

## Article 2

### ZONING DISTRICTS

#### 29-2.1 Establishment and Conversion of Districts.

**Section 29-2.1(a)** - The Base and Overlay zoning districts listed in the New Zoning District column of Table 29-2.1 are hereby established and the zoning district classifications in effect before the Effective Date of this Chapter shall be converted to the Base and Overlay zoning districts as set forth in Table 29-2.1 with the exception of the C-2 District located outside the boundaries of the M-DT Regulating Plan. The Base and Overlay districts shall be grouped into three types – Residential, Mixed Use, and Special Purpose districts and shall have the boundaries shown on the Official Zoning Map.

Table 29-2.1: Columbia, Missouri, Zoning Districts	
Previous Zoning Districts	New Zoning districts
<b>Base Zoning Districts</b>	<b>Base Zoning Districts</b>
<b>Residential</b>	<b>Residential</b>
R-1 One-Family Dwelling	R-1 One-Family Dwelling
R-2 Two-Family Dwelling	R-2 Two-Family Dwelling
R-3 Medium Density Multiple-Family Dwelling	R-MF Multiple-Family Dwelling
R-4 High Density Multiple-Family Dwelling	R-MF Multiple-Family Dwelling
R-MH Residential Manufactured Home	R-MH Residential Manufactured Home
PUD Planned Unit Development*	PD-*
<b>Office</b>	<b>Mixed Use</b>
O-1 Office	M-OF Mixed Use - Office
O-2 Special Office	M-OF Mixed Use - Office
O-P Planned Office*	PD-*
<b>Commercial</b>	
C-1 Intermediate Business District	M-N Mixed Use - Neighborhood (See Section 29-2.1(b))
C-3 General Business District	M-C Mixed Use – Corridor (See Section 29-2.1(b))
C-2 Central Business District	M-C Mixed Use - Corridor
C-P Planned Business District*	M-DT Mixed Use – Downtown (inside Regulating Plan boundary)
	C-2 Central Business District (outside Regulating Plan boundary)
	PD-*
<b>Industrial</b>	
M-R Research, Development and Office Park	M-BP Business/Industrial Park
	<b>Special Purpose</b>
M-C Controlled Industrial District	IG Industrial
M-1 General Industrial District	IG Industrial
M-U Underground Space	IG Industrial
M-P Planned General Industrial District*	PD-*
<b>Agricultural</b>	
A-1 Agricultural	A Agricultural
n/a	O Open Space
n/a	PD Planned Development
<b>Overlay Districts</b>	<b>Overlay Districts</b>
UC Urban Conservation	UC-O Urban Conservation Overlay
S-R Scenic Roadway Area	SR-O Scenic Roadway Area
HP Historic Preservation	HP-O Historic Preservation
F-1 Floodplain	FP-O Floodplain
* Planned districts (PUD, O-P, C-P, and M-P) convert to a planned district (PD) counterpart. For example, PUD and C-P will convert to district PD-[insert approved Ordinance number].	

**Section 29-2.1(b)** - The previous base zoning district C-1 shall convert to the M-N District with the exception of Shopping Center properties meeting all of the following conditions on the Effective Date, which shall be converted to the M-C District:

- (1) The Shopping Center contains or includes an existing structure with a single unit in excess of 45,000 square feet, or the Shopping Center contains or includes an existing multi-unit building in excess of 75,000 square feet containing at least one (1) unit occupying in excess of 15,000 square feet;
- (2) The property does not share a common Lot Line with property zoned R-1; and
- (3) The property has one (1) or more Frontage(s) on a Collector or Arterial street.

## 29-2.2 Base Zoning Districts.

### Section 29-2.2(a) - Residential Zone Districts.

#### (1) R-1: One-Family Dwelling District.

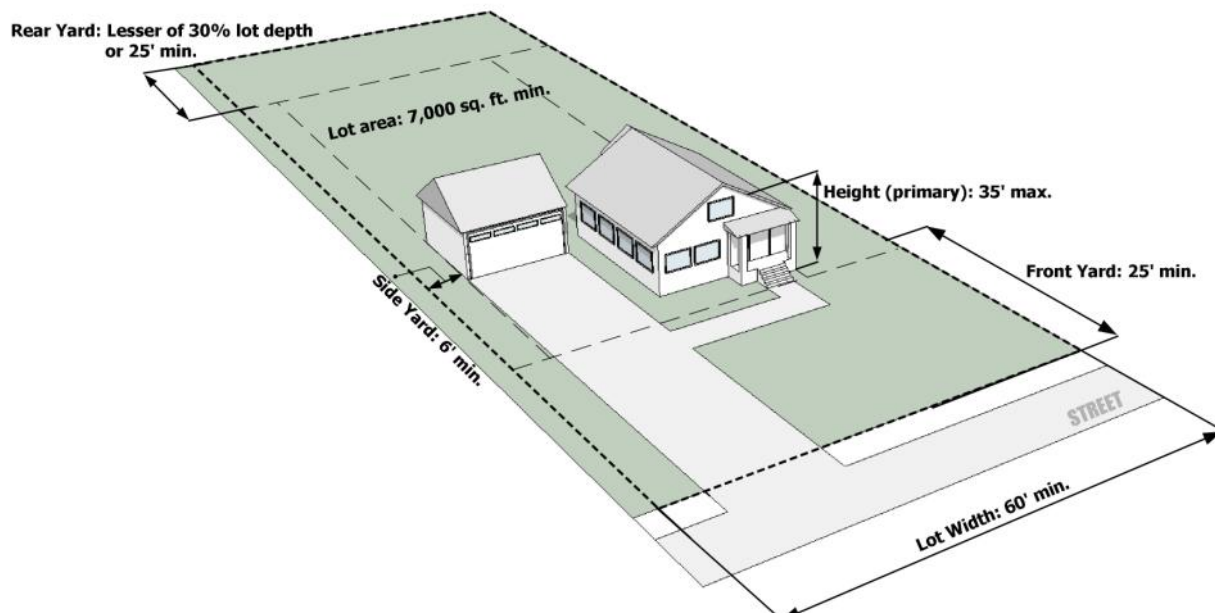
- (i) Purpose. This district is intended to promote and preserve safe and attractive urban one-family residential neighborhoods. The principal land use is a one-family dwelling unit per lot. Some public recreational uses, religious facilities, educational facilities, and uses incidental or accessory to dwellings are included, as shown in Table 29-3.1 (Permitted Use Table).
- (ii) Illustration. The following diagram is a graphical depiction of the R-1 District to be used for illustration purposes only.

**TABLE 29-2-2**

**R-1 DISTRICT DIMENSIONAL STANDARD SUMMARY**

LOT STANDARDS	
Minimum lot area	7,000 sq. ft.
Minimum lot area if no public or community sewer available	15,000 sq. ft.
Minimum lot width at building line	60 ft.
BUILDING STANDARDS	
Minimum depth front yard	25 ft.
Minimum width of side yard	6 ft.
Minimum depth of rear yard	Lesser of 30% lot depth or 25 ft.
Maximum height of primary residential building	35 ft.
Maximum height of primary residential building if 2 side setbacks of at least 15 ft. each	45 ft.
Maximum height of primary nonresidential building, provided all setbacks increased 1 ft. for each additional 1 ft. of height over 35 ft.	75 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.



- (iii) Other Standards. All development shall comply with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4.

## (2) R-2 Two-Family Dwelling District.

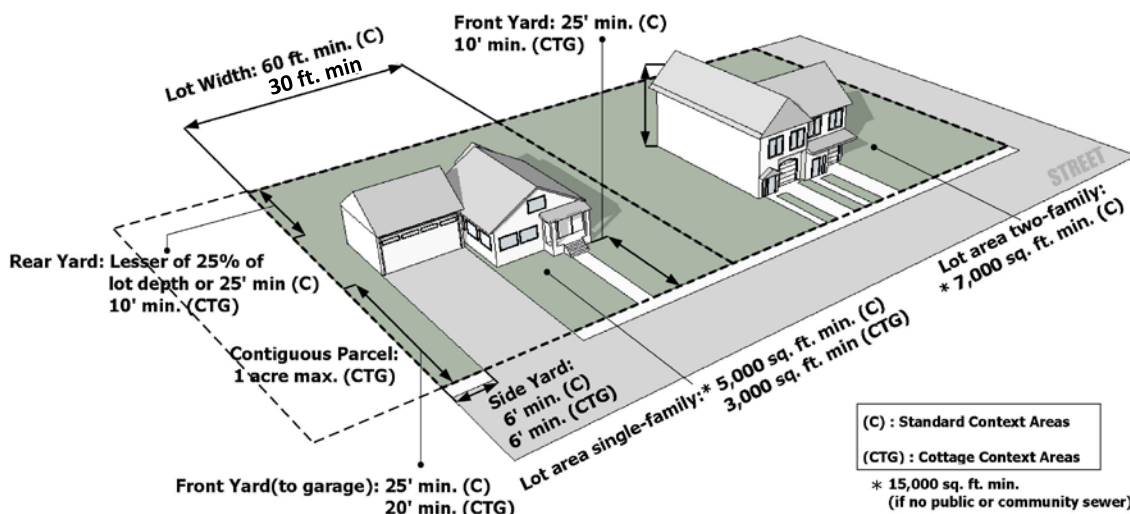
- (i) Purpose. This district is intended to provide for a blend of one-and two-family residential developments that will promote strong neighborhoods. The district is intended to accommodate both standard residential development and small pockets of affordable small lot infill "cottage" residential development. The "cottage" standards require approval by the Board of Adjustment pursuant to Section 29-6.4(j). The principal land use is one-family or duplex residential dwellings, as shown in Table 29-3.1 (Permitted Use Table). One principal structure is allowed per lot; two or more single-family detached dwellings are not permitted on a single lot.
- (ii) Illustration. The following diagram is a graphical depiction of the R-2 District to be used for illustration purposes only.
- (iii) Other Standards. All development shall comply with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4.

**TABLE 29-2-3**  
**R-2 DISTRICT DIMENSIONAL STANDARD SUMMARY**

	Current	Cottage
<b>LOT STANDARDS</b>		
Minimum lot area – one-family	5,000 sq. ft.	3,000 sq. ft.
Minimum lot area –one-family attached	3,500 sq. ft.	N/A
Minimum lot area – two-family	7,000 sq. ft.	N/A
Minimum lot area if no public or community sewer available	15,000 sq. ft.	
Minimum lot width at building line	60 ft.	30 ft.
Minimum lot width at building line - single-family attached	30 ft.	N/A
Maximum size of contiguous area that may be replatted to permit "cottage" lots without such lots being within a "cottage" subdivision	N/A	1 ac.
<b>BUILDING STANDARDS</b>		
Minimum depth front yard	25 ft.	10 ft.
Minimum depth from front lot line to garage (if applicable)	25 ft.	20 ft.
Minimum width of side yard	6 ft.	6 ft.
Minimum depth of rear yard	Lesser of 25% lot depth or 25 ft.	10 ft.
Maximum height of primary residential building	35 ft.	35 ft.
Maximum height of primary residential building if 2 side setbacks of at least 1.5 ft. each	45 ft.	35 ft.
Maximum height of nonresidential building	75 ft.	N/A

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.

**Height (primary):**  
**35' max. (C & CTG)**



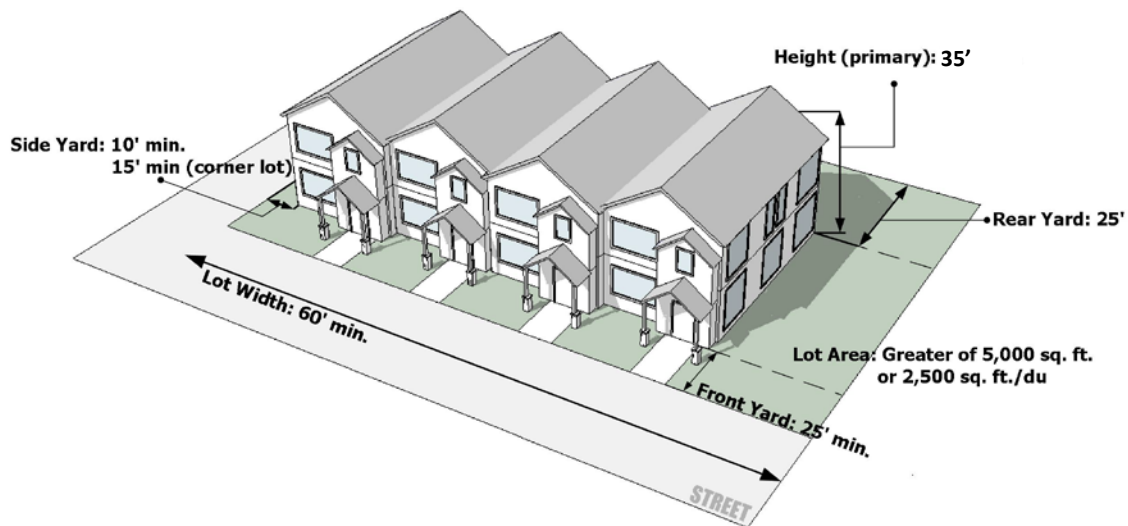
**(3) R-MF Multiple-Family Dwelling District.**

- (i) Purpose. This district is intended to provide for a mix of one-family, two-family, and medium density multi-family residential development. It may include a range of residential uses from one-family to medium and high density multi-family apartments and condominiums and fraternity and sorority houses. The scale of development is regulated to ensure that new development is not out-of-scale with the character and density of currently existing adjacent uses or zoning. The principal uses are residential, as shown in Table 29-3.1 (Permitted Use Table).
- (ii) Illustration. The following diagram is a graphical depiction of the R-MF District to be used for illustration purposes only.

**TABLE 29-2-4****R-MF DISTRICT DIMENSIONAL STANDARD SUMMARY**

LOT STANDARDS	
Minimum lot area – one-family	5,000 sq. ft.
Minimum lot area – one-family attached	3,500 sq. ft.
Minimum lot area – two-family	7,000 sq. ft.
Minimum lot area – multi-family	2,500 sq. ft. per du
Minimum lot area – sorority or fraternity	7,500
Minimum lot area -- CRCC	N/A, But Max Density is 17 du/ac
Minimum lot width at building line	60 ft.
Minimum lot width at building line -single-family attached	30 ft.
BUILDING STANDARDS	
Minimum depth front yard	25 ft.
Minimum width of side yard – all other	10 ft.
Minimum width of side yard – corner lot street side	15 ft.
Minimum depth of rear yard	25 ft.
Maximum height of primary residential building	35 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.



- (iii) Other Standards. All development shall comply with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4.

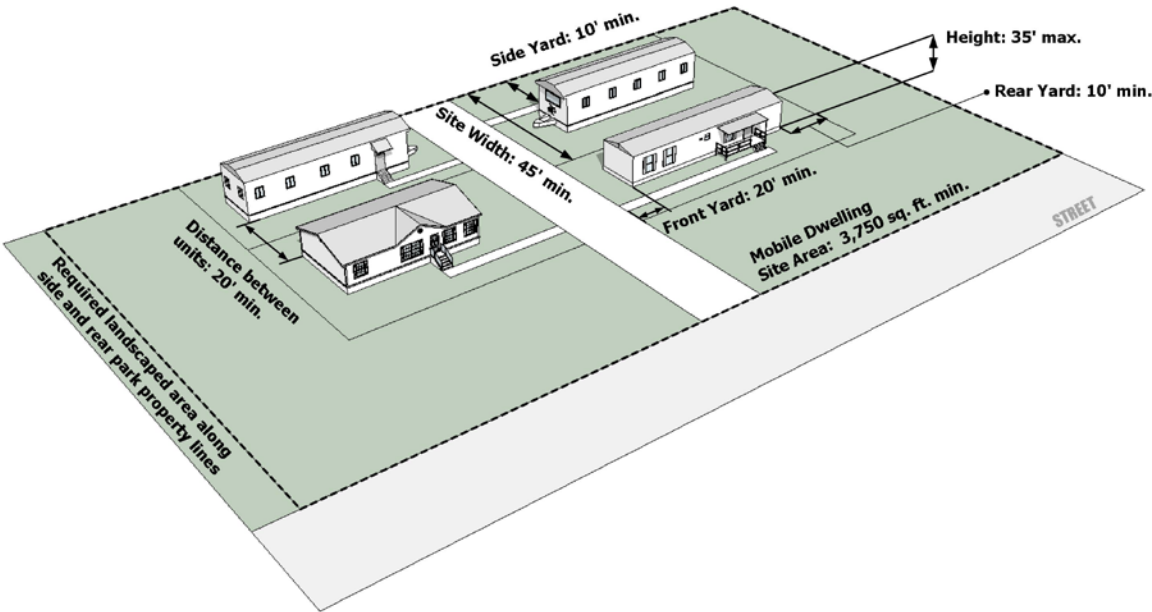
**(4) R-MH Residential Manufactured Home District.**

(i) Purpose. This district is intended to provide for the development and operation of residential manufactured home parks. The standards are intended to provide for diverse housing opportunities and promote innovative and land-efficient sources of affordable housing while promoting neighborhood enhancement and minimizing conflicts with other zoning districts. A residential manufactured home park may provide manufactured home spaces available for lease or rent; or the property may be subdivided in accordance with the requirements of Section 29-2.2(a)(4)c and Article 5 (Subdivision Standards).

**TABLE 29-2-5  
R-MH DISTRICT DIMENSIONAL STANDARDS**

SITES AND STRUCTURES	
Minimum area of each home site	3,750 sq. ft.
Minimum lot width	45 ft.
Maximum building height	35 ft.
Minimum front setback of homes from abutting public street in the park	20 ft.
Minimum side and rear setback sites from other mobile home site boundaries	10 ft.
Minimum distance between dwelling units	20 ft.
This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.	

(ii) Illustration. The following diagram is a graphical depiction of the R-MH District to be used for illustration purposes only.



(iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the R-MH District shall comply with the following standards:

- (A) Required park boundary setback areas along the side and rear property boundaries shall be landscaped and shall not contain parking areas, streets, drives, or accessory structures or storage areas. A permanent screen consisting of a masonry wall, wood fence, landscaping material, or combination thereof, at least eight (8) feet in height and, when a fence is used, not to exceed twelve (12) feet in height, shall be required around the perimeter of the site. The required screening shall have an opacity of at least eighty (80) percent year around and, if landscaping is used, the eighty (80) percent opacity shall be achieved within four (4) full growing seasons. If a masonry wall or wood fence is used, landscaping shall be placed between the wall or fence and the property line to form an ornamental screen. The required screening shall be maintained in good order and not allowed to exist in a state of disrepair or death. If wood fencing is used, it shall be durable in nature or treated to prevent rapid deterioration. Failure to maintain the required screening shall be considered a violation of this Chapter.
- (B) Carports, patios, decks and accessory buildings may be located in side and rear setback areas of individual manufactured home sites that are not part of the required park perimeter buffer area.
- (C) A private outdoor living area, such as a patio or deck, of at least forty (40) square feet shall be provided on each manufactured home space or lot adjoining the manufactured home.
- (D) A stormwater management system shall be designed to minimize the possibility of soil erosion and flood damage on site and downstream.
- (E) Interior access shall be provided by public or private streets. Public streets shall be built to City standards and shall have sidewalks on both sides. Private streets shall require private street maintenance.
- (F) Manufactured home parks shall have their only access on perimeter streets unless the Director determines that street connections to adjacent properties are necessary to protect public safety and reduce traffic congestion at access points.
- (G) Street connections to adjacent properties may be required when deemed appropriate by the Director; however, at least one access point onto a public street shall be provided for each one hundred (100) manufactured home spaces or lots.
- (H) Paved parking shall be provided on each manufactured home space or lot at the rate of one (1) parking space per manufactured home.
- (I) An on-ground or in-ground stand constructed to comply with the building code shall be provided to provide support and leveling for each manufactured home.
- (J) Anchorage and tie-down constructed to comply with the building code shall be provided on each manufactured home space or lot to prevent overturning or uplift of the manufactured home.
- (K) Skirting shall be installed for each manufactured home. Skirting material shall be visually compatible with the manufactured home unit's materials and shall have a visually finished appearance. Composition building board and raw wood shall not be used as skirting unless finished with a weatherproof and termite proof material.
- (L) A map of the layout of the manufactured home park, of a scale not greater than 1:50, showing the location of individual manufactured home spaces by number, shall be



displayed on the park office building, or on the identification sign at the entrance to the manufactured home park.

- (M) Each space for a manufactured home shall be provided with a sewer outlet not less than four (4) inches in diameter, connected to the main sewer system.
- (N) In addition to required automobile parking spaces, the manufactured home park shall provide at least one accessory vehicle storage area for each ten (10) manufactured homes, to provide storage for trucks, boats, and similar vehicles.
- (O) If storage facilities for tenants are provided on the manufactured home space or lot or elsewhere in the manufactured home park, they shall be constructed of suitable weather resistant materials.
- (P) All yard areas and other open spaces not otherwise paved or occupied by structures shall be landscaped and maintained.
- (Q) Any enclosed structure attached to a manufactured home shall be constructed of compatible or similar exterior materials and in conformance with the building code.
- (R) R-MH developments consisting of twenty-five (25) or more manufactured homes shall contain playground facilities. The playground facilities shall be at least one-fourth (¼) acre in size for each twenty-five (25) manufactured homes proposed.
- (S) No mobile home (as opposed to a manufactured home) shall be placed within any R-MH district established after January 17, 1995, unless a seal issued by the Missouri Public Service Commission is attached to the mobile home certifying that the mobile home was brought up to or otherwise meets the requirements of the code of standards relating to manufactured homes adopted by the Public Service Commission.

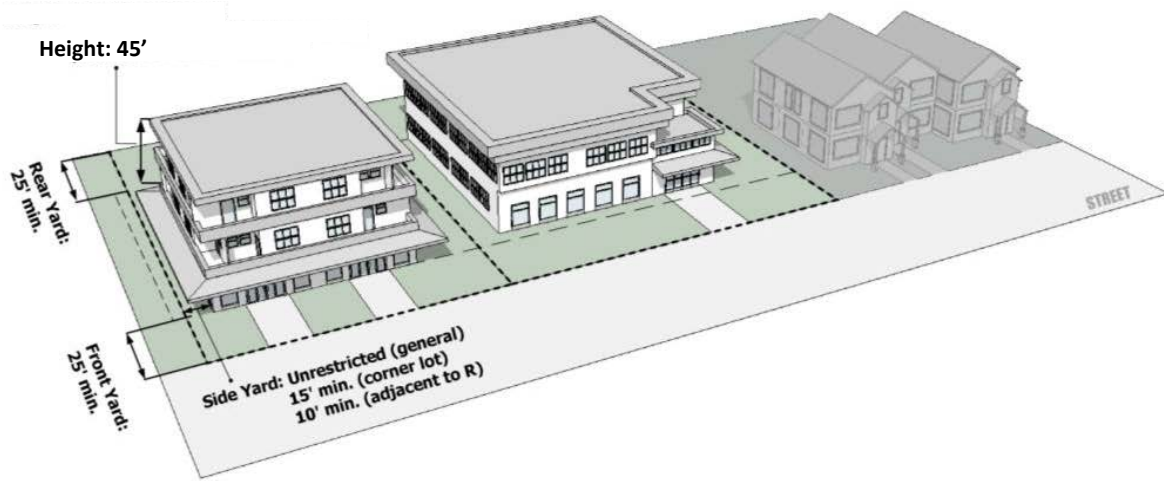
## 29-2.2(b) - Mixed Use Districts.

### (1) M-OF Mixed Use – Office District.

- (i) Purpose. This district is intended to provide for professional, administrative, corporate, and other offices and similar low-impact non-residential uses. It may serve as a buffer area between residential and more intense nonresidential uses. It is intended to allow innovative design approaches that reflect and respect the character of nearby residential areas without the need for rezoning to a Planned Development district. The principal uses are small-scale office, personal service, and residential uses, as shown in Table 29-3.1 (Permitted Use Table).

TABLE 29-2-6 M-OF DISTRICT DIMENSIONAL STANDARD SUMMARY	
LOT STANDARDS	
Minimum lot area	N/A
Minimum lot width at building line	N/A
BUILDING STANDARDS	
Minimum depth front yard	25 ft.
Minimum width of side yard - general	0
Minimum width of side yard – corner lot street side	15 ft.
Minimum width of side yard – adjacent to R district	10 ft.
Minimum depth of rear yard	25 ft.
Maximum height of primary building	45 ft.
This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.	

- (ii) Illustration. The following diagram is a graphical depiction of the M-OF District to be used for illustration purposes only.



- (iii) Other Standards. All development shall comply with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4.

## (2) M-N Mixed Use – Neighborhood District.

- (i) Purpose. The Mixed Use-Neighborhood District is intended to provide commercial shopping and service facilities in or near a residential neighborhood. The principal land use is a small shopping area with sales and services oriented to the needs of a local population. The district is intended to accommodate both pedestrian-oriented shopping areas with walkable connections to surrounding neighborhoods and small auto-oriented shopping centers convenient to lower density residential areas, through the use of two different sets of development standards without the need for rezoning to a Planned Development district. The “pedestrian” standards require approval by the Board of Adjustment pursuant to Section 29-6.4(j). The principle uses are small-scale commercial and residential, as shown in Table 29-3.1 (Permitted Use Table).

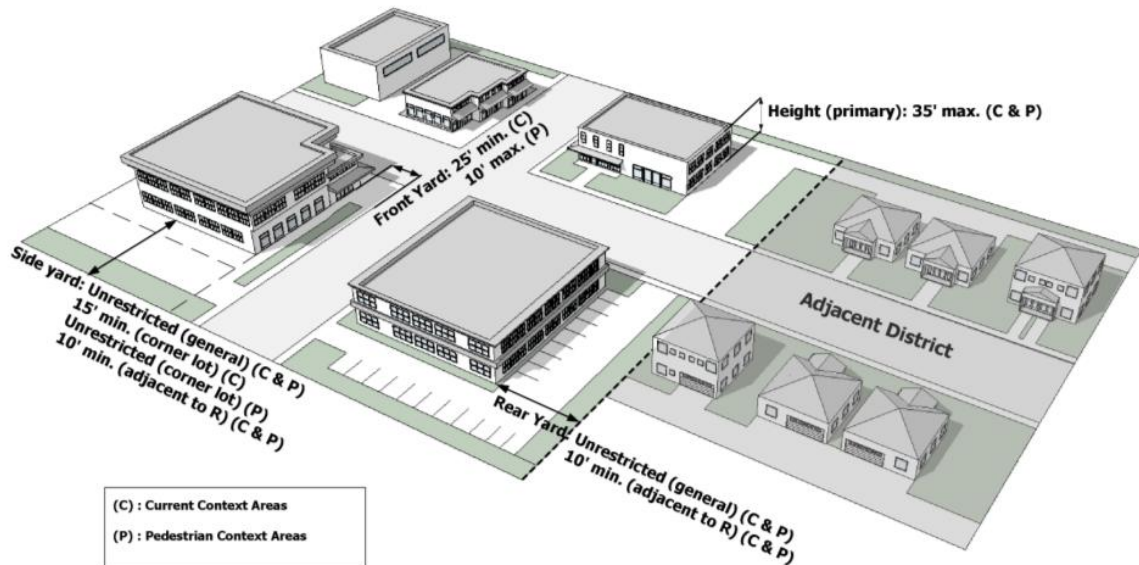
**TABLE 29-2-7  
M-N DISTRICT DIMENSIONAL STANDARD SUMMARY**

	Current	Pedestrian
<b>LOT STANDARDS</b>		
Minimum lot area	N/A	N/A
Minimum lot width at building line	N/A	N/A
<b>BUILDING STANDARDS</b>		
Minimum depth of front yard	25 ft.	0 ft.
Maximum depth of front yard	N/A	10 ft.
Percent of building front width that must be between min. and max. setback lines	N/A	75%
Minimum width of side yard - general	0 ft.	0 ft.
Minimum width of side yard – corner lot street side	15 ft.	0 ft.
Minimum width of side yard – adjacent to R district	10 ft.	10 ft.
Minimum depth of rear yard - general	0 ft.	0 ft.
Minimum depth of rear yard - adjacent to R district	10 ft.	10 ft.
Maximum height of primary building	35 ft.	35 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.



- (ii) Illustration. The following diagram is a graphical depiction of the M-N District to be used for illustration purposes only.



- (iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the M-N District shall comply with the following when the applicant requests that the M-N “Pedestrian” standards apply:
- (A) All property frontages must have sidewalks constructed to City standards.
  - (B) The primary building must have at least one operable pedestrian door leading directly from the primary building onto a sidewalk. For primary buildings located on corner lots, the required pedestrian entrance may be located on the primary street façade or at the corner where the two streets intersect.
  - (C) Ground floor street frontages on each primary building may not be occupied by residential uses but may be occupied by a lobby or entrance to residential portions of the building.
  - (D) At least 50% of the building front façade area between three (3) and eight (8) feet above grade shall be of windows or other transparent materials allowing views into the building.
  - (E) At the applicant’s option, minimum on-site parking requirements may be reduced up to 30% as described in Section 29-4.3(Parking and Loading).
  - (F) No on-site loading requirements shall be required.
  - (G) Curb cuts shall only be permitted if access cannot be provided from an alley. Where curb cuts are permitted, they shall not exceed 24 feet in width.

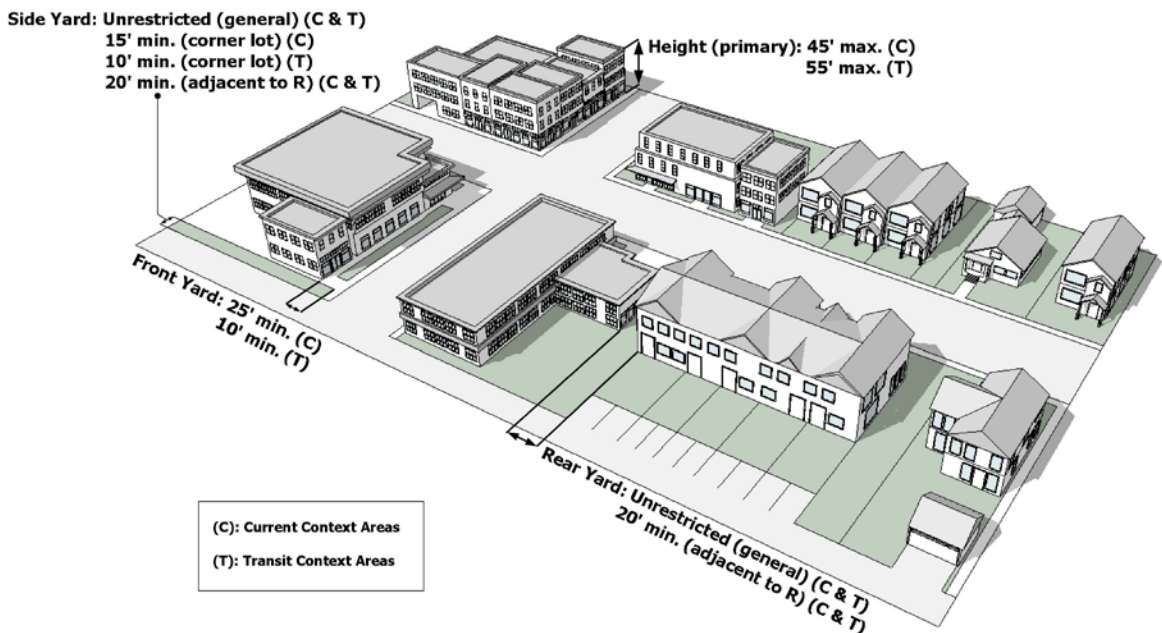
**(3) M-C Mixed Use - Corridor District.**

- (i) Purpose. This district is intended to allow for a broad range of commercial activities that may often be oriented toward automobile access and visibility, as well as multi-family residential uses without the need for rezoning to a Planned Development district. Larger buildings are permitted and less parking is required near the intersections of arterial-arterial, and arterial-collector corners to promote higher bus transit ridership at these nodes where current bus lines exist or future bus service is anticipated. The “transit” standards require approval by the Board of Adjustment pursuant to Section 29-6.4(j). The principal land uses are sales and service activities, as shown in Table 29-3.1 (Permitted Use Table).
- (ii) Illustration. The following diagram is a graphical depiction of the M-C District to be used for illustration purposes only.

**TABLE 29-2-8**  
**M-C DISTRICT DIMENSIONAL STANDARD SUMMARY**

	Current	Transit
<b>LOT STANDARDS</b>		
Minimum lot area		
Minimum lot width at building line	N/A	N/A
<b>BUILDING STANDARDS</b>		
Minimum depth of front yard	25 ft.	0 ft.
Maximum depth of front yard	N/A	10 ft.
Minimum width of side yard - general	0 ft.	0 ft.
Minimum width of side yard – corner lot street side	15 ft.	10 ft.
Minimum width of side yard – adjacent to R district	20 ft.	20 ft.
Minimum depth of rear yard - general	0 ft.	0 ft.
Minimum depth of rear yard - adjacent to R district	20 ft.	20 ft.
Maximum height of primary building	45 ft.	55 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.



- (iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the M-C District shall comply with the following when the applicant requests that the M-C “Transit” standards apply:

- (A) The property shall be located at an arterial street/arterial street or an arterial street/collector street intersection where current bus lines exist or future bus service is anticipated.
- (B) All property frontages must have sidewalks constructed to City standards.
- (C) The primary building must have at least one operable pedestrian door leading directly from the primary building onto a sidewalk. For primary buildings located on corner lots, the required pedestrian entrance may be located on the primary street façade or at the corner where the two (2) streets intersect.
- (D) At least sixty-five (65) percent of the primary building frontage must be built no further than 15 feet from the front lot line.
- (E) If the building is located on a corner lot, at least forty (40) percent of the secondary building frontage must be built no further than twenty (20) feet from the side lot line adjacent to the secondary street.
- (F) At the applicant's option, minimum on-site parking requirements may be reduced up to thirty (30) percent as described in Section 29-4.3 (Parking and Loading).

**(4) M-DT Mixed Use - Downtown Form District (inside Regulating Plan boundary).**

- (i) Purpose. The M-DT district is intended to encourage investment and reinvestment that reinforces the diverse pedestrian-oriented and walkable street environment in downtown Columbia within the Regulating Plan boundary. Form-based controls are tailored to ensure that the specific characters of different street frontages and subareas is preserved and strengthened, that automobile traffic does not interfere with the primarily pedestrian character of the area, and that areas adjacent to downtown are not adversely affected by buildings of dramatically different scale or character. Form-based controls are tied to a specific Regulating Plan governing what building form and function can be built in different portions of downtown, how those buildings relate to the street, and where accessory parking areas may be located. Almost all uses are permitted except for low density residential and heavier industrial uses, as listed in Table 29-3.1 (Permitted Use Table).

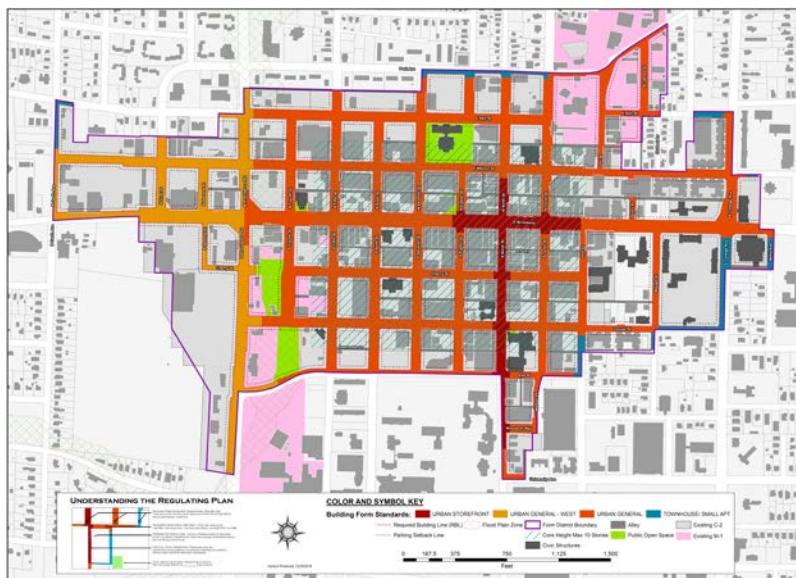


Figure 29-2-9: M-DT Regulating Plan

Examples:



- (ii) **Additional Regulations.** Development and redevelopment in the M-DT district shall comply with those Building Form Standards in Section 29-4.2 (M-DT Building Form Standards), and shall also comply with all other standards in this Chapter unless those standards contain an exception for the M-DT district or the type of use, building, or development proposed.

#### (5) M-BP Business/Industrial Park District.

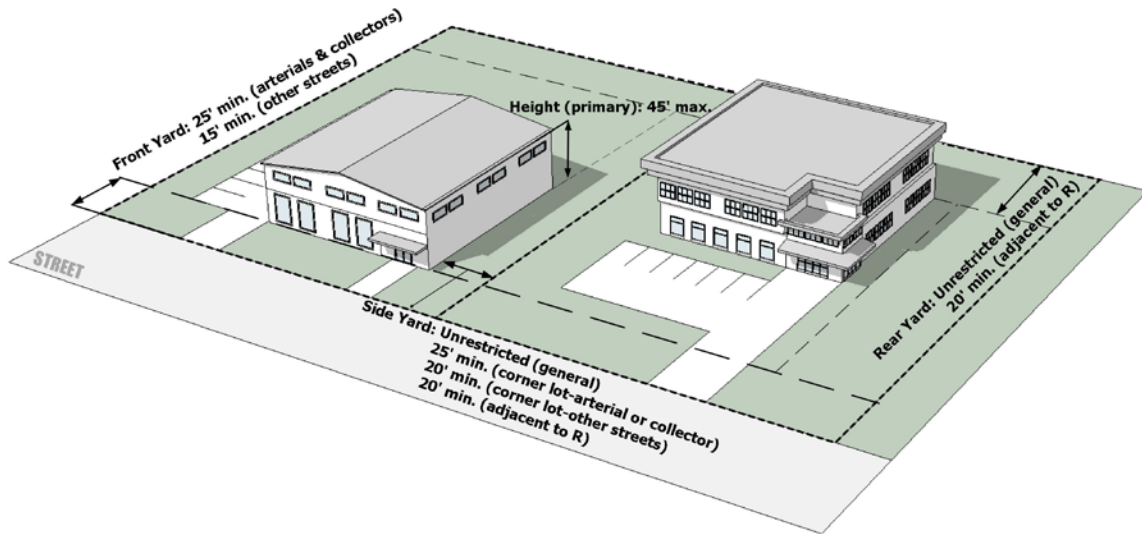
- (i) **Purpose.** The purpose of the M-BP district is to accommodate a mix of light industrial, institutional, and supporting commercial uses in close proximity through the use of innovative and flexible designs that buffer potential impacts of each use from surrounding uses and adjacent areas, and to promote environmentally sound and efficient use of land without the need for rezoning to a Planned Development district. A wide variety of commercial, research, development, office, distribution, processing, and institutional uses are permitted, as listed in Table 29-3.1 (Permitted Use Table).

**TABLE 29-2-10**  
**M-BP DISTRICT DIMENSIONAL STANDARD SUMMARY**

LOT STANDARDS	
Minimum lot area	N/A
Minimum lot width at building line	N/A
BUILDING STANDARDS	
Minimum depth front yard – from arterial and collector streets	25 ft.
Minimum depth front yard – from other streets	15 ft.
Minimum width of side yard - general	0 ft.
Minimum width of side yard – corner lot frontage on arterial or collector street	25 ft.
Minimum width of side yard – corner lot frontage on other streets	20 ft.
Minimum width of side yard – adjacent to residential district	20 ft.
Minimum depth of rear yard – general	0 ft.
Minimum depth of rear yard – adjacent to residential district	20 ft.
Maximum height of primary building	45 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.

- (ii) Illustration. The following diagram is a graphical depiction of the M-BP District to be used for illustration purposes only.



- (iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the M-BP District shall comply with the following additional standards:

- (A) In addition to the standards of Section 29-4.4 (Landscaping and Screening), the following shall be required:

- 1) A permanent screen consisting of a masonry wall, wood fence, landscaping material, or combination thereof, at least eight (8) feet in height and, when a fence is used, not to exceed eight (8) feet in height, shall be required where a lot in this district abuts residentially zoned land. The required screening shall have an opacity of at least eighty (80) percent year around and, if landscaping is used, the eighty (80) percent opacity and eight-foot minimum height shall be achieved within four (4) full growing seasons. In the event a masonry wall or wood fence is used, landscaping shall be placed between the wall or fence and the property line to form an ornamental screen. The required screening and landscaping shall be maintained in good order and not allowed to exist in a state of disrepair or death. If wood fencing is used, it shall be durable in nature and treated to prevent rapid deterioration.
- 2) All exterior storage areas shall be enclosed by a permanent screen at least eight (8) feet in height above the ground surface of the storage area. In the event that an eight (8) foot screen is inadequate to screen such an area, additional screening may be required in such a manner and of such materials as necessary to adequately screen such from public view. However, in no event shall the screen exceed twelve (12) feet in height, except for landscape materials. In no event shall the stored or stacked materials or finished products exceed the height of the required screening. The required screening shall have an opacity of at least eighty (80) percent year around, and if landscaping is used, the eighty (80) percent opacity shall be achieved



within four (4) full growing seasons. When a solid wall, or any solid fence is used for screening, ornamental landscaping shall be placed between the fence and the adjacent property lines. The required screening shall be maintained in good order and not allowed to exist in a state of disrepair or death. If wood fencing is used, it shall be durable in nature or treated to prevent rapid deterioration. Failure to maintain the required screening shall be considered a violation of this chapter.

- 3) Exterior storage areas shall have a permanently dust-free surface.
- (B) The traffic circulation system shall provide for the safe, convenient and efficient movement of goods and people with a minimum of conflict between various modes of travel. The streets within the proposed development shall be public and within a public right-of-way, except private streets may be permitted under the following conditions:
- 1) The streets shall be designed, constructed, and maintained according to any applicable minimum City standards for private streets;
  - 2) The streets will serve two (2) or more lots or property in multiple ownership;  
The private streets do not provide the only vehicular access to public streets from other property located outside the development;
  - 3) The streets shall be located in designated common areas which shall be platted as a separate lot or lots;
  - 4) A notation shall be written on the approved plan and recorded plat which reads: "All maintenance of the private streets shown on this plat shall be the responsibility of the owners association or abutting property owners. No private streets shall be dedicated to nor accepted by the City for maintenance until they have been improved to minimum City standards for public streets."; and
  - 5) The street signs for private streets shall indicate "private street" so as to distinguish them from public streets.
- (C) A system of pedestrian walkways and/or sidewalks meeting City standards shall be provided and shall connect with existing sidewalk systems or allow for future extensions to activity centers outside the development (i.e., schools, parks, shopping areas, etc.). Sidewalks shall be required along private streets as they would be required for public streets, except that no sidewalks shall be required on the side of a street without any buildings or driveways.
- (D) The provisions of Section 29-4.8 (Signs) shall apply. Modification of such requirements including, but not limited to, sign area, height, placement and number of freestanding signs and on premise wall, canopy and awning signs may be granted by the Board of Adjustment in accordance with provisions of Section 29-6.4(g) (Sign Plan Approval).

**(6) C-2 Central Business District (outside M-DT Regulating Plan boundary).**

- (i) Purpose. This district is intended to provide for commercial facilities not located within the boundaries of the M-DT Regulating Plan that were previously considered part of downtown Columbia. C-2 District parcels lying outside the boundaries of the M-DT Regulating Plan shall appear on the Official Zoning Map upon the adoption of this Code; however, the C-2 District shall not be expanded to include additional parcels



after the Effective Date. The principal land uses are retail sales, services, offices, mixed-use including housing and public facilities.

- (ii) Other Standards. Permitted uses and dimensional standards applicable to the C-2 District are defined within Section 29-3.4 and shall be subject to the Form and Development Regulations in Article 4, with the exception of those standards listed in Section 29-4.1(a).

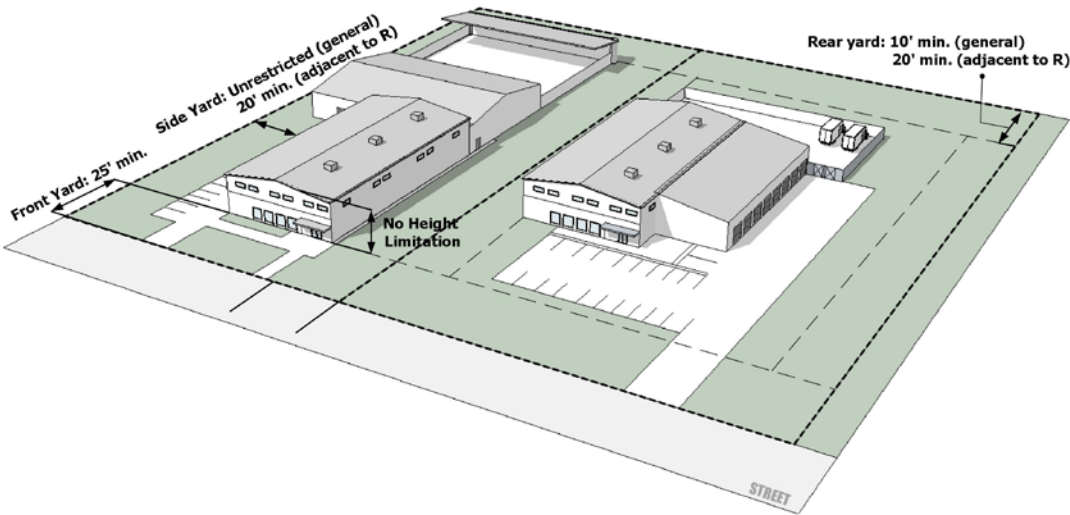
29-2.2(c) - Special Purpose Districts.

(1) IG Industrial – General District.

- (i) Purpose. The IG district is intended to allow for manufacturing, warehousing, office activities, general industrial uses, and access to underground mining, resource, and storage activities, while protecting surrounding areas from any adverse impacts of those activities without the need for rezoning to a Planned Development district. Development may be organized in a planned business or industrial park, or may be in individual buildings on individual lots in older parts of the City. The principal land uses are heavy commercial and industrial uses, as listed in Table 29-3.1 (Permitted Use Table).

TABLE 29-2-11 IG DISTRICT DIMENSIONAL STANDARD SUMMARY	
LOT STANDARDS	
Minimum lot area	N/A
Minimum lot width at building line	N/A
BUILDING STANDARDS	
Minimum depth front yard	25 ft.
Minimum width of side yard - general	0 ft.
Minimum width of side yard – adjacent to R district	20 ft.
Minimum depth of rear yard	10 ft.
Minimum depth of rear yard – if adjacent to R district	20 ft.
Maximum height of primary building	N/A
This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.	

- (ii) Illustration. The following diagram is a graphical depiction of the IG District to be used for illustration purposes only.



(iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the IG District shall comply with the following:

(A) No use shall be permitted or so operated as to produce or emit:

- 1) Smoke or particulate matter in violation of the standards of the ordinances of the City.
- 2) Dust, fly ash, radiation, gases, heat, glare, or other effects which are obviously injurious to humans at the property line.
- 3) Vibration or concussion perceptible without instruments at the property line.

The noise level at any point along the property line shall not exceed:

Octave Band	Decibels
0— 75 CPS	55
75—1,200 CPS	40
1,200—4,800 CPS	25
Above 4,800 CPS	22

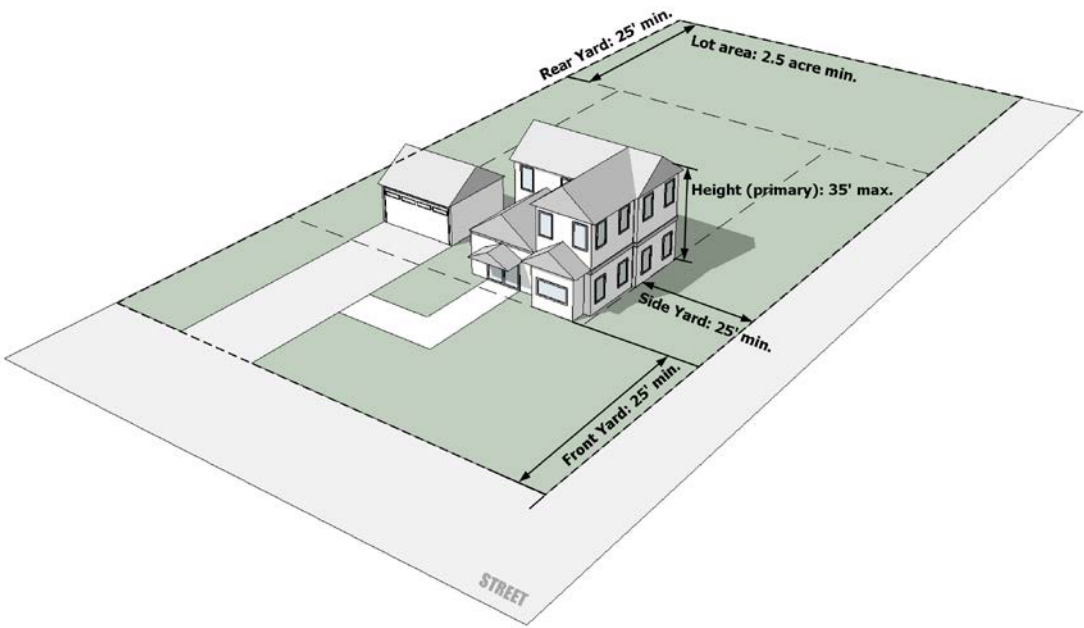
- 4) Industrial wastes of such quantity and nature as to overburden the public sewage disposal facilities or to cause odor and unsanitary effects beyond the property line.
- (B) Access to all underground development activities such as commercial mining and storage shall be through property owned or controlled by the owners of the underground space within the IG district.
- (C) Where applicable, underground space must have a building permit to develop a habitable underground areas and to qualify for a certificate of occupancy.
- (D) The owners or operators of underground space shall file with the Department a certificate by a Registered Professional Engineer as to the structural integrity of the underground space. Such certificate may provide for exceptions or conditions for building permit approval. The certificate shall be valid for newly added or mined-out areas, if it is so described in the certificate and must have been dated within the past ten (10) years to be valid for its application to new areas.
- (E) Penetrations from underground space to the surface property above it shall be permitted without regard to the provisions of the IG zoning district, provided that such penetrations are for the purpose of connecting utilities or to contain safety, relief or life-support systems to the underground. All penetrations must be contained within a public easement to assure perpetuity and continued service to the underground development.

**(2) A Agricultural District.**

- (i) Purpose. This district is intended to provide for large-scale agricultural uses contained within the City, certain public uses, and facilities or activities best located in a more isolated area. The principal land use is an agricultural area or public facility. Only one principal dwelling and one second principal dwelling are allowed on each lot.

TABLE 29-2-12 A DISTRICT DIMENSIONAL STANDARD SUMMARY	
LOT STANDARDS	
Minimum lot area	2.5 acres
Minimum lot width at building line	60 ft.
BUILDING STANDARDS	
Minimum depth front yard	25 ft.
Minimum width of side yard	25 ft.
Minimum depth rear yard	25 ft.
Maximum height of primary building	35 ft.
This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.	

- (ii) Illustration. The following diagram is a graphical depiction of the A District to be used for illustration purposes only.



- (iii) Other Standards. In addition to compliance with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4, development in the A District shall comply with the following requirement:
- (A) No more than two (2) contiguous residential lots may be created in this district. The creation of additional lots requires rezoning to the R-1 district and approval of a subdivision.

**(3) O Open Space District.**

- (i) Purpose. The O District is intended to ensure and regulate the use of publicly owned parks, open space, and nature reserves, as well as designated private open spaces within master planned developments or subdivisions with the consent of the property owner.

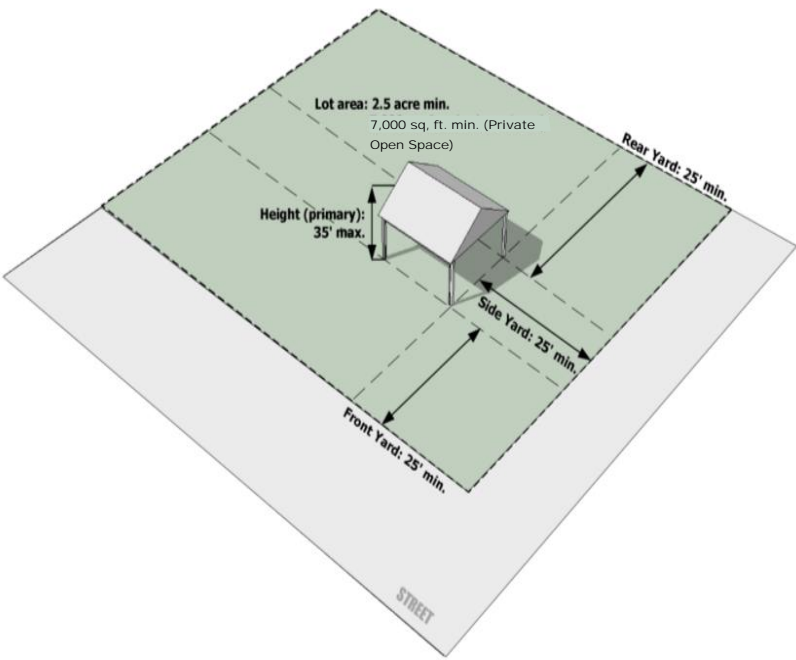
**TABLE 29-2-13**

**O DISTRICT DIMENSIONAL STANDARD SUMMARY**

LOT STANDARDS	
Minimum lot area	2.5 acres
Minimum lot area for Private Open Space	7,000 sq. ft.
Minimum lot width at building line	60 ft.
BUILDING STANDARDS	
Minimum depth front building setback	25 ft.
Minimum width of side building setback	25 ft.
Minimum depth of rear building setback	25 ft.
Maximum height of primary building	35 ft.

This Table is a summary of selected standards; refer to Chapter 29-4.1 Dimension Standards, for additional regulations.

- (ii) Illustration. The following diagram is a graphical depiction of the O District to be used for illustration purposes only.



- (iii) Other Standards . All development shall comply with all other applicable regulations in this Chapter, including without limitation the Permitted Use regulations in Article 3 and the Form and Development Regulations in Article 4.

**(4) PD Planned Development.**

- (i) Purpose. The purpose of the Planned Development (PD) district is to allow for innovation and flexibility in design, to encourage creative mixes of complementary uses, and to promote environmentally sound and efficient use of land. The major objectives of a Planned Development are:
  - (A) To allow for a mixture of housing types and densities located in proximity to each other.
  - (B) To allow for mixtures of residential and non-residential uses located in proximity to each other when any potential adverse impacts have been minimized, mitigated, screened or buffered.
  - (C) To provide for more usable and suitably-located common open space and amenities, including but not limited to clustered patterns of development and open space than would otherwise be provided under the City's base zone districts.
  - (D) To require that Planned Developments provide to the City amenities or benefits that help achieve the goals of the *Columbia Imagined* comprehensive plan (as amended) and that are not otherwise required by the base zoning districts in return for the added flexibility in uses and design offered by the PD District.
  - (E) To ensure that approved Planned Developments are efficient to administer over time.
- (ii) Eligibility. Any property in the City, except property located in the M-DT zone district, may be rezoned to a PD zone district.
- (iii) Permitted Uses.
  - (A) An application for rezoning to a PD district shall identify which of the uses (permitted, conditional, accessory, conditional accessory, or temporary), listed in Table 29-3.1 (Permitted Use Table), will be Permitted uses in all or specific portions of the PD district. listed in Table 29-3.1 (Permitted Use Table) will be Permitted uses in all or specific portions of the PD district.
  - (B) The application may include some of the general uses listed in Table 29-3.1 and state that some of the specific uses included in the definition will not be included in the PD, or that some of the included uses will be subject to different or additional Use-specific Standards than those listed in Section 29-3.3 (Use-specific Standards). If not modified by the PD application, all of the Use-specific standards listed in Section 29-3.3 will apply.
  - (C) The application for rezoning to a PD district may not include any use that is not listed in Table 29-3.1 (Permitted Use Table). Uses not listed in Table 29-3.1 are only available through an amendment to that Table approved by Council in a separate action.
- (iv) Development and Form Standards.
  - (A) The PD application may include variations in any Development or Form standard in Chapter 29, Article 4 that would otherwise be applicable in the PD district. Unless varied by the terms of the PD application, the provisions of Chapter 29, Article 4 (Development and Form Standards) otherwise applicable to the same type of development will apply.
  - (B) If the PD application would permit buildings within 100 feet of the edges of the PD property that are more than one (1) story taller than the tallest building permitted in

the adjacent zone district, the PD application shall include provisions to mitigate, screen, or buffer the visual, lighting, and traffic impacts of that taller development on the adjacent zoning district.

- (C) If the PD application includes non-residential uses within 100 feet of the edges of the PD property abutting any R-1, R-2, R-MF, or R-MH District, the PD shall include provisions to mitigate the traffic, lighting, noise, or hour-of-operation impacts of that non-residential development on the adjacent R-1, R-2, R-MF, or R-MH District.

- (v) Procedures for Approval and Administration. The procedures for approval of a Zoning Map change to a PD District, are set forth in Section 29-6.4(n)(2).

### **29-2.3 Overlay Zoning Districts.**

The following overlay zones are hereby adopted, and each shall have the boundaries shown on the Official Zoning Map maintained by the Department. The provisions of each overlay zone district supplement or modify the standards and requirements of the underlying base zone district. In case of a conflict between the provisions of the overlay zone district and an underlying base zoning district, the provisions of the overlay zoning district shall apply. In case a property is included in two (2) or more overlay districts, and the provisions of one or more overlay districts conflict, the more restrictive overlay district provision shall apply.

#### **29-2.3 (a) - UC-O Urban Conservation Overlay.**

##### **(1) Purpose.**

The UC Urban Conservation District is intended to promote the health, safety, and general welfare of the public by encouraging the conservation and enhancement of the urban environment. The purposes of the district are:

- (i) To maintain neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social and economic resources and the accommodation of desirable change;
- (ii) To promote the efficient use of urban lands including the encouragement of compatible infill development on vacant and passed-over parcels;
- (iii) To encourage and to support rehabilitation of the physical environment and programs for the conservation of urban areas; and
- (iv) To foster the harmonious, orderly, and efficient growth, development, and redevelopment of Columbia.
- (v) To recognize and protect specific property, neighborhoods and roadway corridors of special historic, architectural or scenic qualities.

##### **(2) Description.**

Urban Conservation District overlay zoning may be used with any zoning district if approved pursuant to this Section 29-2.30. All regulations of the underlying zoning district shall apply to property within the Urban Conservation District except where modified by the designation ordinance. Areas, tracts, or sites within the UC District shall be identified on the official Zoning



Map and in other official writings by the suffix "UC." Once approved, all development and redevelopment in the UC-O area shall be required to comply with the provisions of the UC-O designating ordinance, and the provisions of that ordinance shall be applied in review of all applications by the Department and the Commission.

**(3) Approved UC-O Districts.**

The following UC-O Districts have been approved by the Council, and the regulations applicable in each district are provided below. The provisions of each UC-O affect the areas shown for that district below.

(i) Benton-Stephens Neighborhood UC-O



(A) Establishment of Benton Stephens Urban Conservation District.

The land within the following boundaries shall constitute District UC-O (Urban Conservation Overlay District) and shall be known as the Benton Stephens Urban Conservation District:

The north side of East Walnut Street between Old 63 and North College Avenue, the east side of North College Avenue between East Walnut Street and the COLT railroad right-of-way, the southeast side of the COLT railroad right-of-way between

North College Avenue and Business Loop 70, the west side of Paris Road between Business Loop 70 and Ammonette Street, the south side of Ammonette Street between Paris Road and Old 63, and the west side of Old 63 between Ammonette Street and East Walnut Street.

The provisions of this Section 29-2.3(a)(3)(i) and all subsections thereof shall apply only to the Benton Stephens Urban Conservation District. All regulations of Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, including regulations pertaining to the underlying zoning districts shall apply to property within the Benton Stephens Urban Conservation District except where modified by this Section 29-2.3(a)(3)(i) or any subsection thereof.

(B) Exemptions.

- 1) The regulations in the Benton Stephens Urban Conservation District shall not apply to any land in zoning districts PD.
- 2) The regulations in the Benton Stephens Urban Conservation District shall not apply to any land in zoning districts M-OF, MN, MC, IG except that any new construction within those districts shall comply with the screening requirements of Section 29-4.5.
- 3) The regulations in the Benton Stephens Urban Conservation District shall not apply to mosques, synagogues, public schools, private colleges, churches, or homeless shelters operated by religious institutions.

(C) Home Occupations in District R-1.

- 1) Home occupations within the R-1 district shall be permitted within the Benton Stephens Urban Conservation District subject to the provisions of Section 29-3.3(kk) except that the provisions limiting the total floor area of the dwelling unit devoted to the home occupation shall be no more 40 percent.
- 2) Home occupations with non-resident employees may be permitted within the Benton Stephens Urban Conservation District subject to the standards of Section 29-3.3(II) and upon issuance of a conditional use permit in accordance with the provision of Section 29-6.4(m).

(D) Standards and Criteria. The following criteria apply to all new development in the Benton Stephens Urban Conservation District. Except where otherwise specifically provided, structures existing before passage of this ordinance may be structurally altered but not enlarged without conforming to the requirements of this section. Additional dwelling units shall not be added to a structure without conforming to the requirements of this section.

- 1) Lot Size.
  - (a) R-1 district: 7,000 square feet
  - (b) R-2 district:
    - (i) Single-family 5,000 square feet

- (ii) Duplex, 10,000 square feet
- (c) R-MF district:
  - (i) Single-family, 5,000 square feet
  - (ii) Duplex, 7,000 square feet
  - (iii) Multi-family, 7,500 sq. ft; 2,500 square feet per dwelling unit
- 2) Height and Area. The intent of yard requirements in the Benton Stephens Urban Conservation District is to promote development that is compatible with surrounding residential property. For the purposes of applying setback regulations, the following shall be applied: the front shall be toward the street or access corridor from which the lot is addressed; the rear is opposite to the front or as nearly so as the lot shape permits; and the sides are ninety degrees to the front or as nearly so as the lot shape permits.
  - (a) Front - Not less than twenty-five (25) feet in depth, except when the median setback of all buildings on the same side of the street, within the same block, is greater than 25-feet such median setback shall become the setback for the lot. Up to 25% of the front elevation measured along the adjacent street front may project a maximum of two feet into the required front yard, if such yard is greater than 25-feet in depth, in order to encourage reasonable variety of front facades.
  - (b) Rear - Not less than twenty-five (25) feet.
  - (c) Side - No modification of the standards for the R-1 and R-2 districts. No less than ten (10) feet in the R-MF District.

All corner lots in the Benton Stephens Urban Conservation District shall provide a side yard adjacent to the side street of not less than twenty-five (25) feet, provided this regulation shall not reduce the buildable width of a corner lot of record at the time of passage of this ordinance to less than sixty-five (65) percent of the total width of such lot, and provided further that the minimum side yard regulations of the underlying zoning district must be observed.
  - (d) Building Spacing –
    - (i) In addition to the rear and side yard requirements of the underlying zoning district all structures used as a principle or accessory structure shall be no closer than 30-feet to another structure on the same lot. This provision shall not apply to single-family detached dwellings and their accessory structures provided such accessory structures do not contain additional dwelling units.

(ii) The connection of two buildings by a lightly constructed, covered passage, open on each side, shall not be permitted such that the minimum building separation of this section is reduced to less than 30-feet. This provision shall not apply to a single-family detached dwelling being connected to a customary accessory structure that does not contain additional dwelling units.

(iii) No building shall be constructed across an existing lot line.

(e) Building Height – Building height shall be restricted to a maximum of two stories, not to exceed a maximum building height of thirty (30) feet. This height restriction shall not apply to a single-family detached dwelling.

(E) Parking

- 1) For all uses other than a single-family detached dwelling, off-street parking shall be provided as follows: 2 spaces per Dwelling Unit containing up to 2 bedrooms; 2.5 spaces per Dwelling Unit containing three (3) or more bedrooms. One additional space for every four (4) bedrooms shall be provided for guest parking.
- 2) Off-street parking facilities associated with the construction of a new structure, the alteration of a structure, or the change of use of an existing structure shall not be located forward of the any structure on the subject lot or parcel. This provision shall not apply to a single-family detached dwelling.
- 3) For all uses other than a single-family detached dwelling, parking may be located to the side of a structure if parking to the rear is unavailable. In such instances, parking to the side of a structure shall not exceed sixty (60) feet in length and shall be screened from adjacent property in accordance with Section 29-4.4(e) (Property Edge Buffering) or by a landscape strip no less than 6-feet wide containing a 6-foot tall screening device and no less than four (4) categories of planting materials listed in Section 29-4.4(c)(6), whichever is most restrictive.

(F) Screening and Landscaping Requirements. No modification to the underlying zoning district; except for the following:

- 1) A minimum of fifty (50) percent of the total land area of any tract, parcel or lot shall be retained as green space (non-pervious areas - use of pervious pavement shall not be considered green space). Required screening, buffers, and stormwater management areas may be counted toward meeting this requirement.
- 2) Parking areas containing more than two (2) spaces within twenty-five (25) feet of a street right-of-way or alley shall be screened from view as required by Section 29-4.4(d) or by the installation of a six (6) feet wide landscaping strip located within the private yard area (street yard) separating the parking area from the abutting street right-of-way or alley that contains no less than four (4) of the categories of planting materials listed in Section 29-4.4(c)(6), whichever is

most restrictive. The street yard landscaping strip shall be further improved with street trees in accordance with the Section 29-4.4(d)(ii).

- 3) In addition to the above, paved areas developed after August 19, 1991, exceeding four thousand (4,000) square feet in area, and additions exceeding four thousand (4,000) square feet in area to paved areas that were developed prior to August 19, 1991, shall contain a minimum of one (1) tree within a growspace/island of at least 170 square feet within the interior for every four thousand (4,000) square feet of paved area.
  - 4) Parking areas containing more than two (2) spaces or loading/unloading areas within fifty (50) feet of a single-family detached dwelling or R-1 or R-2 District, not separated by street right-of-way, shall be screened from view of the adjoining use or district in accordance with the standards of Section 29-4.4(e) (Property Edge Buffering).
- (G) Pedestrian Circulation. The traffic circulation system shall provide for the safe, convenient and efficient movement of goods and people with a minimum of conflict between various modes of travel. Provisions shall be made for pedestrian travel within the development and shall connect with existing pedestrian systems and allow for future extensions to activity centers outside the development.
- (H) Porches. Covered porches facing the front yard are required to be constructed on all newly constructed non-accessory structures in the Benton Stephens Urban Conservation District. The front-facing covered porch shall be a minimum length of 40% of the front width of each dwelling unit with a minimum depth of six (6) feet, and shall have a railing.
- (I) Roof Type and Pitch. All newly constructed non-accessory structures shall have gabled or hip roofs with pitches having a minimum slope of four units vertical in twelve units horizontal.
- (J) Orientation to the Street. All newly constructed non-accessory structures erected in the Benton Stephens Urban Conservation District shall provide front entrances, windows and porches oriented to the street from which it is addressed.
- (K) Garages. Attached garages with garage doors facing the front lot line shall not be more than ten (10) feet in width, nor shall the garage extend forward of the front building wall face.
- (L) Side Porches, Entrances or Balconies. Side porches or balconies should not extend into side yards. For all uses other than detached single-family uses, side entrances are allowed only if the side yard building setback is increased to a minimum of fifteen (15) feet.
- (M) Air Conditioning Units and Heat Pumps. Air conditioning (A/C) units and heat pumps shall not be located forward of the front building wall face. All A/C units or heat pumps located in a side yard shall be screened from front and side yard view with an appropriate permanent yard structure or evergreen plantings.

- (N) Building Face Design. Every building face shall contain a minimum ten (10) percent of the total face square footage in glazing and at least one (1) of the following design features shall be incorporated within each twenty-five (25) feet of horizontal primary façade length: (1) Roof dormers; (2) Gables; (3) Recessed entries; (4) Covered porches; (5) Pillars, pilasters or posts; or (6) Bay windows.
- (O) Building Face Articulation. Any building face, or screening or fencing greater than thirty (30) feet in length shall be constructed with a differing projection at least once every thirty (30) linear feet.
- (P) Prohibited Elements. The following are prohibited fencing and screening materials: chicken wire, hardware cloth (of any size) and pallets. All fencing in disrepair shall be removed or repaired appropriately.
- (Q) Stormwater Management.
- 1) A stormwater management plan shall be required for any lot that undergoes redevelopment or enlarges an existing building (principle or accessory) footprint by more than 25% or 500 square feet, whichever is less. Such management plan, when required, shall be prepared in accordance with the provisions of Chapter 12 A of the City Code. Single-family detached dwellings, on individual lots, shall be exempt from the preparation of a stormwater management plan.
  - 2) Facilities required to manage stormwater impacts created by redevelopment or alteration of existing structures may be included within a site's required 50% green space per Section 29-2.3(a)(3)(i)(F)(1) provided such facility is not also used as sidewalk or parking surface. Facilities that may be included in the 50% green space calculation could include, but are not limited to, a rain garden, bio-swale, or other site feature capable of fulfilling the intended stormwater management function required that is approved by the Director.
- (R) Procedure for Review and Approval of Development Plans.
- 1) Prior to the issuance of a building permit for any uses other than a detached single-family use in the Benton Stephens Urban Conservation District, the applicant shall submit a development plan for review and approval by the Director. Upon receiving the development plan, within 2 business days, the Director shall notify the Benton-Stephens Neighborhood Association in writing and send a copy of the development plan for review.
  - 2) The development plan submittal shall be clearly drawn in ink on eight and one-half (8-1/2) inch by eleven (11) inch or eighteen (18) inch by twenty-four (24) inch sheets of single or double matted polyester film or an approved equivalent, at a scale of at least one (1) inch equals twenty (20) feet.
  - 3) The development plan submittal shall include the following:
    - (i) A legal description of the property to be developed;



- (ii) The boundaries and dimensions of the lot or lots to be developed and the boundaries and dimensions of all adjacent lots;
  - (iii) The location of all lot setback lines along street rights-of-way;
  - (iv) The location and designation of all easements on the lot to be developed;
  - (v) The location of all existing buildings on, and adjacent to, the lot or lots to be developed;
  - (vi) The proposed location of all new structures including the location and dimensions of entrances, windows, porches, balconies and attached garages;
  - (vii) The location and dimensions of all existing and proposed parking areas;
  - (viii) The location and dimensions of all proposed sidewalks and pedestrian systems;
  - (ix) The landscaping plan showing compliance with Paragraph (d), above.
  - (x) The stormwater management plan, when required by these provisions.
  - (xi) Other information deemed necessary to show compliance with this section.
- 4) The Director shall approve a development plan that complies with the items in subparagraph (R)(3) of this subsection within 10 working days of receiving the plan. A copy of the approved plan shall then be sent to the building regulations supervisor.

(ii) East Campus UC-O



(A) Establishment of East Campus Urban Conservation District.

The land within the following boundaries shall constitute District UC-O (Urban Conservation Overlay) and shall be known as the East Campus Urban Conservation District:

A tract of land in the north half of Section 18 and the southeast quarter of the southwest quarter of Section 7, both in Township 48 North, Range 12 West in the City of Columbia, Boone County, Missouri; said tract being described as follows:

BEGINNING at the center of the intersection of Lee Street and Wilson Avenue; thence southerly along the centerline of Lee Street and the southerly prolongation thereof to the centerline of Rollins Street; thence easterly along said centerline and the easterly prolongation thereof to the center of Hinkson Creek; thence upstream along said creek centerline to the centerline of Old 63; thence northerly and northwesterly along said street centerline to its intersection with the easterly prolongation of the north line of Lot 10 of McNab Subdivision as recorded in Plat Book 4 at page 42; thence westerly along said prolongation and north line and the north lines of Lots 11 and 12 of said subdivision to the northeast corner of Lot 18 of East Highlands Addition as recorded in Plat Book 1 at page 11; thence westerly along the north line of said Lot 18 and the north lines of Lots 17, 16, 15 and the westerly prolongation thereof to the centerline of vacated Rockhill Road; thence westerly along the easterly prolongation of the north line of Lot 22 of Block 4 of Wyfer's Subdivision

of Fyfer's Addition as recorded in Plat Book 1 at page 42 to the northeast corner of said Lot 22; thence continuing westerly and northwesterly along the north lines of said Lot 22 and Lots 21, 20, 19, 18, 17 and 16 of said Block 4 to the southeast corner of Lot 5 of said Block 4; thence northerly along the east lines of said Lot 5 and Lot 4 of said Block 4 to the southeast corner of Lot 1 of Block 2 of said plat; thence easterly to the southeast corner of Lot 2; thence northerly to northeast corner of Lot 2; thence westerly along the north line of said Lot 1 and the westerly prolongation thereof to the centerline of Ann Street; thence southerly along said street centerline to the centerline of Anthony Street; thence westerly along the last said centerline to the centerline of William Street; thence northerly along the last said centerline to the easterly prolongation of the north line of Lot 5 of Cole and Ingels' Subdivision of Lots in Shields Eastern Addition as recorded in Plat Book 3 at page 31; thence westerly along said prolongation and north line to the northwest corner of said Lot 5; thence southerly to the southwest corner of said Lot 5; thence easterly to the northwest corner of Lot B of said subdivision; thence southerly along the west lines of said Lot B and Lot A and the southerly prolongation thereof to the centerline of Bass Avenue; thence westerly along said centerline to the southerly prolongation of the east line of Lot 11 of Shields Eastern Addition as recorded in Book 45 at page 212; thence northerly to the northeast corner of said Lot 11; thence westerly along the north lines of said Lot 11 and Lots 10, 9 and 8 and the westerly prolongation thereof to the centerline of Dorsey Street; thence southerly along said centerline to the centerline of said Bass Avenue; thence westerly along last said centerline to the northerly prolongation of Lee Street; thence southerly to the POINT OF BEGINNING and excepting therefrom Lots 7, 8, 10 and 11 of Anthony's Addition as recorded in Book 80 at page 14, said lots currently being zoned O-MF.

The provisions of this Section 29-2.3(a)(3)(ii) and all subsections thereof shall apply only to the East Campus Urban Conservation District. All regulations of Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, including regulations pertaining to the underlying zoning districts shall apply to property within the East Campus Urban Conservation District except where modified by this Section 29-2.3(a)(3)(ii) or all subsections thereof.

(B) Exemptions.

- 1) The regulations in the East Campus Urban Conservation District shall not apply to any land in Districts PD or M-OF.
- 2) The regulations in the East Campus Urban Conservation District shall not apply to the following uses: hospitals, mosques, synagogues, public schools, private colleges or churches.

(C) Uses.

Rooming houses, boardinghouses or lodging houses. One-family dwellings may not be converted to rooming houses as defined in the Rental Unit Conservation Law (Chapter 22, Article V of the City Code) or to boardinghouses or lodging houses after

September 17, 2005.

(D) Standards and Criteria.

The following criteria apply in the East Campus Urban Conservation District:

- 1) Building height. If a building that does not conform to the building height requirement of the underlying zoning district is damaged by fire or natural disaster, it may be rebuilt to its previous lawful nonconforming height, plus three feet but shall not be rebuilt to exceed the previous number of stories.
- 2) Roof pitch. Seventy-five percent (75%) of the roof area on newly constructed non-accessory structures shall have a minimum slope of four units vertical in twelve units horizontal.
- 3) Windows. A replacement window that faces a street shall reasonably match the appearance of remaining windows and shall be at least 75% of the size of the original window. Infill material for removed or replaced windows shall reasonably match the exterior wall material. This section shall not apply to windows that are part of a porch that has been converted to habitable space before passage of the East Campus Urban Conservation District.
- 4) Trash. A dumpster, other than a temporary dumpster, shall not be located in a required front yard. A dumpster located between the midpoint of a building and the required front yard shall be screened on the street side with a wooden fence. A dumpster installed after the passage of the East Campus Urban Conservation District shall be located on a hard surface at or behind the midpoint of the building. Roll carts must be located on the side or in the back of the building unless driveways, stairs, landscaping, proximity to another person's living area or other circumstances make back or side placement impractical.
- 5) New duplexes and apartments on legal lots at least sixty (60) feet wide. Duplexes (in District R-2 or R-MF) and multiple-family structures (in District R-MF) built after passage of the East Campus Urban Conservation District on legal lots established before January 1, 2002 that are at least sixty (60) feet wide at the building line may be constructed either in accordance with the standards of Chapter 29 of the City Code or in accordance with the following standards:
  - (i) The total number of bedrooms in the building shall not exceed four (4) for each two thousand five hundred (2,500) square feet of the legal lot. A studio is considered one (1) bedroom.
  - (ii) A total of four (4) people are allowed in any combination of dwelling units for each two thousand five hundred (2,500) square feet of the legal lot.
  - (iii) One (1) parking space is required for each two (2) bedrooms in the structure.

- 6) New two or more story structures on small R-MF legal lots. Two (2) or more story (excluding basement) duplex and multiple-family structures built after passage of the East Campus Urban Conservation District on legal lots, established before January 1, 2002, less than sixty (60) feet wide at the building line in District R-MF may be constructed either in accordance with the standards of Chapter 29 of the City Code or in accordance with the following standards:
  - (i) The structure shall contain no more than four (4) bedrooms and no more than four (4) dwelling units.
  - (ii) The total number of persons over the age of seventeen (17) residing in the structure shall not exceed the number of bedrooms in the structure. A studio is considered one bedroom.
  - (iii) The number of required parking spaces shall equal the number of bedrooms in the structure.
- 7) Lot size and parking waiver. The lot size and required parking requirements of Chapter 29 of the City Code shall not apply to any property in District R-MF that has a change of use to duplex or multiple dwelling units provided that:
  - (i) There is no increase in the number of bedrooms,
  - (ii) The width of the property is forty-five (45) feet or more,
  - (iii) The exterior architectural features of the structure are not modified,
  - (iv) The footprint of the structure is not enlarged more than one foot in any direction.

(E) Violations and penalties.

The violations and penalties provisions of Section 29-6.6 of the City Code of the City of Columbia, Missouri shall apply to the provisions of any regulation contained within the East Campus Urban Conservation District so that a violation of any provision contained within the East Campus Urban Conservation District shall be the same as a violation of the zoning ordinance.

(F) Amendments.

At least 15 days prior to consideration by the City Council, the Director shall notify any neighborhood association of which the Director is aware, in writing, at the last known address of the President of such association on file with the Department, of a request to amend the East Campus Urban Conservation District. In addition, the Director shall make a good faith effort to notify the property owner of each tract located within the District by sending a notice to the last known address on file with the Office of Neighborhood Services or the Boone County Assessor. The notice shall include a copy of the amendment proposed within the East Campus Urban Conservation District for review and comment by the neighborhood association.

**(4) Designation Procedure.**

The City may designate areas, tracts or sites for inclusion in an Urban Conservation District pursuant to Section 29-6.4(n) (Ordinance Text and Zoning Map Amendments) subject to compliance with this section.

- (i) A proposal to designate a UC-O District may be made by the Council, or by Council recognized neighborhood organizations of the area to be designated, or by property owners in the area to be designated. If not initiated by Council, the application requires (a) a petition signed by the owners of fifty (50) percent or more of the parcels of land within the boundaries of the proposed district or property owners representing fifty (50) percent or more of the area of land to be designated and (b) a statement documenting the conditions justifying a UC-O District designation and the purposes and intent of the designation.
- (ii) If the Director confirms that the application meets the requirements of subsection (i) above, the City shall work with the applicant(s) to prepare a draft ordinance reflecting the intent of the application, and the Planning and Zoning Commission shall hold a public hearing and notice shall be given to all owners of affected property in accordance with the requirements of Section 29-6.3(c) (Notice of Public Hearing).
- (iii) The Commission may solicit and present expert testimony or documented evidence regarding the importance and effects of urban conservation within the proposed district. Testimony from neighborhood organizations affected shall be directly solicited and considered by the Commission.
- (iv) Following a public hearing and recommendation from the Commission, Council shall take action on the application pursuant to Section 29-6.4(n) (Ordinance Text and Zoning Map Amendments).
- (v) An application to amend an approved UC-O District designation may be initiated and shall be reviewed and may be approved using the same procedures used for designation of the UC-O District.

**(5) Designation Ordinance.**

The ordinance designating the UC-O District shall identify the district boundaries, which shall be compact, contiguous and uniform, and may also include provisions governing:

- (i) Permitted, conditional, or prohibited use of land;
- (ii) Use-specific Standards for particular uses of land;
- (iii) Density or intensity of land use such as minimum lot size, maximum floor area, floor area ratios, number of dwelling units per acre, minimum lot area per dwelling unit, or other related provisions;
- (iv) Area and bulk restrictions including setbacks, maximum lot coverage, height controls, open space requirements and other related provisions;
- (v) Parking regulations such as the number of required spaces per type of use, the location and design of parking areas, lighting, and other related provisions;



- (vi) Landscaping and screening; and
- (vii) Sign regulations.

**(6) Designation Criteria.**

The Commission may recommend approval of a UC-O District, and Council may approve a UC-O District, if it determines that the following criteria are satisfied:

- (i) A substantial portion of the property owners, residents or tenants of the proposed UC-O District area desire and support urban conservation efforts;
- (ii) District designation conforms to adopted City plans and policies; and
- (iii) UC-O District designation would be an appropriate and effective method for conserving the existing area and preventing development that would erode that character.

**29-2.3(b) - SR-O Scenic Roadway Overlay.**

**(1) Purposes.**

The SR-O District is intended to promote the conservation, preservation and enhancement of the scenic, natural and historic qualities and landscape of scenic roadway areas as well as promoting the health, safety and general welfare of the public. The purposes of the district are:

- (i) To preserve the scenic character of designated roadways and, where possible, preserve scenic views from the roadways;
- (ii) To maintain the natural beauty of the landscape as it currently exists along designated roadways;
- (iii) To encourage development that is compatible with and, where possible, enhances such natural beauty; and
- (iv) To encourage safe and efficient traffic flow along designated scenic roadways for all modes of travel.

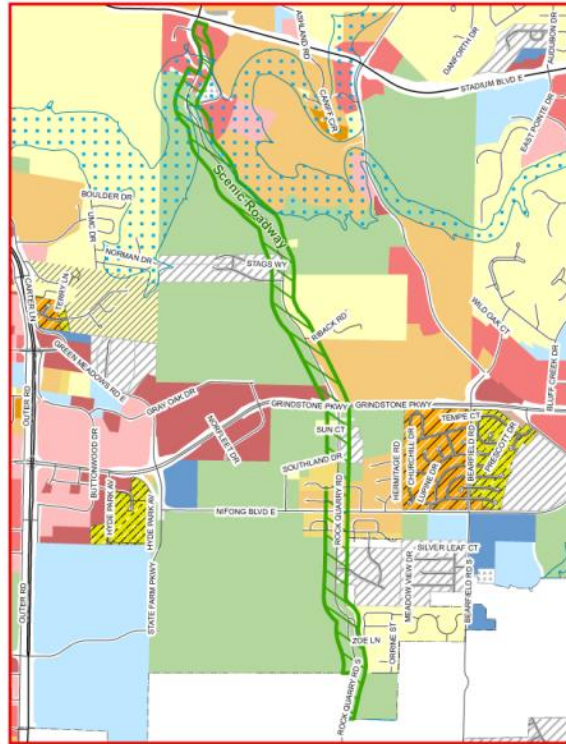
**(2) Minimum Width of SR-O District.**

The minimum lot width at the right-of-way line of a designated scenic road for R-MF District and nonresidential zoning districts shall be three hundred (300) feet.

**(3) Approved SR-O Districts.**

The following SR-O Districts have been approved by the Council, and the regulations applicable in each district are on file with the Department. The provisions of each SR-O District affect the areas shown for that district below.

(i) Rock Quarry Road



**(4) Site Development Regulations.**

All land and buildings within an approved SR-O District shall comply with all regulations of the underlying zoning district and applicable sign regulations, unless modified by one of the following, in which case the standards in this subsection shall apply:

- (i) Underground utilities. All on-site utilities shall be located underground unless required by the utility to be otherwise located.
- (ii) Vegetative buffer. The existing vegetative buffer shall be maintained on any part of the property that is located (a) within seventy-five (75) feet of the centerline of a local residential street, or (b) within eighty-three (83) feet of the centerline of a collector street, or (c) within one hundred (100) feet of the centerline of an arterial street. Installed landscaping may be added to the vegetative buffer area to meet screening requirements defined elsewhere in this Code.
- (iii) Addressing. Where building addressing requirements of Chapter 24 cannot be met due to the vegetative buffer or a building's distance from the roadway, the address or addresses shall be clearly marked at the roadway's edge by the property owner in a manner acceptable to the Director.
- (iv) Signs. The sign regulations of Section 29-4.8 shall apply, except where modified in this subsection. Only monument signs are allowed. A monument sign is a sign attached directly to the ground or a base attached directly to the ground and not supported by poles, uprights or braces. Internal lighting of signs, neon or flashing signs, and roof

signs shall not be permitted. All spotlights and exterior lighting shall be oriented away from adjacent properties and the scenic roadways.

- (v) Building floodlighting. Building floodlighting is not permitted in nonresidential zoning districts within the scenic roadway area.
- (vi) Minimum driveway spacing. The minimum distance between the center of driveways onto a designated scenic roadway shall be two hundred twenty (220) feet for any tract, lot or parcel. No tract, lot or parcel shall have more than two (2) driveways.

#### **(5) Designation Procedure.**

The following procedure shall be followed in designating scenic roadways:

- (i) A proposal to designate a scenic roadway may be made by (a) the Council, or (b) an application by interested citizens, citizen groups or a recognized neighborhood organization, or (c) an application signed by owners of fifty (50) percent or more of all parcels of land with frontage along the proposed scenic roadway segment.
- (ii) The application must include a statement identifying the criteria set forth herein that support the scenic roadway designation and shall state the purposes and intent of the designation.
- (iii) City staff shall prepare a report for the Commission, and the Commission shall hold a public hearing on the SR-O District designation request. The staff report and the recommendations of the Commission shall be forwarded to the Council, which will conduct a public hearing to take action on the proposed designation.

#### **(6) Designation Criteria .**

The Commission may recommend approval of an SR-O District, and Council may approve an SR-O District, if it determines that the following criteria are satisfied:

- (i) The street affords the opportunity for the public to enjoy the natural beauty of hills, valleys, creek bottoms or vegetation;
- (ii) The street is adjacent to significant natural landscape elements such as undisturbed native tree associations, rock formations and old growth trees;
- (iii) The street offers scenic views or vistas from the roadway;
- (iv) The street traverses or is adjacent to environmentally sensitive areas such as wetlands, woodlands, park land or private conservation areas; and
- (v) In all instances, the proposed scenic roadway shall be comprised of contiguous roadway sections and have readily identifiable termini such as creeks, bridges, arterial streets or other prominent physical landmarks.

#### **(7) Plan, Design, and Management.**

- (i) Within ninety (90) days after designation of a SR-O District by Council, the Public Works Department shall initiate a corridor study and planning process, to identify existing conditions, estimate future land use and transportation infrastructure needs, and work with an appointed stakeholder advisory group to determine values and preferences regarding scenic preservation and roadway design within and along the corridor. The

corridor plan shall result in the development of goals, objectives, policies and recommendations to guide future land use, transportation planning, and design decisions.

- (ii) The Council shall appoint a corridor plan stakeholder advisory group of up to fifteen (15) members with the following composition: one-third (1/3) shall be residents who live along the affected scenic road corridor, including at least one (1) resident property owner; one-third (1/3) shall be representatives of the general public, who may be from various interested citizen groups; and one-third (1/3) shall be officials, including members of the Commission, the Environment and Energy Commission, the Parks and Recreation Commission, the Bicycle and Pedestrian Commission, and the Council member from the affected ward.
- (iii) With input from the advisory group, the Public Works Department staff shall prepare the corridor plan. The Commission shall hold a public hearing on the scenic roadway corridor plan, and the staff report and the recommendations of the Commission shall be forwarded to the Council. The Council will conduct a public hearing to take action on the proposed corridor plan.

#### **(8) Roadway Design.**

Roadway design, including the design of proposed alterations and improvements, shall be coordinated with the City's capital improvement project schedule and shall substantially conform to the adopted corridor plan. Public input shall be collected by the Public Works Department during the design phase.

- (i) Timing. Any improvements recommended by the corridor plan should be considered for inclusion in the City's capital improvement program, which is used to coordinate scheduling, funding, design, and construction of future capital projects, and is subject to Council approval.
- (ii) Consistency with corridor plan. The design of any roadway improvements shall be consistent with the goals, objectives, policies, and recommendations of the corridor plan. Pedestrian and bicyclist facilities and access management shall also be considered in the roadway design, understanding that design options that are away from the road may need to be designed to preserve and enhance the scenic quality of the road.
- (iii) Stakeholder advisory group. The stakeholder advisory group shall weigh the level of service needs of all intended roadway users against S-R District preservation goals in proposing specific design options for the roadway.
- (iv) Modifications to City roadway design standards. Modifications to the applicable City roadway design standards should be considered to aid in preserving scenic characteristics of the roadway. The use of materials that blend into and complement the scenic characteristics of the roadway, including, but not limited to, stone and timber, should be used for bridges, guard rails, guideposts and other engineered structures, provided that they meet safety standards set forth in The American Association of State Highway and Transportation Officials Roadside Design Guide. Scenic road curves should be retained as much as possible, speed limited, and no curve banking.

- (v) Public involvement process. Public involvement during the scenic roadway design phase shall consist of regular pre-design stakeholder input meetings, as needed, to fully address design issues, followed by at least one (1) additional stakeholder input meeting once a preliminary design has been completed by the Public Works Department. Upon completion of a preliminary roadway design, City staff shall prepare a report for the Planning and Zoning Commission. The Commission shall hold a public hearing on the proposed design. The recommendations of the Planning and Zoning Commission and the staff report shall be forwarded to the Council, which will conduct a public hearing in accordance with the standard public improvement process set forth in Chapter 22 of the City Code and take action on the proposed roadway design.

#### **(9) Routine Maintenance.**

The City shall maintain scenic roadways in good repair and in passable condition by routine maintenance. However, such routine maintenance shall be performed in a manner to protect and maintain the scenic characteristics of the roadway to the extent feasible. For the purposes of this section, the term "routine maintenance" shall include:

- (i) Road cleaning, including removal of snow or other debris from the road surface.
- (ii) Removal of dead, seriously diseased or damaged trees and branches that pose a threat to public safety; trimming branches to allow school buses, emergency vehicles, and other vehicles to pass; (the corridor plan may prohibit larger vehicles from using the road or they may be limited by the Council to preserve the scenic quality of the road); trimming and removal of brush and removal of boulders and other obstacles that encroach on the traveled portion of the road or obstruct established sight lines required for safety; necessary cutting and trimming of brush or trees for utility lines (as established in the corridor plan); and trimming of brush to enhance and protect scenic views, stone walls, mature trees, and other scenic characteristics of the scenic road as set forth in its designation.
- (iii) The correction of road drainage problems, including, but not limited to, the removal of trees, shrubs, silt and other material from existing drainage structures, and the replacement of cross culverts, drains and cross culvert drainage pipes. If correction of the problem involves removing the vegetative buffer, then this must come before the stakeholder advisory group for the group's input and approval.
- (iv) Graveling (or its equivalent) and grading to smooth the surface of unpaved roads, provided that the nature and characteristics of the material used on the road surface remains the same or the surface is restored to a prior passable condition using natural materials such as crushed rock or native stone or the equivalent.
- (v) Repaving, retreatment, or repair of existing paved surfaces, curbs and gutters, that does not require the widening of the traveled path or the removal of trees or stone walls or changing the grade or configuration. For purposes of this subsection, "widening of the traveled path" means extending the traveled path beyond its width prior to repaving. Periodic edging out to maintain unpaved shoulders shall be considered routine maintenance if it does not remove the existing vegetative buffer.
- (vi) Repair or replacement of existing bridges, guard posts, rails and other engineered structures, in accordance with the corridor plan.

- (vii) Installation of signs, including reflectors, warning, speed limit, and other roadway signs that are installed in accordance with standards set forth in the *Manual on Uniform Traffic Control Devices*, or any successor publication used for the same purpose by the Public Works Department.

**(10) Alterations and Improvements.**

Any proposed alteration or improvement to a scenic roadway shall follow the public involvement process for roadway design above. For the purposes of this section, the terms "alteration" and "improvement" are defined as any change to the roadway, other than routine maintenance, including the following:

- (i) Any change to the width of the traveled path of the right-of-way;
- (ii) Any change to the alignment, grade or elevation of the roadway;
- (iii) Any change to the nature and characteristics of the material used on the road surface;
- (iv) The removal of visible boulders that do not pose a safety hazard;
- (v) The removal or cutting of trees, shrubs, or other vegetation within the un-traveled portion of the road;
- (vi) The installation of new bridges, guard posts, rails and other engineered structures where no such structure currently exists; and
- (vii) The installation of sidewalks, pedways, bike paths, or nature trails.

**29-2.3(c) - HP-O Historic Preservation Overlay.**

**(1) Purpose.**

The purpose of this section is to promote the economic, cultural, educational, and general welfare of the City by:

- (i) Conserving and improving the value of property within the HP-O district;
- (ii) Protecting and enhancing the attractiveness of the City to home buyers, home owners, residents, tourists, visitors, and shoppers, thereby supporting and promoting business, commerce, industry, and providing economic benefit to the City;
- (iii) Providing a mechanism to identify and preserve the distinctive historic and architectural characteristics of the City;
- (iv) Fostering civic pride in the aesthetics and cultural accomplishments of the past as represented in the City's landmarks and historic areas;
- (v) Fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods; and
- (vi) Promoting the use of landmarks and historic areas for the education, pleasure, and welfare of the people of the City.



**(2) Historic Preservation Commission.**

- (i) The Historic Preservation Commission is hereby established, and shall consist of seven (7) members appointed by the Council each of whom shall serve without compensation. Every attempt should be made to establish a balance of representation among members, and all members should have a demonstrated interest in historic preservation. Of the seven (7) members, there should be one with background and expertise in historic preservation and one with background and expertise as a real estate investor. The other five (5) members should include representatives from such disciplines as: architecture, design, law, real estate appraisal, and construction/general contracting, as well as a lay person active in historic preservation.
- (ii) Two (2) of the initial members shall serve terms of one year, two (2) shall serve terms of two (2) years and three (3) shall serve terms of three (3) years. Thereafter, the terms of office for members of the Historic Preservation Commission shall be three (3) years. Vacancies shall be filled for the unexpired terms only.
- (iii) The Historic Preservation Commission shall elect from its members a chair, a vice-chair and a secretary. Officers shall serve for one (1) year and shall be eligible for reelection. The chair shall preside over all meetings. In the absence of the chair, the vice-chair shall preside. The secretary shall prepare minutes and other necessary records of Historic Preservation Commission meetings.
- (iv) The Historic Preservation Commission shall meet regularly and at the call of the chair. A quorum shall consist of four (4) members. The chair of the Commission is authorized to excuse any member from attendance at a Commission meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) percent of the regular Commission meetings held in a calendar year shall automatically forfeit the office. Any member who is absent, without being excused, from three (3) consecutive regular meetings shall automatically forfeit the office. It shall be the duty of the chair to promptly notify the Council of the vacancy. The Commission shall act upon all completed applications for Certificates of Appropriateness and economic hardship at the meeting.

**(3) Powers and Duties.**

The Historic Preservation Commission shall have the following powers and duties:

- (i) Adopt rules for the conduct of its business that are consistent with the purposes of the Commission and the requirements of the City Code, which shall be approved by Council ordinance;
- (ii) To conduct an ongoing survey for the identification of historically, archaeologically and architecturally significant properties, structures, sites and areas that exemplify the cultural, social, economic, political or architectural history of the nation, state or City; and to maintain the research information in an inventory accessible to the public (except for archaeological site locations, which shall be restricted);
- (iii) To investigate and recommend to the Planning and Zoning Commission and Council the adoption of ordinances designating for protection areas as having special cultural, historic, archaeological, community or architectural value as "notable property;"

- (iv) To investigate and recommend to the Planning and Zoning Commission and the Council the adoption of ordinances designating for protection properties or structures having special cultural, historic, archaeological, community or architectural value as "landmarks;"
- (v) To investigate and recommend to the Commission and the Council the adoption of ordinances designating for protection areas as having special cultural, historic, archaeological, community or architectural value as "historic districts;"
- (vi) To keep a register of all properties and structures which have been designated as "notable properties," "landmarks" or "historic districts," including all information required for each designation;
- (vii) To confer recognition upon the owners of "notable properties," "landmarks" and property or structures within "historic districts" by means of certificates, plaques or markers; and to make recommendations for the design and implementation of specific markings of the streets and routes leading from one "notable property," "landmark" or "historic district" to another;
- (viii) To advise and assist owners of historically significant property or structures on physical and financial aspects of preservation, renovation, rehabilitation and reuse.
- (ix) To nominate "notable properties," "landmarks" and "historic districts" to the National Register of Historic Places, and to review and comment on any nominations to the National Register of Historic Places;
- (x) To inform and educate the citizens of the City concerning the historic, archaeological and architectural heritage of the City through publication or sponsorship of maps, newsletters, brochures, pamphlets, programs and seminars by the City, the Commission or other appropriate parties;
- (xi) To review applications for construction, alteration, removal or demolition affecting historically significant property. To hold public hearings on proposed or designated "landmarks" or structures within "historic districts" and issue or deny Certificates of Appropriateness for such actions. Applicants may be required to submit plans, drawings, elevations, specifications and other information as may be necessary to make decisions;
- (xii) To hold public hearings on each proposed nomination of a National Register Landmark and of a "historic district" and on the guidelines developed for each nomination;
- (xiii) To recommend that the Director issue a stop work order for any construction, alteration, removal or demolition which would require a Certificate of Appropriateness for which a certificate has not been issued or to stop work that violates the conditions of a certificate;
- (xiv) To consider applications for certificates of economic hardship that would allow the performance of work for which a Certificate of Appropriateness has been denied;
- (xv) To develop specific design guidelines based on the Secretary of the Interior's Standards for Rehabilitation for the alteration, construction or removal of designated "landmarks" or property and structures within historic preservation overlay districts;

- (xvi) To review and comment on proposed zoning amendments, applications for special use permits or applications for zoning variances that affect historically significant property, including but not limited to proposed or designated "notable properties," proposed or designated "landmarks" or "historic districts;"
- (xvii) To call upon available City staff members as well as other experts for technical advice.
- (xviii) To advise the Council on the need to retain such specialists or consultants or to appoint such citizen advisory committees as may be required from time to time;
- (xix) To testify before all boards and commissions, including the Planning and Zoning Commission and the Board of Adjustment, on any matter affecting historically, archaeologically, culturally and architecturally significant property, structures, sites and areas;
- (xx) To review any proposed change of zoning, zoning variance or any matter affecting historically, archaeologically, culturally and architecturally significant property, structures, sites and areas, upon referral from the Planning and Zoning Commission or Council;
- (xxi) To make recommendations to the Council concerning budgetary appropriations to further the general purposes of this ordinance;
- (xxii) To develop a preservation component in the Comprehensive Plan and to recommend it to the Planning and Zoning Commission and to the Council;
- (xxiii) To periodically review the Unified Development Code and to recommend to the Planning and Zoning Commission and the Council any amendments appropriate for the protection and continued use of historically significant property, "notable property," "landmarks" or property, sites and structures within "historic districts;" and
- (xxiv) To review and comment on applications for demolition permits referred to the Commission by the building official pursuant to the City's adopted building code(s). The Commission may advise the property owner of any historical significance of the building to be demolished and recommend alternatives. The Commission may document historic resources to be demolished. The Commission shall have no authority to deny an application for a demolition permit.

#### **(4) Applicability.**

The provisions of this Section 29-2.30 shall apply to all property designated as a historic landmark or historic district as set forth in the sections that follow, subject to the clarifications and exceptions listed in the subsections below.

- (i) City Property. Proposed improvements, alterations, demolition or clearance to a building, site, structure, or object owned by the City which has been designated a landmark or is within a historic district shall be approved according to the procedures and regulations of this Section 29-2.3(c).
- (ii) Property Owned by Public Agencies. To accomplish the purposes of this Section 29-2.3(c), the City may enter into agreements with other units of government. The Historic Preservation Commission may recommend and the Council may authorize such agreements. Such agreements may address, designation of landmarks and historic districts; administration of historic preservation fund resources; improvements to

landmarks, properties in historic districts, and properties adjacent to landmarks and historic districts; and other mutually acceptable provisions.

- (iii) Religious Institutions. Religious Institutions in current use as houses of worship are exempt from the provisions of this section.
- (iv) Prior permits. Nothing contained in this section shall affect any Building Permit, Demolition Permit or Land Disturbance Permit issued for property which becomes part of the HP-O District if the permit was issued prior to such designation.

**(5) Landmark and Historic District Designation Procedure.**

- (i) A petition to designate a landmark may be made only by the owner(s) of the proposed landmark. A petition to designate a historic district may be made only by the owners of at least 60 percent of the Boone County tax map parcels in the proposed historic district. If a tax map parcel has more than one owner, all such owners must sign any petition mentioned in this section before the parcel shall be counted as supporting the petition and the parcel shall receive only one vote, regardless of the number of owners.
- (ii) A petition to designate a landmark or historic district shall be on a form provided by the Director and approved by the Historic Preservation Commission. The petition shall clearly identify all historic and architectural features proposed for regulation. The petition shall identify the facts which support a determination that the proposed landmark or historic district meets the criteria for designation set forth below. Except as otherwise provided in this section, the petition shall be handled in the same manner as a petition for rezoning. Prior to setting a date for a public hearing before the Planning and Zoning Commission, the Director shall forward a copy of the petition to the Historic Preservation Commission for its review. The Historic Preservation Commission shall prepare a report to the Planning and Zoning Commission and the Council setting forth its recommendation on whether the proposed landmark or historic district meets the criteria for designation set forth in this section.
- (iii) Not less than sixty (60) days prior to the circulation of any petition herein within a district or to create a district, affected Boone County tax parcel owners must be notified by certified mail of the nomination or other matter on which a petition is to be circulated, and all proposed regulations shall be clearly identified. Proof of such mailing shall be made to the Historic Preservation Commission at the time it considers the petition, and the cost of the mailing shall be borne by the person or organization sponsoring or otherwise promoting the petition.
- (iv) The ordinance placing property within the HP-O District shall designate the property as a landmark or as a historic district. The ordinance may designate a structure within a historic district as a landmark. The ordinance shall identify all historical and architectural features that shall be subject to regulation. No interior features shall be identified in any structure in a historic district unless the structure is designated as a landmark.
- (v) Overall boundaries for local historic districts shall be determined by the same standards used by the National Register of Historic Places, as laid out in Defining Boundaries for National Register Properties: National Register Bulletin 21 (Washington D.C.: U.S. Department of the Interior, 1995; rev. 1977) and included within the UDC

Administrative Manual. Gerrymandering that has the apparent effect of overwhelming significant areas of opposition is prohibited.

#### **(6) Criteria for Designation.**

In order to be designated as a landmark or historic district, a structure or district must have sufficient integrity of location, design, materials and workmanship to make it worthy of preservation or restoration and it must meet one or more of the following criteria:

- (i) It has character, interest, or value as part of the development, heritage, or cultural characteristics of Columbia, Boone County, Missouri, or the United States;
- (ii) It is the site of a significant local, county, state or national event;
- (iii) It is identified with a person or persons who significantly contributed to the development of Columbia, Boone County, Missouri, or the United States;
- (iv) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction or use of indigenous materials;
- (v) It is the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of Columbia, Boone County, Missouri, or the United States;
- (vi) It contains elements of design, detailing, materials, or craftsmanship which renders it architecturally significant;
- (vii) It contains design elements that are structurally or architecturally innovative;
- (viii) Its unique location or physical characteristics make it an established or familiar visual feature of the neighborhood or City;
- (ix) It has yielded or may likely yield information important in prehistory or history;
- (x) Its character as a particularly fine or unique example of a utilitarian structure, with a high level of integrity or architectural significance;
- (xi) Its suitability for preservation or restoration; or
- (xii) It is at least fifty (50) years old or of most unusual historical significance.

#### **(7) List of Designated Local Historic Districts and Landmarks.**

- (i) David Guitar House, 2815 Oakland Gravel Road (District)
- (ii) Miller Building, 823 East Broadway (District)
- (iii) Taylor House Inn, 716 West Broadway (District)
- (iv) Wright Brothers Mule Barn (now Fay Street Lofts), 1101 Hinkson Avenue (District)

#### **(8) Certificate of Appropriateness Required.**

A Certificate of Appropriateness shall not be required for interior construction or alteration of any structure in a historic district unless the structure has been designated a landmark. A Certificate of Appropriateness shall be required before the following actions affecting any

historic or architectural feature identified in the ordinance placing the property in the HP-O District may be undertaken:

- (i) Any construction, alteration, removal, or any demolition in whole or in part regardless of whether a permit from the City is required.
- (ii) Any construction, alteration, removal or demolition, in whole or in part, proposed by the City, for a City-owned landmark or structure within a historic district.

**(9) Certificate of Appropriateness Procedure.**

- (i) An application for a Certificate of Appropriateness shall be made on forms provided by the Director and approved by the Historic Preservation Commission. The application shall identify the facts which support a determination that the proposed actions meet the standards for review and design guidelines set forth in subsection (10) below.
- (ii) After determining that the application for Certificate of Appropriateness is complete, the Director shall schedule the application for consideration by the Historic Preservation Commission within a reasonable time. If a fully completed application for a Certificate of Appropriateness has not been acted upon within forty (40) days after the date the application was filed with the Director, it shall be deemed approved, unless tabled or continued with the consent of the applicant. No motion to table or continue shall be made without the consent of the applicant. The Director shall conspicuously place a sign on the property giving public notice of the meeting at which the application shall be considered. The sign shall be placed at least seven (7) days prior to the meeting.
- (iii) Any person aggrieved by the decision of the Historic Preservation Commission may appeal to the Board by filing a notice of appeal with the Director within thirty (30) days of the decision of the Historic Preservation Commission. Notice of the Historic Preservation Commission's decision shall be mailed to the applicant unless the applicant or the applicant's agent was present at the meeting at which the decision was made. The Board shall provide a hearing and render a decision in accordance with the provisions of RSMo. Chapter 536.

**(10) Standards for Certificate Decision and Design Guidelines.**

In considering an application for a Certificate of Appropriateness, the Historic Preservation Commission shall be guided by the following standards, and design guidelines in addition to any area-specific design guidelines included in the ordinance designating the landmark or historic district.

- (i) Reasonable efforts shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.
- (ii) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (iii) Building alterations that have no historical basis and which seek to create an earlier appearance shall not be allowed.



- (iv) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. When these changes have acquired significance in their own right, they shall be treated the same as if they were part of the original structure.
- (v) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be preserved when possible.
- (vi) Deteriorated architectural features shall be repaired, rather than replaced, whenever practicable. If replacement is necessary, the new material should match the material being replaced in design, color, texture, and other visual qualities. Repair or replacement of missing architectural features shall be based upon accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (vii) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (viii) Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any project.
- (ix) Contemporary design for alterations and additions to existing properties and for new construction may be permitted when such alterations, additions or new construction do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material and character of the property, neighborhood or environment.
- (x) Whenever possible, new additions or alterations to structures shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
- (xi) The height of any proposed alteration or construction shall be compatible with the style and character of the landmark and with surrounding structures.
- (xii) The proportions and relationships between doors and windows shall be compatible with the architectural style and character of the landmark, and with surrounding structures.
- (xiii) The relationship of a structure to the open space between it and adjoining structures should be compatible.
- (xiv) The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures.
- (xv) The scale of the structure after alteration, construction or partial demolition should be compatible with its architectural style and character and with surrounding structures.
- (xvi) Façades should blend with other structures with regard to directional expression. Structures should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction or partial demolition should be compatible with its original architectural style and character.

- (xvii) Architectural details including materials and textures should be treated so as to make a landmark compatible with its original character or significant architectural style and to preserve and enhance the landmark or historic district.

**(11) Signs.**

- (i) Signs in the HP-O District are subject to the general sign regulations of the City Code. In addition, all signs for a landmark or structures in a historic district not specified in the application for landmark or historic district designation must receive a Certificate of Appropriateness from the Historic Preservation Commission, which shall review the proposed sign in accordance with the following general guidelines:
  - (A) Additional sign restrictions included in the ordinance which designates a landmark or historic district; and
  - (B) Signs shall be designed and placed so as to appear an integral part of the building design, and to respect the neighboring properties and the district in general. Signs shall be designed with appropriateness relative to the services of the establishment served.
- (ii) Nothing contained in this section shall prevent the use of normal "for rent" and "for sale" signs as permitted by the Section 29-4.8 (Signs). Any owner offering property for sale which is located within the HP-O District is required to advise potential purchasers that the property is located within the HP-O District. Any person violating this subsection shall be deemed guilty of an infraction and shall be fined as provided for in Chapter 16 of the City Code.

**(12) Certificate of Economic Hardship.**

- (i) A person whose application for a Certificate of Appropriateness has been denied or granted conditionally may apply for a Certificate of Economic Hardship. Alternatively, an application for a Certificate of Economic Hardship may be filed with the application for Certificate of Appropriateness. Application shall be made on forms provided by the Director and approved by the Historic Preservation Commission. If a fully completed application for a Certificate of Economic Hardship has not been acted upon within forty (40) days after the date the application was filed with the Director, it shall be deemed approved, unless tabled or continued with the consent of the applicant. No motion to table or continue shall be made without the consent of the applicant. The application shall identify facts which support a determination that denial of the application will deprive the owner of the property of reasonable use of or a reasonable economic return on the property. An application for Certificate of Economic Hardship may include any or all of the information in below:
  - (A) Estimate of the cost of the proposed construction, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Historic Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;
  - (B) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

- (C) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition or removal; after any changes recommended by the Historic Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
  - (D) In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
  - (E) Applicant may demonstrate with factual data/evidence that the hardship is not self-created. If the property is income producing, the applicant may provide detailed annual income and expense reports for the property for the last two (2) years, rent rates and capitalization rates for the property and comparable properties, and any other pertinent information that would substantiate the applicant's claim concerning economic hardship;
  - (F) Appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property;
  - (G) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;
  - (H) Assessed value of the property;
  - (I) Real estate taxes; and
  - (J) Form of ownership or operation of the property, whether sole proprietorship, for profit or not for profit corporation, limited partnership, joint venture, or other.
- (ii) An application for a Certificate of Economic Hardship, if not filed with the application for Certificate of Appropriateness, must be made within sixty (60) days of a decision on the application for Certificate of Appropriateness. The Director shall schedule the application for consideration by the Historic Preservation Commission within a reasonable time. The Director shall conspicuously place a sign on the property giving public notice of the meeting at which the application shall be considered. The sign shall be placed at least seven (7) days prior to the meeting.
  - (iii) Any person aggrieved by the decision of the Historic Preservation Commission may appeal to the Board by filing a notice of appeal with the Director within thirty (30) days of the decision of the Historic Preservation Commission. Notice of the Historic Preservation Commission's decision shall be mailed to the applicant unless the applicant or the applicant's agent was present at the meeting at which the decision was made. The Board shall provide a hearing and render a decision in accordance with the provisions of R.S.Mo. Chapter 536.

#### **(13) Continuing Validity of Certificates.**

Certificates of Appropriateness and Certificates of Economic Hardship shall become void if the work authorized by the certificate is not commenced within six (6) months of the date of issuance. Certificates of Appropriateness and Certificates of Economic Hardship shall be issued for a period of eighteen (18) months and are renewable.

**(14) Variances.**

The Historic Preservation Commission may make recommendations to the Board to allow variances for standard parking and lot line requirements for property in the HP-O District, where such variances will aid in the retention of the property's historic character and appearance. The Historic Preservation Commission shall also make recommendations to allow designated properties to be utilized for noncomplying uses if such use would serve to perpetuate the viable contemporary utilization of the historic structure.

**(15) Review.**

District boundaries and designation status may be reviewed after no less than ten (10) years, at the request of either the Historic Preservation Commission or the petition of the owners of at least sixty (60) of the Boone County tax parcels in the district. After the initial ten (10) year period, district boundaries and designation status may be reviewed no more often than once every five (5) years.

**29-2.3(d) - FP-O Floodplain Overlay.**

**(1) Authority.**

The Council enacts these floodplain management regulations under its authority to adopt zoning regulations designed to protect the health, safety and general welfare which authority was granted to the City of Columbia as a home rule charter City by the people of the State of Missouri in Article VI, Section 19(a) of the Missouri Constitution and by the General Assembly of the State of Missouri in Chapter 89 of the Missouri Revised Statutes.

**(2) Findings of Fact .**

- (i) Flood losses resulting from periodic inundation. The flood hazard areas of Columbia, Missouri, are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.
- (ii) General causes of these flood losses. These flood losses are caused by (1) The cumulative effect of obstructions in floodways causing increases in flood heights and velocities, (2) The occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others, which are inadequately elevated or otherwise unprotected from flood damages.
- (iii) The Flood Insurance Study (FIS) that is the basis of this ordinance use standard engineering method of analyzing flood hazards which consist of a series of interrelated steps:
  - (A) Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this ordinance is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one percent chance of

occurrence in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials for Boone County, Missouri, dated April 19, 2017 as amended, and any future revisions thereto;

- (B) Calculation of water surface profiles based on a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood;
- (C) Computation of the floodway required to convey this flood without increasing flood heights more than one (1) foot at any point;
- (D) Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any increase in flood height; and
- (E) Delineation of flood fringe, i.e., that area outside the floodway encroachment lines but which still is subject to inundation by the regulatory flood.

### **(3) Purpose.**

The purpose of the floodplain overlay district is to promote the public health, safety, and general welfare and to minimize those losses described in subsection (2) above and to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations 59.22(a)(3), and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this section to:

- (i) Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
- (ii) Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction; and
- (iii) Protect individuals from buying lands that are unsuited for intended purposes because of flood hazard.

### **(4) General Provisions**

- (i) Lands to which ordinance applies. This section shall apply to all lands within the jurisdiction of the City of Columbia identified as numbered and unnumbered A zones and AE zones, on the Flood Insurance Rate Maps (FIRMs) for Boone County on map panels 29019C0165D, 29019C0260D and 29019C0355D dated March 17, 2011 and on map panels 29019C0169E, 29019C0170E, 29019C0188E, 29019C0266E, 29019C0267E, 29019C0270E, 29019C0280E, 29019C0281E, 29019C0282E, 29019C0283E, 29019C0284E, 29019C0286E, 29019C0287E, 29019C0290E, 29019C0291E, 29019C0292E, 29019C0295E, 29019C0305E, 29019C0315E, and 29019C0335E, dated April 19, 2017 as amended, and any future revisions thereto, and that portion of the X zone shaded, other flood areas, which is in the upper square mile of a flood drainage area. In all areas covered by this section, no development shall be permitted except upon the issuance of a floodplain permit to develop granted by the Director under such safeguards and restriction as the Director may reasonably impose for the promotion and maintenance of the general welfare and health of the inhabitants of the community and where specifically noted in this section.
- (ii) The enforcement officer. The Director of Community Development is hereby designated as the duly designated local floodplain administrator under this section.

- (iii) Rules for interpretation of district boundaries. The boundaries of the floodway, flood fringe, and flood drainage area shall be determined by scaling distances on the Official Zoning Map or on the flood insurance rate map or floodway map. Where interpretation is needed to the exact location of the boundaries of the district as shown on the Official Zoning Map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Director shall make the necessary interpretation. In such cases where the interpretation is contested, the Board will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present a case to the Board and to submit technical evidence, if desired.
- (iv) Compliance. No development within known flood hazard areas of the City shall be located, extended, converted or structurally altered without full compliance with the terms of this section and other applicable regulations.
- (v) Abrogation and greater restrictions. It is not intended by this Section 29-2.3(d) to repeal, abrogate or impair any existent easements, covenants, or deed restrictions. However, where this Section 29-2.3(d) imposes greater restrictions, the provisions of this Section 29-2.3(d) shall prevail.
- (vi) Interpretation. In their interpretation and application, the provisions of this section shall be held to be minimum requirements and shall be liberally construed in favor of the Council and shall not be deemed a limitation or repeal of any other powers granted by state statutes.
- (vii) Warning and disclaimer of liability. The degree of flood protection required by this Section 29-2.3(d) is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Section 29-2.3(d) does not imply that areas outside of the floodway, flood fringe, and flood drainage area boundaries or land uses permitted within such areas will be free from flooding or flood damage. This Section 29-2.3(d) shall not create liability on the part of the City or any officer or employee thereof for any flood damages that may result from reliance on this section or any administrative decision lawfully made thereunder.
- (viii) Appeal. Where a request for a Floodplain Development Permit to develop or for a variance is denied by the Director the applicant may apply for such Floodplain Development Permit or variance to these regulations directly to the Board.

#### **(5) Permit Required.**

No person, firm or corporation shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate Floodplain Development Permit for development in this Floodplain Overlay District.

#### **(6) Administration.**

The Director of Community Development is hereby appointed to administer and implement the provisions of this section. Duties of the Director shall include, but not be limited to:



- (i) Review all applications for Floodplain Development Permits to assure that sites are reasonably safe from flooding and that the Floodplain Development Permit requirements of this section have been satisfied;
- (ii) Review all applications for Floodplain Development Permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;
- (iii) Issue Floodplain Development Permits for approved applications;
- (iv) Notify adjacent communities, the State of Missouri Emergency Management Agency, the Missouri Clean Water Commission, and the Department of Natural Resources prior to any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Emergency Management Agency;
- (v) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;
- (vi) Verify, record, and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;
- (vii) Verify, record, and maintain record of the actual elevation (in relation to mean sea level) to which the new or substantially improved non-residential structures have been floodproofed; and
- (viii) When floodproofing is utilized for a particular non-residential structure, the Director of Community Development shall be presented certification from a registered professional engineer or architect.

#### **(7) Application for Permit.**

To obtain a Floodplain Development Permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

- (i) Identify and describe the work to be covered by the Floodplain Development Permit;
- (ii) Describe the land on which the proposed work is to be done by lot, block tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or work;
- (iii) Indicate the use or occupancy for which the proposed work is intended;
- (iv) Be accompanied by plans and specifications for proposed construction;
- (v) Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority; and
- (vi) Give such other information as reasonably may be required by the Director.

#### **(8) General Provisions for Flood Hazard Reduction.**

- (i) No permit for development shall be granted for new construction, substantial improvements and other improvements including the placement of manufactured homes within all numbered and unnumbered A zones (including AE, AO and AH zones)

and that portion of the X zone shaded, other flood areas, which is in the upper square mile of a flood drainage area, unless the conditions of this subsection are satisfied.

- (ii) All areas identified as unnumbered A zones and X zones shaded, other flood areas, on the FIRM are subject to inundation of the 1% annual chance flood; however, the water surface elevation was not provided. The unnumbered A zones shall be subject to all development provisions of this section. If flood insurance study data is not available, the community shall utilize any base flood elevation or floodway data currently available from federal, state or other sources.
- (iii) New construction, subdivision proposals, substantial improvements, prefabricated buildings, placement of manufactured homes and other developments shall require:
  - (A) Design or anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
  - (B) New or replacement water supply systems and sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and onsite waste disposal systems be located so as to avoid impairment or contamination.
  - (C) Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damage, and with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
  - (D) All utility and sanitary facilities be elevated or floodproofed up to the regulatory flood protection elevation.
  - (E) That until a floodway has been designated, no development, including landfill, may be permitted within Zone AE and the flood drainage area (Zone X shaded, other flood areas - upper square mile) on the City's FIRM unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and reasonably anticipated uses, will not increase the water surface elevation of the 1% annual chance flood more than one (1) foot on the average cross section of the reach in which the development or landfill is located as shown on the flood insurance rate study incorporated by reference per Section 29-2.3(d)(4)(i).
  - (F) The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
  - (G) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.
- (iv) Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, be required to assure that (1) all such proposals are consistent with the need to minimize flood damage, (2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate flood damage, (3) adequate drainage is provided so as to

reduce exposure to flood hazards, and (4) proposals for development (including proposals for manufactured home parks) of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals the regulatory flood elevation.

**(9) Specific Standards for Flood Hazard Reduction.**

In all areas of special flood hazard where base flood elevation data have been provided as set forth in Section 29-2.3(d)(4)(i), the following provisions are required:

- (i) Residential construction. New construction or substantial improvements of any residential building or manufactured home shall have the lowest floor, including basement, elevated to at least two (2) feet above base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection (iii), below;
- (ii) Nonresidential construction. New construction or substantial improvements of any commercial, industrial, or nonresidential building or manufactured home shall have the lowest floor, including basement, elevated to at least two (2) feet above base flood elevation. Buildings located in all A-zones may be floodproofed in lieu of being elevated provided that all areas of the building below the required elevation are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 29-2.3(d)(6)(vii);
- (iii) Elevated buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
  - (A) Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot enclosed area subject to flooding;
  - (B) The bottom of all openings shall be no higher than one foot above grade; and
  - (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;
- (iv) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used on connection with the premises (standard exterior door) or entry to the living area (stairways or elevator); and
- (v) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

**(10) Manufactured Homes.**

- (i) All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:
  - (A) Over-the-top ties be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long requiring one additional tie per side;
  - (B) Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediate points and manufactured homes less than fifty (50) feet long requiring four (4) additional ties per side;
  - (C) All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
  - (D) Any additions to the manufactured home be similarly anchored.
- (ii) All manufactured homes to be placed within zones AH, AE and X shaded, other flood areas, on Columbia's FIRM on sites:
  - (A) Outside of a manufactured home park or subdivision;
  - (B) In a new manufactured home park or subdivision;
  - (C) In an expansion to an existing manufactured home park or subdivision; or
  - (D) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least two (2) feet above the base flood elevation; and shall be securely anchored to an adequately anchored foundation system in accordance with the provisions of item (i), above.
- (iii) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within zones AH, AE and X shaded, other flood areas, on Columbia's FIRM that are not subject to the provisions of item (i), above, shall be elevated so that either:
  - (A) The lowest floor of the manufactured home is at least two (2) feet above the base flood elevation; or
  - (B) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and are securely anchored to an adequately anchored foundation system in accordance with the provisions of item (i), above.

**(11) Recreational Vehicles .**

All recreational vehicles placed on sites within the identified floodplain on Columbia's FIRM shall either be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use or meet the permit requirements and the elevation and

anchoring requirements for manufactured homes of this section. A recreational vehicle is ready for highway use if it is on its wheels or its jacking system, is attached to the site only by quick disconnect type utilities and security devices and it has no permanently attached additions.

**(12) AH Zones.**

Within AH zones adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

**(13) AO Zones.**

Located within the areas of special flood hazard established in section (b)(1) are areas designed as AO zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply within AO Zones:

- (i) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two (2) feet above the depth number specified in feet on Columbia's FIRM (at least three (3) feet if no depth number is specified).
- (ii) All new construction and substantial improvements of nonresidential structures shall:
  - (A) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two (2) feet above the depth number specified in feet on Columbia's FIRM (at least three (3) feet if no depth number is specified); or
  - (B) Together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Such certification shall be provided to the official as set forth in Section 29-2.3(d)(6)(vii).
- (iii) Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

**(14) Floodway Area .**

- (i) Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the floodway district to the extent that they are not prohibited by any other ordinance. All encroachments, including fill, new construction, substantial improvements and other developments must be prohibited unless a "no-rise" certification statement by a professional registered engineer or architect is provided. A "no-rise" certification statement shall be accompanied by supporting documentation which shall adequately demonstrate that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge. No use shall increase the flood levels of the regulatory flood elevation. These uses are subject to the standards of subsection (d). The following are recommended uses for the floodway district.
  - (A) Agricultural uses such as general farming, pasture, nurseries, forestry;

- (B) Residential uses such as lawns, gardens, parking and play areas;
- (C) Nonresidential areas such as loading areas, parking and airport landing strips; or
- (D) Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves.
- (ii) In Zone A unnumbered, obtain, review and reasonably utilize any floodway data available through Federal, State or other sources or Section 29-2.3(d)(8)(iv), in meeting the standards of this subsection.

**(15) Variance Procedures.**

- (i) The Board shall hear and decide requests for variances from the requirements of this section.
- (ii) In passing upon such applications, the Board shall consider all technical evaluation, all relevant factors, standards specified in other subsections of this section, and:
  - (A) The danger that materials may be swept onto other lands to the injury of others;
  - (B) The danger to life and property due to flooding or erosion damage;
  - (C) The susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (D) The importance of the services provided by the proposed facility to the community;
  - (E) The necessity to the facility of a waterfront location, where applicable;
  - (F) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - (G) The compatibility of the proposed use with existing and anticipated development;
  - (H) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
  - (I) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (J) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
  - (K) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (iii) Any person aggrieved by the decision of the Board on a floodplain variance application may appeal such decision to the circuit court of Boone County.

**(16) Conditions for Flood Plain Variances.**

- (i) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (ii) through (vi) below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.



- (ii) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.
- (iii) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (iv) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (v) Variances shall only be issued upon (1) a showing of good and sufficient cause, (2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (vi) Any applicant to whom a variance is granted shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

**(17) Penalties for Violation.**

Violation of the provisions of this Section 29-2.3(d) or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates Section 29-2.3(d) or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one thousand dollars (\$1,000.00) and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

**(18) Amendments.**

The regulations, restrictions, and boundaries set forth in this section may from time to time be amended, supplemented, changed or repealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City. At least fifteen (15) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII of the Federal Emergency Management Agency. The regulations of this Section 29-2.3(d) are in compliance with the National Flood Insurance Program regulations.