
Sec. 29-3.1. General.

- (a) The permitted uses and conditional uses in each zone district are allowed as indicated in Table 3.1 below. Additional uses of property or restrictions on the use of property may be contained in section 29-3.3 (use specific standards) or in an overlay zone district applicable to the property in section 29-2.3. If the property is located in a PD (planned development) zone district, the permitted uses and any conditions on those permitted uses are allowed as set forth in the rezoning ordinance and related documents for that property on file with the department.
- (1) A "P" in a cell of the permitted use table in section 29-3.2 indicates that the use is permitted by-right in that zone district, subject to compliance with the use-specific standards in the right-hand column of that line of the table and all other applicable standards of this chapter.
 - (2) A "C" in a cell of the permitted use table in section 29-3.2 indicates that the use is permitted only after the applicant obtains conditional use approval pursuant to section (conditional use permit), and subject to the use-specific standards in the right-hand column of that line of the table and all other applicable standards of this chapter.
 - (3) An "A" in a cell of the permitted use table in section 29-3.2 indicates that the use is only permitted as an accessory to a permitted use and subject to the use-specific standards in the right-hand column of that line of the table and all other applicable standards of this chapter.
 - (4) A "CA" in a cell in the permitted use table in section 29-3.2 indicates that the use is only permitted as an accessory to a use that is first approved as a conditional use on the same property and subject to the use-specific standards in the right-hand column of that line of the table and all other applicable standards of this chapter.
 - (5) A "T" in a cell of the permitted use table in section 29-3.2 indicates that the use is permitted subject to a temporary use permit issued pursuant to section 29-6.4, and subject to the use-specific standards in the right-hand column of that line of the table and all other applicable standards of this chapter.
 - (6) Uses not listed and those with a blank cell in the permitted use table in section 29-3.2 indicate that the use is not permitted in that zone district.
 - (7) A development may include multiple principal uses, including a combination of residential and nonresidential uses, provided that each use is either a permitted use or a conditional use in that zone district, that a conditional use approval is obtained for any conditional use, all use-specific standards applicable to each use are met, the development complies with all applicable density, dimensional, impervious surface, development, and performance standards of this chapter.
 - (8) The director has the authority to interpret whether a proposed land use is included within a listed land use shown in the permitted use table in section 29-3.2 based on its scale, character, traffic impacts, storm drainage impacts, utility demands, and potential impacts on surrounding properties.
 - (9) Each use that exists on the effective date that is required by this Code to obtain conditional use approval, but that was a permitted use (without the need for conditional use approval) prior to the effective date is deemed to have a conditional use approval to (a) continue operation in structures and on land areas where the operation was conducted on the effective date and (b) to expand operations without the need to obtain a conditional use approval, provided that the expansion complies with all use-specific standards and all other applicable standards of this chapter.
 - (10) All uses required by the State of Missouri to have an approval, license, or permit to operate issued by the state or by another public or quasi-public or regulatory agency are required by the city to have that state approval, license, or permit in effect at all times, and failure to do so constitutes a violation of this Code.

(Ord. No. 25184, § 1, 11-7-22)

Sec. 29-3.2. Permitted use table.

TABLE 29-3.1: COLUMBIA, MISSOURI, PERMITTED USE TABLE														
P= Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use														
Zoning District Standards,	Residential				Mixed Use					Special Purpose			Use-Specific in Section 29-3.3	
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
ACCESSORY USES														
Office														
Accessory/Commercial Kitchen	A	A	A	A										Per PD approval (ss)
Accessory Dwelling Units	CA	A	A		A	A								Per PD approval (gg)
Backyard or Rooftop Garden	A	A	A	A	A	A	A	A	A		A			Per PD approval (hh)
Communication Antenna or Tower as an Accessory Use														(n)
Customary Accessory Uses and Related Structures	A	A	A	A	A	A	A	A	A	A	A	A		Per PD approval (ii)
Drive-Up Facility					CA	CA	A	CA	A	A				Per PD approval (jj)
Home Occupation	A	A	A	A	A	A	A	A	A		A			Per PD approval (kk)
Home Occupation with Non-Resident Employees	CA	CA	CA	CA										Per PD approval (ll)
Outdoor Storage in Residential Districts	A	A	A	A										Per PD approval (mm)
Wind Energy Conversion System (WECS) as a Principal Use														(o)

Commented [PZ1]: Request has been made to add ADU to the M-N zoning district only. Residential dwellings can occur within the M-OF district also. If added as an "Accessory Use" in both districts there is likely limited impact. Establishment would be subject to existing "use-specific standards"

(Ord. No. 23895, § 1, 6-3-19; Ord. No. 24553, § 1, 3-1-21; Ord. No. 24680, § 1, 7-6-21; Ord. No. 24681, § 1, 7-6-21; Ord. No. 24682, § 1, 7-6-21; Ord. No. 24893, § 1, 1-3-22; Ord. No. 25243, § 1, 2-6-23; Ord. No. 25383, § 1, 7-17-23; Ord. No. 25562, § 1, 2-5-24)

Sec. 29-3.3. Use-specific standards.

All uses for which the permitted use table in section 29-3.2 shows use-specific standard(s) shall comply with the applicable standard(s) in this section. In addition, all development shall comply with all other applicable provisions of this chapter.

In the event of a conflict between these use-specific standards and the requirements of chapter 29-4, the use-specific standards set forth in this section shall apply, except in the M-DT district, where the standards of the M-DT district will apply.

Where these use-specific standards require spacing between uses, no existing use that complied with applicable spacing requirements when the primary use was established on the property shall be made nonconforming because of the later location of any facility closer than the required spacing or because of an amendment to this chapter changing any applicable spacing distance.

- (a) *Primary use of land and buildings: Dwelling, one-family detached.*
- (1) Single family dwellings developed in accordance with the "Cottage" standards shall be permitted only in the R-2 district in accordance with the procedural requirements of section 29-5.4(j).
 - (i) An accessory dwelling unit (ADU) shall not be permitted on any lot in the R-2 district developed in accordance with the "Cottage" standards.
 - (2) A manufactured home or modular home may be placed on a lot in the R-1, R-2, R-MF, or A districts if the structure meets the following standards:
 - (i) The longest exterior dimension of the body shall be not more than two and one-half (2½) times the shortest exterior dimension;
 - (ii) The roof shall be double-pitched with a minimum vertical rise of three (3) inches for each twelve (12) inches of horizontal run, and shall be covered with wood, asphalt, composition or fiberglass roofing material;
 - (iii) The roof shall have a minimum eave projection or overhang of ten (10) inches on at least two (2) sides, which may include a four-inch gutter;
 - (iv) The exterior siding shall be made of non-reflective material customarily used on site-built dwellings, such as wood, composition or simulated wood, clapboards, conventional vinyl or metal lap siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior foundation or curtain wall;
 - (v) The home shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry foundation or permanent masonry piers with masonry curtain wall, un-pierced except for required ventilation and access, shall be installed under the perimeter of the home;
 - (vi) The home shall have a garage if fifty (50) percent or more of existing homes on the same block face have a garage; and
 - (vii) The home shall have a covered porch at the main entrance if fifty (50) percent or more of existing homes on the same block face have a covered porch.

...

- (ff) *Primary use of land and buildings: vehicle wrecking or junkyard.* This use is subject to the following additional standards:
- (1) The facility must be enclosed by a solid fence or wall at least ten (10) feet in height, sufficient to block all views of stored or stacked vehicles, vehicle parts, and wrecking equipment when viewed from adjacent public rights-of-way;
 - (2) If located within five hundred (500) feet of a residential zoning district or residential use, any equipment used for crushing or dismantling vehicles shall be located in a completely enclosed structure, or if not enclosed, shall meet the operating hours established in chapter 11 (health and sanitation) of the City Code; and
 - (3) In addition to the above, any vehicle wrecking or junkyard facility shall meet all applicable provisions of chapter 11 (health and sanitation) of the City Code.
- (gg) *Accessory and temporary uses of land and buildings: Accessory dwelling units.* This use is subject to the following additional standards:
- (1) No more than two (2) dwelling units, including the accessory dwelling, may be permitted on a single lot;
 - ~~(1)~~ **(2) When an accessory dwelling unit is located upon a lot within an R-1 zoning district, only one (1) of the dwelling units located thereon may be registered as a rental unit subject to full compliance with the City's adopted Rental Unit Conservation Laws.**
 - (23) The lot upon which the accessory dwelling unit is located shall **contain no less than five thousand (5,000) square feet of lot area and** 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;~~
 - (34) A detached accessory dwelling **unit** shall be located a minimum of ten (10) feet behind the principal dwelling, ~~and~~ a minimum of six (6) feet from any side **lot line, and a minimum of fifteen (15) feet from a rear lot line.** On corner lots, ~~the an~~ accessory dwelling **unit** shall be set back from side streets not less than **twelve and one-half (12.5) feet the distance required for the principal residence or the same distance as the principal dwelling on the lot, whichever is greater.**
 - (5) 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;
 - (46) An accessory dwelling **unit** 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, **an attached or detached accessory dwelling unit may shall not** occupy ~~more than~~ thirty (30) percent of the rear yard, **provided a 15-foot rear yard setback is maintained;**
 - (57) A detached accessory dwelling **unit shall not exceed the height of the principal dwelling on the property except when such dwelling is constructed as the second story of another lawfully permitted customary accessory use. In such instance, the required setbacks show in Sec. 29-3.3(gg)4 of these provisions shall apply to the overall detached structure, inclusive of the**

Commented [PZ2]: This provision "codifies" the current CUP condition applicable to R-1 ADU requests.

Commented [PZ3]: Minimum lot area revised per Commission consensus during February 5 work session. Change re-establishes minimum lot area required prior to creation of "lot, substandard" definition and would ensure consistency with current prohibition on ADUs being permitted on "cottage lots" (i.e. lots 3,000 – 5,000 sq. ft)

Commented [PZ4]: This provision specifically applies to a detached ADU. An ADU as an "integral" part of a principal dwelling must comply with the required rear yard of the principal dwelling or be granted a variance by the BOA.

A request has been made to allow an "integrated" ADU to encroach into the required rear yard setback. If such a change were made it would essentially be a **special exception** applicable to ADUs only. Staff does not believe the level of ADU construction/permitting warrants such modification at this time; however, does acknowledge that ADU placement on 5000 sq. ft. lots may trigger the need for BOA action on a more regular basis.

Commented [PZ5]: 12.5-ft corner side consistent with pre-2017 UDC corner setback. Change made per Commission consensus at February 5 work session. This change would only apply to ADUs. A more comprehensive revision being considered for all lots created prior to March 2017 and would appear in Table 4.1-1.

Commented [PZ6]: A request to have this provision modified to allow ANY type of ADU (integrated or detached) to not cover more than 30% of a rear yard.

accessory dwelling unit and lawfully permitted customary accessory use, and the overall detached structure shall be permitted a not exceed the maximum height of the principal dwelling or twenty-four (24) feet, whichever is less;

- (68) 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;
- (79) 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.
- (810) 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.

(hh) *Accessory and temporary uses of land and buildings: Backyard, rooftop, or community garden.* Each of these uses shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer renovation is conducted.

....

(vv) *Accessory and temporary uses of land and buildings: Short-term rental.*

- (1) *Short-term rental types.* Short-term rentals shall be classified as either a Tier 1, Tier 2, or Tier 3 dwelling unit subject to the following provisions:
 - (i) *"Tier 1" short-term rental.* Shall be an accessory use in zoning districts A, R-1, R-2, R-MF, M-OF, M-N, M-C, and M-DT provided the following criteria are met:
 - (A) The dwelling unit is a long-term resident's principal residence; and
 - (B) The dwelling unit or portion of the dwelling unit is rented by transient guests no greater than a total of thirty (30) nights in a calendar year.
 - (ii) *"Tier 2" short-term rental.*
 - (A) If the dwelling unit is a long-term resident's principal residence, a Tier 2 short-term rental shall be an accessory use in zoning districts A, R-1, R-2, R-MF, M-OF, and M-N, M-C, and M-DT provided the following criteria are met:
 - 1. The dwelling unit or portion of the dwelling unit is rented by transient guests for no greater than one hundred twenty (120) nights in a calendar year; and
 - 2. Except as set forth in section 29-3.3(vv)(2)(v) below, one (1) off-street parking space for every two (2) occupants of the dwelling unit shall be provided. Such parking shall be provided off-street on the site of the

Commented [PZ7]: The revision proposed here allows for a "functional" two-story (e.g. ADU over garage) structure to be built on properties with historically short primary dwelling. This change still would leave 11-feet of building height "untapped" within an R-1, R-2, or R-MF zoning district for a **detached** accessory structure. An ADU integrated into a primary dwelling could propose construction up to the maximum height of the zoning district (i.e. 35-feet)

short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking.

- (B) If the dwelling unit is or is not a long-term resident's principal residence, a Tier 2 short-term rental shall be an accessory use in zoning districts M-OF, M-N, M-C, and M-DT and shall be a conditional accessory use in zoning districts A, R-1, R-2, and R-MF provided the following criteria are met:
 - 1. The dwelling unit or portion of the dwelling unit is rented by transient guests for no greater than two hundred ten (210) nights in a calendar year; and
 - 2. Except as set forth in section 29-3.3(vv)(2)(v) below, one (1) off-street parking space for every two (2) occupants of the dwelling unit shall be provided. Such parking shall be provided off-street on the site of the short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking; and
 - 3. A conditional use permit, where required, is approved by the city council in accordance with section 29-6.4 (conditional use permit).
- (iii) *"Tier 3" short-term rental.* Shall be a permitted use in zoning districts M-N, M-C, and MDT and shall be a conditional use in zoning district M-OF provided the following criteria are met:
 - (A) The dwelling unit is rented by transient guests for a period greater than one hundred twenty (120) nights in a calendar year; and
 - (B) Except as set forth in section 29-3.3(vv)(2)(v) below, one (1) off-street parking space for every two (2) occupants of the dwelling unit shall be provided. Such parking shall be provided off-street on the site of the short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking; and
 - (C) A conditional use permit, where required, is approved by the city council in accordance with section 29-6.4 (conditional use permit).
- (2) *Supplemental use-specific standards.* The following standards shall be applicable to all short-term rentals regardless of their "tier" of designation.
 - (i) *Compliance.* It shall be unlawful to operate within the city any short-term rental without complying with the provision of this subsection (vv) and having obtained a business license and a short-term rental certificate of compliance pursuant to the provisions of chapter 13 (Business License) and chapter 22, article V (Rental Conservation Law) of this Code within three hundred sixty-five (365) days of the effective date of this ordinance on forms provided by the city.
 - (ii) *Limits on licensure.* A maximum of one (1) short-term rental certificate of compliance may be issued per owner or authorized tenant.
 - (iii) *Registration.* Registration for a short-term rental certificate of compliance shall follow the provisions of chapter 22 (Rental Conservation Law) of the City Code. Concurrent with submission of registration forms provided by the city, the registrant shall submit:

-
- (A) *Registrant.* Identification of the registrant by full name, Social Security Number or Federal Tax Identification Number, telephone number, mailing address, email address and date of birth,
 - (B) *Owner.* If registrant is not the owner of the dwelling unit, identification of each owner of the unit by full name, telephone number, Social Security Number, Federal Tax Identification Number, mailing address, email address and date of birth. If the dwelling unit is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of the following shall be provided: for a corporation, a corporate officer and chief operating officer; for a partnership, the managing partner; for a limited liability company, the managing or administrative member; for a limited partnership, a general partner; for a trust, a trustee; or for a real estate investment trust, a general partner or officer,
 - (C) *Registrant's proof of possession.* Proof of possession of the short-term rental, either by valid warranty deed, valid lease, or other verification of the tenant's right to possession of the dwelling unit. If the proposed registrant does not own the dwelling unit, they must also provide a notarized affidavit from the property owner allowing the proposed registrant to conduct a short-term rental within the dwelling unit,
 - (D) *Maximum day.* The maximum number of nights annually that the dwelling is to be rented as a short-term rental, and
 - (E) *Designated agent.* The name, address, and contact number of a designated agent within the County of Boone and accessible twenty-four (24) hours per day, seven (7) days a week who shall accept full responsibility for addressing matters arising with the operation or use of the dwelling unit in the absence of the registrant.
- (iv) *Conditional use permit.* When applicable, a short-term rental certificate of compliance shall be granted only after the issuance of a conditional use permit in accordance with the provisions of section 29-6.4 (conditional use permit).
 - (v) *Maximum occupancy.* The maximum number of occupants permitted in a dwelling unit offered and operated as a short-term rental shall be subject to the "occupancy limitations" of the most recently adopted edition of the International Property Maintenance Code (IPMC). In no instance, regardless of short-term rental tier designation, shall a dwelling unit be occupied by more than a total of eight (8) occupants.
 - (vi) *Parking.* In such instances where the parking requirements of an overlay zoning district or the mixed use - downtown (M-DT) district conflict with the parking requirements set forth in section 29-3.3(vv)(1) above, the parking requirements of the overlay zoning district or M-DT district shall control.
 - (vii) *Reservations.* Only one (1) rental reservation at a time shall be permissible for each short-term rental. If rented "in part" and additional occupancy is permitted, it shall be unlawful to have a second reservation for the same dwelling.
 - (viii) *Dwelling unit usage.* Dwellings licensed for short-term rental usage shall not be used for special events such as weddings, corporate events, commercial functions, large parties (greater than eight (8) persons), and other similar events or activities otherwise prohibited by this Code.

-
- (ix) *Certificate of compliance posting.* The short-term rental certificate of compliance issued by the city shall be conspicuously posted at the entry of the dwelling unit or in a readily available location onsite for review upon the request of a police officer or city inspector investigating a violation of this subsection (vv), chapter 16, article IV (Nuisances), or chapter 22, article V (Rental Conservation Law) of this Code.
- (x) *Safety requirements.* Certification shall be required by the proposed registrant, and, if the proposed registrant is not the owner of the dwelling unit, by the owner, to each of the following requirements:
- (A) The dwelling unit complies with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, electrical, mechanical, and plumbing codes.
 - (B) Posted within each dwelling unit rented as a short-term rental is:
 - 1. The contact information for the registrant, owner, and that of the designated agent representing the dwelling unit in the absence of the registrant.
 - 2. The contact information for emergency services (police, fire, and ambulance), and the city's community development department.
 - 3. The occupancy limitations as provided within the short-term rental certificate of compliance.
 - 4. An emergency evacuation route map.
 - (C) Installed and maintained within the dwelling unit are smoke and carbon monoxide detectors in locations as specified for dwelling units by the building code.
 - (D) Proposed registrant and owner will allow inspection of the short-term rental dwelling unit by the city for fire, police, public safety, health/sanitation and other City Code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short-term rental guest.
- (xi) *Rental platform identification.* It shall be unlawful to list a short-term rental on any website or other media without first obtaining a short-term rental certificate of compliance from the city. Any website or media listing of the dwelling unit shall include the short-term rental certificate of compliance licensing number. Concurrent with the application to register a dwelling unit as a short-term rental and annually thereafter, the registrant shall provide the city with a list of all specific website or other media where the dwelling unit will be advertised for rental purposes.
- (xii) *Accessory dwelling unit (ADU) usage.* An ADU may be permitted to be utilized as a short-term rental subject to compliance with the provisions of this subsection (vv) and all other applicable provisions of this Code, provided not more than one (1) dwelling unit upon the property is registered for use as a short-term rental.
- (xiii) *Signage.* One (1) non-illuminated building-mounted sign no greater than one (1) square foot in area shall be permitted to identify the dwelling unit as a short-term rental. One (1) non-illuminated onsite directional sign no greater than one-half (½) square foot in area shall be permitted for guest way-finding purposes.

-
- (xiv) *Accessibility requirements.* Short-term rentals in dwelling units not identified as a principal residence shall comply with federal, state, and local accessibility requirements as applicable.
 - (xv) *Short-term rental certificate of compliance non-transferable.* An active short-term rental certificate of compliance authorizing the use of a dwelling unit as a short-term rental and, if applicable, any conditional use permit granted under the provisions of section 29-6.4 (conditional use permit), shall be void upon the sale of the property. Application to re-establish the dwelling unit as a short-term rental shall be subject to all requirements of this Code and shall be submitted in compliance with the provisions of chapter 13 (Business License) and chapter 22, article V (Rental Conservation Law).
 - (xvi) *Revocation of a short-term rental certificate of compliance.* Operation of a short-term rental, regardless of classification, in violation of any of the provisions of this subsection (vv) shall constitute a violation of this chapter and the violations and penalties provisions of section 29-6.6 of this Code shall apply. Any registrant who has had their short-term rental certificate of compliance revoked shall be required to seek a conditional use permit to re-establish the short-term rental.

(Ord. No. 23771, § 1, 2-4-19; Ord. No. 23895, § 1, 6-3-19; Ord. No. 24553, § 1, 3-1-21; Ord. No. 24680, § 1, 7-6-21; Ord. No. 24681, § 1, 7-6-21; Ord. No. 24682, § 1, 7-6-21; Ord. No. 24683, § 1, 7-6-21; Ord. No. 24893, § 1, 1-3-22; Ord. No. 25243, § 1, 2-6-23; Ord. No. 25293, § 1, 4-3-23; Ord. No. 25383, § 1, 7-17-23; Ord. No. 25562, § 1, 2-5-24; Ord. No. 25630, § 1, 4-16-24; Ord. No. 25658, § 1, 5-20-24)