

## **Zoning and Subdivision Code Update**

### **Quick Guide**

The City of Rolla has had zoning and subdivision regulations for almost 80 years. The latest ordinance was adopted in 1988, and included many sections which were copied from the previous ordinances, and has been amended many times over the years since 1988.

The effort to revise the zoning and subdivision regulations (and any other ordinances related to land use and zoning) is intended to:

- Bring more order to the ordinance
- Correct errors, typos, conflicts, and unnecessary requirements
- Address issues which have caused the need for repeated variances or unnecessary approvals
- Ease the processes for gaining approvals
- Achieve/ensure compliance with state laws
- Address deficiencies in the ordinance which have caused issues in the community

Most of the revisions are housekeeping/administrative corrections. Some proposed changes, especially to the zoning district regulations themselves, are more visible.

The Quick Guide briefly explains each main section of the zoning code and notable proposed changes. The guide also includes a description of each zoning district and a table of the minimum lot size, setbacks, minimum lot frontage, maximum building heights, and maximum lot coverage. Frequently asked questions are at the end of the guide.

The following information is available on the Rollacity.org website under the News tab:

- The entirety of the proposed zoning code
- The current zoning code
- The current zoning code with markups and additions
- The current zoning map
- The proposed zoning map
- Quick Guides
- Video of summery presentation to Planning and Zoning Commission

Please send any comments or suggestions to the city planner, Tom Coots, [tcoots@rollacity.org](mailto:tcoots@rollacity.org) or call (573) 426-6974.

## **Section 100 – Administration**

This section details some of the basic foundations of the code, including the rules for the Planning and Zoning Commission and Board of Adjustment, types of applications and related processes for review and approval, how to handle pre-existing uses, and how to enforce the ordinance.

Of note, some application types are clarified to indicate what is required to be submitted for a complete application, some application processes which were not in the code are added to clarify the process, and the fee schedule for applications has been updated with fees for all application types and based on an estimated 50% recapture rate of the cost to process the applications.

## **Section 200 – Zoning Districts**

This section details how land uses are categorized and defined and how uses are separated into zoning districts. The section addresses many problems in the current code by referencing the North American Industry Classification System (NAICS) to assist in defining and categorizing every land use, adding additional definitions needed to personalize for Rolla, grouping similar uses into groups for easier consideration, and adding flexibility by allowing more uses to be approved by Conditional Use Permit.

Many changes to the zoning districts themselves is also proposed. Some districts, which have been rarely used or are found to be unnecessary, are proposed to be removed and existing properties rezoned. A few new districts are proposed to be added to bring additional usability to properties. Seven districts are proposed to be removed; three new districts are proposed to be added, making a total of 9 zoning districts to be used.

Setbacks, minimum lot sizes, building heights, and maximum lot coverages were all reviewed and adjusted for many districts.

## **Section 300 – General Provisions**

This section covers general land use issues, such as parking, encroachments, landscaping, signage, design, and development requirements.

Of note, the parking requirements are proposed to include certain reductions in required parking, requiring parking for residential uses in the C-C, Center City District, allowing gravel parking in certain situations, and requiring bicycle parking in certain zoning districts. The height requirements for fences is proposed to be revised to allow fences over 4 feet in more locations, such as for back yards on corner lots. Standards for driveway locations and traffic studies is also proposed.

## **Section 400 – Special Regulations**

This section covers special land uses which require tailored requirements, such as Home Occupations, Adult Uses, Telecommunications, Manufactured Home Parks, Accessory Structures and Uses, Medical Marijuana Uses, and other uses.

Of note, the Home Occupations Uses are proposed to be modified to adhere to recent state law changes to allow for additional potential uses and fewer restrictions. Accessory Structure setbacks are proposed to be reduced for the front setbacks to match the primary structure. Accessory dwelling units are proposed to be allowed for most uses, which should allow for additional housing.

## **Section 500 – Subdivision Regulations**

This section details how properties in the city may be subdivided and any requirements related to the subdivision of property.

Of note, the ordinance is proposed to ease the processes for minor subdivisions and lot combinations/lot line adjustments. Changes and clarifications are proposed to the subdivision design requirements, such that flag lots would be more permissible, street widths could be reduced in certain circumstances, and development would be required to connect to adjacent development or stub streets to large undeveloped properties to allow for future connections.

## **Section 700 – Appendix**

This section includes the definitions that are generally applicable throughout the ordinance and includes a use table to easily see each land use and what zoning districts the use is allowed.

## **Other City Ordinances**

Changes to other chapters of the city ordinances are also proposed for issues which are related to land use. In particular, the sections pertaining to the Rolla Historic Preservation Commission are proposed to be removed from the city ordinances because the commission has not been active for many years. An ordinance related to bow hunting is proposed to be revised to allow hunting on larger lots, rather than being related to the property zoning. The chapter regarding property nuisances and property maintenance is proposed to be revised redundant language and adhere to state laws. A portion of the chapter pertaining to Stormwater Control is proposed to be revised to remove a reference to a zoning district.

## **Zoning Districts**

The R-R, Rural Residential District is proposed to be removed because the district required large lot sizes, which were not practical for development and did not allow for efficient use of infrastructure. All properties currently zoned R-R are proposed to be rezoned to the R-1, Suburban Residential District.

The R-1, Suburban Residential District is the most common district in the city, allowing mostly single-family houses and a few other uses.

The R-2, One and Two-Family District is the district most commonly used for duplex development, although the district does allow for other uses. The minimum lot sizes are proposed to be reduced for some uses.

A new U-R, Urban Residential District is proposed to be used in the older areas of the city with smaller existing lots and potential for redevelopment. The district is proposed in areas generally just south of the downtown and near Ber Juan Park. The U-R district is intended to allow for the development of existing lots, rather than requiring multiple lots and/or variances. The district only allows smaller multi-family uses to allow for redevelopment to better fit with the existing neighborhoods.

The R-3, Multi-family District allows for multi-family development and a few other uses. The minimum lot size is proposed to be reduced for some uses.

The R-3b, Multi-family District is proposed to be removed because the district has only been applied to one property. The setbacks, density, and uses were not practical for most properties compared to other options. The property currently zoned R-3b is proposed to be rezoned to the R-3, Multi-family District.

The RMH, Mobile Home District is proposed to be removed because, despite being available for almost 40 years, the district has only been used for one property. Manufactured Home Parks are proposed to be added as a Conditional Use in the R-3, Multi-family District. The one RMH zoned property and all existing Manufactured Home Parks are proposed to be rezoned to the R-3, Multi-family District.

A new R-4, Urban District is proposed to be used in the areas near the university campus to allow for higher density multi-family uses. In general, the district allows smaller setbacks and unlimited density, as long as setbacks and parking requirements are met. The district should create dense, walkable areas.

The C-O, Office District is proposed to be removed because the district has only been applied to a small number of properties. The C-1, Neighborhood Commercial District has been modified to be more useful for commercial properties adjacent to residential areas. All properties currently zoned C-O are proposed to be rezoned to the C-1, Neighborhood Commercial District.

The C-1, Neighborhood Commercial District is used for lower intensity commercial uses which may be appropriate adjacent to residential areas.

The C-2, General Commercial District is intended for more intense and larger commercial uses which are generally found along the main roads.

The C-3, Highway Commercial District is proposed to be removed because the district has been historically used interchangeably with the C-2, General Retail District. Often highway corridors and commercial areas are a checkerboard of C-2 and C-3 zoning. The C-2, (to be renamed to) General Commercial District is proposed to be modified to allow for more uses and require a Conditional Use Permit for some of the uses previously allowed in C-3 zoning. The change should bring more control for certain uses, predictability, and flexibility without the need for rezoning. All properties currently zoned C-3 are proposed to be rezoned to the C-2, General Commercial District.

The M-1, Light Manufacturing District is proposed to be removed because the district has been used in only a few locations in the city. Many of the locations are more appropriate for commercial uses than industrial uses. Some properties could be retained with industrial zoning, but most are proposed to be rezoned to the C-2, General Commercial District to allow for commercial uses.

The M, Manufacturing District is used for light and heavy industrial uses and industrial parks. The district also allows for complementary commercial uses.

The PUD, Planned Unit Development District is proposed to be removed as a zoning district. PUD's are proposed to be changed to be an overlay zone over a zoning district, rather than a separate district. Each property which is zoned PUD is proposed to be rezoned to a zoning district which most closely fits the current use of the property, with a PUD overlay. In addition, PUD's over 10 years old and fully developed are proposed to be rezoned, but without the PUD overlay, to allow for easier redevelopment of the properties without the need to amend the approved PUD. Several changes are also proposed to the process for approving a PUD for a project.

A new U, University District is proposed for properties which are owned by the university. The district is intended simply to identify those properties for orientation and to identify the campus on the map. The university is exempt from zoning requirements by state law.

The P, Public District is intended for city, county, state, and federal government uses. The district would also be used for semi-public non-profit uses.

The requirements and allowed uses for each zoning district are listed below:

District	Minimum Lot Size (Sq. Ft.)	Minimum Frontage (Feet)	Front Setback (Feet)	Side Setback (Interior) (Feet)	Side Yard (Corner) (Feet)	Rear Setback (Feet)	Max. Bld. Height (Stories/ Feet)	Maximum Lot Coverage
R-1	6,000 SF *	25	20	5	10	10	2 Story/50	40%
R-2	5,000 SF	40	20	5	10	10	2 Story/50	40%
U-R	2,500 SF	25	10	5	10	10 *	2 Story/50	N/A
R-3	4,000 SF	40	25	5	15	10 *	4 Story/64	60%
R-4	4,000 SF	25	5	N/A *	5	10 *	5 Story/75	N/A
C-1	6,000 SF	60	10	5 *	10	10 *	2 Story/50	40%
C-2	5,000 SF	N/A	10	N/A *	10	10 *	4 Story/64	N/A
C-C	N/A	15	N/A	N/A	N/A	N/A *	N/A	N/A
M	25,000 SF	25	35	10 *	25	20 *	N/A	N/A

\* Indicates that exceptions apply

## Frequently Asked Questions

### How will this impact my property?

Each property is different. The zoning is proposed to be changed on only some properties. Changes to the zoning codes can apply to the entire city. Please contact the city planner or attend a public meeting if you have any questions.

### How will this impact my property value/taxes?

Property value is constantly changing and depends on the situation. Generally, if changes to the zoning code would allow more flexibility, more uses, or more intensity – as is generally proposed – property values may increase. Most proposed changes would likely not impact property value or would only have a nominal impact. Some properties to be rezoned may see increases in value.

Property taxes are calculated by the Phelps County Assessor Office. The City of Rolla is not involved in determining assessed property values for taxes. The Assessor Office does not consider zoning when determining the assessed value. In general, if the value of a property increases, the property tax will also increase.

### Does this mean I will be forced to move?

Nothing in the proposed changes would require anyone to make changes to their property like moving a building, closing a business, or removing existing apartments. Anything that was legally existing prior to these changes would be allowed to remain.

### How does “Grandfathering” work?

Anything that was legally existing prior to the zoning codes (or any changes to the codes) is known as “Grandfathered”, or legal non-conforming. The zoning code allows for these uses to remain for as long as the owner wants. In addition, the code allows for uses and buildings to be rebuilt/re-established if the building were to be destroyed. In some cases additions, expansions, and even re-construction are also allowed.

**How does this relate to the Comprehensive Plan for the city?**

Rolla has an adopted Comprehensive Plan from 2005. A few other area/neighborhood plans have also been adopted since then. Most proposed changes are not changes that would be expected to be called out for in an adopted plan. However, the proposed U-R, Urban Residential and R-4, Urban districts are both direct responses to the adopted Schuman/Ber Juan Neighborhood Plan, which identified several needed changes to the zoning codes to assist with redevelopment in that area of the city.

**What if I have questions or comments/suggestions?**

Please contact the city planner, Tom Coots, [tcoots@rollacity.org](mailto:tcoots@rollacity.org), or call (573) 426-6974 if you would like to discuss your property or the proposed changes. You may also attend one of several public meetings and hearings. Comments and suggestions are welcome. Several citizens have reached out already and their comments and suggestions are taken seriously. It is also important to hear from citizens who are in support of proposals which impact them positively.

**Why are we changing the zoning code?**

The zoning codes were adopted over 30 years ago and have been modified many times. The codes were in need of a complete review, as many issues have caused unneeded time, expense, and efforts for staff and citizens. The current code has served the city well, but the proposed zoning code is intended to ready the city for the next decades of growth.

**Why are we rezoning properties?**

As a part of the process, the zoning map is also proposed to be revised and readopted. The revised map is needed because several districts are proposed to be removed, so those properties must be rezoned. In addition, three new districts are proposed, so those districts need to be applied to areas of the city. The map would also correct errors and create more consistency.

**Is this all set in stone?**

No. The proposed text and map can still be changed based on input received. In fact, input is essential at this time to ensure the final proposal is as good as possible. The properties that are proposed to be rezoned are also subject to change, based on input received. It may make the most sense to not rezone some properties.

**When will this take effect?**

It is not clear when the discussions will be complete. If recommended by the Planning and Zoning Commission and approved by the City Council, an ordinance would specify the effective date. Likely, approval would not be until spring 2023. The ordinance may also include a period of time to allow projects to be reviewed and approved under the current zoning codes, if desired by the applicant.