



City of Columbia, Missouri

Meeting Minutes

Planning and Zoning Commission

Thursday, April 4, 2019
5:30 PM

Work Session

Conference Room 1-B
Columbia City Hall
701 E. Broadway

I. CALL TO ORDER

Present: 8 - Tootie Burns, Dan Harder, Sara Loe, Joy Rushing, Lee Russell, Anthony Stanton, Rusty Strodtman and Michael MacMann

Excused: 1 - Brian Toohey

II. INTRODUCTIONS

III. APPROVAL OF AGENDA

Ms. Russell made a motion, seconded by Ms. Rushing to approve the agenda as presented.

Approve the agenda as presented

IV. APPROVAL OF MINUTES

March 21, 2019 Work Session Meeting

No modifications to minutes were offered. Mr. Stanton made a motion, seconded by Ms. Russell, to approve minutes as presented.

Approve minutes as presented

V. NEW BUSINESS

A. Section 29-4.4(d)(2) Text Amendment - Street trees in the right of way (Case # 105-19)

Mr. Zenner introduced the topic and introduced Shane Creech, the Building and Site Development Division Manager and Steve Fritz, City Arborist, and explained their role in reviewing building and development plans. Mr. Zenner described that the first residential subdivision subject to the street trees requirement in the UDC was submitted and ready to obtain permit. He noted that during the site plan review process that concerns were expressed by the Ameren relating to the location of where the required street trees would be placed along the proposed residential streets. Mr. Zenner further explained that the concerns expressed by Ameren were also addressed within Chapter 24 of the City Code relating to require separation of plants from buried utilities. Mr. Zenner noted that unfortunately the conflict with Chapter 24's requirements and those in the UDC were not identified prior to the final adoption of the UDC in March 2017.

Staff described the benefits of street trees in terms of their environmental and aesthetic value, but noted that those benefits were reduced when trees could

not be accommodated in the right of way and had located on private property sometimes up to 25-feet from the paved surface. This separation distance was necessary to avoid conflicts with buried utilities within the right of way and those buried with the standard 10-foot utility easement immediately behind the right of way. Staff further explained that given the current location requirement and the spacing for street trees there were also other sight/visibility issues being created around driveway locations.

The UDC required street trees every 40 feet on center and indicated a lawn area where they should be placed within. Mr. Zenner displayed the standard residential street cross section (shown in the Council Report attachments) and there was general discussion relating to the opportunities and challenges of street trees in right of way of typically platted 50-foot wide residential streets. He also passed around Section 24-92 of the City Code for reference and cited the Council staff report materials for additional reference, including the correspondence from Ameren.

Mr. Fritz noted there was a new tree board, formally the Tree Task Force, which may be interested in weighing in on this matter. He noted; however, that it would likely be a bit of time before the Board was up and fully running.

There was general discussion on flexibility, tradeoffs, and potential options relating to the placement of trees within the right of way. One opportunity would be to exempt residential streets from the street tree requirement. There was concern that some neighborhoods, especially those at lower price points, may lack trees and that would be a disservice to the neighborhood. Commissioners asked about the existence of requirements regarding tree placement on private residential lots. Staff responded that no such regulation existed and noted that the installation of trees was typically done pursuant to covenants by homeowners or builders.

Staff expressed concern that there would be unknown challenges in the City maintaining trees outside the street right of way. It was also noted that requiring street trees to be installed assumes the adjoining property owners will maintain the trees which also creates challenges in ensuring that the intent of the UDC's provisions are fulfilled. Mr. Fritz discussed the challenges and opportunities to tree type, size, root ball conditions, and placement as possible options to retain trees within the right of way. Commissioners also expressed concerns that Ameren was able to place utilities outside of the standard 10-foot utility easement.

Ms. Loe and Ms. Burns asked for additional information on utility placement practices, data on instances where utility work or emergencies disrupted existing landscaping and trees within the right of way, and information on replacement practices, if any, relating to the existing utility providers. Mr. Zenner noted that landscaping planted within easements is installed at the property owner's own risk. He further noted that the City does not have a replacement policy relating to private landscaping that he was aware of.

There was also general discussion on whether additional spacing or flexibility in the 40-foot requirement might address some situations. As residential lots are

a minimum of 60 feet wide, Mr. Teddy said the requirement could be one tree per 60 feet of street frontage or one per lot.

There was general discussion of other options to retain the provisions as they currently are written such as moving the sidewalk outside of the ROW, which was allowed and had some precedent in recent years, such as in Copperstone. There were concerns about hodge-podge results within neighborhoods and on the individual street level. There was additional discussion on the impact mature trees have on curbs and sidewalks as well as how narrow street design standards have a positive environmental benefit through reduced maintenance costs, but limits the available areas to plant trees often found in larger right of way cross-sections.

Mr. Zenner explained the conflicts between Chapter 29 (UDC) and Chapter 24 (utility placement standards) and said they may need to look at the interaction between the two chapters critically. He noted the City was also subject to Chapter 24 as a utility provider that placed utilities. He said there may be opportunity to reduce the four feet requirement between trees and the presence of utilities and to reduce the size of trees and the planting depth. There was general discussion.

Mr. Stanton said to consider the benefits and tie the regulations to that purpose. If the benefits of street trees were being lost he suggested that there should be efforts to find ways to encourage other planting. If that was not possible he indicated he could support removing the street tree requirement along residential streets.

Ms. Burns wanted additional information as discussed previously. She did not believe it was in the best interest of the City to reduce the number of trees. She said she supported addressing conflicts to the extent possible.

Mr. MacMann said he had experience with the challenges being discussed. He supported trying to make it work, perhaps minimizing the size of the tree.

Mr. Strodtman noted even smaller trees would be a concern for Ameren.

Ms. Low said it was hard to support that all streets should have street trees except for residential. She noted the trees on Broadway were well-maintained and it had been figured out other places. She said there could be a swap to common areas or other creative solutions such as using planters.

Mr. Zenner noted the code required preserving 25% of the existing climax forest on a developing parcel. This preservation area would ensure that new developments following construction would have minimum amount of natural vegetation preserved.

Ms. Rushing said there could be flexibility in providing trees in other places and there would still be some benefits.

There was additional discussion of trees on private lots and the resources for the City and private citizens to maintain them.

There was discussion on the process moving forward. Mr. Zenner noted that it appeared there was some momentum to look at a regulatory change that would incorporate ideas such as flexibility, swapping, and potentially waiving the requirement along residential streets. However, Mr. Zenner stated there was no clear consensus on what the Commission desired. Ms. Rushing said she was used to having ordinances to work on before them.

Mr. Zenner stated that staff wanted to hear from the Commission before engaging in the preparation of an ordinance. He noted that staff preferred to obtain consensus on the content of the changes; however, acknowledged that given the Commission's work load a change in how ordinance revisions are presented may be necessary. He indicated that staff could take the information presented this evening and draft revisions that the Commission could consider vote up or down vote. This recommendation would then be sent onto Council for their final consideration. Mr. Zenner indicated his preference was to get consensus to the extent possible, but the Commission and staff have to balance their productivity.

Mr. Stanton suggested that as a part of the proposed revisions staff could consider some instances where an administrative process may address site-specific challenges in terms of alternatives or if trees would be waived due to the situation. There was some general discussion on the suggestion.

Mr. Zenner indicated that staff would begin drafting potential ordinance revisions and prepare a draft for Commission consideration. He said the Commission needed to use the May 9 work session for CIP presentations so this item would likely not be coming back until after discussion of medical marijuana had been completed. If the discussion on medical marijuana wrapped up soon than anticipated on of the already scheduled work session could be used to discuss this matter otherwise they might not see the ordinance until the June 6 work session.

VI. NEXT MEETING DATE - April 11, 2019 @ 6 pm

VII. ADJOURNMENT

Meeting adjourn at approximately 6:56 PM.

Motion to adjourn