



701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 1, 2025

Re: 302 North Ninth Street – STR Conditional Use Permit (Case #4-2026)

Impacted Ward: Ward 1

Executive Summary

Approval of this request would grant a conditional use permit (CUP) to allow 302 North Ninth Street to be used as a 210-night, maximum 4 guest short-term rental pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The subject R-MF (Multiple-family Dwelling) site contains approximately 0.12-acres and is located on the east side of North Ninth Street, approximately 70 feet north of its intersection with Park Avenue.

Discussion

A request by Devin Kelley (owner) to allow 302 N. Ninth Street to be used as a 210-night, maximum 4 guest short-term rental (STR) pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The 0.12-acre subject site is zoned R-MF (Multiple-family Dwelling), is located on the east side of North Ninth Street, approximately 70 feet north of its intersection with Park Avenue, is not the applicant's principal residence, and has been previously been used as an STR. The desired rental nights and guest occupancy are consistent with the limitations established by the STR regulations.

The subject dwelling is a 2-bedroom, 1 bath single-family home. The stated bedroom square footages appear to conform with the minimum areas necessary to support the desired 4 transient guests when evaluated against the most current city-adopted edition of the International Property Maintenance Code (IPMC). Compliance with the IPMC and authorized occupancy will be verified prior to the issuance of the STR Certificate of Compliance. The occupancy limitations as well as rental nights will be shown on the issued STR Certificate of Compliance and must appear on any website listing where the dwelling is offered for rental.

The owner, a local Boone County resident living 15.9 miles (25 minutes) from the property, will act as the "designated agent" to address regulatory issues when the dwelling is used as an STR. Given the property is owned by an individual, approval of the CUP would constitute the individual's "one and only" STR license within the City's municipal limits.

One additional STR dwelling within 300-feet of the subject property has been identified at 308 North Ninth Street. Within the 185-foot notification radius there are 50 parcels of which 45 appear to be used for rental purposes with 5 dwelling appearing to be owner-occupied. The immediately adjacent properties are located in the R-MF and M-OF zoning districts. The R-MF and M-OF zoning designation would permit a maximum "long-term" rental occupancy of 4-unrelated individuals. If the CUP is approved, the subject dwelling would be permitted to

have the same the number of occupants when compared to adjacent R-MF and M-OF long-term rental properties. Given the subject dwelling has been previously used as an STR without apparent incident, there is no basis to suggest that such usage would be more impactful than a long-term rental dwelling that has similar usage characteristics.

The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it. The property has no on-site parking spaces. As such, a condition of the requested CUP's approval would be to have 2 UDC-compliant on-site/off-street parking spaces installed prior to issuance of an STR Certificate of Compliance or business license.

Access to the dwelling is from North Ninth Street, a local residential street, that does permit on-street parking on the western half of the street. Historically the subject dwelling has used on-street parking to support its prior rental usage. There are sidewalks installed along both sides of North Ninth Street. The future design of the site's access via a driveway approach to North Ninth Street would be consistent with other surrounding residential development and is believed sufficient to support future traffic generation without compromising public safety.

Given the limited and resolved code violation history, the timeliness of application to resolve the Notice of Violation associated with the illegal operation of a STR without a license, and the dwelling's general conformity to its surroundings, notwithstanding the presence of one additional STR within 300-feet, staff believes approval of the CUP to allow for the operation of an STR would not be incompatible with the adjoining neighborhood. This conclusion is arrived at given the proposed level of occupancy is no greater than that of a traditional long-term rental in the R-MF or M-OF districts and the location of the dwelling at the edge of the M-DT district south of Park Avenue.

Should impacts rise to the level requiring action, the enacted STR regulations provide means by which to address potential negative impacts. Such means include nightly usage restrictions, a violation reporting procedure, fines, and authority to revoke a STR Certificate of Compliance after **two** verified violations within a 12-month period.

Given the dwelling sought for licensure is not the applicant's "principal residence", a CUP is necessary to allow for its continued operation as an STR. The STR CUP process requires an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. A full description of this analysis is found in the attached Planning and Zoning Commission staff report.

Should the CUP be granted, full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code will be required prior to issuance of a STR Certificate of Compliance and/or Business License. As part of the required Business License procedure, the owners will be required to remit accommodation taxes pursuant to the requirements of Chapter 26 (Taxation) of the City Code.

The Planning and Zoning Commission held a public hearing on this matter at their November 6, 2025 meeting. Staff gave its report and described their findings related to the **technical**

requirements of what was shown within the STR application. The applicant spoke on the purpose of the request and was available to answer Commissioner questions. No members of the public spoke in regards to this case; however, 5 letters (attached) indicated support for the CUP.

Following closure of the public hearing and limited Commission discussion, a motion to approve the requested CUP to permit 302 North Ninth Street to be operated as a 210-night, maximum 4 guest STR, subject to the construction of an on-site/off-street UDC-compliant parking area capable of supporting 2 parking spaces was unanimously approved by a vote of (7-0).

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

Fiscal Impact

Short-Term Impact: None are anticipated.

Long-Term Impact: Usage of the dwelling as an STR will result in the collection of accommodation taxes which will assist the Convention and Visitor's Bureau in their marketing efforts relating to the City. While increases in public service demand is possible, such demands are not foreseen to be greater than a typical single-family home. Such increases may or may not be off-set by increased user-fees or property tax collection.

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 a conditional use permit to allow 302 North Ninth Street to be operated as a 210-night, maximum 4 guest STR, subject to a condition that a parking pad with two UDC compliant parking spaces are constructed prior to issuance of a STR Certificate of Compliance or business license as recommended by the Planning and Zoning Commission.