

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
July 10, 2025**

SUMMARY

A request by Dan Harrison (owner) to allow 317 Victoria Drive to be used as a short-term rental for a maximum of 8 transient guests up to 210 nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The 0.21-acre, R-1 (One-family Dwelling) subject site is located northeast of Carter Lane and Victoria Drive, and is addressed 317 Victoria Drive.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow a one-family dwelling to be used as a short-term rental for a maximum of 8 transient guests and up to 210-nights annually. The application states that the dwelling has 4 bedrooms and 2 bathrooms; however, the Boone County Assessor's office indicated that the structure on the site has 3 bedrooms and 2 full bathrooms. Final occupancy of this dwelling as an STR will be determined after inspection by the Housing & Neighborhood Services Department. The home is located in an R-1 (One-family Dwelling) zoning district and is not the applicant's primary residence.

A site-specific evaluation of the property found that the driveway serving the property does have sufficient on-site/off-street capacity to support the 4 required UDC-compliant parking spaces outside of the public right-of-way. A minimum of 4 UDC-compliant on-site/off-street parking spaces must be provided to meet regulatory requirements. Based on staff's analysis, adequacy of parking was concluded based off of the paved parking pad provided outside of the public right of way.

A review of available violation records from the Housing and Neighborhood Services Department and Columbia Police Department **specifically** associated with this property identified no open violation cases associated with the current owner. The subject dwelling has been listed as an STR before this application, and operated as an STR for 108 nights in 2024.

Pursuant to Sec. 29-3.3(vv)(2)(i) of the UDC, dwellings used prior to June 1, 2025 were allowed to operate without a CUP, STR Certificate of Compliance or a Business License. Following June 1, 2025, any dwelling operated as an STR must fully comply with the provisions of the STR regulations which include acquisition of an STR Certificate of Compliance, Business License, and submission of accommodation taxes. Approval of this request is a required prerequisite to proceed forward in obtaining the STR certificate and business license.

While final action on this request is pending, enforcement action on the operation of the dwelling as an STR would be suspended. Continued operation of the subject dwelling as an STR following City Council action without acquiring the STR certificate of compliance and business license would constitute an **illegal** land use and would be subject to revocation of the CUP, if authorized, as well as other enforcement actions identified in the City Code.

APPLICATION EVALUATION

The submitted application is subject to both the general and conditional use permit provisions governing short-term rentals identified within Sec. 29-3.3(vv)(1)(ii)(B) and Sec. 29-3.3(vv)(2), as well as, Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. The following analysis provides an overview of the submitted application and these criteria.

The dwelling is not the applicant's principal residence and has been previously offered as a short-term rental for 108 nights in 2024. The STR has operated since at least October 2023 according to reviews

on the property's listing on Vrbo. A periodic review of the listing (<https://www.vrbo.com/3605481>) will be performed to ensure its continued compliance with any issued STR CUP and/or licensure conditions. A review of online rental platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinder.com did not identify additional unregistered STR property within 300-feet north of the subject site.

The owner is seeking approval for 8 transient guests which is within the limitations imposed by Sec. 29-3.3(vv)(2)(v) of the UDC and is supported by the number of available on-site/off-street parking spaces. Based upon the application stated **bedroom** square footages, it appears the dwelling would be capable of supporting the requested 8 transient guests based on the occupancy criteria contained in Sec. 404.4.1 of the most current city-adopted edition of the International Property Maintenance Code (IPMC).

Maximum occupancy will be determined by the City's Housing and Neighborhood Services Department as part of the required compliance checks for conformance with the provisions of Chapter 22, Art. 5 (Rental Unit Conservation Law) prior to issuance of a STR Certificate of Compliance. The authorized occupancy will appear on the STR Certificate of Compliance and is required to be included on any website or other media advertising the dwelling for STR usage.

Based on a site-specific evaluation, access to the dwelling appears to require ascending steps to enter the main floor of the structure. Compliance with the accessibility provisions of Sec. 29-3.3(vv)(2)(xiv) of the UDC will be determined prior to the issuance of a STR Certificate of Compliance.

The subject dwelling abuts 38 other properties within the 185-foot notification radius. Of these properties, 5 are owner-occupied and 33 are rental units. The property is also within 1000 feet of 6 neighborhood associations and/or homeowners associations. The immediately adjoining properties are zoned R-1 and are permitted a maximum of 3-unrelated individuals when used as a long-term rental dwelling.

The subject dwelling is owned by a husband and wife. Based on this ownership, approval of the requested CUP would be the "one and only" STR license issued to either individual pursuant to the provisions of Sec. 29-3.3(vv)(2)(ii) of the UDC. The application indicates that the owner will be acting as the designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. The owner is a resident of Boone County and the agent is 9 miles (15 minutes) from the rental property.

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

As noted, given this application triggers approval of a conditional use permit (CUP) the following analysis of the provisions found in Sec. 29-6.4(m)(2)(i) and (iii) of the UDC have been performed. The owner has provided their analysis of these criteria (see attached) and the staff's analysis is provided below. The standard criteria are shown in **bold text** followed by staff's response.

(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 principal residence is permitted within the R-1 zoning district subject to approval of the requested conditional use permit (CUP). The submitted application (see attached) has illustrated compliance with the minimum regulatory standards established within Sec. 29-3.3(vv). A site-specific inspection finds that the dwelling has driveway parking capable of accommodating 4 UDC-compliant parking spaces outside the public right-of-way which is sufficient to meet the regulatory requirements for 8 transient guests.

Additional regulatory review to ensure full compliance with the provision of Sec. 29-3.3(vv) and Chapter 22, Art. 5 (Rental Unit Conservation Law) of the City Code will occur if the CUP is granted prior to issuance of a STR Certificate of Compliance.

(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 properties surrounding the subject site are all improved with one and multi-family residences on lots of similar size and square footage. Adjoining development is within the R-1 and PD zoning districts. Of the 38 surrounding properties within 185-feet, 5 appear to be owner-occupied and 33 appear to be rental units. The dwelling has not been modified structurally to accommodate the STR use and appears from the street frontage to be a single-family dwelling.

If the requested CUP is approved, the only potentially noticeable change in this dwelling's character to those surrounding it would be the number of unrelated individuals permitted within the structure. Additionally, while the frequency of occupant turnover maybe greater than that of surrounding development along Victoria Drive, given the dwelling is within a

highly transient environment the impacts of this turnover rate may not be significantly noticeable given the current activity levels within the surrounding neighborhood.

A search of listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinder.com shows that the dwelling has been listed as an STR before this application for 108 nights in 2024, and found no additional short-term rentals within 300 feet of the subject site.

Should complaints arise, the adopted STR regulations include provisions intended to mitigate the negative impacts of STR operations as a commercial use and afford a method of reporting/enforcement previously nonexistent within the City's municipal code. Should violations of the regulatory provisions rise to the level requiring action, such action may include, in addition to fines, revocation of the STR Certificate of Compliance following 2 **verified** complaints within a 12-month period.

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

The site is located one property east of the northeast corner of Carter Lane and Victoria Drive; however, obtains its sole access from Victoria Drive through a traditional driveway approach not unlike the majority of construction within the R-1 district surrounding the site. The driveway on the subject property has adequate on-site/off-street parking to meet the regulatory requirements to support the desired 8 guests.

Victoria Drive is a local residential street with no parking permitted along both sides of the street. No sidewalks are installed on Victoria Drive. Staff finds that the design of the parking and the site's access is sufficient to support future traffic generation without compromising public safety.

(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.

33 of the 38 parcels within 185-feet appear to be used for rental purposes. The 5 remaining parcels appear to be owner-occupied. The structures within this buffer are located within the R-1 and PD zoning districts. Dwellings within the R-1 district permit 3-unrelated individuals which is less than half of the proposed "temporary" occupancy of the subject dwelling if the CUP is approved. Development within the adjacent PD to the south includes multi-family residential developments which density approximately half that of the proposed dwelling if the CUP is approved. While these variations in occupancy would be present, given the dwelling has been previously operated as a short-term rental without apparent incident there is no evidence to suggest that such usage has created adverse 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 imposition of fines and possible revocation of the STR Certificate of Compliance after 2 **verified** violations within a 12-month period. The subject site has significant natural vegetation its southern and eastern boundaries and parking sufficient to accommodate the required on-site/off-street parking outside the public right of way.

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 registrant has stated “no” in response to this question.

- (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 owner indicates “No”. Staff has identified zero additional unregistered STR property within approximately 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 applicant stated “No”.

- (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 owner has responded “No” to this question.

As a general staff observation, using the subject dwelling for transient accommodations for 210-nights annually and a maximum of 8 guests could result in increases; however, how significant is unknown. The significance of possible impacts is subject to many factors such as dwelling unit desirability, pricing, rental occupancy, etc. The current regulatory structure provides standards allowing for monitoring and mitigation of possible negative outcomes.

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

The owner answered “Yes” to this question. As of writing this report, no other letters or inquiries have been made.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a conditional use permit to allow 317 Victoria Drive to be operated as a 210-night, 8 guest STR would not result in a use significantly incompatibility with surrounding development. The property is located within a neighborhood that is predominantly comprised of rental dwellings within the R-1 and PD zoning districts. While the proposed occupancy of 8 guests would be greater than that allowed in adjacent development there is no evidence to support that the neighborhood has been negatively impacted.

Approval of the CUP would grant “legal status” to this existing use and afford neighbors as well as the City additional regulatory tools to ensure compliance with the adopted standards governing STRs. Authorization of the CUP is not seen as being detrimental to adjacent properties and would fulfill several policies, strategies, and actions of the Columbia Imagined Comprehensive Plan.

RECOMMENDATION

Approve the conditional use permit to allow the dwelling at 317 Victoria Drive to be operated as a STR subject to:

1. The maximum occupancy of 8 transient guests regardless of occupancy permitted by the most recently adopted edition of the International Property Maintenance Code (IPMC); and
2. A maximum of 210-nights of annual rental usage

ATTACHMENTS

- Locator maps
- STR Application
- Supplemental "Conditional Accessory/Conditional Use Questions"

HISTORY

Annexation date	1964
Zoning District	R-1 (One-family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	Stadium Heights

SITE CHARACTERISTICS

Area (acres)	0.22 acres
Topography	Sloping from west down to east
Vegetation/Landscaping	Trees and natural ground cover
Watershed/Drainage	Little Bonne Femme Creek
Existing structures	One-family home

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

Victoria Drive	
Location	Along southern edge of property
Major Roadway Plan	Local Residential
CIP projects	N/A
Sidewalk	None installed

PARKS & RECREATION

Neighborhood Parks	Highpointe Park
Trails Plan	N/A
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

55 “public hearing” letters were mailed to property owners and tenants within 185-feet of the subject property. 1 letter was provided to the Council Ward representative. 6 letters were sent to neighborhood associations and homeowners associations within 1,000 feet of the subject site. All “public hearing” letters were distributed on June 23, 2025. The public hearing ad for this matter was placed in the Tribune on June 24, 2025.

Public Notification Responses	None
Notified neighborhood association(s)	Foxfire Homeowner Assoc Huntridge Homeowner Assoc Seven Oaks Homeowner Assoc Meadows Homeowner Assoc Stadium Heights NA Meadows NA
Correspondence received	None at time of writing

Report prepared by: Kirtis Orendorff

Approved by: Patrick Zenner