

**RESOLUTION NO. MC24-01**

**REQUEST FOR MUNICIPAL CODE AMENDMENTS TO CHAPTER 94-60  
PERTAINING TO THE TABLE OF PERMITTED USES AND TATTOO PARLORS.**

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**WHEREAS**, it is the desire of the Planning Commission to have zoning regulations in the Branson Municipal Code that are clear and concise for understanding and interpretation; and

**WHEREAS**, it is the desire of the Planning Commission to insure the Unified Development Code is current and user friendly; and

**WHEREAS**, the Planning Commission has determined that amendments to the Branson Municipal Code are reasonable and necessary; and

**WHEREAS**, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of amendments to the Unified Development Code; and

**WHEREAS**, a Public Hearing was held before the Branson Planning Commission on February 6, 2024 at 6:00 PM in the City Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and.

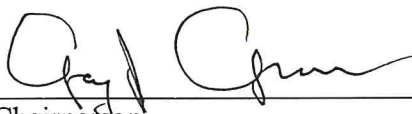
**WHEREAS**, all required documentation and payment of the required filing fee have been received by the City of Branson.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE  
CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

Section 1: The Planning Commission hereby recommends approval of Municipal Code Amendments to Chapter 94-60 pertaining to the Table of Permitted Uses, and Tattoo Parlors as described within Exhibit 'A'; attached hereto and incorporated by reference herein.

Section 2: This resolution shall be in full force and effect after its passage and approval.

**ADOPTED**, by the Planning Commission of the City of Branson, Missouri, this 6<sup>th</sup> day of February, 2024.

  
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Chairperson  
**Gary Groman**

ATTEST:

  
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City Staff - **Acting Director of  
Planning & Development**  
**Amanda Ross**

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## Sec. 94-60. Table of permitted uses.

- (a) *Purpose.* Table 94-60.1 lists the uses allowed within all base zoning districts. All uses are defined in this chapter as well as additional standards for specific uses. Approval of a use listed in Table 94-60.1 and compliance with the applicable use-specific standards for that use authorizes that use only. Development or use of a property for any other use not specifically allowed as a permitted or as a special use in Table 94-60.1 is prohibited unless the use is classified by the planning and development director pursuant to subsection (e), below.
- (b) *Explanation of table abbreviations.*
  - (1) *Permitted by-right uses.* /P/ in a cell indicates that the use is permitted by right in the zone district. Permitted uses are subject to all other applicable regulations of this code, including the use-specific standards in this chapter.
  - (2) *Special uses.* /S/ in a cell indicates that the use is allowed in the zone district only if reviewed and approved as a special use in accordance with the procedures of this chapter. Special uses are subject to all other applicable regulations of this code, including the use-specific standards in this chapter.
  - (3) *Prohibited uses.* A blank cell indicates that the use is prohibited in the zone district.
- (c) *Use-specific standards.* Regardless of whether a use is allowed by right, or as a special use, there may be additional standards that are applicable to the use. The existence of these use-specific standards is noted through a cross-reference in the last column of the Table 94-60.1. Cross-references refer to the use-specific standards in this chapter and they apply in all districts unless otherwise specified.
- (d) *Table organization.* In Table 94-60.1, land uses and activities are classified into general "use categories" and specific "use types" based on common functional, product or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within each category, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool, and are not regulatory.
- (e) *Classification of new and unlisted uses.* The city recognizes that new types of land use will develop, and forms of land use not anticipated in this Code may seek to locate in the city. When application is made for a use category, or use type that is not specifically listed in Table 94-60.1, the planning and development director shall make a determination as to the appropriate classification of any new or unlisted form of land use in the following manner:
  - (1) The planning and development director is authorized to classify uses on the basis of the use category, subcategory and specific use type descriptions of this chapter.
  - (2) When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the planning and development director is authorized to determine the most similar, and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this section. In making such determinations, the planning and development director must consider:
    - a. The types of activities that will occur in conjunction with the use;
    - b. The types of equipment and processes to be used;

- c. The existence, number and frequency of residents, customers or employees;
  - d. Parking demands associated with the use; and
  - e. Other factors deemed relevant to a use determination.
- (3) If a use can reasonably be classified in multiple categories, subcategories or specific use types, the planning and development director must categorize the use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate fit.
  - (4) If the planning and development director is unable to determine the appropriate use category for a proposed use, the planning and development director is authorized to submit the request to the planning commission for review and determination. The planning and development director shall hold permits and certificates for occupancy of the proposed use pending planning commission determination.

**Table 94-60.1 Permitted Uses**

Use Category	Ag/Residential					Mixed-Use/Nonresidential							Supplemental Use Standards	
Subcategory	CON	A	LDR	MDR	HDR	NC	CC	MU	D	ENT	BUS	I	Note: This reference is to use-specific standards only, other code requirements may apply	
Specific Use Type														
Residential														
Household Living														
Dwelling														
Single-Family, Detached		P	P	P	P	P		P						
Single-Family, Attached (3 or more units)				P	P	P		P						
Single-Family, Two-Unit				P	P	P		P						
Single-Family, Patio Home				P	P	P		P					94-49(a)	
Multi-Family					P	P	P	P	P	P				
Home Occupation		P	P	P	P	P							94-61(b)(1), 94-62(a)(1)	
Live/Work						P	P	P	P	P			94-61(b)(2)	
Loft						P		P	P					
Manufactured Homes		P	P	P	P								94-62(a)(2)	
Modular Housing		S	S	S	S									
Mobile Home Community					S								94-62(a)(3)	
Group Living														
Congregate Living Facility/Senior Housing					P	P	P	P					94-61(b)(3)	
Group Home			P										94-61(b)(4)	
Nursing, Convalescent, and Rest Home					P	P	P	P						
Shelter Care Facility						S	S						94-61(b)(5)	
Civic and Institutional														
Community Services														
Cemetery and Mausoleum>		S	S	S	S	S	S		S					

Funeral Home/Parlor							P						
Civic, Social and Fraternal Organizations						P	P	P					
Community Center	S					P	P	P	P				
Cultural Institutions	S					P	P	P	P	P			94-61(c)(1)
Government Offices and Facilities	P					P	P	P	P	P	P	P	94-19(a)
Public Service Facilities						P	P	P			P	P	94-61(c)(2)
Religious Assembly			S	S	S	P	P	P	P	P			94-61(c)(3)
<b>Day Care Facilities</b>													
Family Day Care Home			S	S	S	P		P					94-61(c)(4)
Group Day Care Home						P	P	P			P		94-61(c)(5)
Child Care Center						P	P	P			P		94-61(c)(5)
<b>Educational Facilities</b>													
School, Primary or Secondary, Public or Private			S	S	S	P	P	P					94-61(c)(6)
School, Vocational-Technical and Trade		S					P	P			P		94-61(c)(6)
University or College		S					P	P			P		94-61(c)(6)
<b>Health Care Facilities</b>													
Alcohol and Drug Abuse Treatment Facility						S	S						
Hospital							P	P					94-61(c)(7)
Medical and Dental Offices and Clinics						P	P	P	P	P	P		
Urgent Care Facility							P	P					
<b>Parks and Open Space</b>													
Athletic Area			S	S	S	S	P	P		P			
Community Garden		P	P	P	P	P		P		P			94-61(c)(8), 94-63(e)(2)
Park and Playground	S	S	S	S	S	S	S	S	S	S	S	S	
Recreation Areas and Facilities	S	S	S	S	S	S	S	S	S	S	S	S	
<b>Transportation</b>													
Airport and Passenger Terminal		S					S				S	P	
Park and Ride Lot					S	S	S	S	S	S	P	P	
Bus Garage and Equipment Maintenance											P	P	
Bus Terminal							P	P	P	P	P	P	
<b>Utility</b>													
<b>Utility</b>													
Major Facilities/Service Yard		S					S				S	P	
Minor Facilities/Office		S	S	S	S	S	P	P	P		P	P	
<b>Wireless Communication Facility</b>													
Antenna and Antenna Support Structure		S					S	S	S	S	P	P	
Telecommunications Tower and Facility		S					S				S	S	
Small Wireless Facility	P	P		P	P	P	P	P	P	P	P	P	94-61(d)(1)

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<b>Commercial</b>													
<b>Animal Sales and Service</b>													
Pet Grooming						P	P	P	P				
Pet Shop						P	P	P	P	P			
Kennel		P					P						94-61(d)(1)
Shelter		S					S						94-61(d)(1)
Stables	S	S											94-61(d)(1)
<b>Veterinary Services</b>													
Indoor Only						P	P	P					
With Outdoor Facilities		P											94-61(d)(1)
<b>Office</b>													
Business and Professional Office						P	P	P	P	P	P	P	
<b>Recreation and Entertainment, Outdoor</b>													
Amusement Park or Theme Park							S		S	P			
Recreation and Entertainment, Outdoor							S	S	S	P			
Marina													
Private	S	S					S	S	S				
Public	S	S					S	S	S				
<b>Recreation and Entertainment, Indoor</b>													
Amusement Parlor/Arcade							P	P	P	P			94-61(d)(2), 94-63(e)(1)
Fortune Telling									P	P			
Recreation and Entertainment, Indoor							P	P	P	P			
Theater							P	P	P	P			94-61(d)(3)
<b>Commercial Services</b>													
Commercial Services, General						P	P	P	P	P	P		
<b>Eating and Drinking</b>													
Brewery, Distillery or Winery							P	P	P	P	P	P	94-63(e)(3)
Food Truck Court							S	S	S	S	S		94-62(b)(1)
Microbrewery						P	P	P	P	P	P	P	94-61(e)(4), 94-63(e)(3)
Restaurant						P	P	P	P	P	P	P	94-63(e)(3)
With Drive-Thru						S	P	P	S	S	P		94-87(j)
<b>Financial Services</b>													
Alternative Financial Services							P						94-61(d)(4)
Automated Teller Machine						P	P	P	P	P	P		94-61(d)(5), 94-87(j)
Financial Institution						P	P	P	P	P	P		94-61(d)(6)
With Drive-Thru						S	P	P	S	S	P		94-87(j)
Off-Premises Contacts (OPC)							P	P	P	P			94-61(d)(7), 94-63(e)(4)
Adult Entertainment									S				94-62(b)(2)
<b>Retail Sales</b>													
Retail, General						P	P	P	P	P	P		94-61(d)(8)

With Drive-Thru						S	P	P	S	P	P		94-61(d)(8), 94-87(j)
Drug-Store or Pharmacy						P	P	P	P	P	P		94-61(d)(8)
With Drive-Thru						S	P	P	S	S	P		94-61(d)(8), 94-87(j)
Home Supply and Lumberyard							P				P	P	94-61(d)(8), 94-62(c)(1)
Medical Marijuana Dispensary Facility							P						94-61(d)(10)
Plant Nursery and Greenhouse		P				P	P				P	P	94-61(d)(8), 94-62(c)(1)
Thrift Store						P	P	P	P				94-61(d)(8), 94-61(d)(9)
<b>Personal Services</b>													
Barber [shop], Beauty Shop, Spa						P	P	P	P	P	P		
Dry Cleaner/Laundromat/Laundry Service Station						P	P	P	P		P	P	
With Drive-Thru						S	P	P	S		P	P	94-87(j)
Massage Establishment						P	P	P	P	P			
Studio - Art, Fitness, Music, Dance						P	P	P	P	P	P		
Tattoo Parlor						P	P	P	P	P			
<b>Lodging Establishment</b>													
Bed and Breakfast Inn					P	P	P	P	P	P			
Campground and Vehicle Park	S	S					S		S	S			
Hotel and Motel						S	P	P	P	P	P		94-61(e)(12)
Nightly Rental	P	P		P	P	P	P	P	P	P			94-61(e)(12)
Timeshare Unit							P	P		P			94-61(e)(12)
<b>Vehicles and Equipment</b>													
Car Wash							P				P	P	94-61(e)(1)
<b>Commercial Vehicles</b>													
Rental Services							P				P	P	94-61(e)(2)
Repair Services							P				P	P	94-61(e)(3)
Sales							P				P	P	94-61(e)(2)
<b>Personal Vehicles</b>													
Rental Services							P				P	P	94-61(e)(2)
Repair Services							P				P	P	94-61(e)(3)
Sales							P				P	P	94-61(e)(2)
Commercial Parking							P	P	P	P	P		
Service Stations							P	P		P	P	P	94-61(e)(4)
Accessory Car Wash							P	P		P	P	P	94-61(e)(5)
Electric Vehicle Charging Station	P	P	P	P	P	P	P	P	P	P	P	P	94-61(e)(6)
Truck Stop												P	94-61(e)(7)
<b>Industrial</b>													
<b>Industrial Services</b>													
Building Maintenance, Sales and Service							P				P	P	94-61(f)(1)

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Construction Contractor												P	P	94-61(f)(1), 94-62(c)(1)
Data Center												P	P	94-61(f)(1)
Digital Production												P	P	94-61(f)(1)
Medical and Research Laboratory												P	P	94-61(f)(1)
Medical Marijuana Testing Facility													P	94-61(d)(10)
Wrecker Service												S	P	94-61(f)(1), 94-61(f)(2)
<b>Energy Production and Natural Resource Extraction</b>														
Energy Production, Renewable														94-61(f)(1)
Cogeneration Facility													S	94-61(f)(1)
Solar Array		S										S	S	94-61(f)(1)
Wind Energy Commercial		S										S	S	94-61(f)(1)
Wind Energy Small		S										S	S	94-61(f)(1)
Mining and Quarrying		S											S	94-61(f)(1)
Oil, Gas, and Mineral Exploration and Production		S											S	94-61(f)(1)
<b>Manufacturing and Assembly</b>														
Artisan/Light												P	P	94-61(f)(1)
<b>General</b>														
General Manufacturing													P	94-61(f)(1)
Medical Marijuana-Infused Products Manufacturing Facility		P											P	94-61(d)(10)
Publishing												P	P	94-61(f)(1)
Welding and Automobile Body Shop												S	P	94-61(f)(1), 94-61(f)(3)
<b>Heavy</b>														
Heavy Manufacturing													P	94-61(f)(1), 94-61(f)(4)
<b>Wholesale, Storage, and Distribution</b>														
Freight Terminal and Warehouse													P	94-61(f)(1) 94-61(f)(5)
<b>Warehouse</b>														
Commercial (Non-hazardous)												P	P	94-61(f)(1)
Self-Storage/Personal Property					S		P					P	P	94-61(f)(1), 94-61(f)(6)
Wholesale Sales and Distribution												P	P	94-61(f)(1)
<b>Waste and Salvage</b>														
Automobile Parts Recycling													P	94-61(f)(1)
<b>Agricultural</b>														
Agritainment		P												94-61(g)(1)
Animal Raising, Farm or Domestic Use		P												94-61(g)(2)
Crop Raising		P												94-61(g)(3)
Commercial Livestock		P											P	94-61(g)(4)

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Farm Products Warehouse and Storage		P										P	
Medical Marijuana Cultivation Facility		P											94-61(d)(10)

( Ord. No. 2018-0030 , § 2, 4-10-2018; Ord. No. 2018-0195 , § 2, 12-11-2018; Ord. No. 2019-0021 , § 2, 2-26-2019;  
Ord. No. 2019-0027 , § 2, 3-12-2019; Ord. No. 2019-0028 , § 2, 3-12-2019; Ord. No. 2019-0107 , § 2, 8-27-2019;  
Ord. No. 2019-0212 , § 2, 12-10-2019; Ord. No. 2020-0083 , § 2, 8-11-2020; Ord. No. 2020-0155 , § 2, 11-10-2020;  
Ord. No. 2021-0025 , § 2, 3-9-2021; Ord. No. 2021-0101 , § 2, 9-14-2021)