

**AGENDA REPORT  
 PLANNING AND ZONING COMMISSION MEETING  
 April 9, 2026**

**SUMMARY**

A request by Dirk Mai and Aylya Marzolf (owners) to allow the property at 802 North Sixth Street to operate as a 210-night, maximum six-guest short-term rental pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. An additional on-site parking space will be required to accommodate six guests, as the existing parking currently supports a maximum of four guests. The 0.22-acre subject property is located on the east side of North Sixth Street, approximately 190 feet south of its intersection with Wilkes Boulevard.

**DISCUSSION - APPLICATION EVALUATION**

The applicant seeks to obtain a Conditional Use Permit (CUP) to allow 802 North Sixth Street to be used as a short-term rental (STR) pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. As of June 1, 2025, any dwelling operated as an STR must fully comply with the provisions of the STR regulations, which include the acquisition of an STR Certificate of Compliance, Business License, and submission of accommodation taxes. Approval of this request is a required prerequisite to proceeding forward in obtaining the STR Certificate of Compliance and business license.

The owners of the subject property have previously operated the subject site as a short-term rental and were cited for operating without a required license on September 24, 2025; however, this notification appears not to have been sent to the correct mailing address for the owner’s primary residence. Continued operation of the dwelling as an STR following final City Council action without acquiring the STR Certificate of Compliance and business license would constitute an illegal use of land and would be subject to revocation, if authorized, as well as other enforcement actions identified in the City Code.

The following is a site-specific analysis of the property:

**Dwelling Unit Details**

<b>Property Address</b>	802 North Sixth Street
<b>Zoning</b>	R-MF (Multiple Family Dwelling)
<b>STR Request Type</b>	Tier 2, 210 nights
<b>Maximum Guests Requested</b>	6
<b>Bedrooms</b>	3
<b>Parking Spaces</b>	2 parking spaces are provided on-site, and 3 spaces are required. 1 additional space will need to be provided to accommodate 6 guests.
<b>Abutting Properties</b>	R-MF in all directions

**Owner/Agent**

<b>Owner</b>	Dirk Mai and Aylya Marzolf
<b>Designated Agent</b>	Mirei Marzolf
<b>Agent’s Distance to Property</b>	2.6 miles, 9 minutes

**Listing Information**

<b>Listing Links</b>	<a href="https://airbnb.com/rooms/1056559094681712154">airbnb.com/rooms/1056559094681712154</a>
<b>STR previously offered?</b>	Yes
<b>STRs within 300 feet?</b>	There are no STRs within 300’
<b>Primary residence?</b>	No
<b>Previous Violations?</b>	Illegal STR operation sent 9/24/2025 requesting compliance by 10/24/2025

## Conditional Use Analysis

Operation of an STR within the subject dwelling requires approval of a Conditional Use Permit (CUP), which has been analyzed for both general and technical compliance pursuant to the provisions found in Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. Staff's analysis of these provisions is shown below. The owner's analysis of the criteria is attached to this report.

### Sec. 29-6.4(2)(i) General CUP Review Criteria:

#### **(A) The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located;**

A short-term rental that is not a long-term resident's primary residence or to be operated for up to 210 nights in a residential district is subject to approval of a CUP. The submitted application does not illustrate complete compliance with the minimum regulatory standards established within Sec. 29-3.3(vv) of the UDC. The requested number of guests, six, exceeds the parking capabilities presently on-site. There are currently two parking spaces on-site, which can support four guests. An additional parking space will be required to be installed prior to allowing six guests; until that time, four guests is the maximum. Additional regulatory review to ensure compliance with the remaining UDC and Rental Unit Conservation Law requirements will occur upon issuance of the CUP and prior to issuance of an STR Certificate of Compliance and Business License.

#### **(B) The proposed conditional use is consistent with the city's adopted comprehensive plan;**

The comprehensive plan does not speak directly to the use of residential dwellings for alternative purposes such as an STR; however, does contain policies, strategies, and actions relating to the topics of livable and sustainable neighborhoods, land use and growth management, and economic development. The adoption of the regulatory provisions governing the use of a residential dwelling for STR purposes is seen as addressing several of these policies, strategies, and actions.

With respect to the goal of creating livable and sustainable neighborhoods, approval of the requested CUP would support the mixed-use concepts of Policy # 2, Strategy # 1 (page 144) of the Plan. While this strategy focuses on the concept of creating "nodes" of neighborhood scale commercial and service uses as a high priority, the first "action" within the strategy recommends using planning tools and decision-making to locate small-scale commercial and service businesses adjacent to residential development. STRs have been determined to be a commercial use and offer a "community-wide" service by providing supplemental housing for visitors to Columbia. Staff believes adoption of the STR regulations and their requirement of a CUP are relevant planning and decision-making tools consistent with the intent of this policy and assist to fulfill the idea of supporting mixed-uses within residential neighborhoods.

With respect to land use and growth management, Policy # 3, Strategy # 3 (page 146 of the Plan) would be fulfilled given the regulatory limitations on occupancy and rental nights that are contained within Sec. 29-3.3(vv).

And finally, with respect to economic development, Policy # 3, Strategy # 2 (page 149 of the Plan) would be fulfilled by supporting local entrepreneurial ventures. The adopted regulatory provisions governing the use of a residential dwelling for STR purposes were created with options to allow owners and/or renters the ability to participate in the STR market, subject to reasonable regulation. This ability for participation not only supports individual entrepreneurial ventures, but also broader city-wide economic objectives relating to tourism and tourism-related activities.

#### **(C) The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site;**

The surrounding R-MF zoned properties are developed with single, two, and multi-family dwellings. If the requested CUP is approved, up to six guests would be permitted once the additional parking space is installed, allowing two more occupants than the maximum four unrelated occupants permitted in long-term

rental dwellings in the surrounding R-MF zoned properties. Approval of the requested CUP would result in increased occupancy; however, it is uncertain whether trips generated from the subject site would exceed those of the surrounding development. Of the surrounding 67 properties, 4 appear to be owner-occupied. Any potential impacts associated with higher turnover or increased activity may not be noticeable, depending on the current usage patterns of nearby properties.

**(D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion;**

The site is accessed from the east side of North Sixth Street, which is a local residential street. The property currently has two UDC-compliant parking spaces, which are insufficient to meet the parking requirement for six guests. One additional space must be added to achieve parking compliance for six guests; until then, the maximum permitted occupancy would be four guests. There is no evidence to suggest that a short-term rental operating with a maximum of four guests (that supported by the current on-site parking) or at the requested intensity of six guests with added parking would negatively affect existing or future traffic in the area. Sidewalks are installed along North Sixth Street.

**(E) Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided; and**

The site is sufficiently served with public infrastructure to support its use as an STR. There are no known infrastructure capacity issues associated with the site that would be negatively impacted by the approval of the CUP.

**(F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.**

The subject site is adjacent to single, two, and multi-family dwellings in all directions, located in the R-MF zoning district, which limits long-term rental to no more than four unrelated occupants. The requested occupancy of 6 with additional parking would allow two additional individuals beyond the R-MF maximum; however, if occupancy were limited to 4, which matches current on-site parking, the occupancy would be equal to the R-MF district. The property owners were previously cited on September 24, 2025, for operating the dwelling without an STR license; however, it would appear that the citation was not provided to the owner's permanent mailing address. Aside from this citation, there are no other known violations or reported issues indicating that STR use at this location has or would create adverse neighborhood impacts.

Any potential negative impacts can be mitigated through the adopted regulatory provisions that provide a means to report and address violations. The regulations permit the imposition of fines and possible revocation of the STR Certificate of Compliance after 2 verified violations within a 12-month period.

**Sec. 29-6.4(2)(iii) Supplemental STR CUP Review Criteria:**

**(A) Whether the proposed STR is used for any part of the year by the registrant as a residence. If so, for how long?**

The registrants have answered the property will be used 3-4 weeks during the year by them.

**(B) Whether or not there are established STRs within three hundred (300) feet of the proposed STR measured in all directions from property lines "as the crow flies."**

The registrant has answered "none" to this question. Staff did not identify additional licensed or registered STR properties within 300-feet of the dwelling.

**(C) Whether the proposed registrant has previously operated an STR and if such operation has resulted in a history of complaints, a denied STR certificate of compliance, or revocation of an issued STR certificate of compliance.**

The registrant has answered "none" to this question.

**(D) Whether the proposed STR will increase the intensity of the use of the property and cause increased traffic or noise coming from the property.**

The registrant has answered “no” to this question. From a staff perspective, operating the dwelling as transient lodging for up to 210 nights with a maximum of four or six guests could result in increased impacts; however, the extent of those impacts is unknown. If permitted to only operate at a maximum of four guests, the dwelling’s occupancy would be equal to that permitted in adjacent R-MF zoned property; however, the potential for higher turnover would exist. The level of these impacts will depend on several factors, including unit desirability, pricing, and occupancy rates. Similar impacts could be experienced if the dwelling were occupied by long-term residents.

Dwelling used as short-term rentals are subject to a more robust regulatory framework than applicable to long-term rental to mitigate potential negative effects of using the dwelling for commercial purposes. The STR regulations includes limits on occupancy and rental nights as well as a reporting mechanism for violations that can result in licensure revocation following two verified violations within a 12-month period.

**(E) Whether there is support for the establishment of the proposed STR from neighboring property owners.**

The registrant has responded “no complaints” to this question. As of writing this report, no letters of support or opposition have been received.

**CONCLUSION**

Staff’s technical review of the application and analysis of the above criteria concludes that approval of a CUP for operation of 802 North Sixth Street as a 210-night short-term rental with a maximum of six guests would not meet regulatory requirements due to insufficient on-site parking, given that existing parking only supports four guests. Staff finds no **technical** reasons that approval of a CUP permitting the use of the dwelling for up to 210 nights with a maximum of four guests, subject to the condition that occupancy may be increased to a maximum of six guests upon installation of one additional on-site parking space, would be inappropriate. While the increased guest occupancy would allow two more individuals than permitted in other surrounding R-MF zoned dwellings, there is no evidence indicating that use of the dwelling as a short-term rental would negatively impact the neighborhood.

Approval of the CUP would authorize the applicant to pursue legal licensure of the dwelling and afford neighbors as well as the city additional regulatory tools to ensure compliance with the adopted standards governing STRs.

**RECOMMENDATION**

Approve the conditional use permit to allow the dwelling at 802 North Sixth Street to be operated as a STR subject to:

1. The maximum occupancy of four transient guests;
2. A maximum of 210-nights of annual rental usage
3. A maximum of six transient guests subject to the installation of one additional on-site/off-street UDC-compliant parking space is added to the property

**ATTACHMENTS**

1. Locator Maps
2. STR Application
3. Supplemental “Conditional Accessory/Conditional Use Questions”
4. Public Correspondence

## HISTORY

<b>Annexation date</b>	1906
<b>Zoning District</b>	R-MF (Multiple-Family Dwelling)
<b>Land Use Plan designation</b>	Open Space / Greenbelt, Neighborhood
<b>Previous Subdivision/Legal Lot Status</b>	Nowell Addition

## SITE CHARACTERISTICS

<b>Area (acres)</b>	.22 acres
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Trees and natural ground cover
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Single-family dwelling

## UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

## ACCESS

### North Sixth Street

<b>Location</b>	West of subject site
<b>Major Roadway Plan</b>	Local residential
<b>CIP projects</b>	None
<b>Sidewalk</b>	Installed

## PARKS & RECREATION

<b>Neighborhood Parks</b>	Armory Sports and Recreation Center, Douglass Park, Field Park, Downtown Optimist Park, North Village Park
<b>Trails Plan</b>	Downtown Optimist Park Trail, Field Park Trail, Colt Railroad Trail
<b>Bicycle/Pedestrian Plan</b>	None

## PUBLIC NOTIFICATION

<b>Public Notification Responses</b>	None at the time of writing
<b>Notified neighborhood association(s)</b>	North Central Columbia Neighborhood Association, NCCANA/ Shoe Factory District Neighborhood Association
<b>Correspondence received</b>	1 letter in opposition

77 “public hearing” letters were mailed to property owners and tenants within 185-feet of the subject property. One letter was provided to the Council Ward representative. Two letters were sent to neighborhood associations and homeowners associations within 1,000 feet of the subject site. All “public hearing” letters were distributed on March 23, 2026. The public hearing ad for this matter was placed in the Tribune on March 24, 2026.

Report prepared by: Ross Halligan

Approved by: Patrick Zenner