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245

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Planning Department
City of Columbia, Mo.

A City Plan For Columbia, Missouri

*City Planning
And Zoning
Commission
1935*

A CITY PLAN
for
COLUMBIA, MISSOURI

PLTFF. EXHIBIT *C*
OCT 25 1955
ARTHUR A. BREWER,
REPORTER

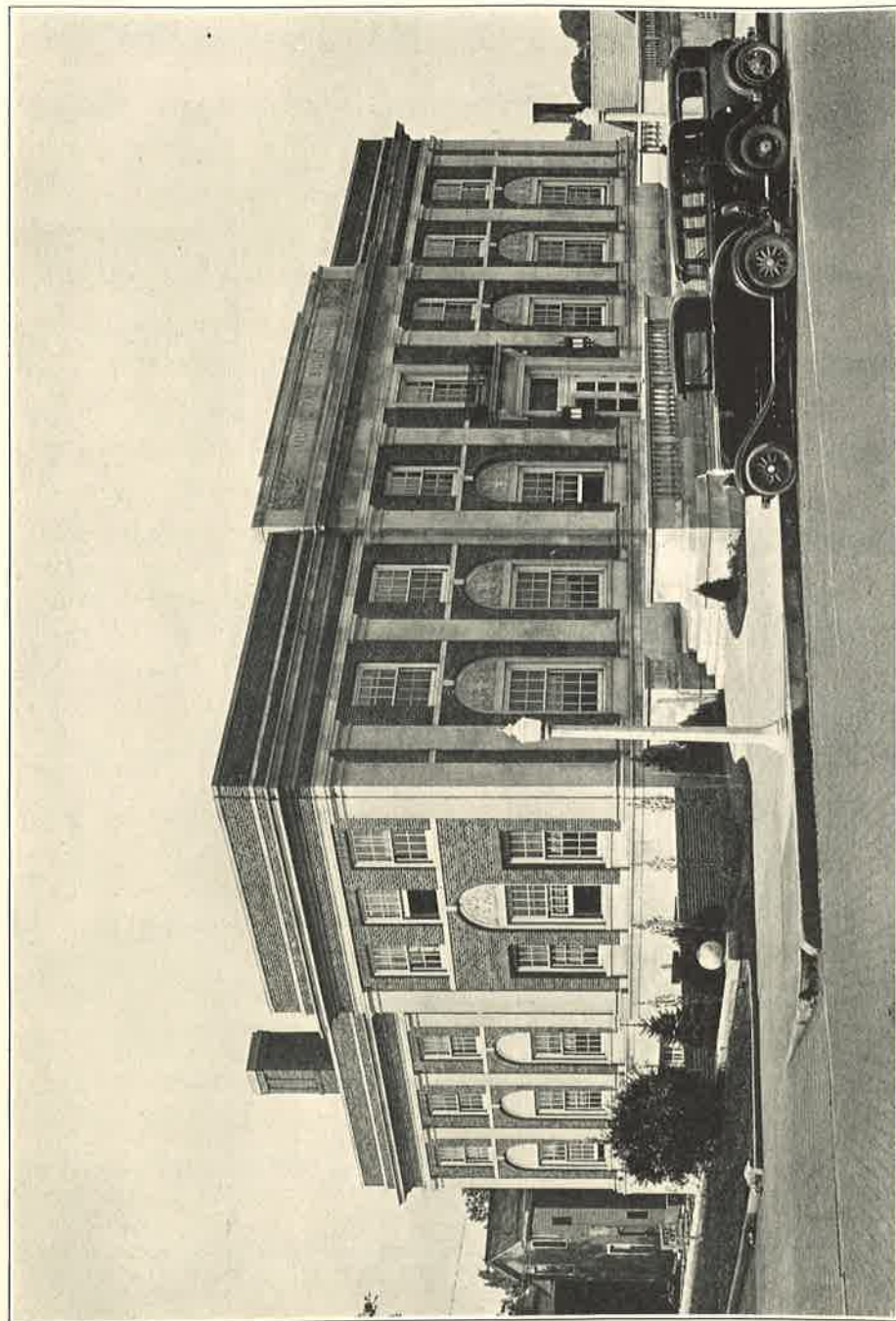


REPORT OF THE CITY PLANNING AND ZONING COMMISSION

1933-1935

HARE & HARE—*City Planners*

KANSAS CITY, MISSOURI



Municipal Building

THE CITY PLANNING AND ZONING COMMISSION

L. A. NICKELL, *Chairman*

L. M. SHORT, *Vice-Chairman*

C. A. CARMICHAEL, *Secretary*

M. P. BLACKMORE

W. F. ST. CLAIR

EX-OFFICIO MEMBERS

R. S. POLLARD,
Mayor

E. D. WAYLAND,
Chairman, City Planning Committee of City Council

MRS. W. S. BRICKER,
President of Park and Playground Board

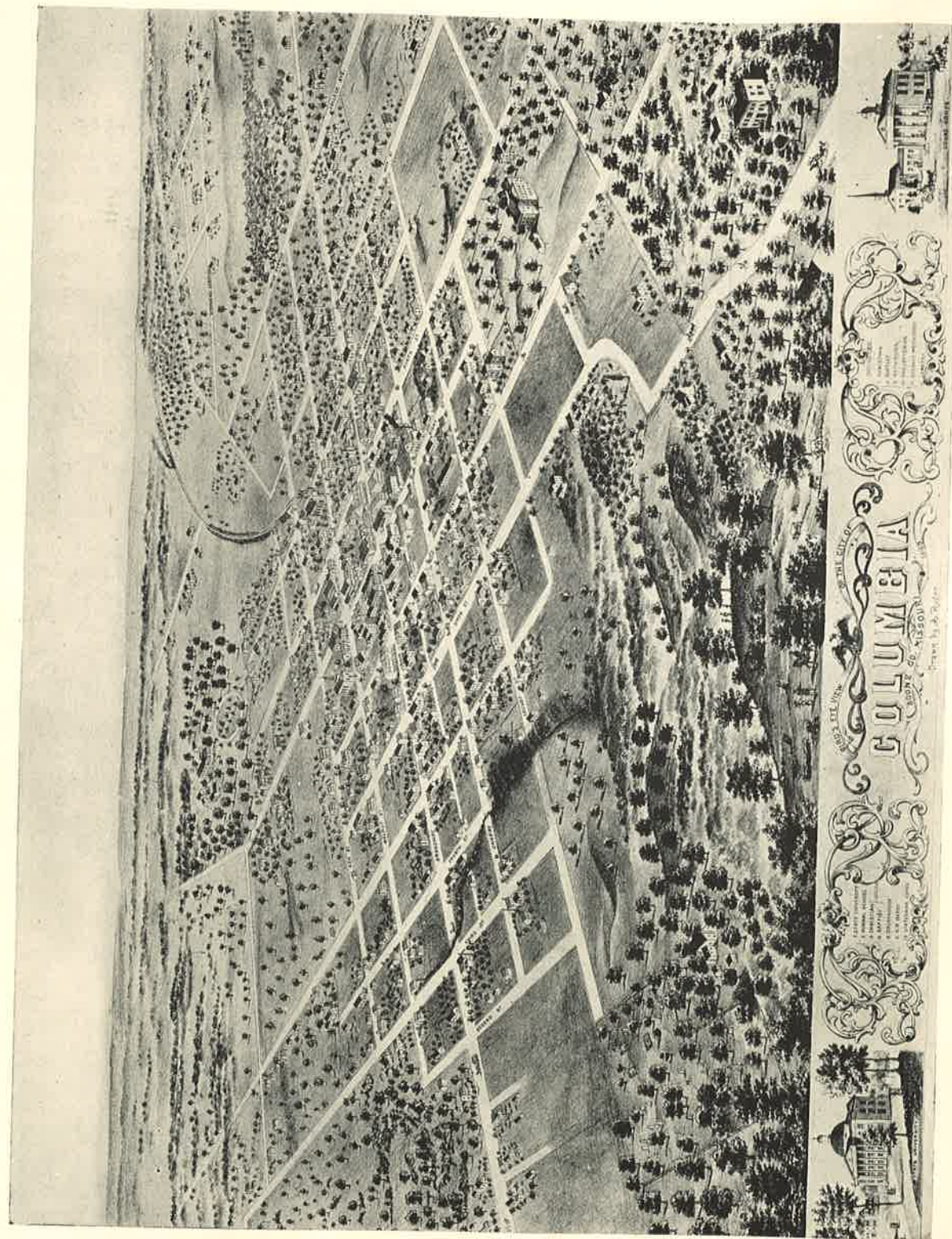
W. B. CAUTHORN,
City Engineer

Past members having a part in
the preparation of the city plan

N. T. CAVE

L. J. WINDSOR

FREDERICK DUNLAP



This drawing of Columbia as it appeared in 1869 shows the city from the southwest, and reveals many interesting landmarks.

LETTERS OF RECOMMENDATION AND NOTICES OF OFFICIAL ACTION

Columbia, Missouri,
July 1, 1935.

To the Honorable Mayor and City Council,
Columbia, Missouri.

Gentlemen:

At the last meeting of the City Planning and Zoning Commission, held June 14, 1935, the following motion was passed unanimously:

"That the Commission accept the final report of Hare and Hare as submitted, and that we recommend to the Mayor and City Council that this report be adopted as the Official City Plan of Columbia."

Respectfully submitted,

C. A. CARMICHAEL, Secretary,
City Planning and Zoning Commission.

The City Council on July 1, 1935, voted to accept the above recommendation of the Commission.

Columbia, Missouri,
March 18, 1935.

To the Honorable Mayor and City Council,
Columbia, Missouri.

Gentlemen:

At a called meeting of the Columbia City Planning and Zoning Commission in the City Hall on March 15, 1935, the following motion was made, seconded, and passed unanimously:

"That the City Planning and Zoning Commission recommend to the Columbia City Council at their regular meeting on March 18, 1935, the adoption and passage of the Zoning Ordinance recommended by Hare and Hare and approved by this Commission."

Yours respectfully,

C. A. CARMICHAEL, Secretary,
City Planning and Zoning Commission.

The City Council on March 18, 1935, voted to accept the above recommendation and ordered a public hearing on the proposed ordinance, as required by Section 4 of the Missouri State Zoning Enabling Act, to be held on April 5, 1935.

Following the public hearing referred to above, the City Council passed and the Mayor approved on May 6, 1935, the proposed Zoning Ordinance.

FOREWORD

The accompanying maps and recommendations comprise a program for the future development of Columbia. Such a program is generally known as a city plan, but the completion of such a report is the start rather than the culmination of city planning. To realize the benefits of comprehensive planning requires the continuous and active attention of a citizen planning body in the form of a city planning commission, as well as the intelligent support of the governing body of the city, and an enlightened public interest.

No city plan can be considered final in any growing community. Adjustments will no doubt be necessary from time to time. This, together with the general administration of the plan, is the function of a continuous city planning commission.

In the execution of the program, some of the recommendations, such as zoning, can be put into effect at once, with little or no expense. Others represent longer range objectives, and involve guiding the normal growth of the city along orderly lines. Still others involve a reasonable expenditure of money now or in the future, in effecting alterations in the physical structure of the city. However, the adoption of the plan does not commit the city to any immediate expenditure. The purpose is to assure an ultimate, orderly, related civic development.

The plans herewith submitted are comprehensive as to inclusion and correlation of various phases of civic development, but do not include detailed recommendations for projects such, for instance, as the development of individual park areas, the general location and extent of which are shown as a part of the city plan.

Acknowledgment is hereby made to Mayor R. S. Pollard and members of the City Council, Mr. W. B. Cauthorn, City Engineer, Mr. H. R. Mueller, President of the Chamber of Commerce, the late Mr. L. E. Slate, former Secretary of the Chamber of Commerce, the late Dr. Walter Williams, President, and other officials of the University; also the postal officials, the superintendent of schools and the Southwestern Bell Telephone Company, for their cheerful cooperation in the preparation of the plan, and to Mr. J. F. Barham for the loan of aerial photographs.

HARE & HARE,
City Planners

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PART I

GENERAL CONDITIONS

HISTORY

Columbia has an interesting historical background. The first white settlers came to the area, which later became Boone County, in 1815, one hundred and twenty years ago, the year which marked the end of the second war with England. These settlers came mostly from Kentucky, Tennessee and Virginia. The city of Columbia was established and made the county seat of Boone County in 1821. Just previous to that there was an attempt to establish a town by the name of Smithton on the plateau to the northwest of the present city. This project was abandoned because of failure to find water.

In 1821 Columbia consisted of a few cabins on Flat Branch, and in 1823 had a population of 130, increasing to 600 by 1830 and 1000 by 1840. Early rivalry in establishing the center of the city resulted in it being located at approximately the present center of the business district. Unlike many communities, there has been little tendency to drift away from the original location. The town plat provided for a square on the site where the present courthouse is located. The first courthouse building was erected in 1824. It was a small, brick building, and was replaced in 1848 by a larger one with imposing stone columns. These columns were preserved when the remainder of the structure was razed in 1908, to allow for the construction of the present building on a nearby location in the same block. The columns now form a terminal feature for a portion of Eighth Street, offsetting the well known columns on the University grounds at the opposite end of the street.

Many buildings constructed during the early days of Columbia are still standing. Among the ones which have historical interest is the house at 206 East Broadway, erected by Roger North Todd in 1823. Abraham Lincoln is said

to have visited Mary E. Todd, the niece of Roger Todd, there in 1844, a year before their marriage. Steps should be taken to record and evaluate the various historical points and structures, and preserve those which are worthy.

No historical reference to Columbia could be given without particular mention of its cultural side. It has been, from the start, a city of cultural opportunity. The first church was started in 1823. This was of the Baptist denomination and was followed quickly by other religious groups. The University of Missouri is the oldest university west of the Mississippi, and was established by act of the legislature of 1839 and actually founded in Columbia in 1841.

Stephens College, established in 1856, was the outgrowth of a previous Female College, organized in 1833. Christian College was started in 1851. Public schools were established in the '50s, first in rented houses, and later in an old church which had been purchased for the purpose. In 1881 a site was purchased and a school building erected.

SITE AND TOPOGRAPHY

Most of the area of the city is on gently rolling upland. This upland is indented from the southwest by the valley of Flat Branch, and from the east by a gentle depression falling just north of the business district. The expansion of the city on both the south and east is limited by the valley of Hinkson Creek, and the valley of Bear Creek on the north forms a barrier to very extensive growth in that direction. The high plateau to the west and northwest perhaps provides the easiest direction of expansion.

The valleys of Hinkson, Grindstone and Bear Creeks, together with the lower reaches of Flat Branch, provide unusual scenic opportunities within the immediate environs of the city.

CITY PLAN, COLUMBIA, MISSOURI

CLIMATE

Continually changing seasons and wide ranges in temperature are the principal climatic characteristics of Columbia, in common with other cities throughout this section of the country. It is commonly thought that such a climate promotes human activity, and this theory is no doubt supported by the phenomenal development of the middle west. The rainfall is well distributed in relation to growing seasons, and this, together with fertile soil in the surrounding country, has made agriculture the most important factor in the welfare of the district. Six to eight months of weather suitable for outdoor enjoyment, emphasizes the importance of proper provision for recreation.

Weather bureau records show a preponderance of south wind throughout the year, with a fairly equal distribution from other directions, except that there is more northwest than northeast wind. Even in the winter months the wind from the south and southwest is approximately equivalent to that from the northwest.

GROWTH OF POPULATION

While it is not assumed that Columbia will ever become a metropolis, and none of the plans contemplate that possibility, it is a fact that the city is enjoying a most healthy growth. The rate of growth has varied, however, from 70.9 per cent in the decade between 1900 and 1910, to 7.5 per cent in the 1910-1920 period, with an average growth per decade for the past forty years of about 40 per cent. The greatest growth in numbers came in the decade between 1920 and 1930, when an increase of 4575 was recorded.

The accompanying chart shows that during the past four decades Columbia has grown at a rate much in advance of the average of other cities in the same population class,—the cities of from 10,000 to 25,000. Should it continue at the present rate of growth, that is, approximately 40 per cent per decade, it would have a population of 29,000 in 1950, and 57,500 in 1970. On the other hand, should the growth be only 25 per cent per decade, which is approximately the growth of other cities of the same popula-

tion group, the population would be approximately 23,000 in 1950, and 37,500 in 1970. These alternatives are shown on a graph of population growth. Due to the decrease in birth rate and other conditions, some reduction in rate of growth can normally be expected. Therefore the actual rate of growth will no doubt be somewhere between the two extremes listed above.

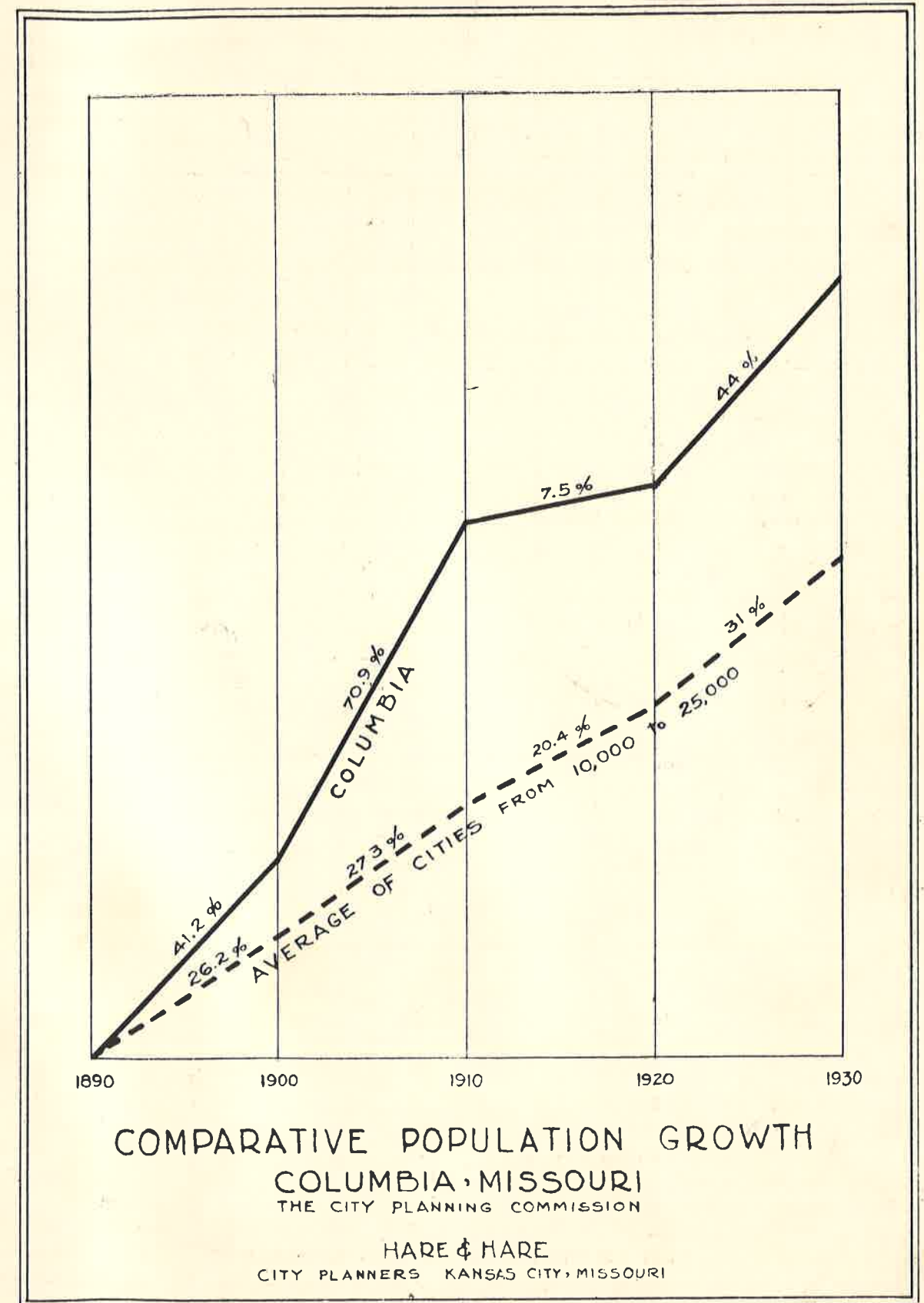
Increased population has a definite influence on the city plan in connection with requirements for traffic, provision for recreation facilities, provision for utilities and control of areas to be subdivided for expansion.

RACIAL COMPOSITION

The population of Columbia has always been composed chiefly of native born Americans. It is interesting to know that not only the percentage of foreign born whites, but the actual numbers have decreased steadily since 1910. At that time there were 158 foreign born whites, or 1.6 per cent of the total population; and in 1930 there were listed but 128, or only 0.9 per cent of the total population.

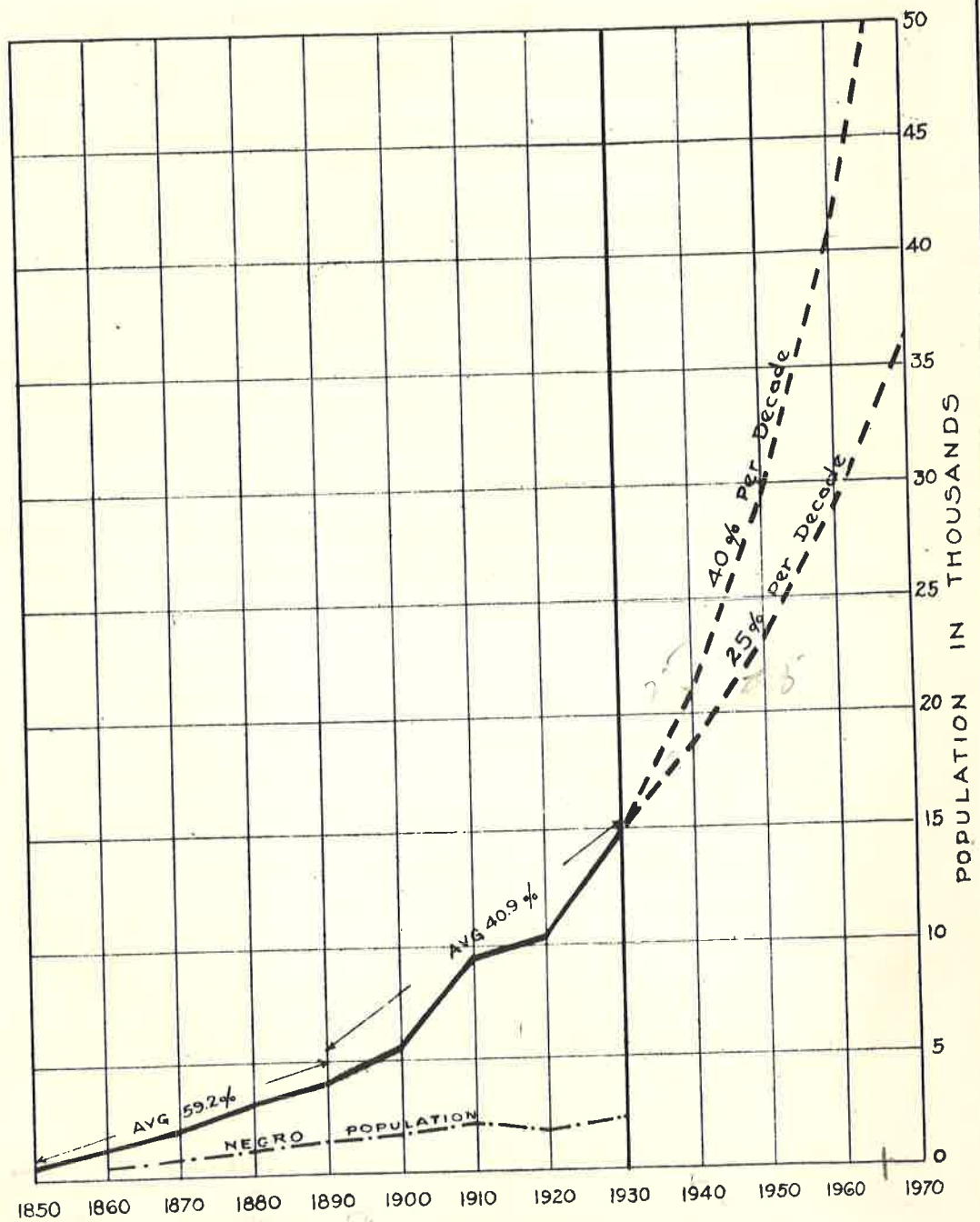
The negro population is an important factor in the city development. In 1860 negroes comprised approximately 38 per cent of the total population. This percentage increased slightly to nearly 40 per cent in 1890, and since has declined rather sharply to 15.4 per cent in 1930. The actual number of negroes, however, has increased from 541 in 1860 to 2301 in 1930. The increase in the last three decades has been very slight, and between 1910 and 1920 there was a loss of several hundred. The growth of negro population between 1860 and 1930 is shown on the graph of population curves.

The negroes are an important and useful element in the city's life, and provision should be made for their welfare, including suitable locations for living and recreation. It is not to the best interest of either race to encroach upon the other. Control by zoning, while instituted in certain southern cities, is not entirely satisfactory, and it is believed that mutual agreements between the races offer a better method of procedure.



This chart shows that Columbia is growing faster than the average of cities in its population group.

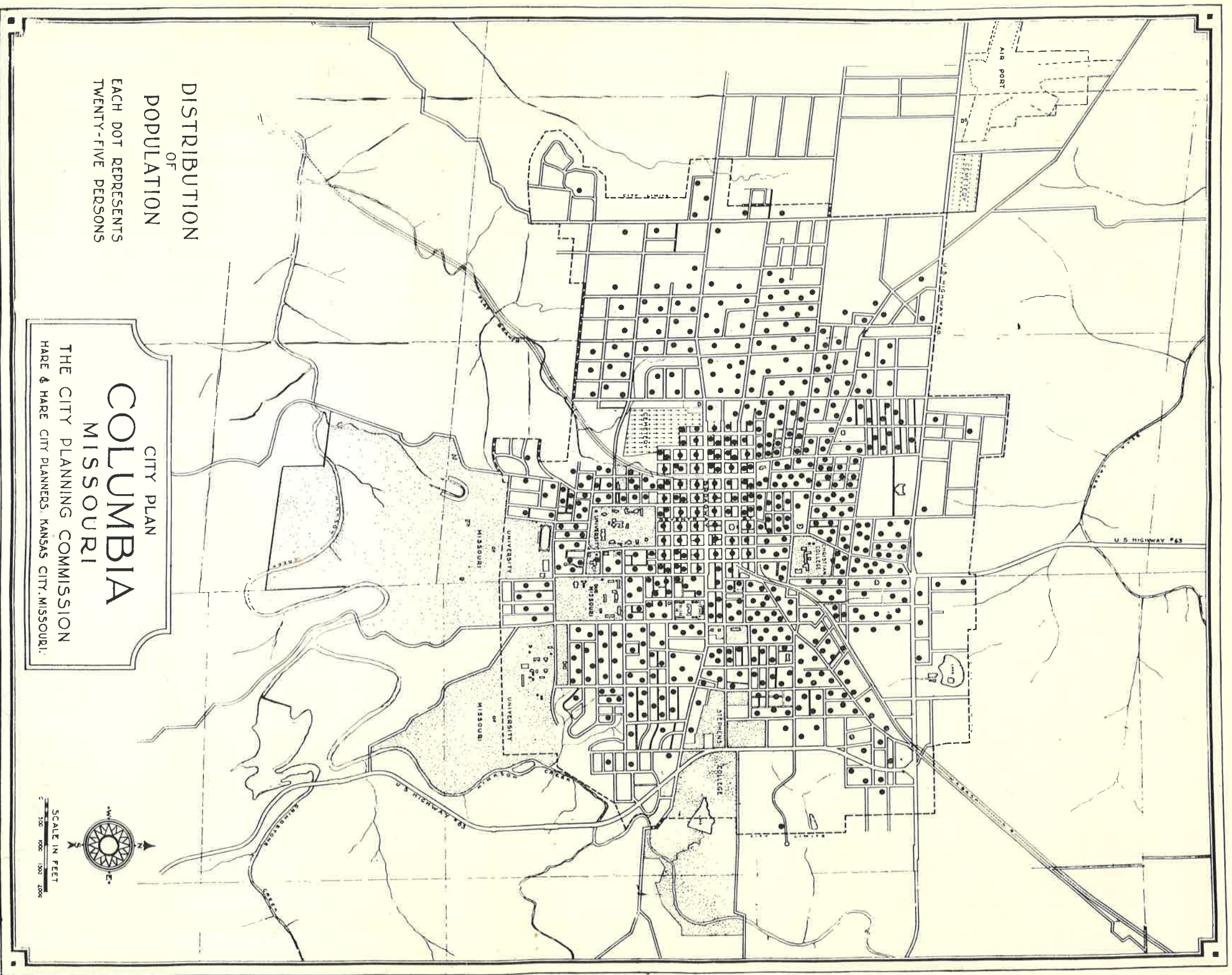
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POPULATION CURVES COLUMBIA, MISSOURI. THE CITY PLANNING COMMISSION

HARE & HARE
CITY PLANNERS KANSAS CITY, MISSOURI

This graph shows probable future growth of population based on continuation of average of past growth of Columbia and average of past growth of cities in the population group.



This map shows that the population of Columbia is fairly evenly distributed, with no areas of real congestion. Non-resident students of the University and colleges are not included.

With little possibility of material increase in negro population, and with considerable vacant property within the principal sections now occupied by them, effort should be made to concentrate future population within these principal sections and avoid scattering into other sections of the city.

DISTRIBUTION AND TREND OF POPULATION

The map showing distribution of population by dots indicates that this distribution is fairly even. There are no points of real congestion. The greatest concentration is in portions of the principal negro district, with comparable density near the University. West of Garth Avenue the population is relatively light.

Taking Broadway as an arbitrary and perhaps unfair dividing line between the north and south sections of the city, and Seventh Street, with a prolongation of its line as a division between the east and west sections, a study of the distribution of population shows 32.5 per cent in the northwest sector; 32.4 per cent in the northeast; 16.2 per cent in the southwest; and 18.9 per cent in the southeast sector. The total population east of Seventh Street is about equal to that west, but the total population north of Broadway is nearly twice that south.

The map showing vacant property within the city limits indicates that most of the privately owned land is consistently built up. This leaves very limited unoccupied areas available for recreational purposes, school ground expansion and similar public uses.

This map, studied in relation to the character of vacant property, also indicates the greatest opportunity for future expansion of population is to the west and north, with some possibilities

in other directions, particularly for larger home sites on more picturesque topography.

STUDENT POPULATION

Because of lack of dormitory provision in connection with the University, most of the nonresident students are housed in boarding and rooming houses, or fraternity and sorority houses. The accompanying map, showing the location of these facilities, indicates a natural concentration in the neighborhood of the University, which should be recognized in zoning regulations.

The University has at present a total annual enrollment in excess of 5300, including about 1500 in the summer school. This represents a rapid growth from slightly more than 1000 in 1900. The peak was reached in 1931 and 1932, with more than 6700, and the low level during 1933 and 1934 was a little more than 4800. There is every reason to believe that with economic recovery under way, the enrollment will increase to well beyond former levels.

Stephens College and Christian College have enrollments of 750 and 240 respectively, making a total for the three institutions at present of nearly 6300, of whom about 5800 are non-resident students.

With such an enrollment of nonresident students brought together both from within and without the state, the city of Columbia has an unusual opportunity to set an example in orderly and beautiful civic development, through city planning, which example can exert an immeasurable influence on numerous other communities through the impression made on students who will return to their respective homes to assume the duties of citizenship.



PART II

RECOMMENDATIONS

The recommendations made herewith are based on a careful study of existing conditions. In addition to a thorough inspection of the city and environs made by automobile and on foot, to insure familiarity with the problems and opportunities, much statistical data was acquired, some of which is presented in this report. The map designated as "Existing Conditions" shows some of the controlling factors, such as present school lands, other public or semi-public property, dead end and offset streets, grade crossings of streets with railroads, cemeteries and university and college properties.

MAJOR STREETS

A system of major streets is the basis of a city plan,—the framework on which it is built. Convenient circulation of traffic is vital to the welfare of any community. Lack of convenient circulation can result in great economic loss. Greatest efficiency in circulation, as well as economy and safety, can best be accomplished by concentration of traffic on certain through streets,—streets having the proper width, continuity and provision for traffic regulation. Such concentration leaves minor streets, particularly in residential areas, free from unnecessary traffic, and thus more valuable for their particular uses.

The street system of Columbia, like that of most cities in the newer sections of our country, is largely based on a rectangular arrangement. Fortunately certain diagonal roads were established prior to the extension of the rectangular pattern, and these diagonals can be fitted into the major street plan to advantage. The rectangular arrangement, while tending toward monotony, is orderly and not unsuitable for most of the topography within the city. However, many offset intersections or street jogs, as well as dead end streets, have resulted from lack of coordination of individual sub-

divisions. Topographical barriers and university and college lands have caused other gaps, so that as a result there are no continuous east and west streets through the city except Broadway and Highway No. 40, and no north and south connections except West Boulevard, Garth Avenue, and Highway No. 63. It is the purpose of the major street plan to remedy this situation.

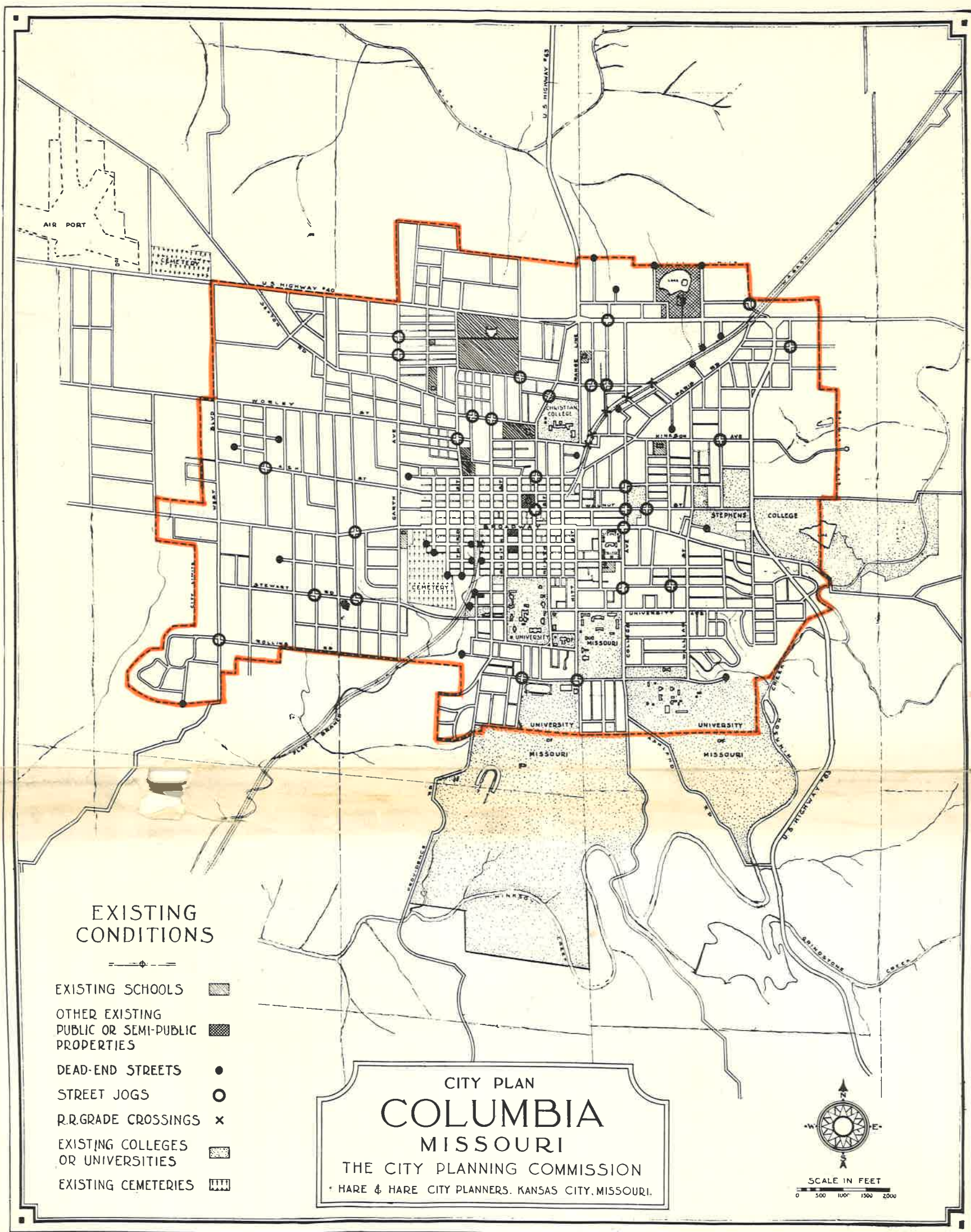
It will be noted on the map of existing street widths that a majority of the streets in Columbia are less than fifty feet wide. This is unfortunate even in the case of minor residential streets, and in future subdivisions fifty feet should be established as a minimum. Except in the business district, few streets are as much as sixty feet in width. This means that many of the streets designated as major thoroughfares will have to be widened. The purpose of the city plan has been to make use of the wider streets wherever practicable.

Another map included herewith shows streets which have permanent paving. The width of the paving is quite variable, but generally inadequate even for three lines of traffic for local use. A record was made of all present widths. While paving alone should have little influence in determining the selection of major streets, due consideration was given this as one of the factors.

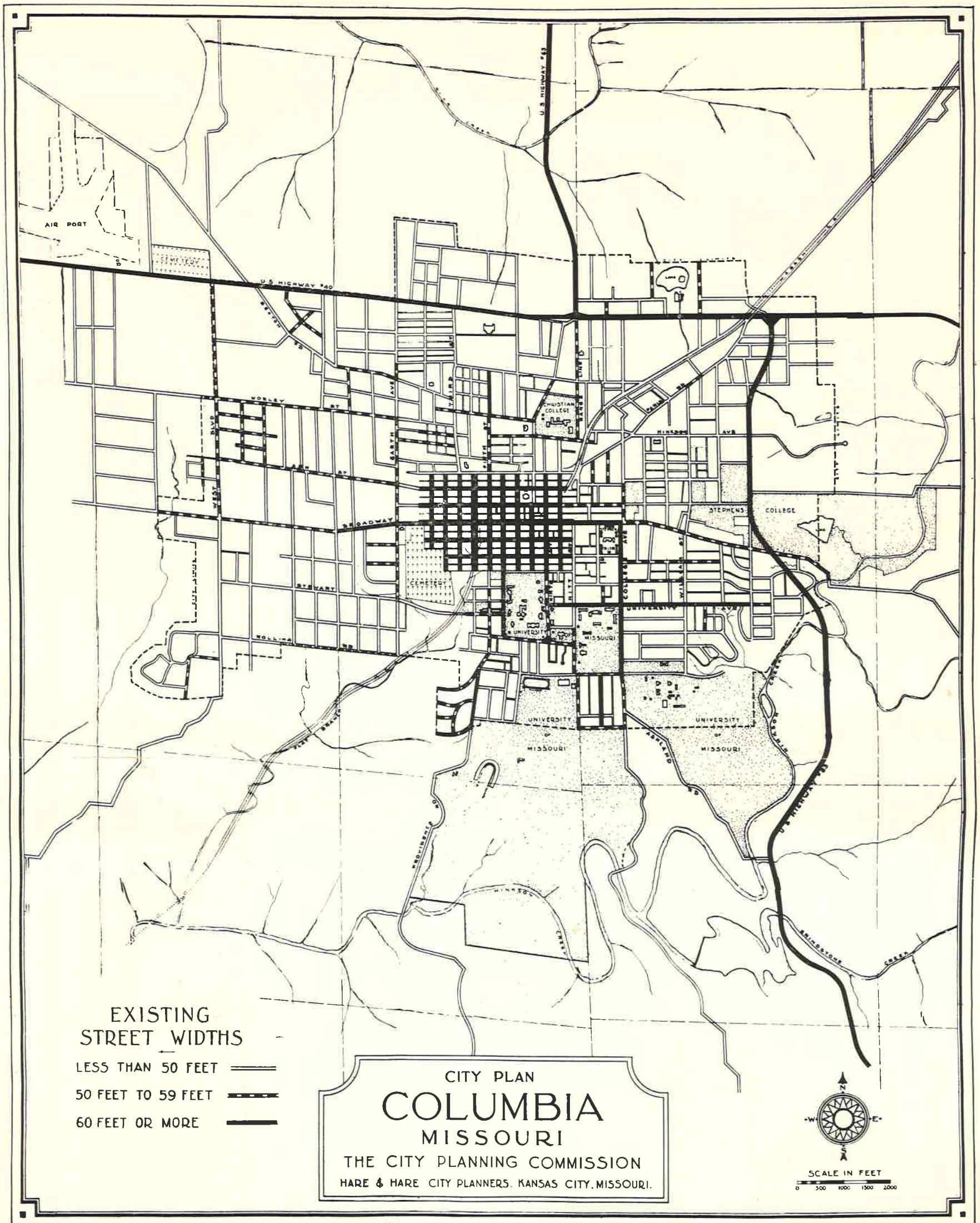
STREET CROSS SECTIONS

In order to standardize future street and paving work in the various classes of streets, the accompanying cross sections were prepared. The total width of any street is based on a paving width providing the required number of lanes for traffic, and in addition proper space for walks and street trees.

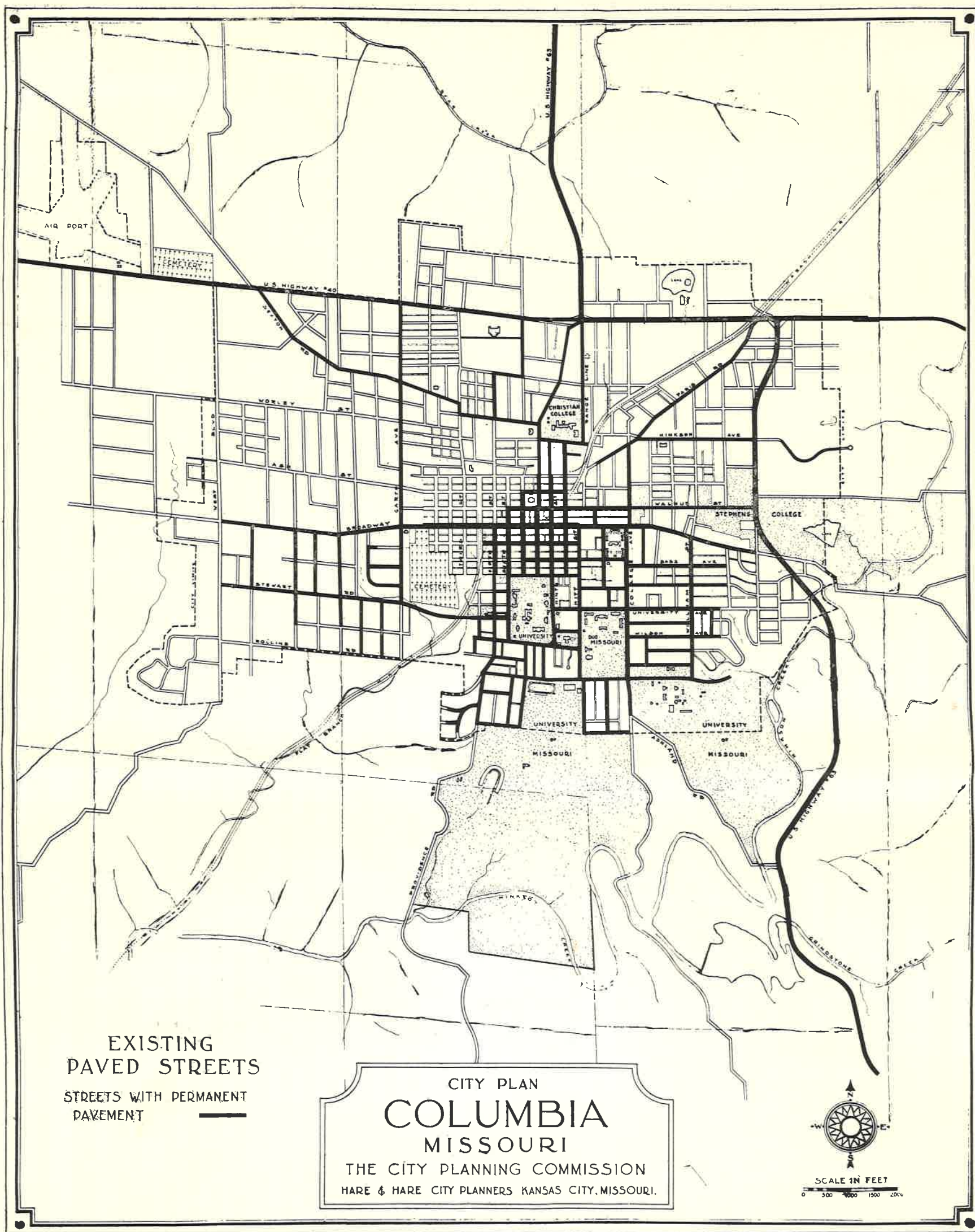
Eight feet has been used as a lane for parked vehicles, and nine to ten feet for moving vehicles. In cases where there is a large percentage of



This map shows 28 street off-sets or jogs and 27 dead end streets, mostly resulting from lack of coordination between adjoining additions. It also shows the location of six railroad grade crossings, none of which, however, carry any great volume of traffic. No land is particularly designated as park, but some of the land now owned by the city is suitable for recreation use.



This map shows that very few streets, outside of the business district, are 60 feet or more in width, and that a great percentage are less than 50 feet in width.



This map shows the streets having permanent paving,—concrete, brick or asphaltic surface. Many of the streets not shown as paved are graveled.

through traffic, particularly with a reasonable percentage of trucks or busses, ten feet should be provided as a lane. On this basis, twenty-six feet is the most desirable paving width for local streets in detached residential districts. Twenty-four feet is fairly satisfactory for purely local traffic, where space is not available for the twenty-six feet. Local or secondary streets having apartment or business use, on which there will be a great deal of parking, should have a minimum of four lanes for traffic, preferably thirty-six feet, but in cases where this is not possible, thirty-two to thirty-four feet is reasonably satisfactory.

In the case of major streets, the minimum roadway should be thirty-six feet, and it is thought that in most of the primary routes shown on the major street plan, this width of paving will carry the volume of traffic which may be anticipated.

In the central business district, the walk normally extends from the curb to the property line, and should have a minimum width of twelve feet. In local business developments, it is desirable to maintain trees wherever possible, and these can be planted in openings provided in walk spaces, or in many cases the entire space to the curb need not be paved. A narrow walk, (two feet or less) next the curb will afford a place to alight from cars and frequent connections from this to the main walk and store fronts may be ample paving and still provide spaces for trees. If openings for trees are to be provided in the sidewalk, they should be of ample size, preferably at least four feet square. It is usually not practical to provide such openings unless the total walk space is fourteen feet or more wide.

In residential districts walks need not usually be more than four feet wide on minor streets and five feet on through streets. In such districts it is desirable to place the walk at least one foot and preferably two feet from the property line in order to provide clearance from walls or fences, and space for vines on such structures.

Six feet between curb and walk is a practical minimum for street trees. In a narrower space the trees will cause early damage to walks and curb. Even a wider space of eight to ten feet is preferable. In case of a wide parking strip,

where the roadway may be widened in the future, the trees should be set closer to the walk to allow for such widening. On very wide streets, with fifteen feet or more between curb and walk, a double row of trees can be used, or the walk may be set five feet or more from the property line and the second row of trees planted back of the walk. Whatever treatment is adopted, however, it should be uniform throughout the street.

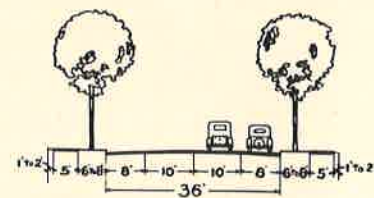
With the various requirements discussed above, it can be seen that local or minor streets should have a width between property lines of at least fifty feet, and major streets at least sixty feet. In cases where major streets are indicated to be widened to sixty feet, and detail study shows that greater width can be acquired with little or no extra cost, such extra width should be secured.

One of the important problems in Columbia is the development of local streets now platted less than fifty feet wide. With present requirements for automobile traffic as well as parking, even in minor residential streets, it is very doubtful if less than three lanes for traffic should be provided—that is, the opportunity to park two cars opposite and permit one moving vehicle between, or two moving vehicles to pass one parked car. Assuming twenty-four to twenty-six feet for such a roadway, and a total width of forty to forty-five feet between property lines, there is not room for two walks and two adequate tree spaces. One very evident solution on streets where improvements have not already been made, is to secure a wider right of way through dedication or easements. Another and more unusual one would be to place the paving off center and provide space for trees on each side, but a walk on one side only. Many modern, restricted residential districts are providing walks on one side of the street only, in recognition of decreased pedestrian traffic, but it is usually true that proper space is reserved for the second walk if and when needed.

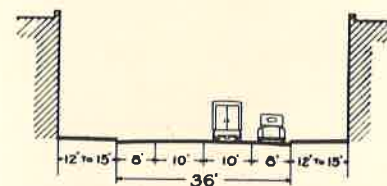
Such an off center treatment is less desirable than the dedication of proper width, and in no case should have consideration except in places where it can be carried through a street continuously, with the consent of owners, and with agreement as to which side should have the

TYPICAL STREET SECTIONS
COLUMBIA
 MISSOURI
 THE CITY PLANNING COMMISSION
 HARE & HARE-CITY PLANNERS-KANSAS CITY, MO

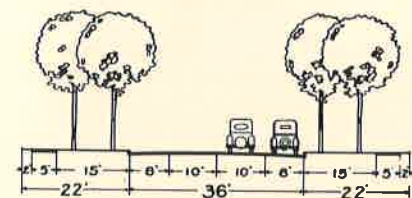
MAJOR STREETS



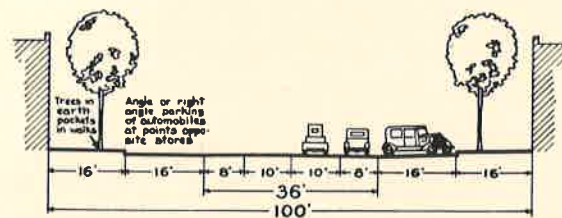
TYPICAL 60' TO 66' STREET
 IN RESIDENTIAL DISTRICT



TYPICAL 60' TO 66' STREET
 IN BUSINESS DISTRICT



TYPICAL 80' STREET IN RESIDENTIAL DISTRICT
 INCLUDING HIGHWAY NO. 63

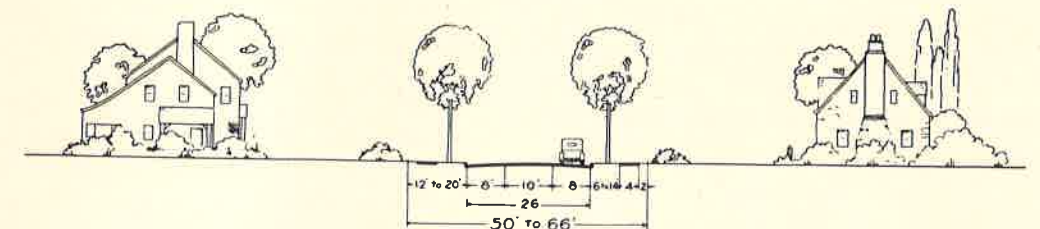


ULTIMATE DEVELOPMENT OF HIGHWAY NO. 40
 THROUGH BUSINESS DISTRICT

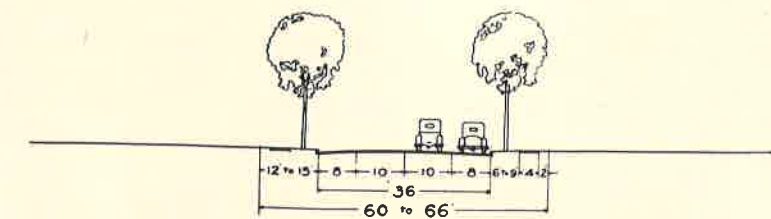
This drawing shows cross sections for development of typical major streets including ultimate development of Highway No. 40 through business sections.

TYPICAL STREET SECTIONS
COLUMBIA
 MISSOURI
 THE CITY PLANNING COMMISSION
 HARE & HARE-CITY PLANNERS-KANSAS CITY, MO.

MINOR RESIDENTIAL STREETS



In detached house districts streets should be not less than 50' wide so as to provide for a roadway width sufficient for three lanes for traffic as well as a reasonable space for trees and sidewalks. 26' is preferable for such three lane roadways but a minimum of 24' may be used where space is limited.



In apartment house districts streets should be not less than 60' wide so as to provide for four lanes for traffic (two parked and two moving) as well as a reasonable space for trees and sidewalks. 36' is preferable for such four lane roadways but a minimum of 32' may be used where space is limited.

This drawing shows cross sections of typical development for residential streets.

walk. Experience has shown that many may prefer the side without the walk.

DESCRIPTION OF MAJOR STREETS

HIGHWAY NO. 40.—Highway No. 40, through the north end of the city, is primarily a cross state connection, by-passing the developed sections. On highways of this type, adjacent to cities, it is only natural that a certain amount of business activity should develop. This has already occurred on this highway, and will no doubt be extended in the future. Therefore, provision should be made, not only for the through traffic, but for stopping and parking in connection with stores and shops, without interference with through traffic. While the present width of slab is from twenty to thirty feet, it will no doubt be necessary, in the near future, to provide for four lanes of traffic in the entire section adjacent to the city—or in other words at least thirty-six feet, and probably the requirements of the State Highway Department may be forty feet. In addition to this provision for through traffic, there should be, opposite stores, approximately sixteen feet additional on each side to provide for diagonal parking. These spaces, together with reasonable provision for walks in front of the stores, will require a total width of right of way of at least one hundred feet. From Range Line east, the present right of way is one hundred feet, but from Range Line west it should be widened from sixty to one hundred feet. The arrangement for the development of this highway in relation to stores shown on the sheet of Typical Street Sections, indicates the possibility of street trees in pockets provided in the walks. Particular attention should be given to the orderly and attractive appearance of this highway, so that it will give a pleasant impression of Columbia to those who do not visit the city proper.

SEXTON ROAD AND EXTENSION.—Diagonal connections from Highway No. 40 will form the best invitation to traffic wishing to reach the business district. Fortunately the bases of such connections are available from both the northwest and northeast. On the northwest Sexton Road intersects the highway at a convenient point. This road should be widened

from the highway to a point near Jefferson Street, where a new opening is proposed, as shown on the Major Street Plan, to a point near Oak and Worley Streets. This opening would involve the removal of a few inexpensive structures. The purpose is two-fold: First, it would avoid offsets in Sexton Road farther in, which offsets would be expensive to correct; and second, it would avoid widening and developing Sexton Road between Jefferson and Third Streets, parallel to and in competition with Worley Street, which in combination with Rogers Street and Hinkson Avenue would form a much needed cross town thoroughfare.

PARIS ROAD.—Paris Road forms a natural diagonal from the Highway on the northeast, and could easily be widened. It is proposed to widen it only as far as Price Avenue from whence the traffic would follow the Rogers Street connection, discussed below, and thence into the business district on such north and south street as it might select. Another alternative route to the business district would be by way of Price Avenue from Paris Road to Broadway. To designate Paris Road as a thoroughfare west of Price Avenue would involve reconstruction of the underpass at the Wabash tracks at considerable expense, which does not seem to be justified.

A ramp connection from Paris Road to the south side of Highway No. 40 would be a great convenience, and would involve little expense. A suitable location is available, without the removal of any houses. The present ramp on the north side would serve west bound traffic from the highway, thus avoiding left hand turns.

On both Sexton Road and Paris Road, the diagonal extensions beyond the city limits to northwest and northeast respectively, should be widened so as to provide ample right of way when the adjacent districts develop. The width should be at least sixty feet, with ultimate provision for thirty-six to forty foot roadways.

WORLEY—ROGERS—HINKSON CONNECTION.—By the opening of two short sections of new street, a complete connection east and west through the city could be provided.

MAJOR STREET PLAN INCLUDING PARKS AND PARKWAYS

PROPOSED MAJOR STREETS
OF SUFFICIENT WIDTH



PROPOSED MAJOR STREETS
TO BE WIDENED



MAJOR STREETS TO
BE OPENED



PROPOSED PARKS AND PARKWAYS



APPROXIMATE LOCATION OF
PROPOSED LOCAL PARKS



EXISTING SCHOOL PROPERTY



PROPOSED SCHOOL PROPERTY



LAND OWNED BY COLLEGES
AND UNIVERSITY



OTHER EXISTING PUBLIC
OR SEMI-PUBLIC PROPERTY

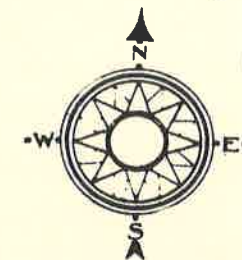


EXISTING CEMETERIES



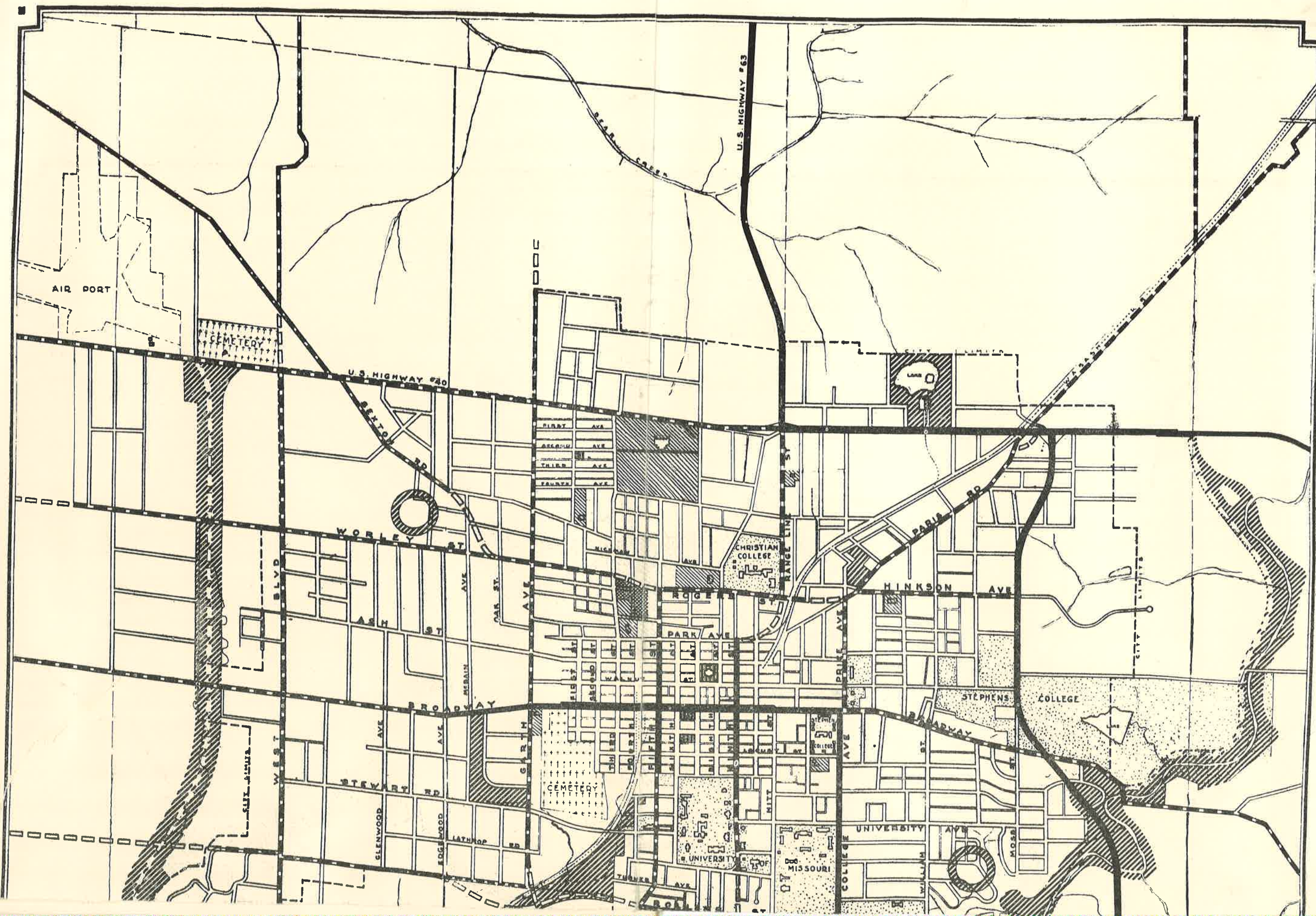
CITY PLAN COLUMBIA MISSOURI

THE CITY PLANNING COMMISSION
HARE & HARE CITY PLANNERS, KANSAS CITY, MISSOURI.



SCALE IN FEET
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This major street plan shows not only the proposed system of primary thoroughfares to facilitate traffic in the city, but recommendations for a comprehensive system of parks and parkways.



RECOMMENDATIONS

There is now no such through street between Broadway and Highway No. 40, a distance of a mile. Worley Street should ultimately be extended on west from its present terminus to provide a primary connection into a district suitable for future development. From its present western terminus to Third Street, it should be widened to sixty feet. The proposed opening between Third and Fifth, which would form the connection with Rogers Street, would necessitate the removal of several small and inexpensive houses. The opening from the east end of Rogers Street to Paris Road at Price Avenue, would involve only one rather inexpensive house. It is not intended to provide a grade separation at the Wabash tracks, as the amount, speed and character of the railroad traffic does not seem to justify it. Both Rogers Street and Hinkson Avenue should be widened.

BROADWAY.—Broadway, being the main east and west street of the city, as well as the principal business street, will always be of primary importance. Fortunately it is amply wide through the central section. It should be widened in the east and west sections of the city. In addition, it could easily be improved to the west joining Highway No. 40 just to the east of Perche Creek, and thus form a convenient lead into the city without unnecessarily inviting through traffic, which should normally stay on the highway. A new connection with Highway No. 40 at a point about twelve hundred feet east of the Perche Creek Bridge, would be desirable, but otherwise the present road could be used. A similar connection from the east end of Broadway into Highway No. 40 at a point well beyond the city, should be considered as a logical completion of this arrangement.

ROLLINS STREET.—On the west Rollins Street should ultimately be extended into the unplatted area to serve as a major thoroughfare in connection with future subdivisions. Such a connection is shown on the Major Street Plan. From the west edge of the Sunset Hill Addition to Edgewood Avenue, it should be widened to sixty feet, and from Edgewood Avenue to Providence Road, a new alignment on a reverse curve is proposed in order to get

better grades and avoid the expense of an overpass at the M. K. & T. tracks. From Providence Road east it should be widened with an extension across Hinkson Creek at least as far as Highway No. 63, and ultimately into the country beyond. This will form a much needed connection across the south end of the city.

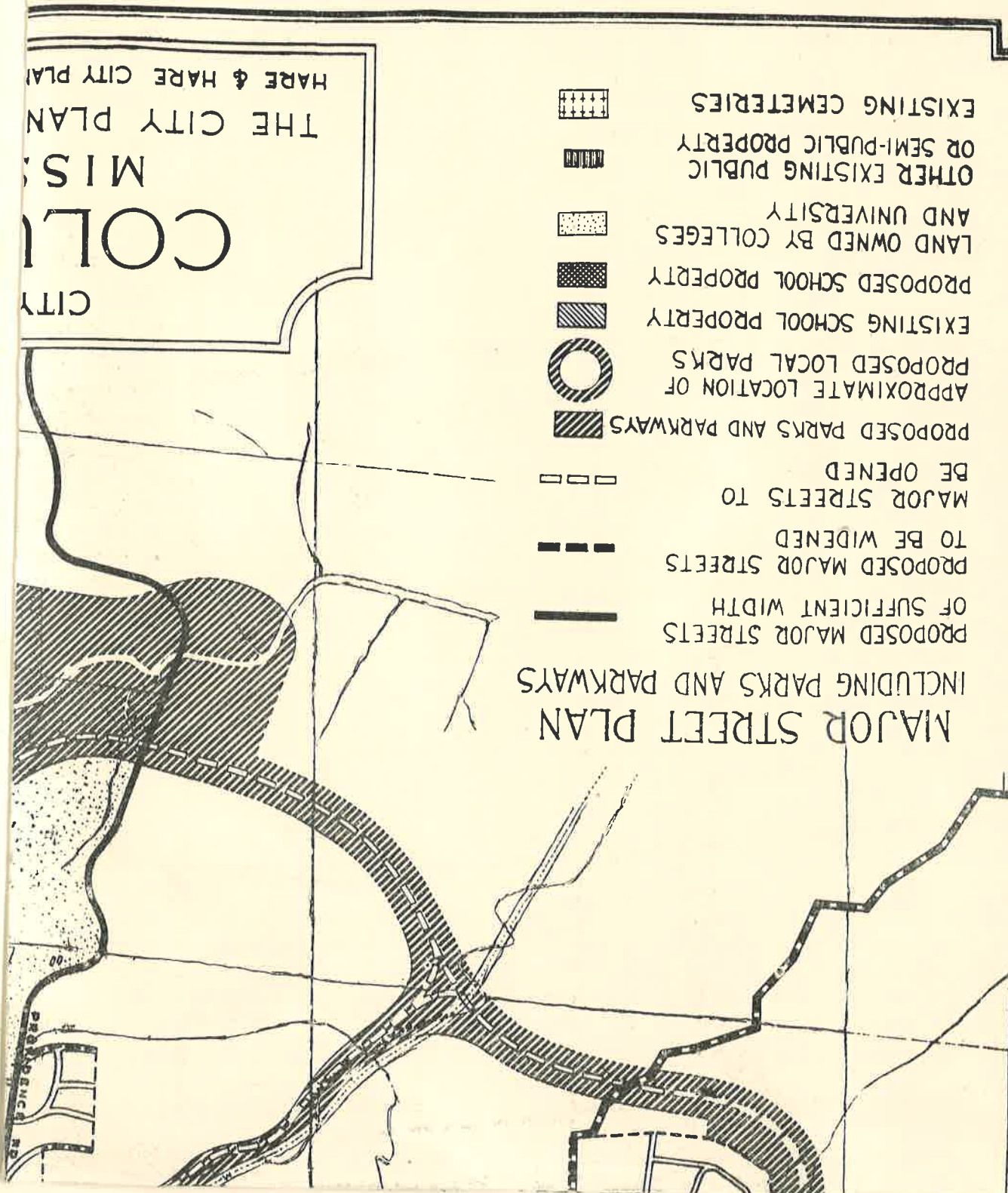
WEST BOULEVARD.—West Boulevard forms one of the three present north and south connections through the city. It should be widened its entire length, including the extension into the country at the southwest. An opening on the east boundary of the cemetery from Highway No. 40 north to Sexton Road would be very desirable.

GARTH AVENUE.—Garth Avenue now forms a satisfactory north and south connection entirely through the city, except that it should be widened its entire length. At the north end it should ultimately be extended into the unplatted territory to form a primary lead for future subdivisions, and at the south end it should be diverted slightly to the east at a point south of Lathrop Road, so as to take advantage of topographical conditions, crossing the railroad tracks on grade, and connecting with the new alignment of Rollins Street, as mentioned above.

FIFTH STREET—PROVIDENCE ROAD.—This will not provide a complete north and south connection, because of the location of the new high school property. It is proposed to designate Fifth Street as a major street from Rogers south, thus forming, in addition to a lead through the city and into the country on the south, a portion of a link in the connection from the highway on the northwest by way of Sexton Road to the business district. It would be necessary to widen it from Rogers Street to Park Avenue, and from three hundred feet south of Locust Street to Rollins Street. Providence Road to the south has recently been improved in grade and alignment as a part of the "Farm to Market" system.

RANGE LINE—NINTH STREET. A direct connection from Highway No. 63 on the north to the business district is important.

This major street plan shows not only the proposed system of primary thoroughfares to fac



The logical approach is along Range Line Street east of Christian College to Rogers Street. In order to avoid right angle turns into Rogers Street and again into Ninth or Tenth Street, it is proposed to open a new street by extending Range Line Street south and southwest on a curve to the west of the Wabash Railroad and into Ninth Street at Park Avenue. Ninth Street is chosen as the terminus of this new street, because it provides, in addition to a connection to Broadway, a through street to the south end of the city, past the east side of the main University campus. A new opening would be necessary between Conley and Rollins Streets. This opening involves the removal of several houses and would no doubt entail considerable expense, but is desirable, both from the standpoint of the city and the University. Range Line Street from Highway No. 63 to Rogers Street would have to be widened; also a portion of Ninth Street from a point south of Elm to Conley.

PRICE AVENUE—COLLEGE AVENUE—ASHLAND ROAD.—This connection is of unusual value in providing leads or portion of leads from the highway at the northeast, as well as from the southeast to the business district; and in combination with the proposed Rogers Street opening and Range Line, providing access between the southeast section of the city and Highway No. 63 leading north. Price Avenue should be widened from Paris Road to Broadway, and College Avenue, south of Rollins Street and its projection (sometimes known as Quarry Road), as well as Ashland Road, should be widened and improved in alignment and grade.

HIGHWAY NO. 63.—This forms a satisfactory north and south highway connection adjacent to the east edge of the city. The right of way of eighty feet is probably sufficient through most of its length, although a wider right of way would give more opportunity for ornamental treatment of the roadside. At points of local business, at least, it would be desirable to have a wider right of way so as to provide for parking space and sidewalks, as discussed in connection with Highway No. 40. Ultimately

the present twenty foot slab will no doubt have to be widened on at least a portion of this highway, and this should be taken into account in connection with space for business.

STREET ACCESSORIES

The proper development of streets is an important factor in the appearance of a city and should have as careful consideration as traffic requirements. Systematic and orderly development of roadway, grass parking strip, walks, street trees, and street accessories are all important.

Spaces required for trees have been discussed in connection with street cross sections. Their importance cannot be over emphasized. They should be uniform throughout a unit of a street as to spacing and variety; and the planting, pruning and removal should be done only by the city or under the control of some city department.

Walks should be uniform in width, location, material, and grade. Street lighting fixtures and signs should be selected with regard for simple dignity and beauty. Many good designs are available, but it is probably correct to say they are in the minority among those which are offered on the market. Unnecessary duplication of poles should be avoided. Wherever possible, lighting standards and street signs should be combined. Wires for telephone and lighting should be consolidated on one set of poles wherever practical, and such poles should preferably be placed in alleys or on easements along the rear lines of lots. Poles and wires on streets, and proper development of street trees, are seldom compatible. Wires should be placed under ground wherever possible.

TRANSIT

Because of the rapid change in methods of mass transportation in cities, and the misfortunes that have befallen most of the companies operating transit systems, Columbia is fortunate that it has not had such facilities. The bus is the latest and most approved method of serving the needs in other cities, and should this need be evident in Columbia at any time, a system of bus lines could easily be established

Schedule of Information on Proposed Major Streets

MAJOR STREETS	LOCATION	PRESENT STREET WIDTH	PROPOSED STREET WIDTH	PRESENT ROADWAY WIDTH	PROPOSED ROADWAY WIDTH
Highway No. 40	Air Port to Range Line	60	100	20 to 30	36 to 40 or wider
	To Highway No. 63 South	100	100	20	36 to 40 or wider
	To the City Limits and east	85	85	20	36 to 40 or wider
Sexton Road and Extension	Highway No. 40 to Jefferson Street	40 to 49	60	24	36
	Diagonal to Worley Street near Oak St.	Not open	60	Not paved	36
Worley Street	From west of City Limits to Garth Ave.	50	60	Not paved	36
	To Third St.	45, 40 and 30	60	Not paved	36
	Extension to Fifth St. and Rogers Street	Not open	60	Not paved	36
Rogers Street	Fifth Street to Eighth St.	50	60	Not paved	36
	To Wabash Right-of-Way	50	60	30	36
	To McAlester Street	50	60	Not paved	36
	Extension to Paris Road at Price Ave.	Not open	60	Not paved	36
Paris Road	From Price Ave. N. E. to City Limits and beyond	50	60	24	36
	South side ramp connection to Highway No. 40	Not open	60	Not paved	20
Hinkson Ave.	Paris Road to Highway No. 63	40	60	20	36

MAJOR STREETS	LOCATION	PRESENT STREET WIDTH	PROPOSED STREET WIDTH	PRESENT ROADWAY WIDTH	PROPOSED ROADWAY WIDTH
Broadway	From West of City Limits to West Blvd.	50	60	Not paved	36
	To about 300 ft. West of Glenwood Ave.	50	60	32	36
	To Edgewood Ave.	50	60	30	36
	To about 230 ft. West of First St.	60	60	30	36
	To Third St.	100	100	30	36
	To Fourth St.	100	100	57	57
	To Sixth St.	100	100	65	65
	To Hitt St.	100	100	70	70
	To College Avenue.	92 to 82	92 to 82	60	60
	To Williams Street	53 to 45	60	35	36
	To Moss St.	50	60	18	36
	To City Limits and East	50	60	Not paved	36
Rollins St.	From West of City Limits to Valley Rd.	Not open	60	Not paved	36
	To West Blvd.	Unknown	60	Not paved	36
	To Edgewood Ave.	50	60	Not paved	36
	On reverse curve to Providence Road	Not open	60	Not paved	36
	To Hitt St.	40	60	24	36
	To College Ave.	50	60	24	36
	To about 750 feet East of Williams St.	50	60	20 to 24	36
	Curve to S. E. to join Highway No. 63 and beyond	Not open	60	Not paved	36

MAJOR STREETS	LOCATION	PRESENT STREET WIDTH	PROPOSED STREET WIDTH	PRESENT ROADWAY WIDTH	PROPOSED ROADWAY WIDTH
West Blvd.	Highway No. 40 to Broadway	50	60	Not paved	36
	To City Limits and Southwest	40	60	Not paved	36
Garth Ave.	City Limits to Highway No. 40	40	60	Not paved	36
	To Fourth Ave.	40	60	24	36
	To Sexton Road	50	60	24	36
	To Worley St.	40	60	24	36
	To Stewart Road	50	60	24	36
	To Lathrop Road	46	60	Not paved	36
	To new location of Rollins St.	Not open	60	Not paved	36
Fifth Street	Rogers St. to Park Ave.	50	60	Not paved	36
	To Broadway	66	66	Not paved	36
	To 300 feet S. of Locust Street	66	66	21	36
	To Chestnut Street	46.5	60	21	36
	To Maple St.	53	60	21	36
Providence Road	To Turner Ave. and Providence Road	50	60	24	36
	Turner Ave. to Rollins St.	50	60	24	36
	To Kentucky Avenue	60	60	24	36
	To City Limits and beyond	60	60	Not paved	36
	Highway No. 40 to Rogers St.	50	60	30	36
Range Line	Curve to S. W. to Ninth St. and Park Ave.	Not open	60	Not paved	36

MAJOR STREETS	LOCATION	PRESENT STREET WIDTH	PROPOSED STREET WIDTH	PRESENT ROADWAY WIDTH	PROPOSED ROADWAY WIDTH
Ninth Street	Park Ave. to Broadway	66	66	40	40
	To Elm	66	66	40	40
	To University Avenue	64 to 50	Minimum 60	30	36
	To Conley	50	60	30	36
	To Rollins	Not open	60	Not paved	36
Price Ave.	Paris Road to Ash St.	40	60	24	36
	To Broadway	50	60	24	36
College Ave.	Broadway to Rollins St.	66	66	30	36
	To Ashland Rd.	50	60	30	36
	To City Limits and beyond	Unknown	60	Not paved	36
Ashland Road	College Ave. to City limits and beyond	Unknown	60	Not paved	36
Highway No. 63	From N. of city limits to Highway No. 40	80	80	20	36 to 40 or wider
	Highway No. 40 S. to City limits and beyond	80	80	20	36 to 40 or wider

RECOMMENDATIONS

and the proposed major streets would provide ideal routes. The compactness of the city, together with the convenience of taxicab service, and the increasing ownership of private automobiles, makes a method of public transportation of doubtful value.

TRANSPORTATION

Columbia is served by two railroads, the Wabash from the north, and the Missouri, Kansas and Texas from the south. Both roads are the terminals of branch lines, and are of little importance as passenger carriers since the completion of the highways serving the city from the north, south, east and west, and the establishment of regular bus lines. The importance of these roads to Columbia is in the transportation of freight.

Because each road stops short of Broadway, no grade crossing problems are involved on that thoroughfare. There are at present six points of grade crossing of streets with railroad tracks, five on the Wabash and one on the M. K. & T. Because of the infrequency of trains and the small amount of traffic at these points, no grade separations are necessary. There are now three grade separations, two on the Wabash and one on the M. K. & T. The one over Highway No. 40 is satisfactory and necessary; the other, on the Wabash, nearer the center of the city, is unsatisfactory in alignment, width and clearance, but its importance will be decreased by the proposed major street plan. The crossing over the M. K. & T. at Stewart Road is very essential for access between the University and the west portion of the city.

Two points of crossing of proposed major streets with railroads, the one on the Wabash at Rogers Street, and the other on the M. K. & T. near Rollins Street, are shown on the Major Street Plan. In neither case does a grade separation seem justified, but sufficient safety devices should be provided.

PUBLIC PROPERTY

Beauty is becoming increasingly recognized as a very tangible asset in community development, and a proper expression of civic pride, particularly when such beauty is logically com-

bined with order and convenience. All three can usually be realized by proper planning of public property; the location and setting of administrative public buildings; the proper development of school sites; and the proper location and improvement of parks, parkways and recreational facilities.

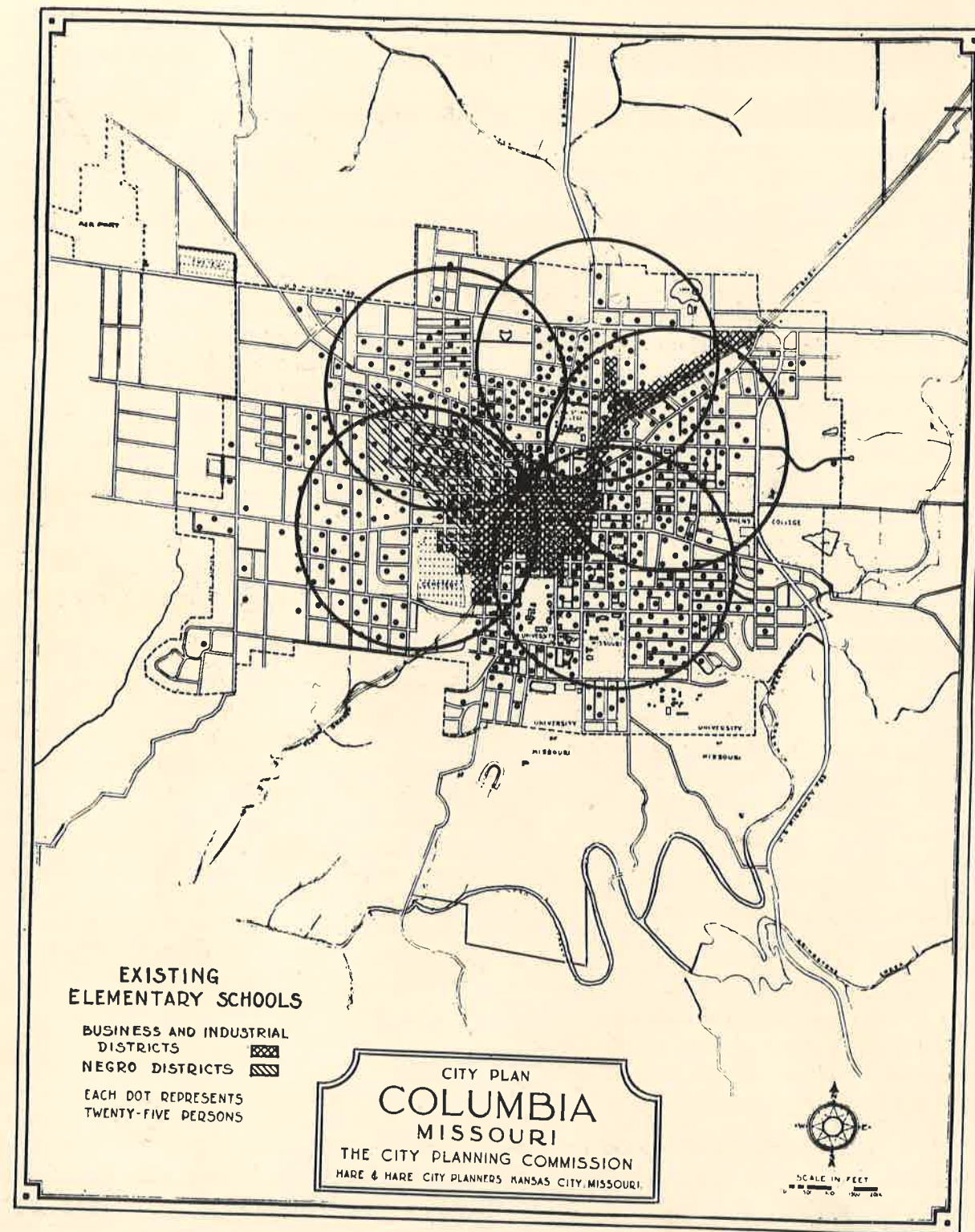
PUBLIC BUILDINGS

Columbia is fortunate in having a new city hall of good architectural design. It is unfortunate that such a building could not have had a more adequate setting and a better relation to other public buildings. The location of other public buildings is also well established. Recent improvements of the jail tend to fix the county courthouse location, and the new post office has been definitely located. The old post office should no doubt be retained for some public use, probably a public library.

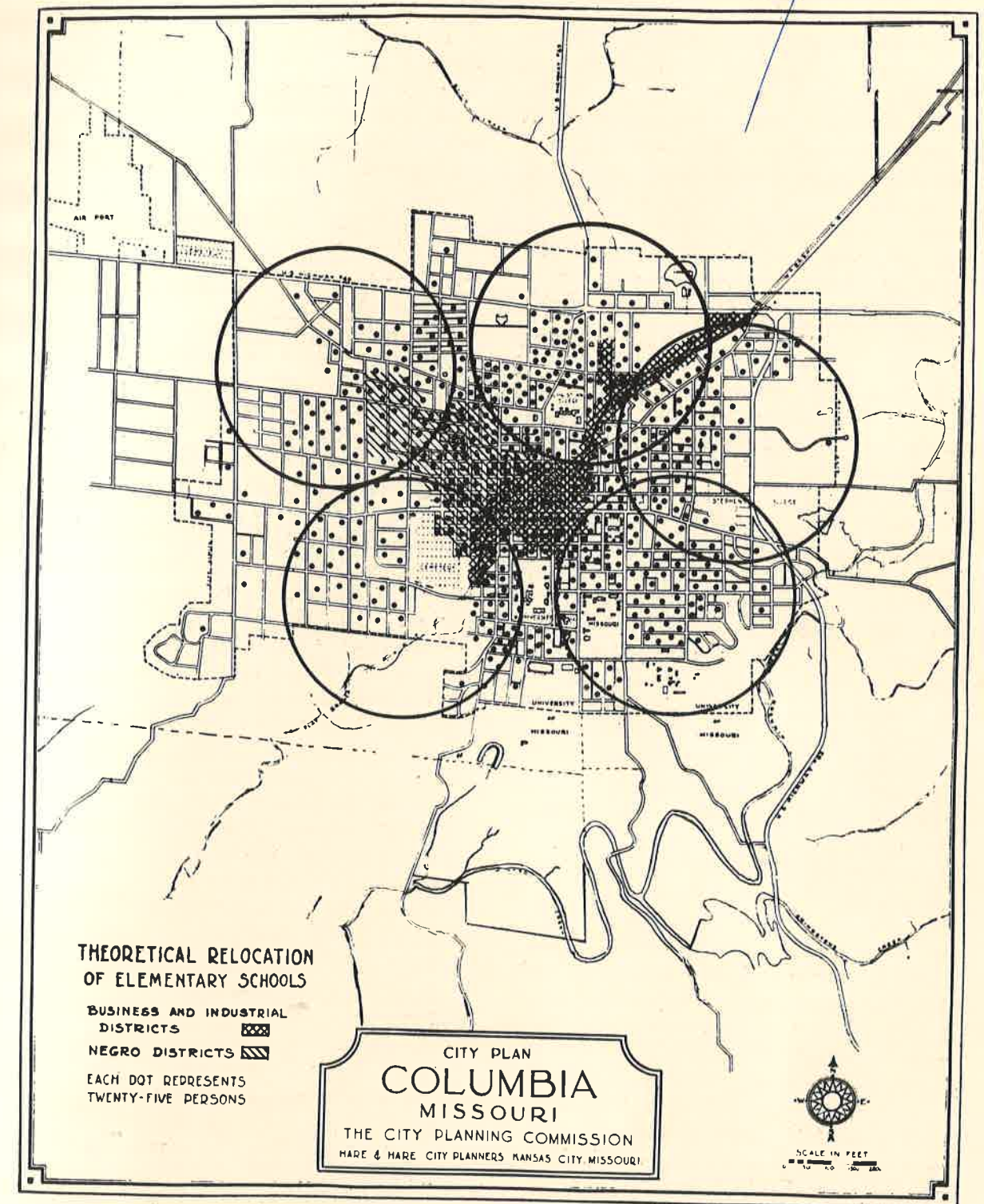
With these buildings established for some years to come, there is little opportunity for what is generally called a civic center. The acquisition and beautification of the area between the city hall, telephone building and the new post office site, though having a distinctly "back door" relation to the two former buildings, offers the best possibility of an ornamental open space in relation to these buildings, and should probably have some detailed study both as to aesthetic values and cost. The cost and the city's ability to meet the expense should then be weighed against the beauty of the result and the effect which will follow the erection of miscellaneous types of buildings on this area.

SCHOOLS

In studying the school situation in Columbia in relation to the city plan, two outstanding problems are apparent. The first and more fundamental is the inefficient spacing of the elementary schools, and the second is the inadequacy of their playgrounds. Attention was called to both of these problems in a special report made in 1925 entitled: "A School Building Program in Columbia, Missouri," by Dean M. G. Neale, of the School of Education, of the University of Missouri.



This map shows the overlapping of one-half mile circles centered on present white elementary schools.



This map shows a more satisfactory spacing of white elementary schools to serve present and future population. Business, industrial, and negro districts are given consideration in this spacing.

The accompanying map showing half mile circles around elementary schools, superimposed on the distribution of population, indicates that the areas normally served by the various schools are overlapping and that there is population at present, with expectation of considerable future increase, outside of the half mile circles. A second similar map shows a more ideal arrangement, with less overlap and better provision for future growth. This arrangement, however, would involve the ultimate relocation of four of the five schools—all except the Eugene Field School, and would therefore be impractical for early consideration, particularly in view of the new Lee School building and the relatively new Benton School. These have been constructed since Dean Neale's report, as well as additions at Ridgeway, Junior High School and Douglass School. The problem of either relocation of buildings or provision for additional schools in the future is more serious on the west side of town than on the east, because of the probability of increased population in that direction.

Another difficulty in relocation in most cases would be securing suitable sites. This would be easier in the case of the Ridgeway School and the Benton School than in the other two. Approximate new locations suggested by Dean Neale for Lee and Grant Schools are now fairly well built up.

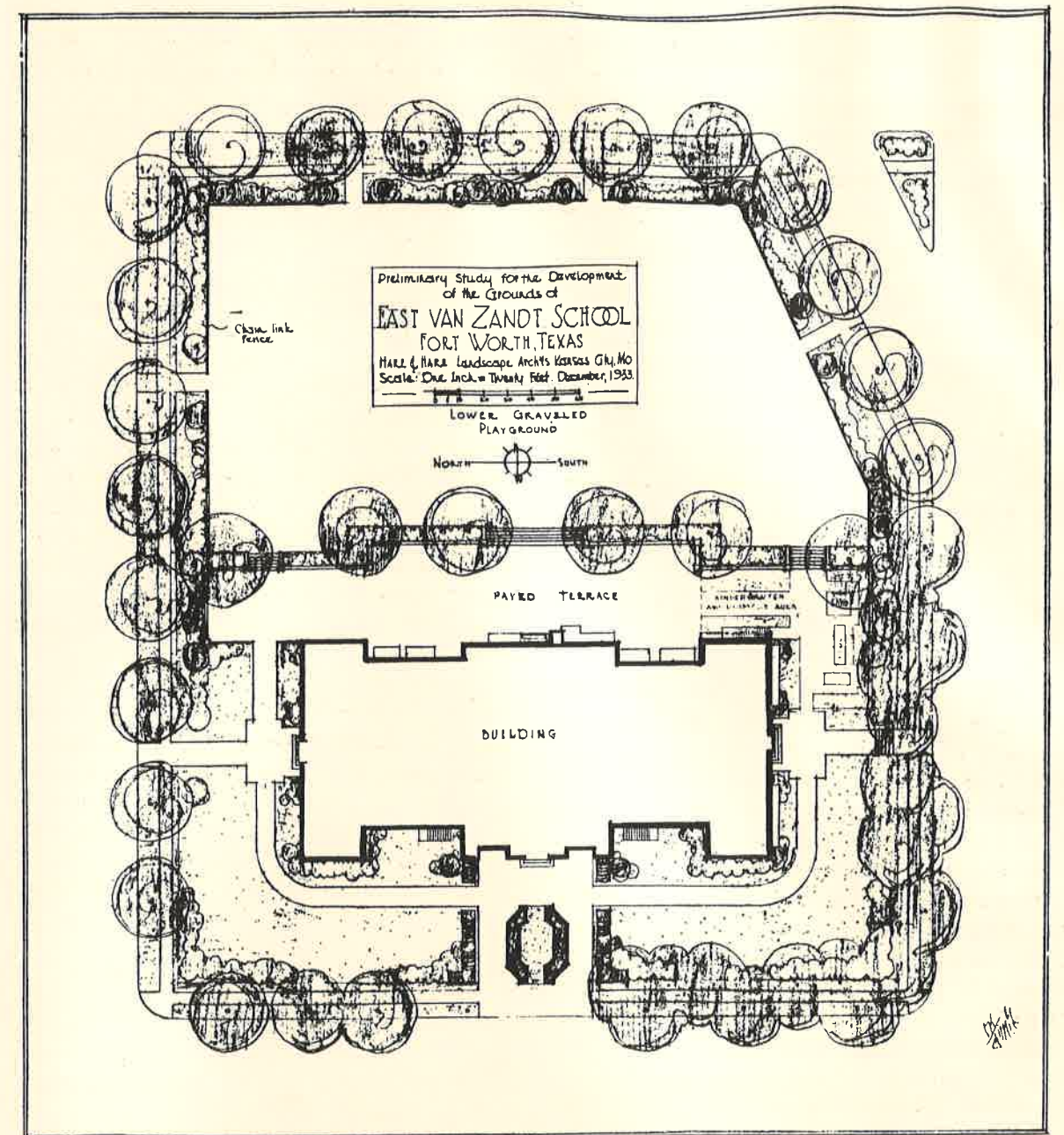
Ridgeway School has the largest playground, approximately two and a half acres. Even this is inadequate under present standards being adopted by other cities, which place a minimum of five acres as the ideal for elementary schools. The other sites average a little over an acre each with a total of slightly over eight acres for the five schools. Therefore as it is probably impractical in most cases to consider relocation of these schools, extensions of their play areas should be made. This can often be accomplished over a period of years as values of residences depreciate through obsolescence. In no case will the extension of school grounds conflict with or duplicate proposed park facilities. If the Ridgeway School is ever relocated, consideration should be given to a joint development in connection with a proposed park site in the northwest sector of the city.

The situation with regard to Junior and Senior High Schools is much more fortunate. The new Senior High School has an ideal site, which will adequately serve the school activities and should also be a general recreation center for the city. The grounds of the Junior High School are not adequate, but will be reasonably satisfactory when properly developed, now that the old Jefferson School has been removed. The remainder of the block should probably be acquired.

The Douglass School, providing both elementary and high school facilities for negroes, is well located to serve this population. A site farther west on McBaine Avenue, held for school purposes, is too near the westerly edge of the area now occupied by negroes, and as previously discussed, there is no reason for this district to expand. The grounds of the Douglass School are inadequate, and should be enlarged to provide not only better school play area, but a general recreation center for negroes. The additional area suggested extends to the proposed Worley Street opening on the north and on the east to the rear lines of lots on the east side of Fourth Street, or preferably including about one hundred feet of the rear end of the deep lots facing on Fifth Street. This would produce a total area, including the ground now owned by the school, of approximately seven and one-half acres. Even this area is not entirely adequate and the next step would be the extension to Fifth Street. The houses which would be removed in the extensions proposed above are for the most part inexpensive.

The development of individual school grounds has an important influence on the appearance of a city, and on the surrounding neighborhood. A bare desert-like setting is a distinct liability, while a beautiful development can be a great asset to the district and an inspiration to the children. Education is a cultural process and should be acquired in suitable surroundings.

Columbia has given more attention to school ground development than some cities, but much remains to be done. Even on limited areas a reasonable space should be devoted to an ornamental setting for the building. The play areas should be fenced, and this fence should



This plan shows typical development of school grounds with ornamental setting for the building and definite area assigned to playground. This playground is enclosed by a fence set far enough from the street walk to provide shrubbery planting.

be set back from the property line far enough to allow for some shrubbery planting, and on larger sites a little grass area between the fence and the street walk.

PARKS AND RECREATION AREAS

A complete system of recreation areas, including parks, playgrounds and parkways, is a most important phase of any program of civic development. The value of such facilities is so generally recognized that it is hardly necessary to present arguments in their favor. Moreover the importance of recreation has been emphasized the past few years with the growing increase in leisure time.

Columbia has at the present time no park land designated as such, although it does have certain land in public ownership, which has some recreation value, particularly the area adjacent to the City Water and Light Plant. A small area, owned by the city, located at Second Avenue and Grand Avenue, is hardly suitable for park development, because of its limited size, although it might be useful for small children, depending upon facilities provided on the grounds of the high school nearby.

At least one acre of park land for each one hundred people is a standard which is being adopted by many communities. As applied to Columbia, this would justify at least one hundred and fifty acres of parks within, or within easy reach, of the developed sections of the city. If a population of from 35,000 to 50,000 or more is attained by 1970, from 350 to 500 acres would be justified. Looking forward to an increasing population, land should be acquired in advance. This is well illustrated by the difficulty faced by the city at the present time in finding suitable sites for local parks and play spaces.

A complete park system should include areas of various sizes suitable for more or less specialized uses. At the one extreme is the provision for intensive play for children, while at the other is the preservation of natural scenery and provision for quiet and restful surroundings. The park areas being recommended in connection with this report would fall under

one or more of the following general classified uses:

1. Smaller playgrounds and recreation areas, generally for intensive play purposes.
2. Neighborhood parks, often located with reference to the preservation of some natural scenery, and usually providing recreational facilities, but in addition some ornamental development.
3. Larger parks, in which extensive areas of natural scenery are preserved, and provision made for recreation incidental to this scenery.
4. Parkway, usually elongated park areas, often preserving a natural stream valley, and usually providing, either through the area, or on the borders, roadways for pleasure driving. Such parkways serve a triple purpose of preserving natural water channels, thus often avoiding the cost of storm sewers; providing pleasant scenery through which to drive; and also providing local recreation areas for adjacent property.

DESCRIPTION OF PROPOSED PARK AREAS

The proposed park areas for Columbia are shown on the same map with the recommendations for major streets (following page 18).

NEIGHBORHOOD PARKS AND PLAY AREAS

One of the most important needs in Columbia is recreation space within the areas now developed. It is unfortunate that reservations were not made in advance of development, because such areas are now difficult to obtain in their proper location. The plan provides for four of these areas serving the white population, in addition to one serving the negroes. It is the intention, so far as possible, to provide such facilities within approximately one-half mile of every child.

PARK IN NORTHEAST DISTRICT.—

The northeast section of the city is compactly built, and few open spaces are available. The most suitable area, reasonably central to this district, is a piece of partially wooded property on the north side of Paris Road, east of Price

RECOMMENDATIONS

Avenue. This land now has two houses, one of which might be retained and remodeled as a park shelter. By acquiring an irregularly shaped piece fitting around other houses in the block, it would be possible to secure about 3.6 acres for this park. Perhaps at some future time, additional sections of the block could be acquired.

PARK IN SOUTHEAST DISTRICT.—

The southeast section of the city is also compactly built, and badly in need of recreation space. A general location for a park is indicated by a circle on the plan, as there are several sites in this vicinity which might be considered. At least five acres should be acquired, and while a portion of the land could be broken and picturesque, a reasonable area should be level enough for intensive play use. If much broken area is included, the acreage should be increased.

PARK IN SOUTHWEST SECTION.—

Of almost equal importance is the need for a park in the southwest part of the city. This section is less compactly built, and fortunately has available a very satisfactory area which has been offered to the city. Complications in connection with the acceptance of the land can no doubt be settled. The location is in Park Hill Addition, between Broadway and Stewart road, and the area something over ten acres. Playground apparatus, tennis courts and similar facilities could be supplied without disturbing to any great extent the natural beauty of the site.

PARK IN NORTHWEST SECTION.—

The white population in the northwest section of the city is more scattered than in any other district, but provision should be made for a park while ample open space is available. There are no areas of particular scenic beauty centrally located in this section, therefore choice can be made from several tracts in the vicinity of the circle indicated on the map. An area of not less than five acres should be acquired here, but in view of the ease of acquisition, it is recommended that at least ten acres be secured.

NEGRO PARK.—In order to stabilize the negro district and to concentrate this popula-

tion in one area so far as possible, it is most desirable to provide recreation facilities within their own district. The most suitable location seems to be in connection with the extension of the grounds of the Douglass School, and while this would be in effect a local park, it has been discussed more fully under the title of school grounds. The total area would be approximately seven and one-half acres.

SENIOR HIGH SCHOOL SITE

As stated in the discussion of school grounds, the Senior High School property should provide general recreation facilities serving the entire city. The area would no doubt permit of space for smaller children, as well as for those of high school age. The proper development and administration of this tract is a matter of agreement between the school and city authorities. Arrangements for baseball, football, track and other athletic facilities not possible in the other smaller neighborhood parks, can be made on this property. The fine native trees should be preserved so far as possible, and beauty as well as utility have due consideration.

CITY WATER AND LIGHT PLANT

The property owned at the City Water and Light Plant, including the lake, could be developed as a very attractive park for the city. Sufficient space should be retained around the plant to meet operating requirements. Some recreational facilities, such as tennis courts, could be provided, but the use of this property would not be so intensive as the local playgrounds mentioned above, at least until the population to the north of Broadway had increased measurably.

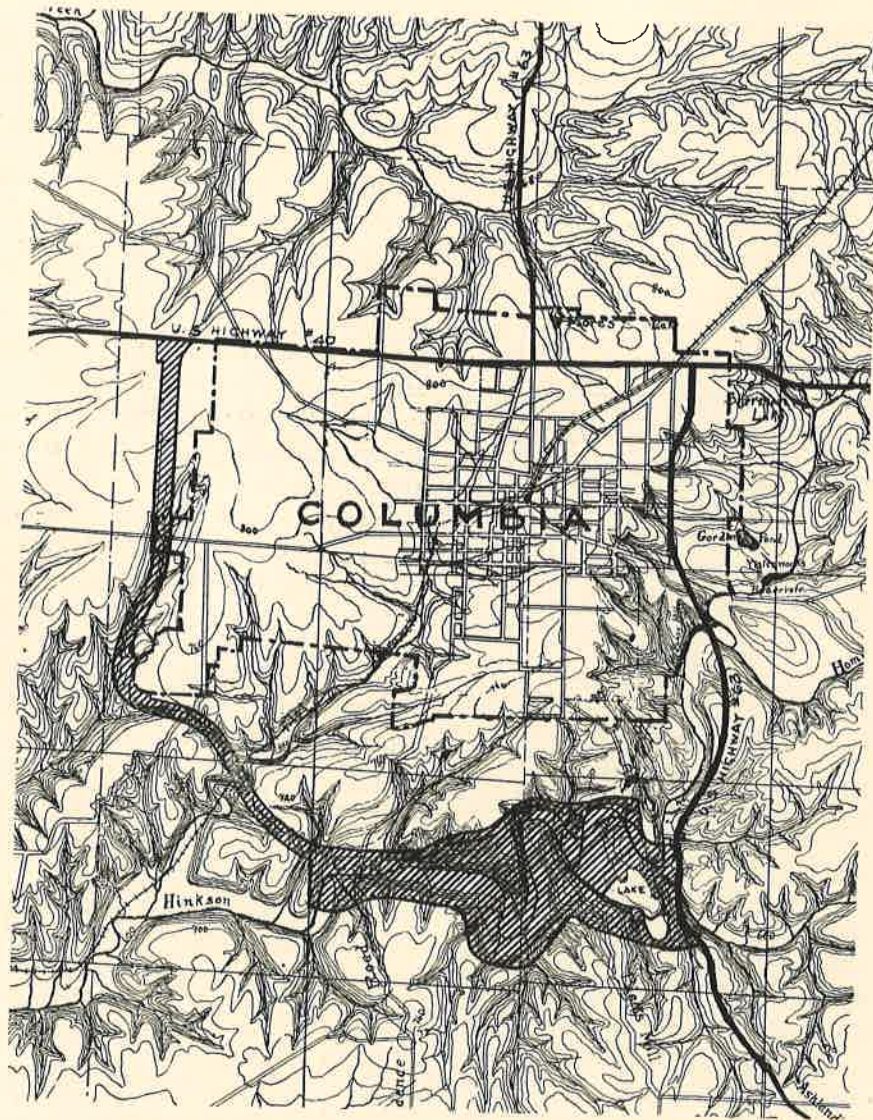
SCENIC HIGHWAY CONNECTION

A highway connection around the south and west sides of the city from Highway No. 63 on the southeast to Highway No. 40 on the northwest would be a great convenience at all times, and is a necessity in the proper handling of great crowds at the Stadium. A very unusual opportunity exists for such a highway through scenery as picturesque as can be found in the

TOPOGRAPHICAL MAP SHOWING SCENIC HIGHWAY CONNECTION COLUMBIA, MISSOURI.

THE CITY PLANNING COMMISSION

HARE & HARE
CITY PLANNERS KANSAS CITY, MO



This map shows the proposed scenic highway and the park area in the valley of Hinkson and Grindstone Creeks in relation to topographical conditions.

RECOMMENDATIONS

Ozark region. The length of this connection, as shown on the plan, is approximately four hundred feet less than the distance between the same terminal points by way of Highway No. 63 and Highway No. 40.

A location to the south of the Stadium was chosen, not only because of the scenic advantages, but because it seems evident that such a roadway, with relatively high speed traffic, should not interfere with direct access between the city and the Stadium and adjacent University property. The line of the proposed road was inspected, and a preliminary survey made. Such a roadway can be constructed on standards of gradient and curvature now in use by the State Highway Commission. At one or two points relatively heavy work would be necessary. The remainder would be comparatively light, although naturally more difficult than a location on less picturesque terrain.

The scenery traversed would make this road not only a notable feature for Columbia, but it would undoubtedly become one of the scenic spots on the state highway system. For this reason, provision should be made to protect the scenery adjacent and guard against commercial intrusions and billboards. The best safeguard would be a band of parkway land on each side of the roadway, and this is proposed as a part of the project.

The width of this parkway should be variable and adjusted to the topography, but should be approximately two hundred feet on each side as a minimum. On the westerly and south-westerly side of the city, the width can be more constant. On the south it should merge into a larger park area which is proposed to preserve the valley of Hinkson Creek and at least a portion of the valley of Grindstone Creek. The entire valleys within the approximate limits shown on the plan should be included in the scheme, either under state, county or city control. Should such a program prove too ambitious for the agency or agencies involved, it might be possible to omit the major agricultural areas in the bottom land (perhaps under some restrictions as to future use) and still preserve control of the slopes and bluffs, the rocky headlands, and a fringe of land along the river to safeguard the shore line vegetation, and, of course, a strip

adjacent to each side of the new roadway. Such omissions, however, would be a compromise in the realization of a fine scheme.

A strip of an average width of two hundred feet on each side of this scenic roadway from Highway No. 40 south to the wider park area would include a total of approximately one hundred fifty acres. The larger park shown to the south of the city in the valley of Hinkson and Grindstone Creeks would cover a maximum area of approximately seven hundred acres in addition. About one-third of this is University land, and this whole project should appeal to the state because of its relation to the University.

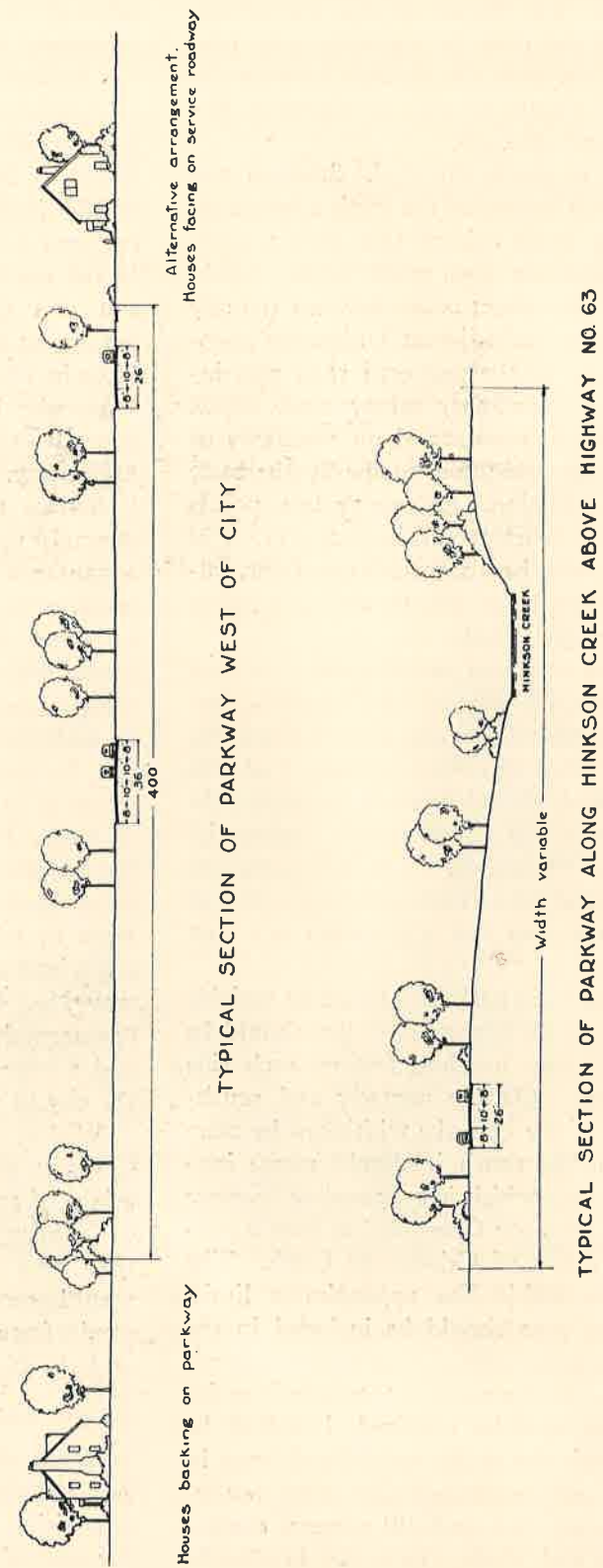
Besides the preservation of natural beauty through this arrangement, there are practical advantages to the parkway which are fully as important. In the first place there would be no direct access to the roadway from private lands, which would eliminate one element of danger, and would facilitate the flow of traffic. In addition, the number of street intersections can be controlled, perhaps permitting street crossings at intervals of only one quarter mile or more. Fortunately the land through which the parkway is planned is not subdivided, giving more freedom in the handling of the arrangement in relation to adjacent subdivisions and street intersections. The intersection with Highway No. 40 offers unusual opportunities for ornamental landscape treatment, which would add a note of distinction and individuality to the city in the minds of the traveling public.

Within the area to be acquired on Grindstone Creek as outlined above is an opportunity for a lake of approximately sixty acres. The water of Grindstone Creek is more suitable for lake use than that in Hinkson Creek. Such a lake would provide recreation and would be a fine scenic feature as seen from Highway No. 63 and the high cliffs around the valley.

HINKSON CREEK EXTENSION

While the project to the south of the city just described is of primary importance, the acquisition of the valley of Hinkson Creek to the east of the city should also be undertaken as soon as possible, before the scenery is marred by cutting of timber or quarrying.

TYPICAL STREET SECTIONS
COLUMBIA
 MISSOURI
 THE CITY PLANNING COMMISSION
 HARE & HARE - CITY PLANNERS - KANSAS CITY, MO.
PARKWAYS



TYPICAL SECTION OF PARKWAY ALONG HINKSON CREEK ABOVE HIGHWAY NO. 63

This shows typical cross sections for the portion of the Scenic Highway west of the city, also treatment of Hinkson Creek to the east.



Hinkson Creek from Bridge on Quarry Road.



Valley of Hinkson Creek from the South.



Site of Proposed Dam and Lake on Grindstone Creek.



Scar in Scenery of Hinkson Creek Valley
Caused by Quarry.

RECOMMENDATIONS

From Ashland Road north to the crossing of Highway No. 63 the valley is deep and picturesque. Through this section it would be difficult to build a roadway on the lower level without several crossings of the creek. Such a roadway could be omitted or at least deferred until some future time. Control of the land is the most important step.

From Highway No. 63 north the valley is less precipitous and a roadway could easily be built on the westerly side of the creek. Enough land on the east should be acquired to control the wooded and rocky slopes.

This entire project from Highway No. 40 to Ashland Road would involve about one hundred and eighty acres, and might properly be considered a part of a complete park and parkway development around the west, south, and east sides of the city, totaling about one thousand acres.

BEAR CREEK

If population spreads to the north, as may well be anticipated, the valley of Bear Creek should ultimately be acquired. This would form a parkway loop around the north end of the city, with connections to the Hinkson Creek Parkway on the East and the Scenic Highway on the west. This is probably too ambitious for present consideration.

FLAT BRANCH

It is proposed to acquire a narrow but irregular strip on the east side of the M. K. & T. tracks along Flat Branch as a parkway southwest from the city to the Scenic Highway. Provision should be made for a roadway along the easterly side of the area to be acquired. Such a roadway could follow the lower level at places and at other points rise over the top of the low rocky outcrops along the valley edge. At the upper end of this development a wider portion south of Stewart Road includes flat land unsuitable for building, but available for recreation use.

The area required for the Flat Branch unit is about thirty-five acres.

AREA OF PARK LANDS PROPOSED

Exclusive of the Scenic Parkway, and Hinkson Creek projects, the park area included in the recommendations made herewith totals less than ninety acres. This is little more than half the area the city should own on its present population basis. Therefore, with anticipation of increased population, the city is justified in contributing extensively toward, if not actually owning and maintaining, the larger scenic areas outlined. Actual control by the State Park Department of the areas on the south and the parkway around the west to Highway No. 40 would simplify procedure in constructing the highway connection.

PRIVATE PROPERTY

The foregoing discussions are mostly concerned with the development of public property. The control of property in private ownership is equally important in a city planning program. Every owner of land has an obligation to use his property in such a way that it will not be detrimental to the city or his neighbors, and he in turn expects the same protection. Control of purely aesthetic matters, such as architectural design, can only be exercised through private restrictions, but matters which affect the health, safety, convenience and welfare of the community and its citizens, very properly come under legal control. There are two principal methods of exercising control of private property. The first is known as zoning, and the second is the control of land plats.

ZONING

The purpose of zoning is to protect property against invasion of improper uses; to prevent over crowding and too intensive use; and to prevent structures of excessive height in any given district which would deprive adjoining land of its portion of light and air. The aim of zoning is to direct the future building development of the city along orderly lines and make secure the residential, commercial, and industrial interests by setting aside special and suitable districts for each of these uses.

Zoning is based on the police power, and



Scene along Flat Branch near Proposed Crossing of Scenic Highway.

RECOMMENDATIONS

Missouri, like the other states of the Union, has enacted a State Zoning Enabling Act (a copy of which is included as Appendix "B") authorizing cities to take advantage of its provisions by passing zoning ordinances.

Zoning is not the exercise of an arbitrary power. It is based on the same fundamental principles as traffic ordinances, fire limits, and many common police power controls. The ordinance can be passed by a majority of the City Council, after required hearings, and can be amended from time to time by a similar majority, except that under provision of the state law the owners of ten per cent of the land adjacent to the proposed change may file a protest against the amendment, in which case a three-fourths vote of the Council is required. Under the provisions for a Board of Adjustment, variations may be made in the strict application of the law, where such application, as applied to individual pieces of property, would work a hardship. Zoning is not retroactive, that is, property now used for lawful purposes can continue such use under provisions for non-conforming uses; and restrictions against lower uses do not limit the inclusion of higher uses in any district: that is, business is restricted from a residential zone, but there is no restriction against residences in a business zone. Finally, any person aggrieved by the provisions of the ordinance has the right of appeal to the courts.

Zoning is not new or untried. Approximately 1150 cities scattered throughout the various states have adopted ordinances, and about 70 per cent of the urban population of the country is living under zoning regulations. Because it is often thought that zoning is applicable only to larger cities, it is interesting to note that more than half of the cities mentioned above have less than 10,000 population. Property owners in a small city have just as much right to protection as those in a metropolis.

The accompanying map shows the location of the seven districts proposed in Columbia, and the Summary of Zoning Regulations gives the principal requirements in each district. A complete draft of the proposed ordinance is included as Appendix "C." The ordinance provides three classes of residential districts, three

business districts and one industrial district.

In addition to the uses shown in the Summary, the ordinance provides for the location, by action of the Board of Adjustment, of special uses, such as stock yards, junk yards, stone quarries, hospitals for insane, and carnivals. There are also height and area exceptions and provision for the completion and restoration of existing buildings.

The zoning recommendations were based on a careful study of present uses, and an analysis of future requirements. A map was prepared showing the location and present use of every building in the city. The space provided for various business uses, on normal requirements of frontage per capita, will take care of any possible expansion in population for the next four or five decades. Space for light industrial uses will provide amply for expansion in the types of manufacture suitable for Columbia. No heavy industrial districts are provided as these are generally not desirable in the compact development of the city, but certain uses normally considered as heavy industrial or semi-nuisance are included in special classes.

The zoning ordinance should be passed before renewed activity in land development begins.

CONTROL OF LAND PLATS

The street pattern of a city is merely the aggregate of the various subdivisions. Much of the present need for city planning is the result of lack of coordination of these various subdivisions. Similar difficulties can be avoided in the future by exercising control over plats as they are filed. The ordinance appointing the City Planning and Zoning Commission in Columbia provides for referring such plats to it for comment and report. It is therefore the function of the commission, among other things, to see that streets are of proper width, that they connect with those in adjoining districts, that provision is made for major streets, and that the plat conforms to the general city plan. In order to give due notice of requirements in connection with the preparation and acceptance of plats, a set of rules for land platting has been prepared for adoption by the Council, and is included as Appendix "D."








SUMMARY OF ZONING REGULATIONS
COLUMBIA, MISSOURI

District	Principal Uses Permitted	Accessory Uses	Height of Structures	Front Yard	Side Yard	Rear Yard	Lot Area per Family
District "A" First Dwelling District	Dwellings (1 and 2 Family) Churches; Public schools and parks. Farming and gardening, etc.	Private garages (2500 sq. ft. per car) Private stable Servants quarters. Customary home occupations	2 1/2 stories or 35 feet	20% of lot depth or 25 feet	5 feet	30% of lot depth or 30 feet	5000 sq. ft.
District "B" Second Dwelling District	District "A" uses	Same as District "A" (except 1500 sq. ft. of lot area per car for private garages)	Same as District "A"	Same as District "A"	Same as District "A"	Same as District "A"	5000 sq. ft. in single family dwellings; 2500 sq. ft. in two family dwellings
District "C" Apartment District	District "B" uses; also Apartment Houses; Boarding & Rooming Houses; Fraternity & Sorority Houses; Hotels, Clubs, Hospitals, Private Schools, etc.	Same as District "A" (except 1000 sq. ft. of lot area per car in private garages); also Community Garages	3 Stories or 45 feet	Same as District "A"	Same as District "A"	25% of lot depth or 25 feet	Same as District "B" for dwellings; 1000 sq. ft. in Apartment Houses
District "D" Local Business District	District "C" uses; also customary local business including filling stations and storage garages, etc.	Same as above (except no restriction on number of cars) also certain advertising signs	Same as District "A"	Subject to present development in block	Same as District "A" for residential structures. None for business structures	20% of lot depth or 20 feet	1000 sq. ft.
District "E" Highway Business District	District "D" uses also Dance Halls Public Garages	Customary accessory uses	Same as District "A"	Ordinarily none	Same as District "D"	Same as District "D"	Same as District "D"
District "F" Central Business District	District "E" uses; also certain less restrictive business uses and billboards, wholesale sales rooms, etc.	Customary accessory uses	8 Stories or 100 feet	None	5 feet for 35 feet in height (plus 1 inch per foot for each additional foot in height) for residential structures. None for business structures	15 feet for residential buildings. None for business buildings	400 sq. ft.
District "G" Light Industrial District	District "F" uses also customary light industry	Customary accessory uses	4 Stories or 55 feet	None	Same as District "F"	Same as District "F"	Same as District "F"

Note: Certain variations in use, height and area regulations in the various districts, and certain special uses are provided in the wording of the ordinance.

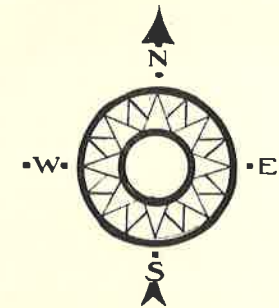
ZONING DISTRICT MAP

DISTRICTS

- | | |
|----------------------|---|
| (A) FIRST DWELLING |  |
| (B) SECOND DWELLING |  |
| (C) APARTMENT |  |
| (D) LOCAL BUSINESS |  |
| (E) HIGHWAY BUSINESS |  |
| (F) CENTRAL BUSINESS |  |
| (G) LIGHT INDUSTRIAL |  |

CITY PLAN COLUMBIA MISSOURI

THE CITY PLANNING COMMISSION
HARE & HARE - CITY PLANNERS - KANSAS CITY, MISSOURI.

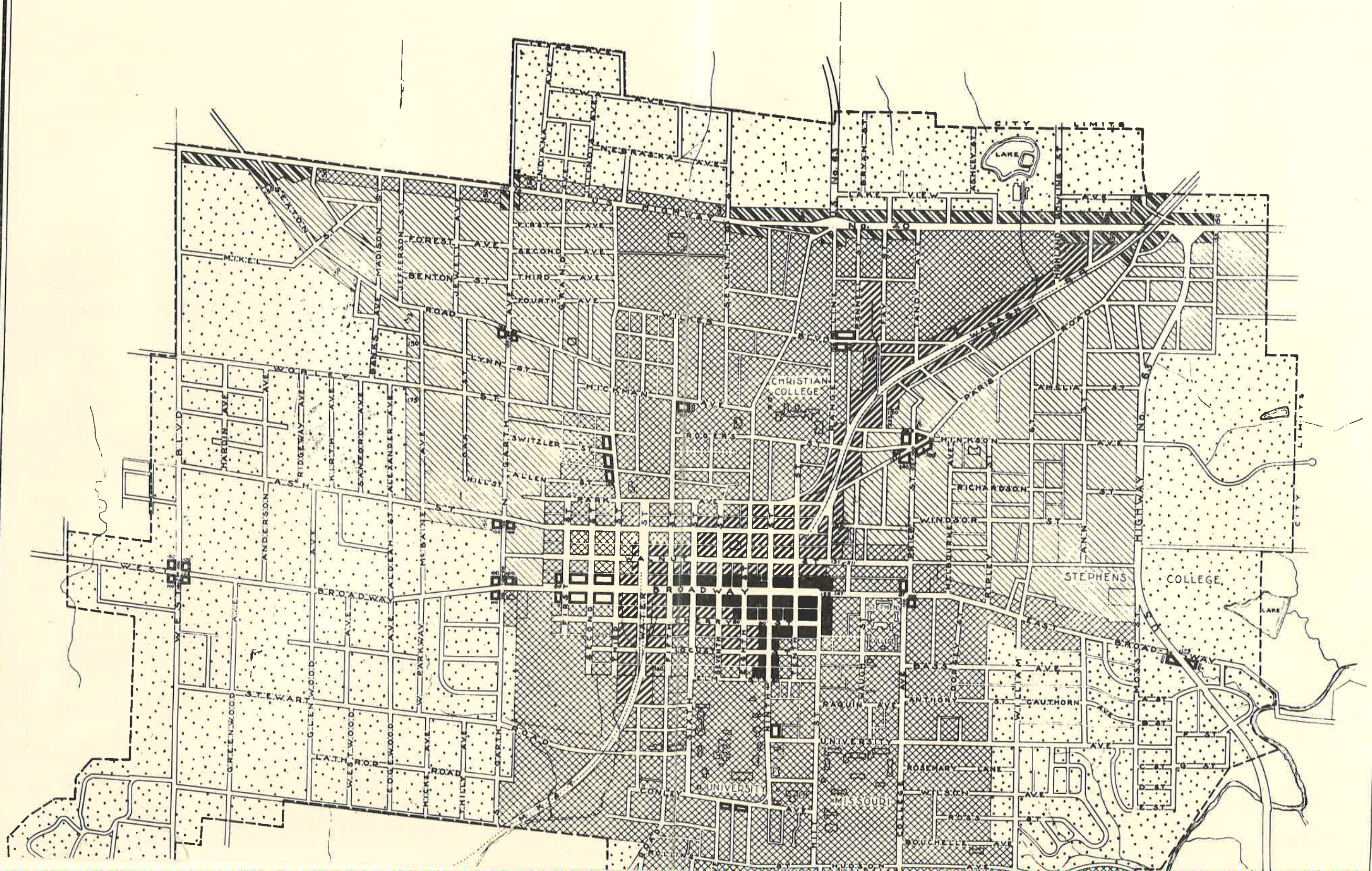


SCALE IN FEET
0 500 1000 1500 2000

Note: Before adopting the proposed zoning ordinance, the City Council made the following changes in the Zoning District Map: (1) The central business district was extended eastward on the north side of East Broadway to Short Street, and on the south side of East Broadway for a distance of 203 feet from Hitt Street; (2) The block bounded by Walnut Street, Price Avenue, Windsor Street, and Melbourne Street was placed in the Apartment District instead of the Second Dwelling District.








District "G" Light Industrial District	District "F" uses also cus- tomary light industry	Customary accessory uses	4 Stories or 55 feet	None	Same as District "F"	Same as District "F"
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Note: Certain variations in use, height and area regulations in the various districts, and certain special uses are provided in the wording of the ordinance.



CITY
COLUMBIA
MISSOURI
THE CITY PLANNING
HARE & HARE - CITY PLANNING

ZONING DISTRICT MAP

- | | | |
|-----|------------------|---|
| (A) | FIRST DWELLING |  |
| (B) | SECOND DWELLING |  |
| (C) | APARTMENT |  |
| (D) | LOCAL BUSINESS |  |
| (E) | HIGHWAY BUSINESS |  |
| (F) | CENTRAL BUSINESS |  |
| (G) | LIGHT INDUSTRIAL |  |

Note: Before adopting the proposed zoning ordinance, the City Council made the following changes in the way to Short Street, and on the south side of East Broadway for a distance of 203 feet from Highway No. 40 to Short Street, and on the south side of the Second Dwelling District.

PART III PROCEDURE

As stated in the Foreword, the preparation of a city plan and report is only the beginning of city planning. The real aim is the realization of the plan and this requires patient and continuous work over a period of years. The administration and promulgation of the plan, and the adjustment to changing conditions which may arise from time to time, is the work of the City Planning Commission. The cooperation of the City Council is necessary to put the various proposals into effect, as the powers of the Planning Commission are advisory only. In addition, the City Planning Commission is a creative rather than a propagandist body, and the active support of one or more citizens groups is most desirable in promoting public interest.

The recommendations of this report are conservative and should be within the financial ability of the city over a reasonable period of years. Some proposals are more urgent than others, and some involve little or no expense in putting them into effect. The adoption of the zoning ordinance is one of the latter, and is recommended for first consideration. Adoption of the rules for land platting can be put into the same classification.

In the matter of physical improvements outlined in the plan, the following sequence is proposed for consideration:

1. Acquisition of the four local park areas and the addition to the property of the Douglass School. These lands should be acquired before additional building operations increase the expense.

2. Widening of Paris Road, also Sexton Road, and opening of connection to Worley Street, together with openings between Worley and Rogers Streets and Rogers Street and Paris Road. This should include the widening of Rogers Street and the section of Worley east of Oak.

3. Widening of the west part of Highway No. 40. By widening is meant the acquisition of additional right of way, and not necessarily any change in paving at the time.

4. Scenic Highway and Park in Valley of Hinkson and Grindstone Creeks, including Flat Branch.

5. Widening Range Line Street and opening new connection to Ninth Street.

6. Opening of new connections in Rollins Street, and widening other sections as shown.

7. Opening of Ninth Street from Conley to Rollins and widening where indicated.

8. Acquisition of land along Hinkson Creek east of the city.

9. Widening of Broadway, Fifth Street, Price Ave., and Garth Ave.

10. Other widenings shown on the Major Street Plan.

It is very probable that whatever sequence is adopted, unforeseen opportunities or conditions will cause changes in the program from time to time.

LEGISLATION

Legislative authority is essential to any city planning program, and the city of Columbia should take an active interest in legislation which affects planning within or adjacent to cities.

Fortunately Missouri has a reasonably satisfactory Zoning Enabling Act, based largely on the Standard State Zoning Enabling Act prepared by the Department of Commerce. This gives cities ample authority to pass and enforce zoning ordinances.

A City Planning Enabling Act, likewise based on recommendations of the Department of Commerce, has been introduced in several sessions of

the legislature, but has had little success, largely through lack of understanding and support. Such an act would provide for the adoption of official city plans and thus make planning more stable and service on planning commissions more attractive to men of ability in the community. It would also give the planning commission definite authority in connection with the approval of land plats. In addition it would permit the establishing of official building lines so as to safeguard streets to be widened in the future from further building encroachment. Such a provision would be very applicable to Columbia.

The benefits of planning should not stop at the city limits. There should be county planning commissions and county zoning ordinances, extending the work into the suburban and rural districts. A County Planning Enabling Act and a County Zoning Enabling Act have been introduced in past legislatures, but have received no more support than the City Planning Enabling Act. Such acts were not introduced in the 1935 legislature, because of concentration on a State Planning Act, provid-

ing for a permanent state planning board similar to the one which operated informally during 1934 under the auspices of the National Resources Board. Such a state planning board would be of help in local planning, by serving as a general clearing house for planning activities within the state.

In addition to the above legislation, more adequate provision should be made for acquisition and maintenance of park lands by counties. All this type of legislation would be permissive and not mandatory on cities and counties.

Planning is receiving ever increasing attention. Starting in the larger cities, it has extended on the one hand to the smaller towns and communities, and on the other to regions, counties, states and the nation. The efficient use of unemployed labor during the depression has emphasized the necessity of advance planning. Through the efforts of the National Resources Board (originally called the National Planning Board), state planning boards have been appointed in forty-two states. Thus the benefits of comprehensive planning have been recognized more and more.



APPENDICES

APPENDIX "A"

Ordinance Providing For City Planning And Zoning Commission

From "Revised Ordinances of the City of Columbia 1932"

CHAPTER 26. *City Planning and Zoning Commission.*

SECTION 1145. *Purpose.*—In order to make adequate provision for the preparation, adoption, and revision of a City Plan, to guide, direct, and control the future growth and development of the City of Columbia, in an orderly, efficient, healthful and economic manner, there is hereby created a commission to be known as the City Planning and Zoning Commission, hereinafter referred to as the Commission.

SECTION 1146. *Members.*—The Commission shall consist of nine (9) members, four (4) of whom shall be the Mayor, the City Engineer, Chairman of the Park Board, and the Chairman of the City Planning Committee of the City Council. The other five members shall be resident citizens and qualified voters of the City of Columbia, appointed by the Mayor, subject to the approval of the City Council in the first instance for periods of one (1), two (2), three (3), four (4), and five (5) years respectively, and thereafter all appointments shall be made for terms of five (5) years. Appointments of fill vacancies shall be for unexpired terms only. All members shall serve without pay.

SECTION 1147. *Procedure.*—The Commission may elect from among its members its own Chairman, Vice-Chairman, and Secretary, and from time to time provide such rules and regulations, not inconsistent with the ordinances of said City for its own organization and procedure as it may deem proper; provided, however, that the Mayor, City Engineer, President of the Park Board and Council Members shall not be eligible to hold any of the offices mentioned in this section. Three members of said City Planning Commission shall constitute a quorum for the transaction of business.

SECTION 1148. *Reports.*—The Commission shall make annual report to the Mayor covering their investigations, transactions, and recommendations, and such other and further

reports relative thereto as it may deem proper or as required by the Mayor or City Council, and said Commission may employ such city planners, engineers, clerks, and other persons as authorized by the City Council, whose salaries and compensations and other necessary expenses of said Commission and its members shall be provided for at the discretion of the City Council by proper appropriations, or ordinances, and said City Council is hereby authorized so to do by general or special taxation not inconsistent with the laws of the State of Missouri.

SECTION 1149. *Powers and Duties.* Said City Planning Commission shall have the power, and it shall be its duty, to:

A. Prepare a comprehensive city plan for the future development of Columbia, including recommendations relative to the location, length, width, and arrangement of the streets, alleys, bridges, viaducts, parks, parkways, playgrounds, boulevards, or other public grounds or improvements, the platting of public property into lots, plots, streets or alleys, the location of railroad or street car lines, transportation or other channels for communications of any kind, the grouping of public buildings, the design and placing of memorials, works of art, power or lighting plants, street lighting standards, telegraph and telephone poles, street name signs, billboards or projecting signs, elimination of railroad grade crossings and all other things pertaining to the welfare, housing, appearances or beauty of said City or any portion thereof.

B. Make recommendations in connection with the execution and detailed interpretation of the city plan, and make such changes and adjustments in the plan as may be deemed desirable from time to time.

C. Act as a zoning commission in accordance with the provisions of present or future state zoning enabling acts.

D. Prepare and recommend to the City Council rules controlling the subdivision of land.

E. Make recommendations regarding the approval or disapproval of plats for land subdivision. Such plats shall be referred to the City Planning Commission before the City Council takes any action. Failure of the City Planning Commission to act within sixty days shall be deemed an approval.

F. Recommend from time to time legislation which may be desirable to further the purposes of City Planning.

G. Assume any other duties which may be in the future delegated to it.

SECTION 1150. *Removal.*—Any member of the Commission, except the Mayor, City Engineer, President of the Park Board and Council Member may be removed by the Mayor and City Council at any time after a public hearing.

SECTION 2. All Ordinances or parts of ordinances in conflict with the provisions of this ordinance, be and the same are hereby repealed.

SECTION 3. *This Ordinance Shall Become Effective And Be In Full Force And Effect From And After Its Passage And Approval.*

Passed and approved this the 22nd day of June, 1933.

R. S. POLLARD,
President and Mayor,

Attest: BRUCE J. CARL,
City Clerk.

APPENDIX "B"

MISSOURI STATE ZONING ENABLING ACT

(H. B. 295)

MUNICIPAL CORPORATIONS: *Providing For Building Zones Or Districts In Certain Cities.*

AN ACT authorizing the legislative body of all incorporated cities, towns and villages, for the purpose of promoting health, safety, morals or the general welfare of the community, to regulate and restrict by ordinance the height, number of stories and size of all buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes; to divide such municipalities into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this act; to regulate and restrict the erection, construction, reconstruction, alteration or use of buildings, structures or land therein; to provide for the appointment of a zoning commission; to provide for the adoption of compre-

hensive zoning plans; to provide for the change of such regulations, restrictions, and boundaries of zones; to provide for a board of adjustment; the taking of testimony and objections and rulings thereon; to provide for the taking of appeals to circuit courts from the rulings or decisions of the board of adjustment; to provide the method of procedure and for other purposes, and repealing all acts and parts of acts inconsistent with the provisions of this act.

SECTION

1. Purpose of act.
2. Districts may be formed.
3. Purpose of regulations.
4. Powers and limitations of legislative body in city—hearings, notice to be given.
5. Regulations, restrictions and boundaries may be changed—procedure.
6. Zoning commission—appointment—duties.
7. Board of adjustment—powers and duties—appeals, procedure.
8. Violation of act a misdemeanor.
9. Provisions of this act to govern, when.
10. Previous ordinances until superseded by others to remain in force.
11. Legislative intent expressed.
12. Inconsistent acts repealed.
13. Not applicable to counties of less than fifty thousand inhabitants (see note below).

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. *Purpose of Act.*—For the purpose of promoting health, safety, morals, or the general welfare of the community, the legislative body of all incorporated cities, towns and villages is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

SECTION 2. *Districts May Be Formed.*—For any or all of said purposes the local legislative body may divide the municipality into districts of such number, shape, and area as

may be deemed best suited to carry out the purposes of this act; and within such districts may regulate and restrict the erection, construction, reconstruction, alteration or use of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

SECTION 3. *Purpose of Regulations.*—Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality.

SECTION 4. *Powers And Limitations of Legislative Body in City—Hearings, Notice to be Given.*—The legislative body of such municipality shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such municipality.

SECTION 5. *Regulations, Restrictions and Boundaries May Be Changed—Procedure.*—Such regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such change duly signed and acknowledged by the owners of ten per cent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and one hundred and eighty-five (185) feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of three-

fourths of all the members of the legislative body of such municipality. The provisions of the previous section relative to public hearing and official notice shall apply equally to all changes or amendments.

SECTION 6. *Zoning Commission—Appointment—Duties.*—In order to avail itself of the powers conferred by this act, such legislative body shall appoint a commission, to be known as the zoning commission, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report and such legislative body shall not hold its public hearings or take action until it has received the final report of such commission. Where a city plan commission already exists, it may be appointed as the zoning commission.

SECTION 7. *Board of Adjustment—Powers and Duties—Appeals, Procedure.*—Such local legislative body shall provide for the appointment of a board of adjustment, and in the regulations and restrictions adopted pursuant to the authority of this act may provide that the said board of adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained. The board of adjustment shall consist of five members, who shall be freeholders. The membership of the first board appointed shall serve respectively, one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for terms of five years each. All members shall be removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The board shall elect its own chairman who shall serve for one year. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately

filed in the office of the board and shall be a public record. All testimony, objections thereto and rulings thereon, shall be taken down by a reporter employed by the board for that purpose. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney. The board of adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this act or of any ordinance adopted pursuant thereto.
2. To hear and decide all matters referred to it or upon which it is required to pass under such ordinance.
3. In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the use, construction or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done. In exercising the above mentioned powers such board may, in

conformity with the provisions of this act, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance. Any person or persons jointly or severally aggrieved by any decision of the board of adjustment, or any officer, department, board, or bureau of the municipality, may present to the circuit court of the county or city in which the property affected is located a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board. Upon the presentation of such petition the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order. The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take additional evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review. Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross neg-

ligence, or in bad faith, or with malice in making the decision appealed from. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.

SECTION 8. Violation of Act a Misdemeanor.—In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this act or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by the superintendent of buildings or other officer authorized to issue building permits, who is empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made under authority of this act. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than one hundred dollars for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than two hundred and fifty dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court. Any such person who having been served with an order to remove any such violation shall fail to comply with said order within ten days after such

service or shall continue to violate any provision of the regulations made under authority of this act in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

SECTION 9. Provisions of This Act to Govern, When.—Wherever the regulations made under authority of this act require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other statute or local ordinance or regulation, the provisions of the regulations made under authority of this act shall govern. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the regulations made under authority of this act, the provisions of such statute or local ordinance or regulation shall govern.

SECTION 10. Previous Ordinances Until Superseded By Others to Remain in Force.—Wherever any municipality pursuant to an act of the legislature of this state shall have adopted an ordinance or ordinances for any of the purposes covered by this act, such ordinance or ordinances shall be deemed to have been adopted under the provisions of this act, and it shall not be necessary in such cases for the local legislative body to appoint a zoning commission as herein provided. All such ordinances shall remain in full force and effect, except so far as they shall be inconsistent with the provisions of this act, until they shall have been amended, altered or repealed by such legislative body; and any administrative board whether called the administrative board or the board of zoning appeals or by any other name created pursuant to certain acts of laws of 1921, pages 177 and 481, shall until superseded by a board of adjustment as herein provided have all of the powers and duties of such a board of adjustment, and its orders, requirements, decisions or determinations shall be subject to court review as herein provided.

SECTION 11. Legislative Intent Expressed.—If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The general assembly hereby declares that

it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses and phrases be declared unconstitutional.

(Note: The above act, passed in 1925, was amended in 1927 to apply to all cities and towns in counties of more than 15,000 inhabitants.)

APPENDIX "C"

PROPOSED ZONING ORDINANCE

for
Columbia, Missouri.

by
HARE & HARE

Landscape Architects and City Planners
Kansas City, Missouri.

(This ordinance was passed by the City Council and approved by the Mayor of Columbia on May 6, 1935, upon recommendation of the City Planning and Zoning Commission.)

ORDINANCE NO. _____

AN ORDINANCE TO PROMOTE THE HEALTH, SAFETY, MORALS OR THE GENERAL WELFARE OF THE COMMUNITY, AND REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, ALL IN ACCORDANCE WITH A COMPREHENSIVE PLAN; CREATING AND DEFINING THE POWERS OF THE BOARD OF ADJUSTMENT PROVIDING RULES OF PROCEDURE FOR THE BOARD OF ADJUSTMENT, REPEALING OR REVISING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND PROVIDING A PENALTY FOR VIOLATION HEREOF.

SECTION 1. *Definitions.*—For the purpose of this Ordinance, the following words and terms as used herein are defined to mean the following:

Words used in the present tense include the future; words in the singular number include plural; and words in the plural number include the singular; the word "building" includes the word "structure;" the word "shall" or the

word "must" is mandatory and not directory; the word "lot" includes the word "plot;" the term "used for" includes the meaning "designed for" or "intended for."

1. *Accessory building or use:* is a subordinate building or use customarily incident to and located on the lot occupied by the main building or use.

2. *Alley:* A public way which affords only a secondary means of access to abutting property.

3. *Apartment:* A suite of rooms or a room in an apartment house arranged, intended, designed for, or used as the place of residence of a single family or group of individuals living together as a single housekeeping unit.

4. *Apartment House:* A building arranged, intended, designed for, or occupied by more than two families.

5. *Apartment Hotel:* An apartment house which furnishes for the use of its tenants services ordinarily furnished by hotels, but the privileges of which are not primarily available to the public.

6. *Basement:* A story partly underground and having at least one-half of its height below the average level of the adjoining ground.

7. *Block:* A piece or parcel of land entirely surrounded by public highways or streets.

8. *Boarding House or Lodging House:* A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

9. *Corner Lot:* A lot abutting upon two or more streets at their intersection.

10. *Curb Level:* The mean level of the curb in front of the lot, or in case of a corner lot, along that abutting street where the mean curb level is the highest.

11. *Dwelling:* A building arranged, intended, designed for, or occupied by not more than two families.

12. *Family:* Any number of individuals living together as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house or hotel as defined herein.

13. *Front Yard:* An open space, unoccupied by buildings or structures (except as

hereinafter provided) across the full width of the lot extending from the front line of the building to the front street line of the lot.

14. *Frontage of a Corner Lot:* A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the city engineer.

15. *Garage, Community:* Any building or premises, other than a public, private, or storage garage providing storage for motor vehicles with facilities for washing, but no other services, such garage to be in lieu of private garages within a block or portion of block.

16. *Garage, Private:* An accessory building for storage only of motor vehicles.

17. *Garage, Public:* Any building or premises used for the storage, care or repair of motor vehicles, which is operated for commercial purposes.

18. *Garage, Storage:* Any building or premises, except those defined as a private, a public, or a community garage providing storage for motor vehicles, with facilities for washing but no other services.

19. *Height of Buildings:* The vertical distance measured from the highest of the following three levels:

- From the street curb level;
- From the established or mean street grade in case the curb has not been constructed;
- From the average ground level of the portion of the lot adjoining and within ten feet of the building where it sets back from the street line ten feet or more,

to the level of the highest point of the roof beams of flat roofs or roofs inclining not more than one inch to the foot, and to the mean height level of the top of the main plate and highest ridge for other roofs.

20. *Height of Yard or Court:* The vertical distance from the lowest level of such yard or court to the highest point of any boundary wall.

21. *Hotel:* A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals who are lodged, with or without meals, and in which there are more than twelve sleeping rooms, and no provision for cooking in individual rooms.

22. *Lot:* A parcel of land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are re-

quired under this ordinance, and having its principal frontage upon a public street or place.

23. *Lot, Interior:* A lot whose side lines do not abut upon any street.

24. *Lot, Through:* An interior lot having frontages on two streets.

25. *Lot Lines:* The lines bounding a lot as defined herein.

26. *Lot Depth:* The mean horizontal distance from the front street line to the rear line.

27. *Lot Width:* The mean horizontal distance between side lines measured at right angles to the depth.

28. *Non-conforming Use, Building or Yard:* One that does not, by reason of design or use, conform to the regulations of the district in which it is situated.

29. *Place:* An open, unoccupied space other than a street or alley permanently established or dedicated as the principal means of access to property abutting thereon.

30. *Rear Yard:* An open space, unoccupied (except as hereinafter provided) between the rear lot line and the rear line of the principal building and the side lot lines.

31. *Rear Line:* The boundary line which is opposite and most distant from the front street line; except that on irregular lots the rear line shall not be deemed to be farther back for the purpose of this ordinance than a line parallel with the front street line, distant as far as possible therefrom entirely on such lot and not less than ten feet long.

32. *Rear Yard Depth:* The mean horizontal distance from the rear line of the principal building to the center line of the alley where an alley exists, otherwise the rear lot line.

33. *Side Line:* Any lot boundary line not a front or rear line thereof. A side line may be a party lot line, a line bordering on an alley or place or a side street line.

34. *Side Yard:* An open, unoccupied space on the same lot with the building between the main building and the adjacent side line of the lot, and extending through from the street, or from the front yard to the rear yard, or to the rear line of the lot.

35. *Stable, Private:* A stable with capacity for not more than two horses provided, however, that the capacity of a private stable may be increased if the premises whereon such stable is

located contains an area of not less than 2,500 square feet for each horse accommodated.

36. *Stable, Public:* A stable other than a private stable as defined herein.

37. *Story:* That part of a building included between the surface of one floor and the surface of the floor next above, or if there be no floor above, that part of the building which is above the surface of the highest floor thereof. A basement used or designed for dwelling purposes other than for janitor or servants employed on the premises, shall be considered a story.

38. *Story, Half:* A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

39. *Street:* A public thoroughfare or place which affords principal means of access to property abutting thereon.

40. *Street Line:* The dividing line between the street and the abutting property.

41. *Structural Alterations:* Any change in the supporting member of a building, such as bearing walls, columns, beams or girders.

SECTION 2. *Districts Established.*—For the purpose of regulating and restricting the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land, and regulating and restricting the location of trades and industries and the location and design of buildings for specific purposes, and to regulate and limit the height and bulk of buildings, the area of yards and other open spaces, and to regulate and limit the density of population, the City of Columbia, Missouri is hereby divided into seven (7) districts, as follows:

- District A. First Dwelling District.
- District B. Second Dwelling District.
- District C. Apartment District.
- District D. Local Business District.
- District E. Highway Business District.
- District F. Central Business District.
- District G. Light Industrial District.

SECTION 3. *District Map Adopted.*—The boundaries of the districts as enumerated in Section 2 of this ordinance are hereby established and adopted as shown upon the map attached hereto, which map is hereby made a part of this ordinance and is hereby designated as the "Zoning District Map," and said map and all the notations, references and information shown

thereon are hereby made as much a part of this ordinance as if the same were set forth in full herein. It shall be the duty of the City Clerk to keep on file in his office the original of said district map, and duplicate copies thereof, showing all the changes, amendments, or additions thereto, shall be kept on file in the office of the City Planning Commission or City Engineer.

When definite distances in feet are not shown on the "Zoning District Map," the district boundaries on the "Zoning District Map" are intended to be along existing street, alley or plotted lot lines, or extension of the same, and if the exact location of such line is not clear, it shall be determined by the board of zoning appeals, due consideration being given to location, as indicated by the scale of the "Zoning District Map."

SECTION 4. *Requirements Must Be Observed.*—Except as hereinafter provided:

1. No buildings or structures shall be erected, moved, reconstructed or structurally altered, nor shall any building, structure or land be used for any purpose other than is permitted in the district in which such building, structure or land is situated.

2. No building or structure shall be erected, moved, extended, enlarged, reconstructed or structurally altered to exceed the height or area limit herein established for the district in which such building or structure is situated.

3. No lot area shall be reduced or diminished so that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner, except in conformity with the area regulations established herein.

DISTRICT A

SECTION 5. *District A Regulations.*—First Dwelling District. In District A, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

- Dwellings
- Churches
- Public schools, parks, playgrounds, museums, libraries, recreational buildings, fire stations or other public buildings or uses owned, controlled and operated exclusively by the City of Columbia, the State of Missouri or the United States.
- Farming and truck gardening

APPENDICES

HEIGHT AND AREA RESTRICTIONS

In District A, the height of buildings, the minimum dimensions of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: No building hereafter erected or structurally altered shall exceed two and one-half stories or thirty-five feet in height, except as provided hereafter.

Rear Yard: The depth of the rear yard shall be not less than thirty per cent of the depth of the lot, provided such depth need not be more than a total of thirty feet.

Front Yard: There shall be a front yard not less than twenty per cent of the depth of the lot, but such front yard need not be more than twenty-five feet, except as provided hereafter.

Side Yards: There shall be a side yard on each side of a building not less than five feet in width, provided that on a lot having a width of less than fifty feet, as shown by the last conveyance of record at the time of the passage of this ordinance, there shall be a side yard on each side of such building of not less than four feet, and provided that on a lot having a width of less than forty feet, as shown by such conveyance, there shall be a side yard on each side of the building not less than three feet. Buildings on corner lots where interior lots have been platted on side streets shall provide a side yard adjacent to the side street of not less than fifty per cent of the front yard established for buildings on interior lots on the side street, provided this regulation shall not be so interpreted as to reduce the buildable width of a corner lot of record at the time of the passage of this ordinance to less than sixty-five per cent of the total width of such lot, and provided, further, that the minimum side yard regulations herein must be observed. Accessory buildings on corner lots, where interior lots have been platted on side streets, shall not project beyond the front yard line established on the side street, provided this regulation shall not reduce the buildable width to less than twenty feet.

Lot Area Per Family: Every building or portion of building hereafter erected, moved or altered for residence purposes in District A shall provide a lot area of not less than five thousand square feet per family.

DISTRICT B

SECTION 6. *District B Regulations.*—Second Dwelling District. In District B, no building, structure, land or premises shall be used and no

Nurseries and greenhouses for the propagating and cultivating of plants only, provided, however, that before permit is issued there are on file in the office of the Building Commissioner, the written consents of the owners of the majority of the area of all real estate within two hundred (200) feet of any part of the premises.

Private golf clubs, when not operated as a commercial business or for profit.

Accessory buildings, including a private garage or private stable, when situated upon the same lot with the main building and not less than sixty (60) feet from the front street line, and in case of corner lots not less than the distance required on such lot for residences from any other street lines, also including servants quarters, provided such quarters are occupied only by servants employed on the premises, and not rented as a separate domicile or dwelling, and provided further that such servants quarters shall be not less than sixty (60) feet from the front street line and not less than five (5) feet from any side lot line, and in the case of corner lots not less than the distance required for residences from side street lines, except that a private garage or servants quarters may be constructed as an integral part of the main building, subject to the height and area regulations of the main building.

In District A no private garage shall provide storage for more than one vehicle for each twenty-five hundred (2500) square feet of lot area.

Uses, customarily incident to any of the other uses enumerated herein when the same are situated in the same dwelling or apartment, including such home occupations as that of a Physician, Surgeon, Dentist or Musician, provided such person carrying on such customary home occupation may do so in a dwelling or apartment used by him as a private residence, provided no other persons than the members of his own household are employed in such occupation and no window display or sign more than one hundred square inches in area is used to advertise the same. A billboard, signboard or advertising sign shall not be permitted as an accessory use. The placing of a "For Sale" or "For Rent" sign not more than eight square feet in area shall be permitted as an accessory use. During construction of a building, one sign advertising contractors or architects on such building shall be permitted, provided such sign shall not be more than eight square feet in area. A driveway or walk used for access to a use permitted in any other district shall not be permitted as an accessory use in District A, nor shall any use permitted in any other district be permitted as an accessory use in District A.

building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District A, including the regulations as established therein for garages, stables, servants quarters and accessory buildings and uses, except that in District B no private garage shall provide space for storage for more than one vehicle for each fifteen hundred (1500) square feet of lot area.

HEIGHT AND AREA RESTRICTIONS

In District B, the height of buildings, the minimum dimensions of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: Same as District A.

Rear Yard: Same as District A.

Front Yard: Same as District A.

Side Yard: Same as District A.

Lot Area Per Family: Every building or portion of building hereafter erected, moved or altered for residence purposes in District B, shall provide a lot area of not less than five thousand (5000) square feet per family in single family dwellings, and twenty-five hundred (2500) square feet per family in two family dwellings.

DISTRICT C

SECTION 7. District C Regulations.—Apartment District. In District C, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District B, including the regulations as established therein for garages, stables, servants quarters, and accessory buildings and uses, except that in District C no private garage shall provide space for storage for more than one vehicle for each one thousand square feet of lot area.

Apartment Houses.

Boarding Houses or Lodging Houses.

Fraternity or Sorority Houses.

Hospitals, Sanitaria, or Clinics, other than for tubercular, liquor, narcotic, insane or feeble minded patients.

Philanthropic or eleemosynary use or institutions other than a penal or correctional institution.

Private Clubs, except clubs, the chief activity of which is a service customarily carried on as a business.

Private or Parochial Schools, Colleges and Universities.

Hotels and Apartment Hotels, including only such facilities as are customarily required for the operation of a hotel or apartment hotel or for the use of or entertainment of guests or tenants, and provided such facilities are conducted and entered from within the building and provided no window or other display or sign is used to advertise the same.

The Board of Adjustment may permit community garages in District C under the following limitations:

1. Such building shall be set back from the street line a distance of not less than ten feet greater than the building lines established by this ordinance.

2. No commercial vehicles shall be housed in such Community garage.

3. Vehicles may be washed therein, but no commercial use of the premises shall be permitted.

4. Such building shall not provide space for the storage of more vehicles than the total number of vehicles permitted by this ordinance to be stored on the lots served by such garage.

5. Access thereto, if from the street, shall be by not more than one driveway.

HEIGHT AND AREA RESTRICTIONS

In District C, the height of buildings, the minimum dimension of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: No building hereafter erected or structurally altered shall exceed three stories or forty-five feet in height, except as provided hereafter.

Rear Yard: The depth of the rear yard shall be not less than twenty-five per cent of the depth of the lot provided such depth need not be more than a total of twenty-five feet.

Front Yard: Same as District A.

Side Yards: Same as District A.

Lot Area Per Family: Every building or portion of building hereafter erected, moved or altered for residence purposes in District C, shall provide a lot area per family as specified in District B in the case of one and two family dwellings, and not less than one thousand (1000) square feet per family in apartment houses.

DISTRICT D

SECTION 8. District D Regulations.—Local Business District: In District D no building,

structure, land or premises shall be used and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District C.

Automobile parking yards or spaces.

Banks.

Bakeries employing not more than five persons each.

Battery stations.

Cleaning, pressing and dyeing plants, employing not more than five persons each, provided that only non-explosive cleaning fluids shall be used.

Garage, storage.

Gasoline and oil filling stations, provided all storage tanks for gasoline shall be below the surface of the ground, and that no opening for the filling or emptying of such gasoline storage tanks shall be permitted within fifty (50) feet of any use permitted in Districts A, B and C, or within fifty (50) feet of any boundary line of Districts A, B and C, when such boundary line is within the same block.

Hand Laundries, employing not more than five (5) persons each.

Ice Delivery Stations, for storage and the sale of ice at retail only.

Job printing, provided total mechanical power used in the operation of such printing plant shall not exceed five horse power.

Mortuaries.

Offices.

Restaurants, Cafes or Cafeterias.

Stores and Shops, for the sale of products at retail only.

Studios.

Theatres or moving picture shows.

Tire Shops.

Shops for custom work or the manufacture of articles to be sold at retail on the premises, provided that in such manufacture total mechanical power shall not exceed five horse power for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) per cent of the total floor area of the entire building or the equivalent of the ground floor area thereof, and provided, further, that such manufacturing use is not noxious or offensive by reason of vibration, noise or the emission of odor, dust, smoke or gas.

Advertising signs, when the same are attached to a building and advertise only services, articles or products which are offered within the building to which such sign is attached, and provided that such signs shall not extend above the outside walls of such building, nor more than one foot from the face of the wall

of such building; no detached sign or billboards shall be permitted in District D.

HEIGHT AND AREA RESTRICTIONS

In District D, the height of buildings, the minimum dimensions of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: Same as District A.

Rear Yard: The depth of the rear yard shall be not less than twenty (20) per cent of the depth of the lot provided such depth need not be more than a total of twenty (20) feet.

Front Yard: The front yard need be of no greater depth than the least depth established by existing buildings in District D within the same block, except that where a portion of a District D lies within the same block and fronts upon the same street with a portion of Districts A, B or C, and no lot within said District D is occupied by a building with a front yard of less depth than that required in that portion of Districts A, B or C adjoining, then in such case the front yard requirements of such adjoining Districts A, B or C shall likewise be applicable to such portion of District D.

Side Yards: There shall be a side yard on each side of a building used exclusively for residential purposes not less than five (5) feet in width, provided that on the lot having a width of less than fifty (50) feet as shown by the last conveyance of record at the time of the passage of this ordinance there shall be a side yard on each side of such building of not less than four (4) feet, and provided that on a lot having a width of less than forty (40) feet, as shown by such conveyance, there shall be a side yard on each side of the building not less than three (3) feet.

Lot Area Per Family: Every building or portion of building hereafter erected, moved or altered for residence purposes in District D shall provide a lot area of not less than one thousand (1000) square feet per family.

Materials: In District D no building used, designed, or intended to be used for District D shall be hereafter erected, moved, altered or structurally changed unless the outside walls thereof shall have a fireproof layer of brick, stone, tile, terra cotta or other non-combustible material on the outside of such walls, not less than four (4) inches in thickness, and unless the roof of such building or structure shall be of tar and gravel, slate, tile or other composition roof; provided that this provision shall not

apply to buildings used, designed or intended for uses as enumerated herein for Districts A, B and C, which are constructed, erected, moved or altered in District D.

DISTRICT E

SECTION 9. *District E Regulations.*—Highway Business District. In District E no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District D.
Dance Halls.
Public Garages.

HEIGHT AND AREA RESTRICTIONS

In District E the height of buildings, the minimum dimension of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: Same as District A.
Rear Yards: Same as District D.
Side Yards: Same as District D.
Lot Area Per Family: Same as District D.
Materials: Same as District D.

DISTRICT F

SECTION 10. *District F Regulations.*—Central Business District. In District F, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District E, except that in public garages no repair facilities shall be maintained on the front portion of the lot, or in the front portion of the first story of the building within thirty (30) feet of the front street.

Awning Manufacture.
Billboards and Advertising Signs.
Laundries, employing more than five (5) persons each.

Manufacture of products to be sold at retail upon the premises, provided that no mechanical power in excess of five horse power is used in the operation of any one machine, and provided such use is not noxious or offensive by reason of the emission of vibration, smoke, dust, gas or noise.

Ice Plants of not more than sixty (60) tons capacity per day, if operated by electrical power only.

Radio Broadcasting Stations.

Storage in bulk of, or warehouse for, such material as household goods, clothing, drugs, glass, dry goods, furniture, hardware, groceries, lubricating oil, millinery, paint and paint materials, pipe, rubber, shop supplies, tobacco, turpentine or varnish.
Wholesale sales rooms.

HEIGHT AND AREA RESTRICTIONS

In District F, the height of buildings, the minimum dimension of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: No building hereafter erected or structurally altered shall exceed eight (8) stories, or one hundred (100) feet in height, except as provided hereafter.

Rear Yard: For Buildings or portions of buildings used for residential purposes fifteen (15) feet. No rear yard required on other buildings.

Side Yards: There shall be a side yard on each side of a building used exclusively for residential purposes of not less than five (5) feet in width, provided this width shall be increased one (1) inch for each foot of height of building above thirty-five (35) feet.

Lot Area Per Family: Every building or portion of building hereafter erected, moved or altered for residential purposes in District F shall provide a lot area of not less than four hundred (400) square feet per family.

DISTRICT G

SECTION 11. *District G Regulations.*—Light Industrial District. In District G no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, moved, constructed or altered, except for one or more of the following uses:

Any use permitted in District F.
Basket material factories.
Blacksmith shops.
Bottling works.
Button or Novelty Factories.
Canning and preserving factories.
Cold storage plants.
Creameries.
Electro Plating.
Flour Mills.
Grain elevators.
Horseshoeing shops.
Machine Shops.
Manufacture of products, such as artificial flowers; blacking; brooms; brushes; canvas

products; cigars; cleaning preparations; clothing; electrical fixtures; food products; fruit juices; gas fixtures; ice or ice cream; jewelry; leather products; medicine; metal products; musical instruments; optical goods; paper products; plumes; polishing preparations; professional instruments; shell products; syrup products; wooden products.

Lumber yards.
Milk bottling or distribution stations.
Oil compounding or barrelling.
Poultry storage, dressing or killing and fish packing or storing.
Public stables.

Storage in bulk or warehouses for such materials as brick, cement, coal, contractor's supplies, cotton, feed, fertilizer, gasoline, grain, gravel, grease, groceries, hay, ice, iron, lead, lime, lumber, machinery, oil, petroleum, plaster, roofing, rope, sand, stone, terra cotta, timber, wood, wool.

Wagon Sheds.
Wholesale Houses.

Manufacture of any similar character to that herein listed, including drugs and chemicals or the use of any building or premises (not included in special classes), provided such manufacture or use is not noxious or offensive by reason of the emission of odor, dust, vibration, smoke, gas or noise.

HEIGHT AND AREA RESTRICTIONS

In District G, the height of buildings, the minimum dimension of yards and the minimum lot area per family permitted upon any lot shall be as follows:

Height: No building shall exceed four (4) stories or fifty-five (55) feet in height.

Rear Yard: Same as District F.

Side Yards: Same as District F.

Lot Area Per Family: Same as District F.

SPECIAL CLASSES

SECTION 12. *Special Classes.*—The following uses may be located in any district by special permission of the Board of Adjustment, after public hearing, provided that in their judgment such use will not seriously injure the appropriate use of neighboring property, and will conform to the general intent and purpose of this ordinance, and further provided that such uses shall comply with the height and area regulations of the districts in which they may be located:

Amusement Parks.
Aviation Fields.

Circuses and Carnivals.
Crematories for the disposal of the human dead.

Cemeteries.
Hospitals for insane or feeble minded or penal or correctional institutions.

Junk Yards.
Light and Power Plants.
Refuse Dumps.
Sewage or garbage disposal plants.

Stone cutting.
Stone quarries.
Slaughter of animals.
Stock Yards and feeding pens.

SECTION 13. *Height and Area Exceptions:* The regulations and requirements as to height of buildings and area of lot which may be occupied by buildings, side yards, front yards, rear yards and other regulations and requirements as established in the foregoing sections of this ordinance, shall be subject to the following exceptions and additional regulations:

Height: (1) That in Districts A, B, C, D, E and G public or semi-public buildings, such as hospitals, sanitariums or schools, either public or private, where permitted, may be erected to a height not exceeding sixty (60) feet, provided that such buildings shall be set back one additional foot on all sides for each additional foot that such buildings exceed the specified height limit as established by the regulations of the district in which such building is situated.

(2) Dwellings in Districts A and B may be increased in height not exceeding ten (10) feet in addition to the limitations prescribed in such districts, provided that two side yards of not less than fifteen (15) feet in width, each, are provided. In no case shall such dwelling, however, exceed three stories in height.

(3) Parapet walls and false mansards shall not extend more than six (6) feet above the height limit. Flagpoles, chimneys, cooling towers, electric display signs, elevator bulkheads, pent houses, finials, gas tanks, grain elevators, stacks, storage towers, radio towers, ornamental towers, monuments, cupolas, domes, spires, standpipes, and necessary mechanical appurtenances may be erected as to height in accordance with existing or hereafter adopted ordinances of the City of Columbia, except that in districts A and B no radio aerial support shall be erected more than five (5) feet above the height limitations of such districts and in no event shall extend more than five (5) feet above the ridge of a roof.

(4) On through lots one hundred twenty-five (125) feet or less in depth, the height of

a building may be measured from the curb level of either street. On through lots of more than one hundred twenty-five (125) feet in depth, the height regulations for the street permitting the greater height, shall apply to a depth of not more than one hundred twenty-five (125) feet from that street.

Area Per Family: (5) For any building used jointly for business and residential purposes or industry and residential purposes, the number of families permitted by the lot area requirements per family shall be reduced in the same proportion as the floor area devoted to business or industry bears to the entire floor area of the building, provided that floor area below the first floor of such building shall not be included in any calculation under this provision.

(6) For any building providing jointly for hotel and apartment house uses, the number of families permitted in apartments by the lot area requirements per family shall be reduced in the same proportion as the total floor area devoted to hotel or non-housekeeping rooms bears to the total floor area devoted to both uses.

SECTION 14. Side and Rear Yard Exceptions: (1) Buildings on through lots in Districts A, B and C, where such lot is two hundred (200) feet or more in depth, shall provide an equivalent open space in lieu of the required rear yard, provided that in any case where the rear lot lines are continuous through the block, if a through lot is secured by combining any two or more non-through lots and their common rear line is eliminated or built over, any building on such through lot shall provide a court above the level of the first story open and unobstructed the full width of the lot and for the full distance between the projected minimum rear yard lines. It is the purpose of this regulation to secure adequate ventilation for the interior of the block.

(2) The area required in a yard at any given level shall be open from such level to the sky, unobstructed except for the customary projections of sky lights and parapets above the bottom of such yard, and except for the ordinary projections of window sills, belt courses, cornices or other ornamental features not exceeding four (4) inches; provided that if the building is not more than thirty-five (35) feet in height, such cornice may project not more than two and one-half ($2\frac{1}{2}$) feet into such yard; and provided further that open balconies and one story porches with three unenclosed sides may project into a front or rear yard not to exceed ten (10) feet; and provided that with-

in five (5) feet of the street wall a cornice may project not more than three (3) feet into the side yard.

(3) An open fire escape may project not more than four (4) feet into a side or rear yard. Solid floored balconies and enclosed fire-proof outside stairways may project not more than four (4) feet into a rear yard.

(4) In any district, an accessory building, not exceeding twenty-four (24) feet or two stories in height, or in any case higher than the main building, may occupy not more than thirty (30) per cent of the rear yard, except that in Districts D to G inclusive, if such building is not more than one story or sixteen (16) feet high, it may occupy forty (40) per cent of the rear yard.

(5) Buildings in Districts D to G inclusive, used wholly or partially for business or industrial purposes, need not provide a side yard, and on corner lots need not provide a rear yard within fifty (50) feet of a side street, provided that there shall be a rear yard on the ground level for any lot that has a rear line adjoining property within Districts A, B and C, and further provided that portions of such buildings which are designed or used for living purposes shall provide on any floor open space equivalent to the area of side and rear yards required in the district in which such building is situated. Such open space may be in the form of additional front or rear yards or one or more courts opening to the street or rear yard; provided that

(a) No court shall have a width less than ten (10) feet nor less than one-fourth of its length, nor a width of less than two and one-half ($2\frac{1}{2}$) inches for each foot of height of the court.

(b) That the width of any portion of a required side yard as provided in this ordinance may be considered a part of such court.

(c) For buildings on corner lots, the total open space required by this section may be reduced by ten (10) per cent of the lot area.

6. In Districts A, B and C, where buildings on adjoining lots do not conform to the side yard requirements of this ordinance, the Board of Adjustment may vary the side yard requirements, provided that no building may be built nearer than three (3) feet to the side lot line and provided that the width of the building allowable under the regulations of this ordinance may not be increased.

7. No provision of this ordinance shall be so interpreted that any essential lighting or

ventilation of a building, which is built out to any lot line adjoining another lot, is secured by windows or other openings which are on the lot line and open upon such adjoining lot. It is the purpose of this regulation to secure permanently healthful conditions within such building and to prevent the closing up of any necessary windows therein through the lawful erection against them of a building upon such adjoining lot.

SECTION 15. Front Yard Exceptions.—(1) In Districts A, B and C, where the frontage upon the same side of a street between two intersecting streets is occupied or partially occupied by a building or buildings with front yards which do not conform to the provisions of this ordinance, or where the configuration of the ground is such that conformity with the front yard provisions of this ordinance would work a hardship, the Board of Adjustment may permit modifications of the front yard requirements applicable to the remaining frontage upon the same side of such street between such intersecting streets.

(2) In Districts A, B and C, where the frontage upon the same side of a street between intersecting streets is occupied or partially occupied by a building or buildings having front yards of greater depth than are required by this ordinance, no other lot upon the same side of such street between such intersecting streets shall be occupied by a building with a front yard of less than the least depth of any such existing front yards, unless by permission of the Board of Adjustment.

(3) No cornice shall project over the street line more than five (5) per cent of the width of such street and in no case more than four (4) feet.

SECTION 16. Accessory Uses.—A driveway or walk to provide access to premises in one district shall not be permitted in a district of a higher classification.

Buildings or structures or uses which are necessary to the use permitted in one district shall not be permitted in a district of a higher classification.

SECTION 17. Non-Conforming Uses.—The lawful use of land existing at the time of the passage of this ordinance, although such use does not conform to the provisions hereof, may be continued, but if such non-conforming use is discontinued, any future use of said premises shall be in conformity with the provisions of this ordinance.

The lawful use of a building existing at the time of the passage of this ordinance may be

continued, although such use does not conform with the provisions hereof, and such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinance, are made therein. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification.

A non-conforming use if changed to a conforming use or more restricted, non-conforming use, may not thereafter be changed back to a less restricted use than that to which it was changed. If any property is hereafter transferred to a more restricted district by a change in the district boundaries, or the regulations and restrictions in any district are made more restrictive or of a higher classification by amendment to this ordinance, the provisions of this ordinance relating to the non-conforming use of buildings or premises existing at the time of the passage of this ordinance, shall apply to buildings or premises occupied or used at the time of the passage of such amendment.

A building arranged, designed or devoted to a non-conforming use at the time of the passage of this ordinance, may not be reconstructed or structurally altered to an extent exceeding in aggregate cost, during any ten-year period, sixty (60) per cent of the assessed value of the building.

SECTION 18. Completion and Restoration of Existing Building.—Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, and plans for which are on file with the Superintendent of Buildings at the time of the passage of this ordinance and the construction of which in either case shall have been diligently prosecuted within one year of the date of such permit, and the ground story framework of which, including the second tier of beams, shall have been completed within such year and which entire building shall be completed, according to such plans as filed, within two years from the date of the passage of this ordinance.

Nothing in this ordinance shall prevent the restoration of a non-conforming building partly destroyed by fire, explosion, act of God, or act of the public enemy, subsequent to the passage of this ordinance, or prevent the continuance of the use of such building or part thereof, as such use existed at the time of such destruction of such building or part thereof, or prevent a change of such existing use under the limitations provided herein, provided such building is not destroyed to the extent of more than seventy-five (75) per

cent of its reasonable valuation. This ordinance shall prevent the restoration of such non-conforming building so damaged more than seventy-five (75) per cent of the reasonable valuation, and shall prevent the continuance of the use of such building or part thereof as such use existed at the time of such damage, and shall prevent a change of such existing use under the limitations provided by this ordinance.

The provisions of this ordinance shall not apply to prevent the extension of any building, existing in any district at the time of the adoption of this ordinance, to the height which the walls, foundation and framework of such existing building originally were intended, designed and constructed to carry; provided, however, that the actual construction of the extensions in height permitted by this paragraph shall have been duly commenced within ten years from the date of the adoption of this ordinance.

SECTION 19. *Interpretation—Purpose.*—In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and the general welfare. It is not intended by this ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinances or any rules or regulations previously adopted pursuant to law relating to the use of buildings or premises; nor is it intended by this ordinance to interfere with or abrogate or annul any easements or covenants between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises than are imposed by such existing provisions of law or ordinance or by such rules or regulations or by such easements, covenants, or agreements, the provisions of this ordinance shall control, and where the provisions of such easements, covenants, agreements, laws or ordinances impose greater restrictions upon the use of buildings or premises, such provisions of such easements, covenants, agreements, laws or ordinances shall not be interfered with by any of the provisions of this ordinance.

SECTION 20. *Amendments.*—The Council may, from time to time, on its own motion or on petition, after public notice and hearings thereon as provided herein, amend, supplement, change, modify or repeal the regulations and restrictions as established herein and may change, restrict or extend the boundaries of the various districts established herein. Before taking any action upon any proposed amendment, modification, change, restriction or extension, the same shall be referred by the Council to the City

Planning Commission for report and recommendation.

SECTION 21. *Protest.*—If a protest against such amendment, change, modification, repeal, restriction or extension shall be presented, duly signed and acknowledged by the owners of ten (10) per cent or more, either of the land (exclusive of streets and alleys) included in such proposed change, or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the district proposed to be changed, such amendment shall not be passed except by three-fourths vote of the Council.

SECTION 22. *Notice of Hearings.*—No action on an amendment, change, modification or repeal shall be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in an official paper, or a paper of general circulation in the city of Columbia.

SECTION 23. *Enforcement.*—It shall be the duty of the Building Inspector to enforce the provisions of this ordinance and to refuse to issue any building permit for any building or structure which would violate any of the provisions hereof, and the said Building Inspector or any deputy or inspector working under his direction, by and with the consent of the Building Inspector, is hereby authorized and instructed to arrest, prosecute, or bring any proceedings in a proper court in the name of the City of Columbia against any person violating any of the terms of this ordinance, and in case any building or structure is erected, constructed, re-constructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this ordinance, said Building Inspector is hereby authorized and directed to institute any appropriate action or proceedings to prevent such unlawful erection, maintenance, construction, re-construction, alteration, repair, conversion or use, to restrain, correct or abate such violation and to prevent any illegal act, conduct or use on or about such premises.

SECTION 24. *Permits.*—No permit for the erection, alteration or enlargement of any building shall be issued by the Building Inspector unless there first be filed in his office, by the applicant therefor, a plat in duplicate, drawn to scale, and in such form as may be prescribed by the Building Inspector, correctly showing the location and actual dimensions of the lot to be

occupied, the dimensions and location on the lot of the building to be erected, altered or enlarged, together with a true statement in writing, signed by the applicant, showing the use for which such building is arranged, intended or designed, and furnishing such other information as the Building Inspector may require in the enforcement of the provisions of this ordinance, and any failure to comply with the provisions of this ordinance shall be good cause for the revocation of any such building permit by the Building Inspector. A record of such applications and plats shall be kept in the office of the Building Inspector.

SECTION 25. *Board of Adjustment.*—A Board of Adjustment, hereafter called The Board, is hereby created, consisting of five members, said members to be appointed by the Mayor, subject to the approval of the City Council. One of such members may also be a member of the City Planning Commission. The membership of the first Board appointed shall serve respectively: One for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for terms of five years each. Members shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall elect its own chairman, who shall serve for one year. The Board shall adopt rules in accordance with the provisions of this ordinance, and of any amendment thereto. Meetings of the Board shall be held at the call of the chairman, at such times as the Board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All the meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep a record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board, and shall become a public record. All testimony, objections thereto and rulings thereon shall be taken down by a reporter employed by the Board for that purpose.

SECTION 26. *Appeals to the Board of Adjustment.*—Appeals to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department, board or bureau of the municipality affected by any decision of the Building Inspector. Such appeal shall be taken

within a reasonable time, as provided by the rules of the Board, by filing with the Building Inspector and with the Board a notice of appeal specifying the grounds thereof. The Building Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Inspector certifies to the Board, after the notice of appeal shall have been filed with him or it, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of record on application or notice to the Building Inspector and on due cause shown. The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

SECTION 27. *Powers of the Board of Adjustment.*—The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance.

2. To hear and decide all matters referred to it or upon which it is required to pass under this ordinance.

3. In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the use, construction or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done. In exercising the above mentioned powers such Board may, in conformity with the provisions of this ordinance, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the Building Inspector.

SECTION 28. *Four-fifths Vote.*—The concurring vote of four members of the Board shall

be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

SECTION 29. Appeals to Circuit Court.—Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any officer, department, board or bureau of the municipality, may present to the Circuit Court of Boone County a petition, duly verified, setting forth that such decision is illegal in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the Court within thirty days after the filing of the decision in the office of the Board. Upon the presentation of such petition, the Court may allow a writ of certiorari directed to the Board, to review such decision of the Board, and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten (10) days, and may be extended by the Court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the Court may, on application, on notice to the Board and on due cause shown, grant a restraining order. The Board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof, or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from, and shall be verified. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take additional evidence or appoint a referee to take such evidence as it may direct and report the same to the Court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The Court may reverse or affirm, wholly or partially, or may modify the decision brought up for review. Costs shall not be allowed against the Board unless it shall appear to the Court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

SECTION 30. Invalidity of a Part.—In case any portion of this ordinance shall be held to be invalid or unconstitutional, the remainder of the ordinance shall not thereby be invalid, but shall remain in full force and effect.

SECTION 31. Violation of Act a Misdemeanor.—The owner or general agent of a building or premises where a violation of any provision of the regulations of this ordinance has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars (\$10) and not more than one hundred dollars (\$100) for each and every day that such violation continues, but if the offense be willful, on conviction thereof, the punishment shall be a fine of not less than one hundred dollars (\$100) or more than two hundred and fifty dollars (\$250) for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the Court. Any such person who, having been served with an order to remove any such violation, shall fail to comply with said order within ten days after such service, or shall continue to violate any provision of the regulations made under authority of this act in the respect named in such order, shall also be subject to a civil penalty of two hundred and fifty dollars (\$250).

APPENDIX "D"

RULES FOR LAND SUBDIVISION RECOMMENDED FOR ADOPTION BY THE CITY COUNCIL, COLUMBIA, MISSOURI

The City Council of Columbia, Missouri has adopted these rules as a guide to land surveyors, civil engineers, and landscape architects, and to persons or corporations intending to subdivide land which is located within the corporate limits of Columbia, Missouri. Attention of subdividers is called to the inconveniences and inaccuracies which often result from selling by metes and bounds, and the filing of a plat in each case is strongly urged.

PRELIMINARY PLAT

A preliminary plat, in duplicate, of any proposed subdivision shall be submitted to the

City Council for approval before the preparation of the final plat or plat for record. Such plat must be filed with the City Clerk at least five days prior to the meeting at which approval is asked. This plat shall be drawn to a scale of two hundred feet to one inch, or larger, and shall show, or be accompanied by plans showing the following:

1. The location of boundary lines of the subdivision, in relation to section, quarter-section or quarter-quarter section lines and any corporate boundaries adjacent.

2. Location and width of existing streets, roads, alleys, railroad right of ways and recorded easements within or immediately adjacent to the property to be subdivided, together with the location of existing water, sewer or gas mains or other utilities to which such utilities in the property may be connected.

3. Location and width of proposed streets, roads, lots and alleys, and designation of proposed parks, church or school sites or other special uses of land or features.

4. Survey showing physical features of the property, including location of water courses, ravines, bridges, culverts, lakes, present structures and other features pertinent to subdivision. The outline of wooded areas or the location of trees over eight inches in diameter may be required. On extensive or broken tracts, the City Council may require contours at intervals to be specified, but not less than two feet. Contours shall be referred to city datum. The approximate acreage of the property is to be indicated.

5. The proposed name of the subdivision, and the name and address of the owner and surveyor or engineer or landscape architect responsible for the survey and design; also the proposed names of streets within the subdivision and the names of adjacent streets, subdivisions and public places.

6. Date, north point and scale.

The approval of the preliminary plat does not constitute an acceptance of the subdivision.

FINAL PLAT

If the final plat in the form of a plat for record is not submitted for approval within a reasonable time after the preliminary plan has been approved by the City Council, the Council at its discretion, on thirty days notice, may declare the approval of the preliminary plat void. This final plat shall be filed with the City Clerk at least five days prior to the meeting at

which approval is asked. This plat shall be drawn to a scale of one hundred feet to the inch, or larger, and shall show, or be accompanied by the following information:

1. The length and bearing of each of the boundary lines of the property as determined by survey, which must mathematically close. The relative location of the boundary lines and adjacent section, quarter-section or quarter-quarter section lines and corporate boundaries.

2. Location of lots, streets, public highways, alleys, parks and other features accurately dimensioned in feet and decimals of feet; the length of radii and of arcs and the bearings of external radii of all curves. All angle points and points of curve shall be dimensioned to lot lines, and co-ordinates of those points and block corners shown from some designated and monumented point.

3. The names of the subdivision and adjacent subdivisions, the names of streets (to conform wherever possible to existing street names) and numbers of lots and blocks, in accordance with a systematic arrangement, including lot or block numbers for any parks or other proposed public property. In case of branching streets the line of departure shall be indicated.

4. The description and location of all monuments, with permanent references to same.

5. The location of building lines on front and side streets and the location of utility easements.

6. A legal description of the property subdivided.

7. A certificate of dedication of all streets, public highways, alleys and land intended for public use.

8. Certificate of approval to be filled out by the City Council.

9. The relation of streets and alleys in the subdivision to adjacent streets and alleys.

10. The grades of all streets, public ways and alleys as determined in consultation with the City Engineer, and agreed to by the proprietor shall be shown by profiles. Such profiles shall show the proposed grade together with the present grade on center and both property lines.

11. Date, north point and scale.

12. Any restrictions governing the use of the property.

Figures and Letters:

All figures and letters shown must be plain, distinct, and of sufficient size to be easily read, and must be of sufficient density to make a lasting and permanent record. Fancy lettering and the use of "Old English" lettering is prohibited.

Key Map:

When more than one sheet is used, a key map showing the entire subdivision at smaller scale with block numbers and street names shall be shown on one of the sheets or on a separate sheet of the same size.

Affidavits and Certificates Required:

Such final plat shall be accompanied by a satisfactory certificate of title or a satisfactory affidavit of the owner, his authorized agent or attorney, showing the ownership of all property to be dedicated to the public. There shall be filed with the City Council a certificate from the proper persons or authorities showing that all taxes, liens and encumbrances of every sort on that part of the land dedicated or conveyed for public use have been paid or satisfied of record.

Prints Required:

Three black line prints of the final plat, as approved, and one copy of any restrictions or accompanying information shall be filed with the City Engineer, and one blue line print on linen, together with any restrictions and required information, with the County Recorder, after approval of the final plat by the City Council.

(Note: This paragraph is subject to revision with regard to number and type of prints, in accordance with local requirements).

GENERAL REQUIREMENTS

Street Arrangement:

Unless otherwise approved by the Council, provision must be made for the extension of main thoroughfares, as shown on the major street plan of the City Planning Commission; and secondary streets must provide free circulation within the subdivision. Off center street intersections will not be approved except in unusual cases.

Relation to Adjoining Streets and Land:

The system of streets designed for the subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivisions; and where no adjacent connections are platted, must in general be the reasonable projection of streets in nearest subdivided

tracts, and must be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith.

Dead End Streets and Courts:

Except in unusual cases, no dead end streets will be approved but courts or "places" may be permitted where the form or contour of the land makes it difficult to plat with connecting streets. Such courts or "places" shall provide proper access to all lots and shall generally not exceed four hundred feet in length, and a turn around shall be provided at the closed end, with an outside curb radius of at least forty feet.

Alleys and Alley Widths:

Except in unusual cases alleys or loading courts must be provided in business blocks. Alleys are optional in residential districts but are discouraged except where alleys of adjoining subdivisions would be closed or shut off from egress by the failure to provide alleys in the new subdivision. Alleys shall have a minimum width of twenty feet. In case of intersecting alleys a cutoff shall be required of at least five feet measured from the point of intersection of the alley lines; the resultant connecting lot line to be at least five feet in length.

Street Widths:

Except in unusual cases, major streets shall conform to the widths indicated on the major street plan adopted by the City Planning Commission and on file in the office of the City Engineer. All major streets through business districts shall be at least eighty feet wide, but a greater width may be required in special cases. A building line safeguarding future widening, may be required by the Council in lieu of dedication of the indicated width. Dedication of a half street adjoining unplatted property will be accepted. No reserve strips will be permitted unless by special approval of the Council, and the land in such strip is placed within the jurisdiction of the city.

Minor streets shall be at least fifty feet in width in detached residence districts. In districts where apartments or business structures are apt to be built in the future, or where there is through traffic, a minimum of sixty feet may be required.

Utility Easements:

Easements of not less than four feet shall be provided on each side of rear or side lot lines, where necessary, for public utilities. If necessary for the extension of main water or sewer lines, or similar utilities, easements of greater width may be required along lot lines or across

lots. Easements shall connect with established easements in adjoining property. The indication of easements on a plat does not necessarily constitute a dedication of such easements to public use, but the easements, as shown, shall not thereafter be changed without the consent of the Council.

Large Allotments:

Where the land is subdivided into larger tracts than for normal building lots, such parcels shall be divided so as to allow for the opening of major thoroughfares and the ultimate extension of adjacent minor streets.

Block Lengths:

In general, intersecting streets, determining block lengths, shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets or customary subdivision practice in the neighborhood. Where no existing plats control, the blocks should usually not exceed one thousand feet in length, except that in outlying subdivisions a greater length may be permitted where topography or other conditions, in the opinion of the Council, justify such lengths. In blocks longer than eight hundred feet, pedestrian ways through the block may be required near the center of the block. Such pedestrian ways shall have a minimum width of ten feet. Blocks for business use should generally not exceed five hundred feet.

Lot Sizes:

In general the minimum dimensions for lots in residence districts shall be fifty feet in width, and in no case less than forty feet, and generally not less than one hundred twenty-five feet in depth, unless for special reasons approval is given otherwise. In no case, however, shall a rectangular or irregularly shaped lot in a residential district contain less than five thousand square feet.

Lot Lines:

All lots, so far as practicable, shall have the side lines at right angles to the street on which

the lot faces, or radial to curved street lines. Lots with double frontage are undesirable, and should be avoided wherever possible.

Building Lines:

Building lines shall be shown on lots intended for residential use, and in some cases may be required on lots intended for business use, and shall provide at least the setback required by the zoning ordinance. If, however, suitable provision is made in connection with the plat or restrictions pertaining to the plat, building lines may thereafter be varied without the consent of the Council, provided such variation does not reduce the setback more than five feet, nor to less than the requirements of the zoning ordinance.

Parks, School Sites and Playgrounds:

Suitable sites for parks, schools, playgrounds or any other public requirements should be carefully considered and indicated on the preliminary plat, so that it can be determined which of such sites should be indicated on the final plat, and when and in what manner such areas will be acquired by the city. Attention is called to the advantages, on a large tract, of dedicating a reasonable per cent of the property for such use.

Sewers and Water:

The City Council may refuse to approve a plat unless it is evident that proper water and sewer facilities can be supplied within a reasonable time.

Advice and Cooperation:

Advice and cooperation in the preparation of plats will be freely given by the City Engineer and the City Planning Commission. The Zoning Ordinance should be consulted before any plat is prepared. The City Council shall be the judge in all cases regarding the application of the foregoing rules, and may approve variations in specific cases which do not affect the general application or spirit of the regulations.

