

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
May 7, 2026**

**SUMMARY**

A request by The City of Columbia to amend Chapter 29 of the City Code (Unified Development Code) with respect to the use-specific standards governing Accessory Dwelling Units (ADUs) as shown in Sec. 29-3.3(gg) of City Code. The proposed amendments would permit ADUs in the R-1 zoning district without a conditional use permit, limit the number of registered rental dwellings on R-1 zoned parcels to a single dwelling unit, establish a single 5,000 square foot minimum lot area in all residential zoning districts as the minimum required for ADU construction, revise the corner side yard and rear yard setbacks for “detached” ADU construction, increase permissible structure height for ADUs when constructed as a “second” story upon another lawfully permitted accessory use, and revise use-specific standard paragraph number given the addition/revision of the standards. The proposed amendments have been prepared in efforts streamline existing regulations and encourage the production of ADUs within the City.

**DISCUSSION**

The city adopted standards permitting the construction of accessory dwelling units (ADUs) on R-1, R-2, and R-MF (formerly R-3) lots in 2015. Adoption of the regulations permitting this housing typology was an objective of the city’s 2013 comprehensive plan in efforts to create more livable and sustainable neighborhoods with greater housing diversity. With the recent completion of the 2024 Boone County/City of Columbia Housing Study and the limited production of ADUs year over year, notwithstanding amendments to the regulations in 2019 and 2024 and the creation of a “fee-waiver” program in 2018, there has been an expressed concern by ADU advocates that the regulations need additional calibration to stimulate greater opportunities for increase construction activity.

In October 2025, Monarch Architecture submitted a request (see attached) to the City Council seeking the Planning Commission’s review of the regulations relating to several perceived friction points. Following Council’s assignment of the requested review, a series of Commission work sessions were convened between January and February 2026. Representatives from Monarch Architecture as well as other interested ADU advocates attended the work sessions and submitted supplemental correspondence (see attached) for the Commission’s consideration.

The attached “Public Hearing Draft” contains the revisions believed to be the most effective way to potentially enhance ADU production within the city. The proposed amendments would reduce regulatory uncertainty by eliminating the conditional use permit (CUP) requirements applicable to R-1 zoned properties, provide regulatory clarity with respect to when multiple rental licenses may be issued on lot, would expand opportunities to construct ADUs into the M-OF and M-N zoning districts where single-family construction is permitted, establishes a single minimum lot area which must be met as a prerequisite to issuance of a building permit for an ADU, and revises corner side-yard, rear yard, and height restrictions applicable to “detached” ADU construction.

When comparing the Monarch Architecture requested revisions against those contained in the attached “Public Hearing Draft” it is worth noting that several of the requested changes have been incorporated as recommended as such requests were viewed as being appropriate. However, the Commission expressed concern with requested setback revisions and increased height for ADUs as envisioned in the correspondence from Monarch Architecture. After significant work session discussion and evaluation of how the remaining regulatory provisions contained within the UDC impact actual ADU construction, the Commission and staff were able to arrive at general consensus on proposed revisions to lot setbacks and permissible ADU height.

The discussion on setbacks focused principally on the rear yard setback for “detached” ADUs and concern that allowing such dwellings to be within 6-feet of a property line would result in the “loss of privacy” on an adjoining property that was restricted from being improved with a habitable structure within the rear 25-feet of the property. Staff explained under current UDC regulations, customary accessory uses such as garages and sheds were permitted to be within 3-feet of a property line and that in the development of the original ADU

regulations the 6-foot was viewed as being consistent with what would typically be required for a side yard setback between residential dwellings. Staff further noted that most ADUs constructed presently do not build at the minimum setbacks permitted given those sought for permitting are generally located on larger properties.

Commissioners desired that greater protection be maintained between existing improved residential lots, especially those in the R-1 zone, that may be sought to be improved with an ADU. Commissioners questioned why the standard 25-foot rear yard for the residential zones could not be used to govern all “detached” ADU construction. Staff noted that in some instances existing lot improvements were built right to the rear setback line and creating such a standard would not permit installation of a “detached” ADU on the lot without a Board of Adjustment variance. Given the goal revisions was to reduce regulatory barriers to future production, the Commission agreed that increasing the required rear yard to 15-feet for a “detached” ADU would be a reasonable compromise and generally ensure a newly installed dwelling in the rear yard of one improved lot was slightly further from the unimproved rear yard area of another adjoining lot.

With respect to ADU structure height, the proposed amendment recommends adoption of a new standard that would permit a “detached” ADU constructed as a second story to another lawfully permitted accessory use (i.e. a detached garage) to exceed the height of the principal dwelling on the property. Presently the ADU regulations prohibit a “detached” ADU to exceed the height of the primary structure on the same property which has resulted in several requests for permit being required to seek relief from the Board of Adjustment or being abandon entirely.

The proposed new standard would limit the total height of a “detached” ADU built as a second story upon another lawful accessory use to a height of 24-feet which is consistent with the maximum height for all other permitted accessory uses in all zoning districts. Furthermore, to ensure that the setbacks of a proposed 2-story accessory structure, inclusive of the ADU, honor the recommended enhanced rear yard setback discussed above, language has been added to the regulations that stipulate the minimum setbacks for such a 2-story accessory structure must comply with the more restrictive setbacks noted in Sec. 29-3.3(gg)(4) of the proposed revised ADU standards. Inclusion of this language limits the possibility that a lower-level garage, for example, could be constructed 3-feet from a property line with the ADU on the second story being off-set an additional 12-feet to gain compliance. This language was reviewed and approved for use by both Planning and Building and Site Development staff.

Finally, one of the most significant changes being brought forward by the proposed amendments is the elimination of the conditional use permit (CUP) process for ADUs in the R-1 zoning district. This requirement has been attributed by many ADU advocates as one of the primary obstacles in having greater construction of such dwellings within the community. To ensure that the elimination of the supplemental review would not negatively impact R-1 neighborhoods by effectively increasing rental density, the staff and Commission have proposed “codifying” a practice that has been common with most ADU CUP requests. With current CUP requests, only required for R-1 ADUs, a supplemental CUP standard has been added which stipulates that only one “long-term rental” certificate can be issued for the dwellings located on an R-1 property.

What this condition effective ensures is that one of the dwellings on the R-1 lot must be occupied by the primary resident of the property. The condition further reinforces the underlying premise of why the ADU regulations were created in 2015 which was to promote opportunities for multi-generational families to live on a single property in their own individual dwellings or to allow more graceful “aging-in-place” by property owners who have no desire to move from a long-term residence elsewhere, but no longer desire to live in the potentially larger home on the property.

With the proposed codification of this former CUP supplemental condition, it is believed the uncertain of successfully navigating the CUP process will be eliminated and that greater efficiency can be achieved in producing ADU provided all other regulatory provisions have been met. It should be noted that the issuance of a “long-term rental” certificate of compliance is not a part of the building permit issuance process, but rather a process administered by the Housing and Neighborhood Services Department under the authority of Chapter 22, Article 5 (Rental Unit Conservation Law) of the City Code. While not part of the building permit process, the application for a permit to construct an ADU will be modified to include a supplemental question regarding the use of the subject property today and if the future ADU would be sought of rental purposes. In instances were an applicant owning an R-1 property indicated that the current dwelling was used for rental, Building and

Site Development Division staff could advise the applicant of potential rental certificate limitations prior to issuing a building permit. Ultimately, a final check on the number of rental licenses associated with an R-1 property will lie with the Housing and Neighborhood Services Department.

## CONCLUSION

The proposed revisions contained in the attached “use-specific standards” governing ADUs has been fully vetted within the Planning Commission and by effected Community Development staff. The majority of the proposed changes sought by Monarch Architecture in their October 2025 correspondence have been incorporated into these revisions and were found to be reasonable. The ADU provisions of the Unified Development Code are only one means by which to increase housing availability and variety to the city’s residents. This will be the third revisions made to the regulations since 2019 and is by far the most significant. Staff believes following these revisions perceived barriers to ADU production will have been eliminated to the greater degree possible; however, will monitor construction activity with respect to this housing topology. If further revision is warranted a subsequent text change can be brought forward to further calibrate the regulations.

## RECOMMENDATION

Approve the proposed revision to the use-specific standards for “accessory dwelling units” as shown in attached Public Hearing Draft.

## ATTACHMENTS

1. Public Hearing Draft – Use-specific Standards “Accessory Dwelling Units”
2. Monarch Architecture request for revision consideration (October 25, 2025)
3. Public Comments

## PUBLIC NOTIFICATION

A public hearing ad for this matter was placed in the Tribune on April 21, 2026.

**Public Notification Responses:** None

**Notified neighborhood association(s):** None - city-wide text change

**Correspondence received:** Public comments (Beheard and Facebook) are attached. None post advertising.

Report prepared/approved by: Patrick Zenner