

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
May 8, 2025**

**SUMMARY**

A request by John Michael and Christina Washington (owners) for approval of a Conditional Use Permit (CUP) to allow the construction of an Accessory Dwelling Unit (ADU) on property addressed as 1120 Westwinds Drive pursuant to the standards of Sec. 29-3.3(gg) and 29-6.4(m)(2) of the Unified Development Code. The approximately 1.5-acre subject site is zoned R-1 (One-family Dwelling), is located approximately 400 feet east of the intersection of St. Andrew Street and Westwinds Drive, and is addressed as 1120 Westwinds Drive.

**DISCUSSION**

The applicant seeks approval of a conditional use permit (CUP) to allow the construction of an Accessory Dwelling Unit (ADU) on the subject property in addition to a planned reconstruction of the principal dwelling occupying the property presently. Given the subject property is zoned R-1 (One-family Dwelling), the construction of the desired ADU requires approval of a conditional use permit that meets the conditional use standards outlined in Sec. 29-6.4(m)(2) and the use-specific standards outlined in Sec. 29-3.3(gg) of the Unified Development Code (UDC). The proposed ADU would contain approximately 750 square feet and would be located on the overall acreage as depicted on the attached plot plan. In conversation with the applicant, it was noted that the proposed ADU would contain two bedrooms and one bathroom. The proposed size of the detached ADU is fewer than the maximum 800 square feet permitted by the UDC and would be substantially smaller than 75% of the proposed reconstructed primary residence depicted on the attached plot plan.

The applicant has noted the purpose of the request for the detached ADU is to provide a dedicated, independent living space for family members to reside on the same property while offering a level of privacy and autonomy for both households. The applicant's statement of intent for this request is attached to the report.

The subject site is bounded by Westwinds Drive to the north and Stadium Boulevard to the south. Properties to the north, east, and west are zoned R-1. Westwinds Park abuts the site to its west, while the 2.3-acre lot to its east is vacant. As a result of the applicant's intent to redevelop the site a new principal dwelling and the lot being greater than 1 acre in size, they will be required to submit a significant tree inventory, which includes a tree preservation plan, pursuant to the provisions of Sec. 29-4.4(g) of the UDC with land disturbance plans. Sec. 29-4.4(b), general applicability standards of the landscaping, screening, and tree preservation, states in Sec. 29-4.4(b)(3) that "the provisions of section 29-4.4(g) apply to all development or redevelopment on lots and parcels that contain more than ten thousand (10,000) square feet of lot area, and to any new lot of record created after the effective date of this ordinance, regardless of the primary use of the property, in any district, except single-family or two-family residential structures on platted lots **less than one acre in size.**"

As this lot is greater than one acre in size and requesting development opportunity, a tree preservation plan must be submitted. Furthermore, Sec. 29-4.4(i)(1) notes that **clearing of existing trees four inch-DBH or greater on land greater than 1 acre in size** is unlawful unless done in compliance with a land disturbance permit, logging permit, or **tree preservation plan** pursuant to chapter 12A of the City Code. Email correspondence from the City's Arborist confirming this requirement is attached to this report.

Shown below are the evaluation criteria for both the use-specific standards applicable to ADU requests and the general conditional use permit criteria that are analyzed to determine regulatory compliance and the appropriateness of this request. The review criteria are bolded and staff responses/analysis is italicized. The applicant's responses to use-specific standard compliance are attached to this report.

### **USE SPECIFIC STANDARDS EVALUATION**

- (1) No more than two (2) dwelling units, including the accessory dwelling, may be permitted on a single lot;**

*The applicant is proposing that 2 dwelling units will exist on the site. One is the accessory dwelling unit, and one is a new reconstructed primary dwelling unit.*

- (2) The lot upon which the accessory dwelling unit is located shall meet the definition of "lot" or "lot, substandard" as established within this chapter. Lots within the R-1 district shall be a minimum of five thousand (5,000) square feet, and have a lot width no less than thirty (30) feet. Lots within the R-2 or R-MF districts shall be a minimum of three thousand (3,000) square feet and have a lot width of no less than thirty (30) feet;**

*Per the city surveyor, the applicant's lot meets the definition of 'legal lot' having been described with an accurate metes/bounds description prior to annexation (or 1964) and is zoned R-1. The lot meets minimum dimensional requirements.*

- (3) A detached accessory dwelling shall be located a minimum of ten (10) feet behind the principal dwelling, and a minimum of six (6) feet from any side or rear lot line. On corner lots, the accessory dwelling shall be set back from side streets not less than the distance required for the principal residence. For the purpose of providing adequate fire protection access, the distance from the nearest street frontage to the center of the rear wall of the accessory dwelling unit shall not exceed one hundred and fifty (150) feet of travel distance unless otherwise specified by the most current adopted edition of the International Fire Code or authorized by the fire chief;**

*The proposed detached ADU is greater than 10-feet behind the proposed principal dwelling, and greater than 6-feet from any side or rear yard lot line. The lot is not a corner lot. The center of the rear wall of the ADU is greater than 150-feet from Westwinds Drive; however, after conferring with the Fire Department it was determined that:*

*The International Fire Code (IFC) states that exceptions can be made for fire access roads when the road intends to serve 2 or fewer dwelling units in Group R-3 or Group U, which is the case here. Therefore, an exception is made for this site and it is not required to provide fire apparatus access within 150-feet of travel distance for the purpose of providing adequate fire access on this site. A letter from the Fire Chief noting this IFC exception is included with this report.*

- (4) An accessory dwelling shall not exceed seventy-five (75) percent of the total square feet of the principal dwelling, as shown in the Boone County Assessor's records, or eight hundred (800) square feet, whichever is less. In addition, a detached accessory dwelling shall not occupy more than thirty (30) percent of the rear yard;**

*The proposed footprint for the ADU is approximately 755 sq. ft. as shown on the attached plot plan, while the footprint for the proposed reconstructed principal dwelling is 2,810 sq. ft. as shown on the attached plot plan. The existing principal structure, if not demolished, is 2,260 sq. ft. and would also permit an ADU of approximately 755 sq. ft. The proposed ADU, at 755 sq. ft. is fewer than 75% of the principal structure's area and fewer than 800 sq. ft. No part of the detached dwelling is located within*

*the required rear yard (25-feet. from southern edge of property) as shown on the attached plot plan. Unless the applicant modifies the size of the proposed new principal dwelling to be fewer than ~1,066 square feet, the ADU is entitled to be a maximum of 800 square feet in total dwelling area.*

- (5) A detached accessory dwelling shall not exceed the height of the principal dwelling or twenty-four (24) feet, whichever is less;**

*This will be evaluated at time of building plans. The attached plot plan does not consider verticality, but such an ADU structure presented for permitting will not be approved during review by City staff without verification of its height in relation to that of either the **existing or proposed reconstructed** principal dwelling.*

- (6) In addition to the parking required for the principal dwelling, one additional off-street parking space shall be provided for accessory dwellings having three (3) or more bedrooms. No more than three (3) bedrooms shall be allowed in an accessory dwelling unit;**

*A parking slab is provided for the ADU as providing two parking spaces per the attached plot plan. The applicant has stated that the ADU would have two bedrooms and one bathroom. No parking is required to be provided if the ADU has fewer than 3 bedrooms; however, the allocated parking shown on the plot plan would meet minimum requirements if there were 3 bedrooms. Also shown on the plot plan is an additional parking slab capable of supporting 3 parking spaces outside of the drive aisle serving the site. This slab is likely intended be use to meet the required 2 parking spaces for reconstructed principal dwelling. The parking areas depicted on the plot plan total 5 spaces which is 2 greater than regulatorily required if the ADU were to contain 3 bedrooms.*

- (7) When a driveway is constructed or used to provide vehicle access to an accessory dwelling, the driveway shall be surfaced as required by this chapter. Gravel may be considered an acceptable alternative surfacing material under the following conditions: (i)The fire chief has determined paved access is not necessary to provide safe and adequate fire access to all parts of all dwellings on the lot; (ii)An existing gravel driveway provides access to the accessory dwelling unit, or a new compacted gravel driveway is constructed to provide such access; and (iii)The driveway apron (i.e., the driveway within the public right-of-way) is constructed of a paved surface as required by city specifications.**

*This will be evaluated at time of building plans. As the existing gravel driveway is proposed to be relocated and fire access is not deemed necessary, the driveway apron must be paved, but the driveway itself may be compacted gravel.*

- (8) Prior to issuance of a building permit for an accessory dwelling, application shall be made to the city, including a plot plan showing existing buildings and proposed accessory dwelling location, in addition to the above listed criteria.**

*Aplot plan has been submitted showing the existing buildings on the site and the proposed future locations of the reconstructed principal dwelling and the proposed accessory dwelling.*

**Sec. 29-6.4(2)(i) General CUP Review Criteria:**

As noted, given this application triggers approval of a conditional use permit (CUP) the following analysis of the provisions found in Sec. 29-6.4(m)(2)(i) of the UDC has been performed. The owner has provided their analysis of these criteria (see attached) and the staff's analysis is provided below. The standard criteria are shown in **bold text** followed by staff's response.

**(A) The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located;**

The proposed use would comply with all standards and provisions within this chapter applicable to the base and overlay zoning district where the property is located if approved. An ADU is a permissible conditional use within the R-1 district provided compliance with the "use-specific standards" of Sec. 29-3.3(gg) is achieved. The applicant has shown via the provided plot plan that there will be compliance with the UDC.

**(B) The proposed conditional use is consistent with the city's adopted comprehensive plan;**

Policy 3 in *Land Use Principles and Policies – Growth Management*, within Columbia Imagined specifically calls out accessory dwellings as a development option facilitating increased infill density.

Policy 3 in *Land Use Principles and Policies – Livable and Sustainable Communities*, within Columbia Imagined notes that ADUs can be a facet of neighborhood planning, particularly as it relates to planned increased infill density at the neighborhood level.

The Boone County/City of Columbia Housing Study states that Columbia specifically should pursue opportunities to infill sites in residential areas of the city opposed to greenfield development on the periphery of the city (p. 113). Accessory Dwelling Units are also listed as an alternative housing model to expand and improve housing opportunities in the County, generally (p. 290). Lastly, the report notes that public infrastructure and services, particularly sewer, is less inundated by higher density infill that does not require as much expansion of existing facilities as greenfield development (p. 18).

**(C) The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site;**

The property borders Stadium Boulevard right-of-way to its south, the lot to east is vacant, and the lot to the west is Westwinds Park. Furthermore, there is considerable vegetation on the rear and side of the lot, buffering exposure of any uses from neighboring properties. Staff does not believe additional screening should be required for this site. The unit density yielded from adding an additional dwelling unit to this site is still 2/acre, which is substantially less than surrounding development, particularly to the north of Westwinds Drive.

**(D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion;**

The site is accessed from Westwinds Drive, and additional trips from a single detached ADU are not anticipated to create adverse traffic effects or a new inundation to Westwinds Drive.

- (E) **Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided; and**

The dwelling is served by sufficient public infrastructure which must be extended to the proposed ADU before a certificate of occupancy could be provided.

- (F) **The proposed conditional use will not cause significant adverse impacts to surrounding properties.**

Adding an ADU to this site is unlikely to create any impacts on surrounding properties. This property does not abut any residential uses directly.

### **CONCLUSION**

Following review of the submitted application, applicant conditional use responses, and plot plan as well as analysis of the criteria stated above, staff supports granting a conditional use permit to allow for the construction of an ADU at 1120 Westwinds Drive, provided the primary dwelling unit and the accessory dwelling unit may not be **both** registered as rental units concurrently, and that a Significant Tree Inventory and Tree Preservation Plan are submitted for the property. Such approval would provide a means to several policies, strategies, and actions of the Columbia Imagined Comprehensive Plan as well as the recently completed Boone County/City of Columbia Housing Study.

### **RECOMMENDATION**

Approve of the CUP to allow the future construction of an ADU at 1120 Westwinds Drive, provided only one of the dwellings on the property may be registered as a rental unit and a Significant Tree Inventory and Tree Preservation Plan is submitted before permitting.

### **ATTACHMENTS**

- Locator Maps
- Plot Plan
- Applicant ADU Statement of Intent
- Applicant CUP Responses
- Applicant Use-Specific Standards Responses
- Fire Chief IFC Fire Access Exception Letter
- Arborist Requirements

### **HISTORY**

<b>Annexation date</b>	1955
<b>Zoning District</b>	R-1 (Detached, Single-family Dwelling)
<b>Land Use Plan designation</b>	Residential District
<b>Previous Subdivision/Legal Lot Status</b>	1.50 A PT SE SW (legal)

## SITE CHARACTERISTICS

<b>Area (acres)</b>	1.5 deeded acres
<b>Topography</b>	Mostly flat – sloping down west
<b>Vegetation/Landscaping</b>	Ample trees in rear and side of property
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Detached SF Home, detached garage/barn

## UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

## ACCESS

<b>Westwinds Drive</b>	
<b>Location</b>	Along northern edge of property
<b>Major Roadway Plan</b>	Local residential
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	N/A

## PARKS & RECREATION

<b>Neighborhood Parks</b>	Kiwanis, Westwinds, MKT, MLK Memorial
<b>Trails Plan</b>	MKT Connector
<b>Bicycle/Pedestrian Plan</b>	None

## PUBLIC NOTIFICATION

17 “public hearing” letters were distributed with respect this matter. 15 letters were mailed to property owners and tenants within 185-feet of the subject property, 1 letters were provided to a City-recognized neighborhood association within 1000-feet of the subject property, and 1 letter was provided to the Council Ward representative. All “public hearing” letters were distributed on April 21, 2025. The public hearing ad for this matter was placed in the Tribune on April 22, 2025.

<b>Public Notification Responses</b>	No responses or inquiries
<b>Notified neighborhood association(s)</b>	Miles Manor
<b>Correspondence received</b>	None

Report prepared by: David Kunz

Report approved by: Patrick Zenner