



STAFF PLANNING REPORT

Zoning Text Amendment

CASE 043-22 A request from the City of Joplin to review a proposed new zoning code to the City of Joplin, including subdivision regulations, procedures, historic preservation standards, floodplain regulations, wireless communication facilities siting, zoning map, and development standards.

APPLICANT City of Joplin

STAFF ANALYSIS

BACKGROUND

The Zoning Code of the City of Joplin was last significantly updated in 2004.

At its most basic function, a zoning code regulates the development of private property. In doing so, the code fulfills the purpose of promoting the public health, safety, quality of life, and general welfare. This is achieved using various regulatory tools like zoning districts – which segregate different types of land uses – building setbacks, area regulations like density, height, and width restrictions, and allowable materials, to name a few.

Historically, zoning codes have emphasized keeping land uses separated from one another. Zoning districts played a key role in accomplishing that goal, and thus we have a City that is divided into various zones that allow only certain types of land uses. A primary goal of regulating land in this way was to keep unappealing land uses from locating next to residential uses.

In recent decades, regulations on how land functions and is designed began to be introduced into zoning codes across the count. Even Joplin's existing code has the foundational pieces of that – with regulations on materials and landscaping, among others. Over time, less emphasis was placed on differentiating uses, and more was placed on design. The idea was that the most egregious uses, like industrial uses, should still be kept separated, but it was recognized that less intense commercial and residential uses can mix together where strong design principles are adhered to. This became known as a 'form-based code.'

The code that is proposed as part of this case is a mix of both the fundamental division of land uses and a form-based code. The goal is to provide a regulatory framework that elevates the use and design of land, and also optimizes the processes that staff, the Planning and Zoning

Commission, and the City Council use to make decisions.

The remainder of this report will detail some of the key changes proposed under the new code and offer comparisons to the existing code as well as examples as to how the code may be used in practice.

SUMMARY OF CHANGES

Article 1 General Provisions

This article is written to include the purpose statement, as well as the framework for jurisdiction, interpretation, administration, enforcement, and nonconformities. Much of this is derived from state statute and other parts are not changing in any significant way.

Article 2 Procedures

Article 2 covers the procedures for the action items that come before staff, the appointed boards (Planning & Zoning Commission and Board of Zoning Adjustment), and the City Council.

Administrative Plats is a new term used to encompass Lot Splits, Lot Line Adjustments, and Lot Consolidation or Mergers. It also includes a new capability for staff to review and approve minor subdivisions of 5 or fewer lots that does not require any new public infrastructure. These are relatively rare circumstances but would create a more efficient review for both the applicant and staff.

Special Use Permits are revised to allow the Planning & Zoning Commission to make final decisions on the approval, approval with conditions, or disapproval of those requests. The Planning & Zoning Commission's duty in long-term and comprehensive planning, as well as review and recommendations of zoning requests, situates them as a capable body to decide the appropriateness and compatibility of Special Use Permit requests.

Vacation of Street Right-of-way or Easements has been changed to allow these cases to proceed directly to the City Council, leaving a public hearing at the Planning and Zoning Commission as an option, perhaps in the event a case is known to be contentious or will have a large impact on the community.

No other significant changes are proposed to the procedures for other applications to the Planning and Zoning Commission, Board of Adjustment, or City Council.

Article 3 Subdivision Standards

The proposed subdivision regulations place an emphasis on creating connectivity – this would mean fewer cul-de-sacs and dead ends, and more creative designs incorporating things like loops or small boulevards, and more intersections. One lesson learned after the 2011 Tornado was the importance of having more than one way to reach a location, especially during a disaster situation.

Large commercial developments that typically do not dedicate city streets for their internal drives, would be required to plan those private internal access drives as though they function like streets. This would mean grouping buildings and parking lots in ways that optimize the ability of the access drives to handle the commercial traffic they produce.

Street designs proposed coincide with the Complete Streets Ordinance adopted in early 2022.

Article 4 Zoning District and Use Standards

All Zoning District titles will remain the same. No new zoning districts are being created.

The most significant change in this article is the transition from the Land Use Table being a listing of enumerated uses such as 'laundromat' or 'medical office' to more generalized uses based on their scale, such as 'Retail – General (4k – 10k sqft).' Rather than trying to fit every possible identifiable land use into our zoning districts, uses will be regulated by their scale or intensity, and then further by their design.

Short-term rentals are regulated according to the ordinance adopted in Early 2022.

Article 5 Building & Development Standards

As this proposal includes additional elements of form-based codes, perhaps the most impactful and significant change is within this article. The existing zoning code contains very basic controls for building and site design. This proposal takes that a step further by introducing more detailed requirements when building a commercial building (including multi-family residential). These include, but are not limited to, coordinated and quality use of materials, modulation in building form that discourages long blank walls, 4-sided design requirements, and people-oriented architectural features like windows, trim, and entryway emphasis.

Additionally, this article differentiates what, and to what extent, design features are required for a development based on how the site fits in the larger fabric of the community. For instance, when a structure may be situated along the Main St. corridor, up near the sidewalk and street, more details and features would be required. This is because the building interacts with the community to a greater degree than, say, a structure that is located on Range Line Rd. and may setback a few dozen feet.

A further change includes dissociating building setbacks and height restrictions, unit densities, and lot area and width requirements from the zoning district. These regulations are instead tied to the type of structure being built. This allows more flexibility in design. Previously, we have had instances where uses like multi-family are permitted in commercial districts but were required to then meet the regulations for commercial buildings which were often inappropriate to regulate multi-family development.

Article 6 Landscape & Site Design Standards

Buffers that are required where generally incompatible zoning districts abut one another, are contained in this section and updated with a greater intensity of planting requirements.

Additional landscaping requirements both at the perimeter and near the building are required under this proposal. This is in excess of the current code, which only requires trees at the street frontage and within parking lots.

Flexibility is built in to permit privacy fences in side yards where that side yard is the principal social space – whether by design, topography, or shape of the lot. Presently, one of the most common variance requests is from folks wanting to fence in their side yard when the original (oftentimes very old house) was built in a way where there is no practical backyard.

Article 7 Access & Parking Standards

Parking minimums have been slightly modified to optimize the minimum number of required parking spaces for some uses.

The largest change to parking involves the introduction of a variety of ways developments can receive credits for required parking. These include shared parking agreements, bicycle parking, and on-street parking, to name a few.

In instances where developments request parking exceeding 150% of the minimum parking, additional design controls kick in to ensure the lot is designed in a quality way that is not simply a mass of grey concrete and asphalt.

Article 8 Special Districts & Supplemental Standards

Planned Districts, otherwise known as the PD Overlay, are reworked in this article to include further flexibility for site design. Rather than requiring a development to meet certain criteria in order to attain allowances as it works under the existing code, this proposal allows a development to submit an overall comprehensive plan, showcasing the requested differences from the zoning code. This would allow staff, the Planning & Zoning Commission, and City Council the ability to see a 'bigger picture' and evaluate these requests more thoroughly.

Article 9 Definitions & Terms

This section defines the terms used in this code. It also includes images which often help in communicating intent which is an improvement over the existing code.

Appendix A Resources, Guides, & Industry Standards

This appendix is designed for the City to add additional resources to in the future. This could include best practices from other agencies that the City wishes to adopt.

Appendix B Complete Streets Design Guide

This appendix contains the street design guide based on the Complete Streets Ordinance passed in Early 2022.

Appendix C Walkable Neighborhood Design Guide

This appendix outlines residential design for single- and two-family residential. This is not codified, but intended to act as a resource for the City and developers when evaluating potential residential development.

Appendix D Approved Tree List

This list contains the list of trees approved by the City's Tree Board for use in the City limits.

Appendix E Historic Preservation

No changes are proposed in Historic Preservation codes or guidelines as part of this proposal.

Appendix F Floodplain Regulations

No changes are proposed in Floodplain regulations or guidelines as part of this proposal.

Appendix G Wireless Telecommunication Facilities Siting

No changes are proposed regarding wireless facilities codes or guidelines as part of this proposal.

Overall, this code presents a jump toward a more design-focused regulator scheme, while maintaining the successes of the existing code through continuing to enforce regulations built on zoning districts. Staff foresees this code leading to greater optimization of City resources through streamlined processes and beautification of Joplin through the implementation of this code over the coming years.

Staff recommends approval of Case 043-22.