

Introduced by: \_\_\_\_\_

First Reading: \_\_\_\_\_ Second Reading: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_ Council Bill Number: B 142-26

**AN ORDINANCE**

authorizing amending Chapter 29 of the City Code to revise the use-specific standards associated with accessory dwelling units; and fixing the time when this ordinance shall become effective.

**Be it ordained by the Council of the City of Columbia, Missouri, as follows:**

SECTION 1. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-3.2. Permitted use table.

Table 29-3.1: COLUMBIA, MISSOURI, PERMITTED USE TABLE														Use-Specific Standards, in Section 29-3.3	
P=Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use															
Zoning District	Residential				Mixed Use					Special Purpose			Per PD Approval		
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD	
<b>LAND USE CATEGORY</b>															
...															
<b>ACCESSORY USES</b>															
<b>Office</b>															
Accessory Commercial Kitchen	A	A	A	A										Per PD Approval	(ss)
Accessory Dwelling Units	<u>CA</u>	A	A		<u>A</u>	<u>A</u>								Per PD Approval	(gg)
...															

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.*

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(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;
- (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;
- ~~(2-3)~~ 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;
- ~~(3-4)~~ 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 (12½) feet, or the same distance as the principal dwelling on the lot, whichever is greater; the distance required for the principal residence.

- (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;
- (4-6) 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 a detached accessory dwelling unit may shall not occupy more than thirty (30) percent of the rear yard, provided a fifteen (15) foot rear yard setback is maintained;
- (5-7) 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 shown in Sec. 29-3.3(gg)(4) of this chapter shall apply to the overall detached structure, inclusive of the accessory dwelling unit and lawfully permitted customary accessory use, and the overall detached structure shall be permitted a maximum not exceed the height of the principal dwelling or twenty-four (24) feet, whichever is less;
- (6-8) 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;
- (7-9) 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.
- (8-10) 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.

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SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Mayor and Presiding Officer

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor