standard has been created to activate the street frontage. The requirement does not apply to side or rear elevations without street frontage. If a non-functioning door is to be proposed along a street front it would need to be approved in accordance to the variance procedures of Section 29-5
What constitutes a second story versus a "fake" second story?				
Revision to the Regulating Plan - will the revision recommended in Clarion Memo be made?	29-4.2	Yes. The map plan is currently being work on.	Y	
Will the UDO regulations facilitate redevelopment of historic buildings and metal warehouses easier or create obstacles?				

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Is the M-DT boundary line currently the CID boundary?	29-4.2	No. The boundary is slightly larger. It includes more propoerty to the north and west of Providence Road	Y	
What is the process for amending the M-DT boundary?	29-4.2, 29-5	Amendments to the boundary of the M-DT are processed like any other rezoning request.	Y	
How is solid waste collection in the M-DT being addressed?	29-4.2	There is no specific provision in the M-DT that deals with trash collection. Alleys are to be used for services.	N	The City evaluates trash collection on a building by building basis. The lack of standards for trash collection on a individual site basis may require additional consideration and new regulatory language. Consultation with the Solid Waste Division is necessary.
Can the designations of the M-DT regulating plan be changed to reflect existing conditions (i.e. commercial on Hitt between Broadway and Cherry)?	29-4.2, 29-5	Athis time the boundaries and frontage designations are still modifiable. Staff will review the existing conditions to determine if changes are warranted. Modification of frontage types after adoption will follow a typical rezoning public hearing process.	Y	
How are existing PD's going to be handled?	29-1.11(f)	Existing PD will be identified on the zoning map by ordinance number and governed by those existing provisions. No changes are proposed to be made to existing PD zoned property.	Y	
Will there be opportunity to have PDs changed to a conventional zoning district?	29-5	An application can be filed to change a "legacy" PD to a new UDO PD or a different conventional zone through the standard rezoning process.	Y	
If two similarly sized R-MF parcels are vacant and one property owner desires to downzone to R-1 after the other submits building plans is the owner of the parcel seeking to "fully" develop his site just out of luck? How will the owner of the parcel to be developed be affected?	29-4.9, 29-5	Compliance with neighborhood protection standards and landscaping/screening apply at the time of building permitting. A change in adjacent property zoning is not effective until approved by Council. If appciations are submitted simultaneously an administrative review would be required to determine which application was submitted first to determine priority. If rezoning is approved prior to building permitting being completed, the new construction would be required to comply with regulations based on adjacent zoning which may reduce maximum build-out.	N	The potential for such a scenario is not addressed within the UDO. It may be necessary to provide clarification on what type of procedure would be utilized to determine "priority" of applications.

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Consider eliminating zero-lot line housing to protect neighborhood character	29-3.2, 29-3.3(b), 29-5.4(b)(2)	Attached single-family dwellings are permitted in R-2 and R-MF districts only subject to "use-specific" standards that regulate the maximum number of attached units on a single lot. Building over a property lines without re-platting will no longer be permitted under the UDO.	N	The UDO does not directly address the concern expressed; however, restricts endless "attached" dwellings on a single lot. The UDO would permit multiple adjacent lots to be developed with attached dwellings; however, would require separation between each building group and would require compliance with all other regulatory standards. Elimination of the opportunity to construct "attached" dwellings is not recommended. UC-O districts can be modified to further restrict this use's perceived impacts.
Small lot redevelopment along the Business Loop 70 in the MC district	29-4.1(a), 29-5.5	There are no minimum lot area standards associated with MC development. Redevelopment subject to compliance with UDO standards. The variance procedure can be employed to seek relief from provisions that restrict development. Non-conforming standards (29-5.5) provide options for reuse or expansion within non-conforming building of existing buildings.	N	Additional consideration may need to be given to if sufficient relief exists for buildings along the Bus. Loop. A better approach to dealing with the unique characteristics for this corridor may be to work with the Loop CID on a "corridor plan" that tailors standards specific to their location.
Setback, landscaping, parking modifications for small lot development/redevelopment	29-4.4(a)(2), 29-4.4(d), 29-5.4 (d)	The UDO already exempts parking requirements on lots and for buildings less than 10,000 sq.ft. For lots or buildings over this threshold, off-site parking options are permitted. Landscaping/screening waivers would require variance approval.	N	No change is believed necessary. Proposed UDO provisions afford affected parties with adequate methods for appeal and relief.
Limits on when relief would apply - not applicable to lot combinations?	NA	The UDO does include provisions that state compliance with the parking requirements is to be obtained on lots over 10,000 sq.ft. The UDO already expects lots to comply with all other dimensional requirements.	Y	
HP designation process - revise petition standard to include a minimum # of lots along with % criteria	29-2.3(c)	No changes to the current procedures is proposed. A public hearing before the Commission and Council is required prior to adoption of a district. Such procedure permits public engagement for those opposed to inclusion in a district.	N	The HPC has indicated that it desires to have opportunity to propose revisions to the designation process. Recommended revision will be forwarded to them for consideration.
Historic District boundaries - standards for establishment?	29-2.3(5)(v)	No change from current standards.	Y	Staff will provide link to the US Dept. of Interior bulletin

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Land use changes - will property owners be notified?		Specific property owner notification will be provided to lands within the M-DT district. General notification through the Tribune and press releases will be used for all other areas.	N	Notification will be conducted in accordance with direction given by the Law Department. A final zoning map will be made available prior to the Planning Commission's public hearing. Section 29-1.11(g) specifies procedures to follow if a change in status of a land use occurs. This section however does not address if the use becomes non-conforming.
Setback impacts on small lots and limits to redevelopment	29-4.1(a), 29-5.5	There are no minimum lot area standards associated with MC development. Redevelopment subject to compliance with UDO standards. The variance procedure can be employed to seek relief from provisions that restrict development. Non-conforming standards (29-5.5) provide options for reuse or expansion within non-conforming building of existing buildings.	N	Additional consideration may need to be given to if sufficient relief exists for buildings along the Bus. Loop. A better approach to dealing with the unique characteristics for this corridor may be to work with the Loop CID on a "corridor plan" that tailors standards specific to their location.
Shared parking options, exemptions, or relief?	29-4.4(a)(2), 29-4.4(d), 29-5.4 (d)	The UDO already exempts parking requirements on lots and for buildings less than 10,000 sq.ft. For lots or buildings over this threshold, off-site parking options are permitted. Landscaping/screening waivers would require variance approval.	N	No change is believed necessary. Proposed UDO provisions afford affected parties with adequate methods for appeal and relief.
Shared parking not allowed in M-C	29-4.4(d)	UDO includes several options for parking reductions and sharing of parking.	Y	No change is recommended. Connectivity is of paramount concern. Alternatives to standard sidewalk placement may need to be considered.
Sidewalk requirements along Business Loop	29-4.3(d)	Sidewalks are required for any lot located along the Bus. Loop as part of receiving a building permit unless a sidewalk waiver is approved.	N	No change is recommended. Connectivity is of paramount concern. Alternatives to standard sidewalk placement may need to be considered.
Definition of "Four-sided" architecture - may need to be "multi-sided" and clarify "visible" criteria	29-1.13, 29-3.3(d)	Undefined term. Issue of defining visible will need to be reviewed.	N	Changing "four-sided" to "multi-sided" is not believed necessary. The use-specific standard makes reference to "all sides" which seems straight-forward. A definition and clarification of the "visible" criteria is necessary.
Definition of "story"	29-1.13	UDO include a defintion of "story" which is directly from International Building Code (IBC). To count as a story the following must be present: "the useable floor area of any vertical level within a building must consist of at least fifty-one (51) percent of a building's ground footprint".	Y	Changing "four-sided" to "multi-sided" is not believed necessary. The use-specific standard makes reference to "all sides" which seems straight-forward. A definition and clarification of the "visible" criteria is necessary.

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UDO purpose statement and its guidance appears misplaced.	29-1.2	The purpose statement is broad and inclusive. The reference to implementing Columbia Imagined's vision and recommendations provides a document to which decision-makers may obtain guidance on community values that were captured within the Plan or during its updates as they be relevant to specific proposals. Columbia Imagined is a guidance document - not regulatory. The UDO is the regulatory document that is intended to effectuate the vision and recommendations contained within Columbia Imagined. Decision-makers may choose to abide by or discount the contents of Columbia Imagined in rendering land use and development decisions.	Y	No change is seen as necessary. The inclusion of reference to Columbia Imagined (the City's general plan) is not uncommon and provides guidance on community values to decision-makers when rendering decision on land use and development matters.
Funeral home standards and its "fully-enclosed" provisions - prevents carports/canopied entries	29-3.3(k)	Item (1) will be clarified to permit canopies or port cohere as a permissible outside entry for moving the deceased from inside a funeral home to an awaiting herst.	Y	
Permitted use table use changes from allowed to conditional or not permitted at all	29-1.11	Often uses that were previously listed separately have been collapsed in a newly defined term. Footnotes within the document indicate where such actions have been taken. The expanded definitions section provides for cross-reference to what the new single-term is to include. Director has authority to make interpretation on "use-similarity" if the use is not identified or defined. Removal of uses from one district or changes from "permitted" to "conditional" were made to ensure integrity of the zoning district and to ensure that incompatibilities where minimized.	N	It is possible that addition of uses removed in certain zoning districts (i.e. M-1 to IG) will need to be added back to limit the immediate creation of non-conformities upon adoption of the UDO and zoning map. However, such action is not essential as the non-conformities provisions of the UDO will permit the continued operation of those businesses and well as permit limited expansion. If such removed uses are reintroduced, a secondary more comprehensive parcel-by-parcel rezoning process to apply the correct designation (based upon existing use) and zoning district amendment process will need to be undertaken to ensure the intent of the UDO as drafted is achieved.
How will industrial property in downtown be addressed? Possibly C-2?	29-1.4, 29-4.2	Industrial property will be recoded to M-DT and subject to the district's "General Provisions" and the specific street-type "Building Form Standards" that are shown on the district's "Regulating Plan". No industrial designations or C-2 will be carried forward. Several Industrial uses are permitted within the M-DT as shown in the Permitted Use Table. The use termed "Heavy Commercial Services" captures many of the historical industrial uses that currently operate in what will be governed by the M-DT standards.	N	Added clarification required to address the issue of compliance with expansions and potential renovations of existing non-conforming structures in relationship to M-DT frontage requirements (facades, open space, etc).

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Yard definition may be to restrictive - may not permit trees	29-1.13	Required yard areas are capable of being improved with landscaping. The definition states that a "yard" area may be obstructed when specifically permitted by the code.	Y	
Can we have an "official zoning map" at the hearing	29-1.4	The Official Zoning Map will be produced prior to the final public hearing before the PZC	Y	
How can I get a printed version that is relevant throughout all hearings?	N/A	A printed version of the UDO revisions is available at the Public Library. In efforts to save resources, no individual printed copies of the UDO are being produced. The UDO can be obtained from the City's website and printed.	N	Consideration of charging a fee for printing may be appropriate; however, given the document is not being discussed in chronological order such production may not be of significant value
Diagram on page 10 showing block comers has a symbol "A" in middle of lowest street which appears should be a symbol "B" at mid-block	29-1.13	Will be corrected as part of final UDO editing prior to production of Public Hearing Draft	Y	
Why is a "certificate of appropriateness" (page 12) needed, as issued by Historic Preservation Commission (HPC) for a structure within a historic district, if such property is not considered a "landmark" property?	29-1.13, 29-2.3(c)	These provisions are what currently exist - no change is made or proposed. Interior alteration or construction of non-landmark properties within a historic district is not required to obtain a certificate - only exterior work. The requirement that such certificate be issued for non-landmark structures undertaking exterior work is to ensure the integrity of the district is maintained in compliance with provisions contained in the HP-O designation. Applicants may appeal an HPC denial of such certificate to the BOA. Applicant's may also submit application for a Certificate of Economic Hardship to relieving them of compliance with the provision of the HP-O standards. Denials of such certificates may also be appealed to the BOA.	Y	No alternative language is proposed. Modification of such provisions should be addressed directly by the Historic Preservation Commission and presented to the Planning Commission to consider as part of more comprehensive amendments.
Why are "civic buildings" (page 12) not subject to the building form standards prescriptions of M-DT? This may exempt a substantial amount of downtown structures.	29-1.13, 29-4.2	Civic structures such as churches and Government building are generally built with public involvement. The removal or alteration of such facilities would generally require similar action.	N	It is possible that this exemption may need to be reconsidered to apply only to church sanctuaries - not annex buildings. Further clarification of the exemption may be achieved by specifying "Public, governmental buildings" are exempt. The revised "Civic Buildings" definition attempts to address this concern.

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Does a "historic district" require that at least one property within such "historic district" have the designation of "landmark"? (page 27). Is there a minimum land area for historic district? Shouldn't the threshold be higher than 60%, or two out of three properties, to create a historic district.	29-2.3(c), Clarion response	By definition it should. Most historic preservation ordinances do not include a minimum size requirement, and many valuable historic districts are relatively small (less than a city block). The 60% threshold for establishment is the existing regulations. Existing HP-O's currently are comprised of a single property. As a practical matter, "hostile" designations of individual properties generally become apparent during the designation process and many Preservation Commissions are reluctant to designate districts in those circumstances.	N	if the City wants to reduce the risk of "hostile" designations of small areas to prevent redevelopment of individual properties, it could include a relatively small minimum size requirement (e.g. 1 acre), or a requirement that designations below that size require a 90% or 100% vote of the included property owners.
Can the historic preservation commission nominate or recognize a "most notable property" without a property owner's permission? Are properties designed as "most notable property" subject to certificate of appropriateness. We suggest that this should require property owner consent to become designated as "most notable property".	29-2.3(c)	Practically speaking nomination of most notable properties for local recognition are not pursued without property owner support. The HPC can nominate, for ordinance adoption, a most notable property without an owner's support; however, final designation requires a recommendation of the Planning Commission and Council prior to approval. A most notable property outside an HP-O is not required to obtain a Certificate of Appropriateness; however, if within an HP-O and being altered exteriorly it would require a Certificate of Appropriateness.	N	No alternative language is proposed. Modification of such provisions should be addressed directly by the Historic Preservation Commission and presented to the Planning Commission to consider as part of more comprehensive amendments.
Under the term light vehicle sales and rental, should there be a definition for "short term use" (page 30). Define what is meant by short term use, i.e. less than 31 days?	29-1.13, 29-3.2(Table 29-3.1)	A definition will need to be developed	N	A definition is required to clarify what "short-term" is intended in this context.
Page 31: Listed use "vehicle service and repairs" specifically does not include vehicle body work or painting or major engine repair. Why? Where are these uses specifically defined? For instance, they do not appear under the definition shown on page 26 Heavy Vehicle and Equipment Sales, Rentals and Servicing.	29-1.13, 29-3.2(Table 29-3.1)	The activities identified are not currently called-out in Chapter 29 specifically (closest is automobile repair facility - in C-2 and M-1). The proposed definition and use-specific standard (cc) requires enclosure of repair operations. It has been past practice that auto-body repair is an allowed use in C-3 (to become M-C) via permission in C-2. This interpretation would likely carry forward.	N	Added clarification may be necessary to ensure prior interpretation is applied into the future. Permitting such facilities in the M-N district is not advised and may be able to be addressed within the "use-specific" standards.

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Doesn't the definition of "logging" seem light? Really, "logging" is considered the removal of more than 3 existing trees for commercial purposes on any tract of land larger than 1 acre? Almost any site will be candidate for "logging" under this definition. This seems rather light and classifies almost any site preparer as a "logging" operation.	29-1.13, 29-4.6(c)	The definition of "logging" indicates for commercial purposes. Most residential lots are less than 1 acre in size would not be impacted. The definition is written is to ensure preservation of trees stands on larger tracts of land through the preparation of a "logging" or "tree preservation" plan reviewed by the City Arborist.	N	No change is proposed. Added clarity may appropriate within the definition to address issues 1 acre or greater residential development lots that are undertaking tree removal for the purposes of timber management.
Under the definition Mechanical and Construction contractors a portion of second sentence seems to add confusion "This use does not include establishments where the primary activity is retail sale of goods to general public," ... What is the rationale for this first part of the sentence shown in quotation here. Page 33	29-1.13	The idea is that such sales are not be similar to those in a general retail environments (i.e. Lowes, Home Depot) that may carry similar products, but are more geared toward contractors or trades persons involved in the allied professions. An examples of this limitation is Fergeson and Ribak Supply. Both businesses have retail activies, but such retail is limited to contractors not the general public.	Y	No change is proposed.
Under definition of office can we add "construction contractors management offices" or "construction company administrative offices" to eliminate confusion that these are a defined permitted use in M-OF, as they are now permitted in O-1.	29-1.13, 29-3.2(Table 29-3.1)	Staff will take recommendation under advisement	N	Staff will review possible conflicts that may be created. Use-specific standard may be needed to address outside stroage of vehicles or equipment at such office locations.
Page 35- Parking Lot, Commercial in MD-T. These are shown on Regulating Plan- can parking lot be allowed elsewhere in MD-T or limited to shown areas on the Regulating Plan?? Are private parking lots for commercial purpose (i.e. built to rent) permitted in district M-DT???	29-3.2(Table 29-3.1), 29-4.2(d)(6)	Private parking lots are permitted in the M-DT provided they are located behind the parking setback line and comply with the Building Form Standards of each Street Frontage-type. Openings along the RBL for surface parking lots are prohibited access to them is to be from an alley- only permitted openings along RBL is for a parking garage integrated with new construction. No prohibition on private parking lots being leased for commercial purposes. Existing surface lots will be legal non-conformities.	Y	The issue of access to a parking lot behind the parking setback line may need to be developed for situations where alley access does not exist. This issue could also be addressed through a BOA variance process; however, may also required a formal "Regulating Plan" amendment.
Describe procedure for detennining appropriate zoning for any specific business use that is not specifically described in this document?	29-3.1(h)	The Director has the authority to interpret whether a proposed land use is included within a listed land use shown in the Permitted Use Table in Section 29-3.2 based on its scale, character, traffic impacts, storm drainage impacts, utility demands, and potential impacts on surrounding properties	Y	

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Page 42- definition suggest "shared parking" to have its own paragraph- edit	29-1.13, 29-4.4(d)	Editing error. Shared Parking is in its own paragraph	Y	
Page 56- please show "official zoning map"- where can I find it now posted electronically -is it really on web-site as now proposed or is that map a previous version.	29-1.4	Official Zoning Map that shows UDO districts has not been produced at this time. The current Official Zoning Map is available on-line at <a href="https://gis.gocolumbiamo.com/CityView/">https://gis.gocolumbiamo.com/CityView/</a> . This location will be updated to reflect new zoning district designation following adoption of the UDO. Additionally, the M-DT "Regulation Plan" will be shown on the City's website.	Y	
Page 56- Why is zoning district I-G industrial called out as a "special purpose" district? What makes it "special"? Aren't industrial districts normal in the new code proposal?	29-2.2(c)	The choice to place the IG district under the "special purpose" section of the code was a consultant choice in code drafting.	Y	No change is proposed; however, if directed the district can be listed along with the more "conventional" classification. Such change would not affect the standards applicable to uses within the district or the process to establish such a district on the zoning map.
Page 68 under Purpose title (line 8 & 9) reads "without the need for re-zoning to a Planned Development district" -suggest adding this language to all other commercial and industrial districts, since a stated goal ofUDC is to minimize future use of all Planned Districts.	29-2.2(b)	Staff will take recommendation under advisement	N	Staff will review recommendation for possible conflicts with other provisions of the UDO. The choice of using a single setback standard was to "simplify" the review and permitting process; however, differentiating setbacks in such situations appears reasonable.
Page 68- rear yard setback does not distinguish between an abutting a commercial use or an abutting residential use and we suggest 25' is not necessary if abutting an office or commercial property use. Current code allows this distance to be reduced in circumstance of abutting commercial uses or like zoning.	29.2.2(b)(Table 29-2.6)	Staff will take recommendation under advisement	N	
Page 68- suggest that "M-OF district dimensional summary-should be compared to current O-1 district. This side by side comparison was done for the other districts, such as MC/C-3 and M-N/C-1, but not for this district M-OF district. Why?	29.2.2(b)(Table 29-2.6)	The column labeled "current" in the M-N and M-C districts is to represent what the standard setback would be. The other column is for the alternative standards. Neither column represents the current Chapter 29 standard. The M-OF district only shows the standards proposed per the UDO.	Y	

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<p>Page 71: How does M-N "Pedestrian" standard get tracked (inventoried) by Community Development Dept. -will a symbol "PED" be used on zoning map for instance?</p>	29-1.4, 29-5.4(l)	<p>The Official Zoning Map will have an identifier on it. It is also possible that the designation would include the BOA Case # that approved the alternative "Ped" standards.</p>	Y	
<p>Page 74: seems that parking should not be reduced at arterial-arterial or arterial-collector. I know it states because of public transit is likely-but it also seems likely those intersections will attract the most personal auto traffic and therefore require parking. Also car parks may be necessary to pick-up travelers from a bus stop. Why allow parking to be reduced by 30% in high auto traffic areas? Seems counterintuitive.</p>	29-2.2 (b)(Other standards); 29-4.4	<p>The idea of permitting a parking reduction for commercial development along transit corridors is based on the belief that patrons of such businesses will not have to drive - they will use public transit. The 70% parking provided may, in many instances, be more than is required at any given time. To required that 100% be provided if the alternative standard is use reduces an incentive to increase public transit ridership and redevelopment of the corridor sites in a more walkable pattern.</p>	N	<p>No change is recommended. 29-5.4(l) indicates that the alternative "Transit" and "Pedestrian" standards and their corresponding parking reductions cannot create additional traffic congestion or risks to public health and safety in the surrounding area.</p>
<p>Page 77- multifamily and some commercial removed from MB-P. How will owners be notified that some uses now allowed under current zoning will be removed from their land under the new code that previously allowed such uses?</p>	29-3.2 (Table 29-3.1)	<p>M-BP is the replacement to the M-R zoning district. Staff will identify such lands and provide individual notification of the classification change, if necessary.</p>	N	<p>The M-R district requires a development plan depicting the uses. If the site is not currently governed by a development plan that has an approved pattern of development, it is staff opinion, that no land use rights have been removed as a result of the UDO changes. The comprehensive process of adopting the new UDO with its revised land uses is no different than if Council sought to make a code change under existing Chapter 29. Affected property owners will be able to express their concerns during the public hearing process.</p>
<p>Page 78- is screening required if two lots of similar zoning are adjacent or abutting. This under "a" would appear to be so. Does not seem to be needed. Under "b" are the stacking equipment or display equipment allowed to exceed 12' high in BM-P? i.e. can operating equipment exceed a fence or screen height?</p>	29-2.2 (M-BP "other standards" ) , 29-4.5(e)	<p>Screening is only required if the M-BP district abuts "residentially" zoned land. Equipment used to stack stored or stacked materials can exceed the height of the screening. The screening has to block the view of the stacked or stored materials only.</p>	Y	<p>While the provisions adequately address the current issue/question it does not address the potential impact that equipment greater than the screening would create on an adjoining lot.</p>

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
<p>Page 101 paragraph (i) second sentence reads "A petition to designate a historic district may be made only by the owners of at least 60 percent of the Boone County tax map parcels in the proposed historic district." There is no defined size of a historic district, and no defined number of owners. Being in a "historic district" could now or later subscribe a property owner to restrictive property rights or design criteria which he did not seek thru his or her own action.</p>	29-3.3(c), Clarion response	<p>As a practical matter, "hostile" designations of individual properties generally become apparent during the designation process and many Preservation Commissions are reluctant to designate districts in those circumstances.</p>	N	<p>To reduce the risk of "hostile" designations of small areas to prevent redevelopment of individual properties, the standards could include a relatively small minimum size requirement (e.g. 1 acre), or a requirement that designations below that size require a 90% or 100% vote of the included property owners. The current process to designate individual landmark properties is being retained.</p>
<p>on page 100 section (vii), the Historic Preservation Commission seems to be granted the power to nominate: "notable properties", "landmarks" and "historic districts". This status should only be allowed by property owner written request or acknowledgement, not conferred by a committee that has no stake in the property ownership.</p>	29-3.3(c)	<p>Final designation of a property or a district that would impose regulatory standards requires a public hearing before the Planning Commission and Council. As a practical matter, the HPC does not pursue such actions without coordinating with a property owner. The recognition of a "Most Notable Property" for non-regulatory purposes is part of the HPC's efforts to increase historic preservation awareness.</p>	N	<p>No change is proposed. Current process provides avenue for aggrieved property owners to appear at a public hearing.</p>
<p>Page 102, (5) Landmark and Historic District Designation Procedures paragraph (iii) requires minimum of 60 day written notice and certified mail to affected property owners to create a Historic Preservation overlay (HPO) district. This is good. However if an individual property owner does not want to have his/her property placed in such district, then what remedy does the individual property owner have?</p>	29-3.3(c)	<p>To establish such a district requires public hearings before the Planning Commission and Council. Aggrieved property owners can voice concerns for inclusion at those hearings. From a practical perspective the Commission and Council would likely not approve such a district without the aggrieved property owner being excluded. If such action were to render the district or designation non-functional it is likely that the district or designation would be dropped. There is no formal procedure for petitioning to Opt-Out of an HP-O - such action has been generally a property owner initiated process.</p>	N	<p>The response to the left explains why the HP-O's in place within the City are single-property owner parcels.</p>
<p>Page 103 paragraph (v): Reference is made to National Register of Historic Places when setting boundaries. Comment: request that criteria used by National Register of Historic Places be made available in the UDC document as an exhibit someplace.</p>	29-3.3(c)	<p>This information will be provided as an exhibit in the final document</p>	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
<p>Page 103-104: There are only (4) listed properties under "Designated Historic Districts and Landmarks". Is this list comprehensive and complete? If so fine. If there are others, then they should be noted right now in this document. If there are any "designated historic districts" as opposed to these listed "landmarks" only, then those historic districts should be noted right now in this document. This will curtail future discussion about whether a property or area holds historic significance or not.</p>	29-3.3(c)	<p>These are the only four Landmark structures and HP-O districts that have been recognized by the ordinance within the City of Columbia at this time. If additional Landmarks or HP-O districts are created the UDO would be amended to include the location information for them.</p>	Y	
<p>Page 104 paragraph 9 (ii): Comment: suggest changing the shown 40 days to 30 days or for "certificate of appropriateness" being granted thru inaction of Historic Preservation Commission.</p>	29-3.3(c)	<p>This provision is a carry-forward from the existing regulations.</p>	N	<p>While the recommended change would match current demolition permit review time limits, the needs for advertising hearings and other factors may play into this language. No alternative language is proposed. Modification of such provisions should be addressed directly by the Historic Preservation Commission and presented to the Planning Commission to consider as part of more comprehensive amendments.</p>
<p>Page 106 paragraph 11 section (iii): Language here obligates a "realtor" in addition to a property owner to advise of a property being within a HP-O district. Comment: this should be limited to property owner, not also involve "realtor". Also the term Realtor should be changed to an authorized or designated agent of owner (which is not necessarily a "realtor"). For instance an authorized or designated agent would have the authority to execute documents for a property owner that a "Realtor" would not.</p>	29-3.3(c), Clarion response	<p>This is a carryover from the current Code. The requested change is not objectionable, but believe the City Counselor's Office should make the decision based on its interpretation of Missouri law. The word "realtor" will be replaced by "real estate agent" since the former is a registered trademark.</p>	N	<p>Will evaluate the impact based on Missouri Law.</p>

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Page 108 paragraph 15 review: Certain time limits are described for historic districts of 10 year and 5 year minimums. Comment: Please offer rational for these time periods, does there need to be any defined time limit?	29-3.3 (c)	The dates provide opportunity to review if the non-landmark designated buildings should be considered for landmark status or if landmark buildings should be removed from the district which may or may not result in the district no longer meeting the code requirements. Additionally, the dates permit review of the district or its surrounding area to determine if it has undergone changes that may warrant a boundary adjustment. This provision was likely part of the model enabling legislation for historic preservation ordinances and was added to the City's when it was created.	Y	No changes are proposed. The dates provide opportunity to have landmark status reviewed and district boundaries adjusted.
Page 121: One family and two family uses are no long permitted in M-C (formerly C-3) districts. Will this impact a project like Patriot Place on Business Loop 70 E? Or is this considered another use as defined on page 122?	29-3.2 (Table 29-3.1), 29-3.3	No. The Patriot Place project is considered multi-family development which is permitted with the M-C district. Additional use-specific standards would have been applied to the development if the UDO were in place at the time of its permitting.	Y	It is possible that this use could be considered in M-BP; however, to maintain the integrity of the district as an "Office Park" it may be better to consider this use in the M-C (provided there is not outside storage of debris) and the IG without limitation. Placement in M-C would acknowledge the "office/dispatch" functions of such uses but restrict the more intense aspects such as material storage to the IG district.
Page 126: Tree or landscaping service requires I-G zoning as shown. Comment: suggest allowing it in M-BP as well, even if as a "conditional use"	29-3.2 (Table 29-3.1)	Staff will review recommended change. Concern is that such operations require significant storage as well as generate significant noise if "grinding" operations are part of the facility. The M-BP is intended to be an "Office Park" setting.	N	It is possible that this use could be considered in M-BP; however, to maintain the integrity of the district as an "Office Park" it may be better to consider this use in the M-C (provided there is not outside storage of debris) and the IG without limitation. Placement in M-C would acknowledge the "office/dispatch" functions of such uses but restrict the more intense aspects such as material storage to the IG district.
Page 126: Light vehicle sales, service, rentals are not permitted in M-BT. Comment: We suggest they be allowed or at least as "conditional" use. Car washes are a permitted use; truck terminal is permitted use.	29-1.13, 29-3.2 (Table 29-3.1)	Staff will review recommended change.	N	Requested inclusion appears reasonable.
Page 128: Footnote 449 the word "plumbing" is misspelled. Add letter "b". This is a spelling comment only.	29-3.2 (Footnote 449)	Corrected	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Page 137: Family day care center paragraph E reads "no advertising sign or identification sign shall be placed on the premises" ... why? Seems a sign would be helpful to those trying to locate such a facility.	29-4.3(j)	This standard applies to non-commercial day cares that are generally operated out of an existing home as a "home occupation". The idea is to not draw significant attention to the use.	N	It is possible that this standard may be relaxed to permit similar signage to any other "home occupation" provided such sign is attached to the principal structure. No freestanding signage would be allowed. A family day care operated in the R-MF district is not held to the same occupancy or signage limitations - these locations are permitted to have "commercially" operated day care centers. Signage for R-MF daycares are governed by the Sign Code.
Page 161: Temporary Real Estate Sales/Leasing Office: description ends with word "board". Suggest that be expanded to read "Board of Adjustment" (if that is what is meant by term "board").	29-3.3(oo)	Corrected. Board of Adjustment was added	Y	
Is 300 feet the minimum and 750 feet the maximum on cul-de-sacs?	29-4.3(c)	300-feet is the general maximum for development; however, if site specific features required longer culdesacs they would be permitted upto 750 feet without a design modification, but would need to be justified by evidence. Over 750-feet requires a design modification approved by the Planning Commission and then by Council.	Y	
In situations that give the director authority to make decisions, is there an appeal process for those decisions?	29-4.4, 29-4.9, 29-5	Yes. The appeal process for zoning matters is the Board of Adjustment, development matters is the Planning Commission and City Council.	Y	
First floor transparency is a minimum of 20% (could be more) when it is office, food, or retail - is every level above that required to have 20%?	29-4.2(d)(2), 29-4.8(c)(2)	No. The 20% is considered the aggregate total of the entire façade	Y	
Is the 20% transparency the aggregate of the total floors?	29-4.2(d)(2), 29-4.8(c)(2)	The 20% is in the aggregate for the total façade even though the MD-T standards only reference the Ground Story. One-half of the transparency needs to be located 4 feet about grade.	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Loading and delivery areas that are located in the rear of a building - how will car dealerships be handled?	29-4.8(c)	Practically speaking car dealerships use the public right of way. Loading and delivery areas for other uses will need to be accommodated to the rear of structures. The UDO does not address alternatives and is silent on the issue of roll-up doors on the fronts of buildings that are used for business patrons (i.e. auto repair facility bay doors, package pick-up for lumber stores, etc).	N	Given the concerns expressed about potentially increasing conflicts and greater impervious surface creation with rear only facilities, options to consider a loading dock need to be explored.
Will maximum light pole height be 25 feet in any type of zoning?	29-4.7, 29-4.9	This is maximum light pole height. A 3-foot base is permitted; therefore, total light pole height will be 28-feet. This is the same as the current 2006 lighting ordinance provisions.	Y	
Outer parameter light poles would restricted to a 20 foot height?	29-4.7, 29-4.9	Yes, only within 50-feet of a side or rear lot line on R-MF lots not containing a single-family or two-family dwelling and all other lots in any zoning district that is not R-1 or R-2 sharing a side or rear lot line with an R-1 or R-2 district.	Y	
Restrictions on what can be placed in sideyard areas between dissimilar uses (i.e. parking lots, mechanical equipment, etc)	29-4.1(c), 29-4.9(e)	The UDO restricts buildings; however, has exceptions that will allow encroachments. There is no provision that addresses mechanical equipment location.	N	Provision may need to be created that will restrict certain features within side yards between higher (R-MF and greater) and R-1 or R-2 zoning districts or single-family or two-family dwellings.
Four-sided building designs to be neighborhood friendly on all four sides	29-3.3 (d), 29-4.8 (c)	The UDO includes use-specific standards for multi-family buildings and design standards for all other types of buildings (except industrial) outside the M-DT. These provisions require building wall articulation, variation in roof shapes, differentiation of entries, and transparency. Limits on the length of a building facade that may go untreated are specified. The provisions for multi-family make reference to "four-sided" design being a requirement when a structure is visible from public or private streets - there is no reference to visibility from alleys. The "four-sided" design further is not reference in the design standards for all other building types.	N	While the provisions in the UDO advance the concept of creating better looking buildings modifications are needed to clarify under what circumstances all sides of a building are to be treated. Additionally, consistency between multi-family requirements and those applicable to other uses is necessary.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Sidewalk master plan and how money gets put aside to pay for the sidewalks on arterials and collectors	29-4.3(d)	A sidewalk master plan exists and is being added to the City's GIS layers to assist in capital project budgeting and potential CDBG grant applications. Development of policies to assist in obtaining revenues to construct sidewalks in select locations will need to be further investigated. Both issues raised outside the scope of the UDO.	N	Updating of the existing sidewalk master plan, refining the sidewalk variance process, and developing polices for revenue generation to assist in building sidewalks are on-goning activities. The current "Fee in lieu" process assocaited with sidewalk variances may need to be revised to allow revenue collected to be used on broader community wide sidewalk projects that are identified within the sidewalk master plan as "priorities".
Is there anything in the UDC that allows for the development of tiny houses?	29-1.13, 29-3.3, 29-4.1	Not directly. The ability to create "Cottage" lots and ADU's is the closest that the UDO comes to addressing this new form of housing. The UDO does not carry forward the minmum floor area requirements that current Chapter 29 contains. Minimum floor area for a dwelling will be governed by the Building Code based on occupancy.	N	No change is proposed. The PD process will exist to permit single-family style small house developments that are brought forward. Given the unique nature of these developments additional site plan review will be neccessary. It is possible that standards similar to the "Cottage" designation could be created for "tiny house" developments.
The UDO includes provisions for rural cluster design - is there potential to create an area that might be termed "urban cluster design" that would be applicable, perhaps within a cottage or tiny house district?	29-4.1(b)(3)	The UDO does not make such a distinction. The "rural cluster" provisions where created as an incentive to promote environmental protection of sensitive features. Creating "by-right" provisions for "urban clusters" to accommodate a different type of housing on smaller lots without some added community-wide benefit may be precieved as perferred treatment to this class of housing.	N	No change is proposed. Additional evaluation of other codes that permit "tiny" houses is necesasry to determine what issues may arise if such provisions were created and implemented in Columbia. The reduction of lot sizes is one aspect of accomodating this type of housing; however, other issues such as providing public services and subdivision standards are impacted as well. It may be better to consider creating an additional use type and then developing "use-specific" standards that address how such environments are permitted.
Stormwater mitigation for R-2 and R-3 redevelopments - are there provisions in the UDO for this?	29-4.3(g)(2), 29-4.6	The current stormwater regulations govern when stromwater facilties will be requiried. Parcels under 1 acre are generally exempt.	N	No change is proposed. In UC-O zones, stormwater compliance for redevelopment projects under 1 acre can be called out as additional overlay provisions. If citywide stromwater compliance is the objective for redevelopment under 1 acre it may be appropriate to create provisions the are graduated based on the site specific % increase in impervious area from what was previously on the site.
Climax tree and forest areas should attempt to lump as many of those 25 percent areas together so that they are contiguous across lots as well.	29.4.5(g), 29-4.6(b)	The UDO does not specifcally address this issues; however, as preservation plans are prepared such oppourtunities may exist.	N	No change is proposed. The identification of contiguous areas will only become readily apparent once multiple contiguous properties are submitted for redevelopment.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Four-sided development/four-sided design - wall and roof articulation should be on all sides of large multi-family development not just on the street side.	29-3.3(d), 29-4.8(c)(1), 29-4.8(c)(3), 29-4.8(c)(4)	The UDO addresses only facades visible from public or private streets. It does not address if visible from an alley or how treat facades adjacent to non-similar development that is not visible from a street.	N	While the provisions in the UDO advance the concept of creating better looking buildings modifications are needed to clarify under what circumstances all sides and roof lines of a building are to be treated.
Local examples of the dimensional and design standards would be helpful.	N/A	Staff will attempt to identify examples of the neighborhood transitions that are locally based. Such examples will be provided as part of the final draft.	N	Staff will need to identify potential local properties that can be used as examples.
Conditions for a single contiguous tract of climax forest - managable on large tracts, but sometimes needs to be spread out around the tract.	29-4.6(b)	The goal of creating contiguous tracts for preservation is to ensure survivability of the forested areas. The UDO presently does not propose allow "by-right" an means to break the required climax forest into smaller segments.	N	Provisions to permit the distribution of climax forested parcels throughout a development site have been discussed and may be reasonable if such preserved areas meet a minmum square foot or % of preservation area minimum threshold. Further review of the criteria and revision of the "single-parcel" standards is recommended.
Loading dock locations - consider possibly on the sides of buildings as means of reducing required turning radius and impervious surface areas.	29-4.8(c)(6)	UDO provisions permit only loading docks to the rear of a building.	N	Staff is not adverse to considering the recommended change. Provisions/conditions will need to be developed for situations in which such alternative location is permitted. Such approval may be at the discretion of the Community Development Director when evidence is shown that such alternative location is superior to that required by the general provisions by illustration of reduced adjacent property conflicts and reductions in impervious surfaces.
Screening and buffering (Section 29-4.9(e) - does this apply to lots that abut a zoned residential district or lots that abut a lot that has residential uses?	29-4.5(e), 29-4.9(e)	The screening standard would apply when the more intense use is abutting a lot containing a single or two-family use.	Y	
Does the location of a residential use on a commercially zoned property change the applicability of the screening and buffering requirments of Sec. 29-4.9, item e?	29-4.5(e), 29-4.9(e)	No. The screening provisions of 29-4.9 apply to all R-MF lots not developed with single or two-family dwellings and all other <b>lots</b> within any zoning district other than R-1 or R-2 that share a rear or side property line with another R-1 or R-2 zoned lot. The UDO provisions do not differntiate between uses except in the R-MF district.	N	No change is proposed; however, staff understands the concern that a residentially developed lot within a predominately commercial or office area could require screening and separation. It should be noted that single and two family dwellings are not permitted in M-C under the new UDO. The basic concept of the UDO provision is to buffer the less intense use.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
How are we going to incorporate the work of the parking task force into the UDO?	N/A	Recommendations of the Parking Task Force will be "margin-noted" like all other changes to the UDO. These recommendations will be dicussed as part of the public hearing process with a Planning Commission recommendation being provided to City Council. Council will have final authority to accept or reject recommendation of the Task Force or the Commission.	Y	
Land analysis map and its relationship to the Comprehensive Plan - unclear and undefined standards. Reference to Comprehensive Plan should be removed and rely on specific language already provided to defined/available items.	29-4.3(b)	The references to the Comprehensive Plan are to provide a basis to guide decision makers as to what additional infomration may be needed on such maps. The broad goals and objectives contained within the Comprehensive Plan are often not shown on maps that are produced by other agencies.	N	No change in the text is proposed. The current language provides staff and the Commssion the ability to look to the Plan's goals and objective and request additional infomration, if available, from applicants. Concerns expressed with the completeness of the map and its timing with development proposals is not seen as an issue since the Analysis Map is a required component of the "Concept Review" stage of development.
Median front yard setback - continue to require it be calculated by using the entire block on the same side of the street as the way to determine the setback of a new development or a redevelopment.	29-4.1(b)(1)	The UDO has simplified the calculation of median setback by using the adjoining properties setbacks. This process reduces the large variations in setbacks along street frontages and potentially will, overtime, unify the street frontage at a consistent building front location.	N	No change is proposed. The issue of median front setbacks is mostly limited to the UC-O zones and can be address through provisions contained within those specific overlays.
Land analysis map requires that two types of sensitive areas be shown - those areas on the Comprehensive Future Land Use map and all other areas known to be sensitive. How does one determine the "other sensitive" areas if they are not mapped?	29-4.3(b)	The Comprehensive Plan's Future Land Use Map identified all known sensitive features based upon review of general public records and use of the City's Natural Resource Invetory. Inclusion of the statement "and other known areas to be sensitive" is a subjective statement intended to capture what unique knowledge a design professional, property owner, or other interested party may have relating to the subject site and it potential sensative feature (i.e. burial grounds, endangered species, wildlife habitat).	N	No change in text is proposed. Evaluation of the site and reliance on the knowledge of those engaged with the site's propsoed development will guide identification and mapping of of those "other areas known to be sensitive". While not fool-proof there is no known way to have all features of a site depicted on a single map or addressed conclusively with the regulations.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Create a higher degree of predictability and certainty relating to the expectation of the Land analysis map so property owners can understand what they can do with their property. Current process uses vague, nebulous terms, it creates a lot of uncertainty.	29-4.3(b)	The purpose of the map is to require a basic evaluation of a development site and its natural/sensitive features prior to a "concept review" and formal development plan design. The concept review process provides an opportunity for staff to overview the development limitations and remove the ambiguity of what can or cannot be supported on a development site. While a complete Analysis Map is the ultimate goal at a concept review meeting it is understood that certain features may not be identified. Ensuring that all such features are taken into account is one of the purposes of the meeting.	N	Staff will review the text of the Analysis Map provisions and provide greater clarity, where possible. The impacts of identifying such areas on a development site and what opportunities exist for a developer to work around them are explained within 29-4.3(c)
The more ambiguous the language regarding subdivisions is within the UDO, the less the procedure functions as a ministerial action and it becomes more of a discretionary action	29-4.3(b)	Language that does not specifically state expected outcome should be clarified to remove subjectivity. Such actions will ensure that the ministerial nature of the regulations can be maintained.	N	Staff will review the language to reduce ambiguities
Tree preservation easement - will it allow any development; it is not a defined term.	29-1.13, 29-4.6(b)(2)	The easement will not allow development. It is intended to be for forest preservation. The term will need to be defined and such definition will clarify that such areas are not for development.	N	Staff will prepare a definition for the "tree preservation easement" and provided in final UDO document
The Comprehensive Plan Future Land Use Map and the sensitive overlay area - is every square inch of that identified property a sensitive area?	29-4.3(b)(1)(ii)(f)	No. The areas identified were broad categorizations. Individual site analysis by a design professional will be required to narrow down the site specific locations of those identified features.	Y	
Is the 300 feet cul-de-sac length the default?	29-4.3c(3)(f)	300-feet is the general maximum for development; however, if site specific features required longer culdesacs they would be permitted upto 750 feet without a design modification, but would need to be justified by evidence	Y	
Tree clearing prior to annexation and the five year delay in permitting - is there a look-back period?	29-4.6(b)	The UDO does not currently include provisions for this.	N	Staff will need to develop "look-back" standards.
Could you have private open space along the RBL?	29-4.2(d)(7), 29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B), 29-4.2(e)(3)(iii)(B)	No. The sections referenced for Urban Gen, Urban Gen. West indicate that such areas must be behind the Parking Setback Line. In Townhouse/Sm. Apt there is no specific language on ground level location, but based on "siting" graphic it appears to be similar to the other BFS	N	The purpose for not allowing private open space forward of the parking setback line was likely to create sufficient depth for a functional shop space. Exceptions for forecourts do allow open spaces at the RBL, but it would appear that such spaces do not count within the minimum open space calculations.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
If private open space were allowed forward of the parking setback line would it have to have a street wall?	29-1.13, 29-4.2(e)(1)(ii)(D), 29-4.2(e)(2)(ii)(D), 29-4.2(e)(3)(ii)	Yes in the Urban General and Urban General West BFS. There is no mention of street wall in the Townhouse/Sm. Apt BFS.	N	The issue at hand could be resolved simply by how these areas are being identified. A "forecourt" is an open space that is forward of the parking setback line. It is currently not permitted to be counted as "private open space". They are not, by definition, to have a street wall where they intersect the RBL.
Clarify the reasoning for civic buildings being exempt from the BFS?	29-1.13, 29-4.2(d)(11)	In the case of governmental building, they are built involving a public process that allows people the opportunity to comment on new construction. In the case of religious buildings, the exemption recognizes that religious structures have an architectural style that is distinctive in its form. They are irregularly massed buildings so they don't lend themselves as easily to things like minimum floor levels. Often such buildings are surrounded by green space and not commonly built in an urban fashion.	N	The greater issue has to deal with the lack of controls on the non-religious portions of such buildings (i.e. annex buildings, gyms, etc). These types of additions were not intended to be excepted from the M-DT requirements - the exemption was meant to address the actual historical sanctuary structure. Text to clarify this may be required; however, the change in the definition of "Civic Structure" may address this already.
When is it permissible to have commercial above residential?	29-4.2(e)(1)(v)(B.1), 29-4.2(e)(2)(v)(B.1)	Commercial above residential is not permitted unless it is a "Roof-top food and beverage" use and is located within the "core" area shown on the Regulating Plan. Commercial on a second floor is permitted only if it is the extension of a first floor use in the Urban Gen. and Urban Gen. West BFS located outside the "core" area	Y	
Why is private open space in Urban General West 10 percent and in all frontage types 15 percent?	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	The varying open space is likely due to the differences in development density. This was a choice of Ferrell-Madden.	N	While the pattern of development and existing density are likely reasonable conclusions for the the variations. Standardizing the amount required is potentially warranted for easier future administration of the code. 15% is the standard required for all lots outside the M-DT.
In Urban General West, if development were to be built to the maximum allowable and only 10% open space were provided is it possible that this requirement would change or be upped in any capacity?	29-4.2(e)(2)(iii)(B)	The M-DT provisions can always be amended; however, as currently written building to the maximum allowed and only providing the 10% private open space would meet the standards.	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Civic building exemption for churches and the potential for a Commission involvement to ensure design standard compliance	29-1.13, 29-4.2(d)(11)	The M-DT exempts Civic buildings from the review criteria. These provisions however are intended to apply to the actual "religious" portion of those types of structures. The revised definition of "Civic Building" makes it more clear that those structures " that house strictly civic uses or are historically or culturally significant" are exempt from the M-DT standards.	Y	No changes is beleived necessary. It is staff's belief that the revised definition for "Civic Buildings" would ensure that annex buildings added to religious strucutes would need to comply M-DT standards since such additions do not meeting the portion of the definition "historically or culturally significant".
Street walls - are these meant to be publically accessible or only for private use?	29-4.2((d)(6)xi), 29-4.2(e)(1)(ii)(D) & (iv)(D), 29-4.2(e)(2)(ii)(D) & (iv)(C)	Street wall are intended to promote a continuous structural appearance along the street frontage and are to be used where the actual building is not built to the RBL (Urban Gen) or a surface parking lot (Urban Gen. West). These walls can be penetrated by gates or doors of specific widths. The ability to use these openings would be left to the property owner's discretion.	N	Staff has identified an inconsistency in where the street walls should be placed. If such walls are to be retained within the M-DT regulations, the location of such in Urban General West will need to be clarified. If applied as written there would be 24-fet of unused land between the wall at the RBL and the parking setback.
Would a street wall gate be locked by the property owner or would that becoeme a public cut-through?	29-4.2(e)(1) (iv)(D), 29-4.2(e)(2)(ii)(iv)(C)	The restriction of access through an installed gate is not addressed in the M-DT standards. This would be a property owner decision. If the gate lead to a building ingress/egress it may not be permitted to be locked due to building code issues.	Y	This is not typically an action encouraged by the M-DT standards as alleys intended to serve primaily as automobile and utility accesses to adjoining businesses.
Would a street wall be counted in the length of a building (150-350 feet) and be able to count as part of the "cut-through" requirement on that length of frontage?	29-4.2(c)(2)(ii)	A street wall and building façade would be calculated as part of the overall frontage length for a site. If the opening in the street wall were to accommodate a pedestiran pathway providing through-access to another Street-Space, Alley, Common Drive or designated Conservation Line it would be counted toward breaking the block face.	Y	The M-DT does not address development off of alleys in a manner like it does on the principal street frontage. If closure of alleys is something that would be seen as a recommended practice in the future minmual design requirements for such alley frontages should be created.
How do we deal with alleys that are being used for other uses besides an alley?	29-4.2(c)(2)(iv)(A)	This would generally require cooperation amongst adjoining property owners and authorization by Council to close the alley to public use for vehicles.	Y	The M-DT does not address development off of alleys in a manner like it does on the principal street frontage. If closure of alleys is something that would be seen as a recommended practice in the future minmual design requirements for such alley frontages should be created.
Could an alley be blocked off to traffic and still be used for retail and commercial purposes?	29-4.2(c)(2)(iv)(A)	Yes if approved by Council.	Y	The M-DT does not address development off of alleys in a manner like it does on the principal street frontage. If closure of alleys is something that would be seen as a recommended practice in the future minmual design requirements for such alley frontages should be created.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Does the M-DT apply to all C-2?	29-4.2(c)(1)	No. There are outlier properties that will need to be coded to something other than M-DT to ensure they are fully developable. The M-DT generally applies to the area within the CID boundaries plus additional property to the west of Providence Road	Y	
Is open space considered an amenity for residential, office and commercial spaces? There is a discrepancy between those uses, especially with occupants.	Footnote 596	Generally yes; however, the footnote clearly appears to focus such areas as a residential amenity. There is not a specific delineation of space requirements between residential or other uses.	N	
Is open space based on buildable area? There is no differentiation between the total number of units being built.	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	Yes it is based upon buildable area. There is no differentiation between units or anticipated occupant loads.	N	The standards for private open space may need to be modified to be scalable with particular projects. The amount of open space was, as stated in Footnote 596, intended to be the basic quality of life criteria for urban dwellers. Increasing open space requirements may require modification of where such space can be on a site as well as what qualifies as open space. Staff is not sure such standards should be mandatory and would recommend that its requirement be removed. Provision of such space should be discretionary and the standards contained within the regulations should be retained to indicate how such spaces should be constructed.
Is there any green space requirement or landscaping requirement for the downtown area?	N/A	No. Other than the proposed provisions with the M-DT, the general zoning code does not mandate open space within the downtown.	Y	
Consider exceptions for small lot developments and additions over 25%	29-4.2(d)(3)(iv), 29-4.2(e)(1)(iii)(B), 29-5.4(e) (1) & (2) 29-5.5(b)(1)	M-DT lots less than 100 feet on a block face are exempt from the façade composition requirements. Urban Gen. lots less than 25-feet wide are exempt from "open space". The "minor" or "major" amendment process can be used to obtain relief for small M-DT lots.	N	The general provisions of non-conforming structures [29-5.5(b)(1)] do not provide an exception for non-compliant M-DT buildings that are being expanded. Expansion beyond 25% would require BOA approval based on "hardship". The idea of new construction being compliant with the M-DT standards is to ensure that overtime the objectives of the M-DT are implemented into the urban context. Creating an exception to allow limited building expansion without compliance with the M-DT standards would thwart this purpose.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Reconsider the open area requirement - if you put the open areas behind the required building line, then that is really not usable space for the developer, and it almost encourages them to leave that space as kind of dead space	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	Placement of open space is determined by the "siting" diagrams for Urban Gen. and Urban Gen. West. A forecourt in Urban Gen. is considered open space, however, not counted in the required percentage.	N	The code specifically requires that open space be located behind the parking setback line. Staff would not object to permitting such open space to be moved forward of the parking setback if such spaces were "active" use areas such as forecourts or plazas that were properly screened. Examples of such spaces include the Landmark Bank court yard and Shiloh's outside patio.
Allow options for more permeable street walls - a five-tweleve foot masonry wall is seen as a safety issue	29-1.13, 29-4.2(e)(1)(ii)(D), Footnote 594	A discrepancy between the definition and the footnote regarding this type of feature needs to be corrected. Footnote 594 indicates that street wall are not completely opaque and are to meet fenestration requirements. The standards could be adjusted to allowing fencing such as brick piers with wrought iron (similar to Landmark Bank or Shiloh). The purpose behind requiring street walls was to define the street-space from the building lot where a building did not do that. It was also intended as a disincentive for creation of surface parking lot construction.	N	Correct the inconsistency in the definition of a street wall and what was intended by Footnote 594.
If a property like the Neidermeyer building did a major interior renovation would the code then apply?	29-5.5(B)(1)	Interior renovation would not trigger compliance with standards unless such renovation actions required additional parking. Options exist within the UDO that such requirements could be met off-site and limit the need to make any modifications to the subject property itself that would be triggered by adding such a feature on-site.	Y	
It is unclear when you exceed the 25 percent threshold for adding on to a property, does this apply just to the building or does it also apply to other site features, such as parking, the open space, and site walls?	29-5.5(B)(1)			
How will the 25% increase on a small property be interpreted? Who will do that?	N/A	The determination of 25% increase will be determined by staff based on additional floor area.	Y	
Include more options for façade changes and include illustrations in the code to help people understand what you are trying to achieve	29-4.2(d)(3)(ii)	The code options include four types of possible façade changes.	Y	No change in proposed text is necessary - existing options are believed to be sufficient to accommodate a variety of design outcomes and to ensure an active public realm. Pictures can be added to illustrate intended outcomes.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Clarify what standards apply to curb cuts - if they previously existed to they get to be kept or will they have to be eliminated	29-4.2(d)(2)(iii)	Lots with alley access are to remove curb cuts unless permitted to be retained by Director for safety or congestion reasons. If no alley exists curb cuts can be retained and relocated. When a parking structure is built with 30% of its spaces publically available curb cuts can be retained and relocated - even if the parcel has alley access.	Y	
Consider allowing landscaping in the parking setback to count toward open space on lots less than 17,100 sq.ft.	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	Open space can is currently only permitted behind parking setback and outside of required side and rear setbacks	N	Staff would not object to permitting such open space to be moved forward of the parking setback if such spaces where "active" use areas such as forecourts or plazas that were properly screened. Examples of such spaces include the Landmark Bank court yard and Shiloh's outside patio.
Permit upto 100% of open space to be above grade	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	In the Urban Gen. open space is currently permitted to be 100% above grade (33% in balconies or rooftops, 67% second story to level below roof). In Urban Gen West open space above grade is not specified.	N	Staff has identified inconsistencies between where and what can be used to meet minimum open space standards. Staff would not object to carry forward options permitted in Urban Gen. into the Urban Gen. West. It would further consider allowing forecourts to be used in meeting open space requirements.
Reduce the parking setback line from 24-feet to 4 feet	29-4.2(d)(6)(ix) & (A) Footnote 585	Distance is to accommodate a usable ground-story storefront depth, ensure that upper story parking was not exposed to the street, and generally discourage development of non-structured parking facilities.	N	No change in setback proposed. Revision of 29-4.2(d)(6)(ix)(A) to allow parking to come to the RBL on second floor and higher levels along all roadway frontages except Broadway and 9th was added to permit greater usability of higher levels and is reflective of option proposed by Ferrell-Madden in Footnote 585.
Consider allowing parking at the street level in the Urban General when property back up to a green space or a park	29-4.2(d)(6)(iii) & (A) 29-4.2(d)(6)(ix) & (A)	Park/green space is not considered a street frontage. Buildings must be built to the Required Building Line and parking must comply with setback standards. No restriction applies to a building having two fronts (one to street and other to park/green space).	Y	No change in text is proposed. The requested change would undermine one primary purpose of Form-based zoning - pedestrian-oriented public space. Parking at the front property line lead to dead spaces and deactivate street frontages. The proposed revision would only impact approximately 8 properties (along Flat Branch Park)
On the Regulating Plan, change Providence Road north of Cherry Street to Urban General West	29-4.2(c)(1), 29-4.2(e)(1), 29-4.2(e)(2)	Regulating plan shows varying BFS standards on different portions of the Providence corridor	N	No change proposed. Variation in designation was to ensure that development pattern of downtown would be consistent on both side of Providence where it is anticipated that more intense development will occur overtime and in recognition of the less urban development pattern to is south of Cherry.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
What was the logic for stopping Urban General West at Cherry Street instead of continuing all the way to the north of the M-DT District?	29-4.2(c)(1)		N	No change proposed. The choice of coding Providence as it has is based upon redevelopment potential and the desire to create a mirrored frontage. Revision to the RBL has been proposed to address the ability to set building further back to create a better pedestrian experience. It is possible that the all of the west side of Providence could be coded Urban Gen. West to permit a clean break between the two distinct locations and ensure the integrity of the two-story construction is maintained on the east side of the roadway. This option would promote a better transition from the less intense development west of Providence to the more intense within the historic downtown without such a significant contrast.
What was your major concern with not having Urban General West extended north of Cherry Street?	29-4.2(c)(1)		Y	Changing the BFS on both sides limits the potential redevelopment opportunities and would create a more stark contrast in development.
Need more protection for small lots in M-DT	29-4.2(d)(3)(iv), 29-4.2(e)(1)(iii)(B), 29-5.4(e) (1) & (2) 29-5.5(b)(1)	M-DT lots less than 100 feet on a block face are exempt from the façade composition requirements. Urban Gen. lots less than 25-feet wide are exempt from "open space". The "minor" or "major" amendment process can be used to obtain relief for small M-DT lots.	N	The general provisions of non-conforming structures [29-5.5(b)(1)] do not provide an exception for non-compliant M-DT buildings that are being expanded. Expansion beyond 25% would require BOA approval based on "hardship". The idea of new construction being compliant with the M-DT standards is to ensure that overtime the objectives of the M-DT are implemented into the urban context. Creating an exception to allow limited building expansion without compliance with the M-DT standards would thwart this purpose.
Need to clarify purpose of street walls	Footnote 594, 29-1.13	Street walls are intended to maintain the built edge of the public realm and screen service areas from the same.	Y	While it is clear that the intent of a street wall is to fill the gap between property lines along a street frontage where a building is not constructed there is need to address a discrepancy in the definition of such features to match with Footnote 594's intent that they do not have to be 100% opaque or masonry
Clarification of M-DT standards as recommended by Winter and Company	N/A		N	Staff will review the report and take into consideration the proposed revisions that were offered by Winter and Company

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
M-DT written for big projects - open space and parking setbacks may make small lot development financially infeasible	29-4.2(d)(6)(ix), 29-4.2(d)(7), 29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B),	All M-DT development is to comply with the general setback standards and specific BFS standards relating to open space.	N	No additional parking requirements exist for construction that does not incorporate residential development; therefore, parking setbacks should be of limited impact. Provisions of on-site parking is not mandatory for construction with residential development - options exist for such parking to be provided off-site. Staff would not object to consideration of revising the amount of required private open space based on buildable area and by clarifying what site features could count for it (i.e. a forecourt).
Chamfered corners - where are they allowed?	29-4.2(e)(1)(iii)(A)(3), 29-4.2(e)(2)(iii)(A)(2)	Within 8-feet of a block corner, the ground story façade may have a chamfered corner.	Y	This provision does not address property that has a corner onto an alley. Chamfered corners are intended to be used on the outside edges of a block face (i.e. at the intersection of regulated street frontages)
Eliminate off-site parking within 1/2 mile to count as on-site. Reduce distance to 1/4 mile.	29-4.2(f)(2)(iv), 29-4.4(a)(2)(i)	1/2 mile radius is a carryover from existing interim C-2 standards . On-street parking in front of structures can count for required off-street requirements.	N	Staff will take the recommended revision under advisement.
Consider the impact of the M-DT provisions from a 25 yr horizon	N/A		Y	The M-DT standards will be implemented over a long-term horizon and likely will be revised to address changing trends as needs arise. The Comprehensive Plan has a recommended review and revision periods over its 20 year horizon. Incorporating comprehensive review of M-DT standards, at a minimum, at the same intervals as the Comprehensive Plan would allow for periodic revisions and reassessment of its effectiveness.
Should the proposed regulations for M-DT include the current interim C-2 provisions for buildings exceeding 10-stories?	29-4.2(d)(5), Footnote 591	Current standards for height are defined within each specific BFS standard and do not permit structures greater than 10 stories.	Y	No change proposed. Staff believes that the response from Ferrell-Madden in Footnote 591 is on point.
The M-DT regulations impinge upon a property owner's rights to develop their property and using the rationale of public welfare should require pretty high bar and not be based on subjective issues but those that the public agrees are in the interest of the public welfare	N/A	Subjective application of the standards can be appealed to the BOA. The proposed creation of form-based standards is supported by the Comprehensive Plan and The Visioning Process (2006-2008).	Y	No changes proposed. Proposed creation of the M-DT Form-based standards is a recognized approach, nationally, to address downtown character and pedestrian-oriented objectives.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
No rationale has been provided as to why the street wall provisions should remain	Footnote 594, 29-1.13	Street wall are to intended to maintain the built edge of the public realm and screen service areas from the same.	N	While it is clear that the intend of a street wall is to fill the gap between property lines along a street frontage where a building is not constructed there is need to address a discrepancy in the definition of such features to match with Footnote 594's intent that they do not have to be 100% opaque or masonry.
Façade composition requirements are based on the current aesthetically pleasing designs and setting them in stone and not allowing people to experiment or deviate	29-4.2(d)(2) & (9), 29-4.2(e )(1)(iii) & (iv), 29-4.2(e )(2)(iii) & (iv), 29-4.2(e )(3)(iii)(iv) 29-5.4(e)	M-DT calls out general requirements for all construction as well as specific BFS standards for facades and fenestration. Buildings under 100-feet of block frontage are exempt from façade requirements.	Y	No change proposed. Opportunity to permit alternative designs to those prescribed are possible through administrative adjustments or BOA actions. The chosen characteristics are not building type specific, but represtnative of the characteristics of existing development in proportion and scale and represent nationally accepted best practices.
Remove minmum 2-story height	29-4.2(e)(1)	This is a carryover from the interim C-2 regulations.	N	No changes proposed. The two-story minimum structure height is only applicable in the Urban Gen/Shopfront BFS. These frontages are typically located within the historically more dense portions of the downtown or areas believe appropriate for redevelopment. Elimination of a minimum height will result in less compact and more land consuming development which is genrally discouraged within the Comprehensive Plan. Waivers to height requirements can be taken to the BOA.
Orr Street and Park Avenue are both being changed to the Urban General Building Form Standard?	29-4.2(c)(1)	Revision to the BFS applying to Orr Steeet , Hitt Street, and Park Avenue (souith side only) have been changed to Urban General since prior Regulating Plan releases.	Y	
Along Park Avenue, is the purple line on north side of the street the edge of the M-DT?	29-4.2(c)(1)	The boundary line of the M-DT district on the regulating plan is shown as the purple line. It currently is defined as running down the centerline of Park Avenue to Seventh Street.	Y	
Can a property on the north side of Park Avenue opt into the M-DT district?	29-4.2(c)(3)	Following adoption of the UDO and the Regulating Plan property seeking to be brought into the M-DT would need to go through a rezoning processs to amend the Regulating Plan boundary. Modification of the boundary is still possible at this time given the UDO has not been final adopted.	N	Staff is still considering the final location of the boundary of the M-DT district in this location.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
It would be appropriate between, Tenth and St. James, where you have M-1 properties on both sides of the street to allow the owners of those M-1 properties to essentially opt in to the M-DT to match the building form that is across the street.	29-4.2(c)(1)	The boundary of the M-DT is not always inclusion of both street frontages. The Park Avenue is one of several streets where the boundary is only to the centerline of the roadway.	N	In most instances the choice of going to the centerline of the street for BFS standard compliance was based on the differences in the lot pattern/size or due to other factors such as public entity lot ownership (i.e. Garth Avenue Library Parking Lot). Staff agrees that along Park Avenue some opportunity may exist to make both frontages required to comply with same BFS. Additional review is on-going.
Consider a potential opportunity for an exemption for parking for mixed use developments, a specific sized lot, so you can facilitate developments like Harold's Donuts.	29-4.4, 29-5.4(d)	Parking can be provided off-site within 1000 feet of a structure on a small lot. Parking is only required when redevelopment is incorporating residential uses.	Y	No change is recommended. The parking requirements already provide relief options when parking is required. If such option cannot accommodate the situation a BOA variance could be granted based on hardship.
Consider allowing street walls that would permit looking out and looking into a site's landscaped area or courtyard.	29-1.13, 29-4.2(d)(6)(xi), 29-4.2(e)(1)(ii)(D), 29-4.2(e)(2)(ii)(D), Footnote 594	Street walls are not required to be fully opaque - they must meet building fenestration requirements.	N	Staff has identified an inconsistency between the definition of "Street Wall" and Footnote 594 that needs to be clarified. Staff is not objectionable to proposing revision to the material specification for street walls to address the recommendation.
Walls deteriorate (wood) and they are expensive to replace; allow landscaping which is more attractive, less expensive and adds more to the area than some walls	29-4.2(d)(6)(xi), 29-4.2(e)(1)(ii)(D), 29-4.2(e)(2)(ii)(D)	Screening walls for site features (i.e. trash dumpsters) are not addressed within the M-DT and landscaping is not provided as the only option for a screening device.	Y	No change proposed. Dumpster locations are generally isolated and landscaping around such features is likely impractical and will not meet other regulatory requirements for screening.
Consider an option to permit private open spaces to be developed through the payment of a "fee-in-lieu" that would be used to purchase land for a downtown community park.	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	Standards do not permit a mechanism to all waiver of private open space except through BOA variance.	N	Staff will take recommendation under advisement
Exempt small property from the private open space provisions	29-4.2(e)(1)(iii)(B), 29-4.2(e)(2)(iii)(B)	Property with less than 25-feet of frontage is except from private open space in the Urban Gen. BFS. Waiver of open space can occur via a BOA variance.	N	The standards for private open space may need to be modified to be scalable with particular projects. Staff is not sure such standards should be mandatory and would recommend that its requirement be removed. Provision of such space should be discretionary and the standards contained within the regulations should be retained to indicate how such spaces should be constructed.
How is building height measured?	29-4.2(d)(5)(i)	The height of all buildings is measured in Stories, with a Building Height limit in feet, measured from the average fronting sidewalk elevation to the top of the wall plate, unless otherwise designated	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Consider allowing PD districts within the M-DT verses having to amend the regulating plan	N/A	No property within the M-DT can be rezoned to PD. As such the only way to address unique conditions or projects is to seek a regulating plan amendment or BOA variances.	Y	No changes proposed. Creation of a process to permit rezoning of property within the M-DT to PD would undermine the integrity of the district by introducing non-similar zoning classification that highly specialized. The Regulating Plan amendment or text change process to accomodate unique projects into the M-DT boundary on a site-by-site basis is no different than petitioning for PD. The intent of the M-DT is to have a single district with options to accomodate desired development without having to rezoning to a differnt classification.
When will the UDO process be completed?	N/A		Y	Tentatively a final version of the UDO will be made available to the public on or about September 23, 2016
Greek housing parking - the one-to-one parking requirement, is that one parking space per to bed?	29-4.4	1 space/person capacity of permanent sleeping facilities	Y	
Maximum cap on parking - hundred and twenty-five percent certainly isn't enough. Increase to 200% or something that is going to allow development to occur	29-4.4(e)	Single-user or multiple users buildings in the Retail, Office, or Personal Service categories of Table 29-3.1 greater than 50,000 sq.ft. GFA, may not provide on-site parking greater 125% of requirued. M-DT is capped at 125% of mixed-use requirements.	N	Parking cap was established based on believe that overparking sites leads to other negative impacts. Staff will consider options for allowing a modification process that may be approved at the administrative level.
Drive-through window orientation on a property not to be be oriented towards the corner of the property. Certain situations where a building can't be oriented with the drive-through window on the rear of the building. Flexability needed with this provision.	29-4.4(h)(2)(iii)	New standard. No portion of a building could be located in a "required" yard area currently; however, circulation isle/lane could be. Service window location restriction intended to reduce impacts on adjacent street frontages.	N	No change is proposed. New building construction and site planning can accommodate this provision. Relief can be obtained by BOA variacne. In rennovation situations it may be prudent to permit location of service windows on side-street frontage provide service lane is outside setback and fully screened, if adjacent to non-similar zoning/use, and not located any closer than a specific distance to the front property line.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Off-street loading - provide dedicated non-parking spaces for loading and unloading for delivery vehicles. Property owner/manager has no control over those deliveries and where they occur - dedicating space that's probably not going to be used doesn't make sense.	29-4.4(j)	New quantity and quality standards. Replaces provisions that were vague with no objective criteria which stated location of such spaces were not to obstruct freedom of movement/traffic on the public streets or alleys. Existing buildings over 50 yrs old are exempt. Buildings increased over 50,000 sq.ft must comply with standards (existing GFA and addition). Building expansion less than 50,000 sq.ft must provide a minimum 1 space.	N	Given there is no current quantity requirement for off-street loading/unloading areas it may be appropriate to state no less than 1 designated space shall be required in accordance with the design and use standards. This compromise fills the gap of no specified quantity and defines objective location standards which are considered reasonable. The exemption of buildings greater than 50 yrs old would remain and protect downtown businesses. The exemption/requirements for buildings (over/under 50,000 sq.ft) would be revised to address the issue of expansions only and require at least 1 designated space be provided for expansions over 50,000 sq.ft.
Provision of bicycle parking equal to 5% of the required parking when a parking lot exceeds 300 spaces - putting a cap on that certainly would be a helpful thing for development going forward.	29-4.4(k)	Provision is carried forward from current code.	N	Staff will take recommendation under advisement. Columbia Mall (760,000 GFA) would require 95 bike spaces. 120,000 GFA center would require 15 bike spaces. A required minimum of 50 for uses that based on 5% of required parking may be reasonable.
Loading requirement - new developments have "in and out" access whereas older and smaller developments sometimes loading becomes a street parking issue. If there middle ground for requiring dedicated loading/unloading spaces?	29-4.4(j)	Replaces provisions that were vague with no objective criteria which stated location of such spaces were not to obstruct freedom of movement/traffic on the public streets or alleys. Existing buildings over 50 yrs old are exempt.	N	Revision to require at a minimum 1 designated space would meet the objective of trying to define what is required. The location and design requirements are reasonable. The exemption acknowledges the difference in newer and older construction.
Maximum parking - was it for specific types of retail that you feel the parking cap is more of an issue?	NA	The concern is not specific to a particular use since shopping centers are not classified by individual tenants but the whole GFA of the development. Different tenant mixes create different impacts and limiting maximum parking may result in limiting accommodation of a successful tenant mixture.	N	Staff will consider options for allowing a modification process that may be approved at the administrative level.
Parking complaints from business patrons - is it about not being able to find a parking spot or is it one not to their satisfaction as far as how close it is to the business?	NA	Complaints based on being able to find a space not generally the location of space.	N	Limits on parking would potentially exacerbate the issue of not finding parking spaces in more successful centers. Options will need to be reviewed to determine if parking maximum should be lifted in centers meeting certain criteria such as occupancy levels, tenant mix,

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
The Planning and Zoning Commission seriously vet any overlay proposal that is presented by the ECNA and look for representation from the properties within the ECNA by either a petition to amend the ordinance signed by the owners of 50 percent or more of parcels of land within the East Campus Urban Conservation District or upon request of a committee the Council considers representative of the property owners of the district.	29-2.3	No revisions to the East Campus Overlay have been presented by ECNA. The only changes to the overlay that would be proposed for inclusion in the UDO that will be submitted for a public hearing are those vetted before the Commission or the minimal technical change necessary to allow for integration. The legislative process to amend the overlay requires that revisions be processed through the Planning Commission prior to Council being able to formally enact them.	Y	Only minor technical corrections to the current overlay will be made to ensure property UDO integration. No substantive revisions to overlay text are proposed to be made by staff. None have been submitted by ECNA members.
The existing code and the UDO integration contains many content-based provisions including classifications for hotel signs, light vehicle service and repair signs, theater signs. It also contains unequal treatment for users of electronic message centers or digital signs in several instances - these are considered illegal per US Supreme Court ruling in Reed v Town of Gilbert	29-4.10	Clarion has provided the City's Legal Department its evaluation of the Sign Code for content based provisions. Based upon Legal Department review of the Reed v Town of Gilbert case minor revisions to the current sign code are necessary to avoid potential content-based violations. Such revisions will be included in public hearing draft.	Y	
Landscaping in the M-DT - is it one tree per 800 square feet of the building site, or of the 15 percent public or private open space that might be required?	29-4.5(c)(2)	It is based upon the area of any <b>ground level</b> public or private open space that this installed to meet the minimum open space standard of the BFS.	Y	
If an addition of more than 25 percent to an existing building is made would the site have to come into compliance with the one tree per 800 sq.ft requirement?	29-4.5(c)(2)	The tree requirement will only apply if a project has ground level public or private open space.	Y	
Street trees, on the street facades and that, it looked like the trees were being required to be planted in the public right-of-way - is this a change in that policy?	29-4.5(d)(ii)	Planting of trees within the right of way is allowed upon issuance of a permit. This is current policy. The provisions presented in this section have to deal with street tree requirements within the landscape strip on private property. If trees do not exist in the right of way or could not be accommodated in the right of way they have to be planted in the private landscape strip. Generally street trees would be in the right of way per the permitting requirements.	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Regarding climax forest - is the rule that you have to save 25 percent of the existing trees on an undeveloped lot, or is it 25 percent of the existing climax forest on a parcel?	29-4.5(g), 29-4.6(b)	25% of the climax forest on a site/parcel must be preserved. 29-4.5(g) deals with significant trees (20 dbh or greater) and indicates that 25% of those trees outside a Tree Preservation or Stream Buffer area are to be preserved on vacant and undeveloped land and all land being redeveloped.	Y	
Climax forest cannot count as part of the credits towards your significant or mature tree preservation. Why doesn't this count?	29-4.5(g)(3)(i)	Significant trees located within Tree Preservation or Stream Buffer cannot be double counted.	N	No change is proposed. Regulatorily restricted areas should not be used to permit unnecessary clearing on other non-regulated land areas that may include significant or mature trees. Current provision ensures that preservation of mature vegetation is evaluated prior to land development activities. Options exist to allow such vegetation to be removed.
What is the restriction on driveways in the legal front yard? Unclear on how this is going to fit for new subdivisions that are interested in having architectural diversity and interestingness rather than it's all out of a box - needs to somehow be maneuvered to be less restrictive and more permissive.	29-4.4(f)(1)(v)	Code limits the amount of paved driveway or parking area in a required front or rear yard to not more than 30% or 500 sq.ft, whichever is greater.	Y	No change proposed. The code provision is only focused on the location of improvements within the required front or rear yards. If a residence had a looping driveway only those portions of the driveway located in the front setback would be counted toward the maximum 30% or 500 sq.ft of paved surface in such area. This standard provides flexibility for larger lots to have multiple driveway cuts while the 500 sq.ft accommodates a minimum 60-foot wide lot with a single 20-foot wide driveway.
Generate a list of all the places where it says the director will decide (has discretion) so such decisions can be systematically looked at to ensure that such discretion is not gotten out of hand.	NA	The UDO has several references to discretionary decisions that can be made by the Director. There is no single location where all such decisions are enumerated.	N	Staff will take recommendation under advisement
Can a particular residential lot that has four sides actually have four different buffering rules applied to each side?	29-4.5(e)	The property edge buffering standards can vary based on adjacent zoning to a developing site.	Y	
Create a very strong provision within the UDO regarding the tracking of the Director's discretionary decisions so nobody has to go and hunt at the end of the year about all of them and assign some group responsibility for reviewing those decisions at least every year.	NA	The UDO has several references to discretionary decisions that can be made by the Director. There is no single location where all such decisions are enumerated.	N	Staff will take recommendation under advisement

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Regarding maximum parking - the idea of getting rid of it or turning out to be 200 percent, that doesn't make any sense. This would be a great place for, with sufficient standards for administrative decision, relief from that.	29-4.4(e)	Single-user or multiple users buildings in the Retail, Office, or Personal Service categories of Table 29-3.1 greater than 50,000 sq.ft. GFA, may not provide on-site parking greater 125% of required. M-DT is capped at 125% of mixed-use requirements.	N	Parking cap was established based on believe that overparking sites leads to other negative impacts. Staff will consider options for allowing a modification process that may be approved at the administrative level.
Move code provision rationale up into the document so that the overall goal, the overall aim are adequately explained and then after that list the various kind of provisions that are being used in implementing those provisions. Emphasizing those goals is almost far more important than the particular rules.	NA	Rationle for code changes have generally been denoted within document footnotes. The presetnation of the UDO code provisions has been generally a summary of the standards with limited focus on rationle for each new provision. The over-arching purpose of the UDO was to modernize and simplify the user experience with the code and permit "all things" development to be contained, generally, within a single document.	N	Staff will take recommendation under advisement
When the final UDO is produed consider whether it is really necessary to have since while it is antiquated, it's functional	NA	The revised UDO was seen as a necessity as part of the Imagine Columbia's Future Visioning process (2006-2008) and was identified as a work product of the City's 2013 Comprehensive Plan. The choice of preparing a Unified Develpoment Ordinance is not an uncommon practice nationally and assists in consolidating "all things" development in a single document making is more efficient and generally easier to administer.	Y	
No developer wants to put in more parking than he needs - not sure we really need a [parking] maximum.	29-4.4(e)	Single-user or multiple users buildings in the Retail, Office, or Personal Service categories of Table 29-3.1 greater than 50,000 sq.ft. GFA, may not provide on-site parking greater 125% of required. M-DT is capped at 125% of mixed-use requirements.	N	Parking cap was established based on believe that overparking sites leads to other negative impacts. Staff will consider options for allowing a modification process that may be approved at the administrative level.
Many of the comments that are put in here are really geared toward Greenfield Development. It's very important that you consider the exemptions that the Business Loop and the downtown CID has asked for.	NA	The UDO includes provisions that affect both redevelopmoent and greenfield development. Exceptions and exclusions have been incorporated into select provisions to reduce the impact that they may cause on redevelopment sites.	N	Staff will take recommendations under advisement.
Did we code test any non-conforming situations?	29-5.5	No. The code tests were used to show the effects of the UDO requirements on new developments throughout the City - primarily in the M-DT and R-MF districts.	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Will there be opportunities to reuse non-conforming lots instead of removing existing housing due to the lots not being able to comply with zoning/subdivision requirements.	29-5.5(c)	The UDO provides the opportunity to improve a non-conforming lot (those not meeting lot area or width) for any permitted use allowed in the zoning district in which the lot is located provided it complies with all other district dimensional standards defined in Section 29-4.1, all Form-based Controls in Section 29-4.2, and all other provisions of the UDO that are applicable to property in that zoning district. This provision removes the restriction that lots less than 5000 sq.ft or 60-feet in frontage cannot be developed without first being combined with adjacent property to meet minimum lot area or width standards or obtaining a BOA approval for a variance.	Y	The proposed provision within the referenced section needs to be modified to clearly state what the non-conformity of the lot is (i.e. lot area and width) to make the remaining provisions of the section make sense. There was significant discussion about potentially making additional exceptions for developing a non-conforming lot by removing the need for compliance with the other listed code sections. It is staff's belief that to do so would potentially create greater impact on adjacent properties since the current exception would allow for "any" use permitted within the zoning district to be permitted on a non-conforming lot. In the mixed-use districts of the code this could create opportunities for more intense uses to be located next to less intense. If added relief is needed to develop a non-conforming lot an applicant could seek relief from the BOA via a variance.
East Campus Overlay revisions are being worked on in a non-representative and potentially illegal manner excluding non-resident landowners. Non-resident landowners do not want changes made to the existing Overlay and have a petition signed by 212 properties stating this position.	29-2.3	The East Campus Overlay has not had formal revisions submitted to amend the provisions by the ECNA. Revisions to the Overlay will be limited to those necessary to integrate the existing standards into the UDO (i.e. revisions to zoning districts or sections that will be changed as part of the new UDO).	N	Prior to any substantive revisions being included within the UDO relating to the overlay there will need to be opportunity for those revisions to be publicly discussed during a formal Planning and Zoning Commission meeting. Per the zoning code, no amendment to the Overlay text can be considered for adoption, by Council, without first being reviewed by the Planning Commission and a recommendation being made on such changes.
Have non-resident landowners of the East Campus Overlay reviewed the proposed UDO to determine if any of its revisions will be more restrictive than those potentially being considered by the ECNA?	29-2.3	The speaker for the non-resident landowners indicated that they have not reviewed the content of the UDO for more restrictive standards in general. The non-resident landowners do not want the Overlay to be revised at all.		
What will go beneath the heading of the East Campus Overlay that is shown in the UDO?	29-2.3	Under this heading would be the current version of the Overlay with the technical revisions having been made to ensure its proper integration.	Y	
Are the powers and duties of the Historic Preservation Commission being altered?	29-2.3(c), 29-5.1(d)	The HPC's powers and duties have remained unchanged from the current regulations.	Y	

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Will the HPC be subject to preparing rules for conducting business in the same manner as the PZC and the BOA?	29-5.1	Yes. The current version of the UDO and the specific provisions applicable to PZC and BOA for rules of conduct approval by Council were inadvertently left out of the HPC's standards found in 29-2.3(c)	Y	
Preliminary plat expiration after 3 years is too short. Seven years is reasonable.	29-5.4(p)	Length of time between preliminary plat approval and the need to record all or a portion of the final plat has been reduced from 7 years to 3 years. This length of time is generally consistent with national standards. If the entire development is not recorded within 3 years the remainder of the unplatted portion would be subject to new UDO standards, if adopted. In any instance, each final plat would be required to comply with any newly adopted technical or engineering standards or requirements.	N	No change is recommended. Applicant's have the ability to seek an extension of the 3 year time limit from Council prior to its expiration. There is not specified maximum limit on the approval that Council could grant. The more significant change that is made with this proposed revisions is that if <b>no portion</b> of the approved preliminary is recorded within 3 years the entire preliminary plat is void. If a phase of development is recorded the preliminary layout would be valid; however, subsequent phases would need to submit engineering drawings meeting current standards.
Has there been discussion about the interpretation of the powers (ie. administrative, decision-making or recommending) of the boards and different groups mentioned in the UDO and how they may be assigned to others in relationship to State law?	29-5	Several revisions are recommended that will change the boards and commissions responsible for administering the UDO's provisions. Most notable conditional use applications which will be moved from the BOA to the Planning Commission and Council.	N	Staff will review and confirm that all proposed regulatory processes/procedures are compliant with the State laws governing zoning and subdivision.
Please produce the Administrative Manuals for public review	N/A	Administrative manuals will be developed to address many of the standards that are used for the purposes of establishing application and submission standards. This manual or manuals are separate from the UDO to enable staff to more readily modify non-regulatory provisions as conditions or needs change	N	Staff is current complying the manuals and will have them available at the time the Final Public Hearing draft of the UDO is released.
Section 29-5.4(p)(iv)(g)(4) needs to be clarified to ensure that a developer does not lose his preliminary plat approval if only a portion of the preliminary plat is recorded within 3 years	29-5.4(p)(iv)(g)(4)	Confusion exists on the meaning of item #4 of the referenced section. The text is intended to state that if any portion of the development is recorded within 3 years the original preliminary plat is secure with the exception of future final plat submissions which must meet the current technical or engineering standards or requirements in place at the time such final plat is submitted for review.	N	It has been recommended that the text of item #4 not be stated in the negative. Staff will take the recommendation under advisement.

Question/Issue	Related Code Section	Issue Answer	Issue Resolved	Issue Resolution Comment
Would a street wall be required with an expansion of a non-conforming structure to comply with the private open area?		Building expansion in the M-DT must comply with the BFS standards unless otherwise exempted or waived by the BOA through a variance.	N	Any exterior work done on a structure within the M-DT would require compliance with the BFS standards applicable to the parcel's location unless waived by the BOA.
Strictly interior renovation would not trigger M-DT standard compliance, correct?		Interior renovations generally will not trigger M-DT compliance issues provided such renovations do not result in exterior changes (i.e. addition of parking to meet bedroom standards)	Y	
Loss of non-conforming rights after discontinuance for 6-months is too limited. Recommend changing back to 12 months	29-5.5	UDO provisions have been revised to simplify the provisions dealing with the discontinuance of a non-conformity, for whatever reason, to a standard 6-month period. Previously was variable between 6-12 months.	N	Staff will take recommendation under advisement
If a lot did not meet the minimum lot area or width requirements but met all the other standards of within the UDO it could be built upon without and replat or rezoning?	29-5.5(c)	The UDO will allow non-conforming lots to be used for any permitted use within its zoning district provided it can meet other specified UDO requirements.	Y	