

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.

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	Residential				Mixed Use					Special Purpose			Use-Specific Standards, 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	A	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)

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.

...

- (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.**
 - (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;
 - (4) A detached accessory dwelling **unit** shall be located a minimum of ten (10) feet behind the principal dwelling, 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, **an** accessory dwelling **unit** shall be set back from side streets not less than **twelve and one-half (12.5) feet 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;
 - (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** detached accessory dwelling **unit may** occupy thirty (30) percent of the rear yard, **provided a 15-foot rear yard setback is maintained;**
 - (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 show in Sec. 29-3.3(gg)4 of these provisions 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 **amaximum** height of twenty-four (24) feet;
 - (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;
 - (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.
 - (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.
- (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.