



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 5, 2025

Re: 5 McBaine Avenue– STR Conditional Use Permit (Case #136-2025)

Executive Summary

Approval of this request would grant a conditional use permit (CUP) for the operation of a 120-night short-term rental (STR) with a maximum 6 transient guests. The dwelling unit proposed for STR purposes is not the applicant's principal residence and has previously been used as a short-term rental. The subject property is zoned R-1 (One-family Dwelling) and is addressed 5 McBaine Avenue.

Discussion

Tia Brown (owner) seeks approval of a conditional use permit (CUP) to allow 5 McBaine Avenue to be used as a short-term rental (STR) for a maximum of 6 transient guests and up to 120-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m) of the Unified Development Code (UDC). The 0.21-acre subject site is zoned R-1 (One-family Dwelling). The desired rental nights is less than that permitted to be sought under the regulations; however, the guest occupancy is consistent with the limitations established by Sec. 29-3.3(vv) of the UDC. Approval of this request result in the applicant "self-restricting" the use of the dwelling to a maximum of 120-nights of STR use.

The subject dwelling is a 3-bedroom, 1-bath single-family home. The provided bedroom floor areas appear to conform to the minimum areas needed to support the desired level of occupancy when evaluated using the adopted regulatory requirements of the International Property Maintenance Code (IPMC). Final verification of compliance with the IPMC and transient guest occupancy will be established following a dwelling unit-specific evaluation in accordance with the provisions of Chapter 22, Article 5 of the City Code. The maximum occupancy and authorized rental nights will 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 subject dwelling has operated as an STR since 2023. In 2024, the property was used for 44 nights for STR purposes. An evaluation of typical listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder identified 5 additional unregistered STR properties within a 300-foot radius of the subject property. The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it. 1 of the unregistered STRs is for Case # 135-2025.

There are 43 parcels within 185 feet. Of the 43 properties, 7 appear to be owner-occupied and 36 appear to be rental properties. The adjacent properties are located in the R-1, R-2, and R-MF zoning districts. An R-1 zoning designation would permit a maximum "long-term" rental occupancy of 3-unrelated individuals while the R-2 and R-MF districts permit 4.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Given the resolved Landscape Management violation with the current owner, 5 additional unregistered STRs within 300-feet, and the dwelling's general conformity to its surroundings, approval of the requested CUP is not believed incompatible with the adjoining neighborhood. The enacted STR regulations provide the City with options to address potential negative impacts that may be introduced into the neighborhood if the requested CUP were granted. The regulations restrict nightly usage and include other means for violations to be reported which could result in enforcement, up to and including, revocation of the STR Certificate of Compliance.

As part of staff's site-specific evaluation, it was observed that the property has a driveway capable of supporting 3 UDC-compliant on-site/off-street parking spaces. Based on the desired occupancy of 6 guests, this level of parking meets the requirements of Sec. 29-3.3(vv)(1)(ii)(B)(2) of the UDC. Staff finds that the design of the site's access is consistent with other residential development within the surrounding neighborhood and believes such access is sufficient to support future traffic generation without compromising public safety. McBaine Avenue is a residential street that possesses sidewalks and permits parking on both sides.

A CUP is necessary to allow for the legal operation of the subject dwelling as an STR given the dwelling is not the applicant's "principal residence". As such, an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC was performed. A full description of this analysis is found in the attached Planning and Zoning Commission staff report. Following this analysis, staff has concluded that approval of the CUP would provide a means to "legalize" the existing use of the dwelling and would facilitate the fulfillment of several policies, strategies, and actions of the City's adopted comprehensive plan.

Approval of the CUP would constitute the property owner's "one and only" STR license within the City's municipal limits. The submitted STR application indicates that a property manager will act as the owner's "designated agent" to address regulatory issues who is a Boone County resident. The use of the identified agent meets the requirements of Sec. 29-3.3(vv) of the UDC.

Should the CUP be granted, the owner and the dwelling will be required to obtain full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code. As part of the required Business License, the owner 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 April 10, 2025 meeting. Staff provided a report and described their findings related to what was shown on the STR application. The applicant spoke on the purpose of the request and was available to answer Commissioner questions. Multiple members of the public spoke in support of the request, none in opposition. There were not any written comments submitted



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regarding the request. Following the closure of the public hearing, a motion to approve the requested CUP to permit 5 McBaine Avenue to be operated as a 120-night STR with a maximum of 6 transient guests was approved unanimously 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", 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 5 McBaine Avenue to be operated as a 120-night short-term rental for a maximum of 6 transient guests as recommended by the Planning and Zoning Commission.