



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 19, 2024

Re: 400 Clinkscales Road – STR Conditional Use Permit (Case # 177-2024)

Executive Summary

Approval of this request would grant a conditional use permit (CUP) for the operation of a 210-night short-term rental (STR) with a maximum of 5 transient guests at 400 Clinkscales Road. The dwelling within which the STR would be operated is not the property owner's principal residence.

Discussion

Jessica Yankee (agent), on behalf of Bruce M. and Deborah L. Polansky (owners), are seeking approval of a conditional use permit (CUP) to allow the existing single-family dwelling at 400 Clinkscales Road to be used as a 210-night short-term rental (STR) for a maximum of 5 transient guests pursuant to the provisions of Sec. 29-3.3(vv) and Sec. 29-6.4(m) of the Unified Development Code. The 0.11-acre subject property is addressed 400 Clinkscales Road and is zoned R-2 (Two-family Dwelling).

The subject dwelling is a 3-bedroom, 884 sq. ft. single-family home that is not the owner's principal residence. Pursuant to Sec. 29-3.3(vv)(1)(ii)(B) of the UDC, prior to use of the dwelling as an STR the owners must be granted the requested CUP and then comply with the requirements of Chapter 22, Article 5 (Rental Unit Conservation Law) and Chapter 13 (Business Licensing) of the City Code. Approval of the requested CUP would constitute the owner's "one and only" STR license to the property owner. Additionally, if the CUP is granted and following the issuance of an STR Certificate of Compliance and Business License, the owners will be required to remit accommodation taxes pursuant to the requirements of Chapter 26 (Taxation) of the City Code.

The dwelling is proposed to be used as an STR for a maximum of 210-nights annually and is anticipated to be used by the owners for approximately 5-weeks annually as their personal residence. The attached application materials do not indicate if the five weeks of personal usage will be consecutive or intermittent. The requested maximum usage is consistent with the limitations established by the provisions of Sec. 29-3.3(vv) of the UDC.

The attached application materials further indicate a maximum of five transient guests is sought to occupy the home while being used for STR purposes. This desired occupancy does not exceed the provisions of Sec. 29-3.3(vv) which limit occupancy to a maximum of eight transient guests; however, will be confirmed at the time that a dwelling specific inspection is performed in accordance with the provision of Chapter 22, Article 5 by staff of the Housing and Neighborhood Service Department. The permitted maximum occupancy will be



City of Columbia

701 East Broadway, Columbia, Missouri 65201

required to be shown on the issued STR Certificate of Compliance and must appear on any website listing upon which the dwelling is offered for rental.

The dwelling is consistent in size and architectural characteristics when compared to adjacent dwellings. Based upon property owner notification letters, of the 17 surrounding parcels within 185-feet of the subject site only two are owner occupied with the remaining 15 parcels being either registered long-term rentals (12 dwellings), an institutional use (i.e. West Middle School), or legal non-conforming commercial uses (two). The use of the subject dwelling for short-term rental purposes is not believed inconsistent with the existing land use pattern. Furthermore, there would appear to be no other STRs within a 300-ft radius of the subject property and there was no record of complaints with respect to the subject property.

The dwelling is accessed from Clinkscapes Road and shares a driveway with the adjacent dwelling to the north which is similar to adjacent parcels. The portion of the driveway serving the applicant's dwelling has sufficient depth to accommodate three parked vehicles. This amount of parking meets the parking required by Sec. 29-3.3(vv). Sec. 29-3.3(vv) states 1 parking space for each two (2) transient guests.

It should be noted that Clinkscapes is signed as "no parking" on both sides of the street from West Worley Street to Lowe Street, south of the subject property. The subject property is also located within a "school zone". Furthermore, the subject property is on the east side of Clinkscapes which is not improved with sidewalk. A sidewalk crossing is located to the north of the subject property at the signalized intersection of Clinkscapes Road and W. Worley Street.

Given a conditional use permit is necessary to allow for the legal operation of the dwelling as an STR, an analysis of the general and supplemental CUP criteria shown within Sec. 29-64(m)(2)(i) and (ii), respectively, was performed. Following this analysis, staff concluded the use of the dwelling as a 210-night STR with a maximum of 5 transient guest was not seen as incompatible with the surrounding land uses. Furthermore, approval of the CUP would result in the fulfillment of several policies, strategies and actions of the City's adopted comprehensive plan. A full description of this analysis is found within the attached Staff Report to the Planning and Zoning Commission.

The Planning and Zoning Commission held a public hearing on this matter at its July 18, 2024 meeting. Staff provided its report and the applicant's agent provided an overview of the request. The applicant's agent indicated that the desired occupancy was likely excessive to what would be typically experienced given the home's size and number of available beds. Furthermore, the applicant noted that the concerns expressed by staff relating to parking were addressed via existing signage. No other members of the public spoke regarding the request.

Following the closure of the public hearing there was brief Planning Commission discussion. Comments were offered relating to staff's conclusion of certain comprehensive plan policies, strategies, and actions being fulfilled as well as analysis responses to the



City of Columbia

701 East Broadway, Columbia, Missouri 65201

supplemental CUP questions. Following discussion, a motion was made to approve the requested CUP which was approved by a vote of (7-0).

A copy of the Planning and Zoning Commission staff report, locator maps, STR application, and Supplemental "Conditional Accessory/Conditional Use Questions", and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None are anticipated.

Long-Term Impact: Minimal. Usage of the dwell as an STR may generate create more demand for service; however, collection of accommodate tax revenue and increased utility usage fees may or may not off-set such increases.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the issuance of a conditional use permit for 400 Clinkscapes Road to be used as a 210-night short-term rental for a maximum of five transient guests as recommended by the Planning and Zoning Commission.