

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 7, 2025**

SUMMARY

A request by Steven Dupre (owner) to allow 207 West Briarwood Lane to be used as a short-term rental for a maximum of 8 transient guests and 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 0.26-acre subject site is zoned R-1 (One-family Dwelling) and located on the west side of West Briarwood Lane, is approximately 585 feet north of Ivy Way, and is addressed 207 West Briarwood Lane.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow their single-family dwelling to be used as a short-term rental for a maximum of 8 transient guests and up to 210 nights annually. The home is a 4-bedroom, 3-bathroom home located in the R-1 (One-family Dwelling) zoning district and is currently the applicant's primary residence. The applicant has stated they would like to move to allow the property to be exclusively a short-term rental, though, that is dependent on the issuance of the conditional use permit

To meet regulatory requirements given the requested 8 transient guests, a minimum of 4 UDC-compliant on-site/off-street parking spaces must be provided. A site-specific evaluation of the property found that the home's driveway has sufficient capacity to support 5 UDC-compliant on-site/off-street parking spaces, as well as an attached 2-car garage. Thus, the requirement for on-site/off-street parking for the 8 requested guests is met.

A review of available violation records from the Housing and Neighborhood Services Department and the Columbia Police Department **specifically** associated with this property has not identified any violation cases. The subject dwelling has been offered as a short-term rental since 2023. In 2024, the property was occupied for 4 nights as an STR.

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, and 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 prerequisite to 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 on this request 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) of the UDC 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 the applicant's principal residence and has been previously offered as a short-term rental since 2023. Online reviews for the dwelling show usage as an STR starting October 2023 with limited usage to the present. According to the applicant, in 2024 the dwelling was used for 4 nights. The dwelling is listed on Airbnb (<https://www.airbnb.com/rooms/998796488559961588>) and the listing's description matches the current request. A periodic review of the listing will be done to ensure continued compliance with all STR CUP and licensure conditions. A review of online platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder for short-term rentals within 300 feet identified two licensed "Tier 2" administratively approved short-term rentals, 100 West Briarwood Lane and 111 East Briarwood Lane.

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 on the stated **bedroom** square footage shown within the application, it would appear the dwelling is capable of supporting the requested 8 transient guests according to the occupancy criteria contained in Sec. 404.4.1 of the current city-adopted edition of the International Property Maintenance Code (IPMC). Maximum occupancy within the dwelling 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.

Within the required 185-foot radius there are 28 properties all of which are owner-occupied. The property is within 1,000 feet of 2 neighborhood associations. Adjacent properties to the subject site are zoned R-1 (One-family Dwelling) and permit 3-unrelated individuals living together in a long-term rental. The dwelling is supported by adequate public infrastructure (i.e. electric, sewer, and water), and there are no known issues with the available capacity to serve the dwelling as an STR. Parking is permitted on West Briarwood Lane, though sidewalks are not installed.

The subject dwelling is owned by an individual. Based on this ownership, approval of the requested CUP would be the "one and only" STR license issued to the owner pursuant to the provisions of Sec. 29-3.3(vv)(2)(ii) of the UDC. The application indicates that the owner will use a designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. Based upon the location information provided, the designated agent is a Boone County resident located approximately 5 miles or 10 minutes from the dwelling.

Based on a site-specific evaluation, it would appear that access to the dwelling requires ascending steps to enter the structure. Compliance with the accessibility provisions of Sec. 29-3.3(vv)((2)(xiv) of the UDC will be determined prior to issuance of a STR Certificate of Compliance by the Housing and Neighborhood Services Department and Building and Site Development Division of Community Development. During the site-specific inspection, no signage was identified as being present to advertise the dwelling as an STR. Such signage would be permissible provided it is no greater than 1 sq. ft. in area and is non-illuminated.

Sec. 29-6.4(m)(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 a long-term resident's principal residence is permitted within the R-1 zoning district. The applicant has stated they intend to move primary residences if the CUP is approved; in this event, a short-term rental that is not a long-term residence is also permitted in the R-1 zoning district. 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 5 UDC-compliant parking spaces outside the public right-of-way and an attached 2-car garage. A minimum of 4 UDC-compliant parking spaces must be provided to support the desired 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. The subject dwelling is not located within an overlay district that would otherwise prohibit the proposed use of the dwelling as an STR.

(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 improved with single-family dwellings and are zoned R-1. The 28 surrounding properties within 185-feet appear to be all owner-occupied. The current parking accommodations on-site would support the requested 8 transient guests. A search of listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder identified the dwelling as being listed as a short-term rental. According to online reviews, usage of the dwelling as an STR appears to have begun in October 2023. In 2024, the applicant indicated that the home was used for 4 nights. Furthermore, the on-line search identified 2 additional “administratively” approved STRs within 300-feet of the subject site.

The adopted STR regulations include provisions intended to mitigate the negative impacts of STR operations as a commercial use and afford a method of regulatory 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 accessed from West Briarwood Lane through a traditional, single-lane, driveway approach similar to the surrounding properties. The site possesses adequate on-site/off-street parking to meet the regulatory requirements for use as an STR with a requested maximum of 8 transient guests. West Briarwood Lane is a local residential street that does not have sidewalks installed, though permits on-street parking. 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.**

None of the 28 parcels within 185-feet of the subject site appear to be used for rental purposes. The structures are located within the R-1 zoning district and would permit up to a maximum of 3-unrelated individuals living together if used for long-term rental purposes. Given the dwelling has been a listed STR since 2023 and was made available to the present without an apparent incident, there is no evidence to suggest that such usage has created adverse impacts.

Potential negative impacts of the dwelling's use as an STR can be mitigated through the adopted regulatory provisions which provide a means to report and address violations as well as allows for the imposition of fines and possible revocation of the STR Certificate of Compliance after 2 **verified** violations of the regulations within a 12-month period of time. The subject site has a fenced-in rear yard and parking sufficient to accommodate the required on-site/off-street parking outside the public right-of-way exclusive of making the attached 2-car garage parking available to STR guests.

Sec. 29-6.4(m)(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 the property is currently their primary residence and upon CUP approval they intend to move to a different house to operate the property exclusively as a short-term rental.

- (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 applicant has answered "no" to this question. Staff's review of typical listing sites for STRs has identified 2 licensed short-term rentals within 300-feet. These licensed STRs were approved "administratively" for maximum usage up to 120-nights annually.

- (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 has stated there have been zero complaints associated with this property. A review of City code violations supports this answer.

- (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 that operation as an STR has not and will not increase intensity of traffic or noise. As a general staff observation, using the subject dwelling for transient accommodations for 210-nights annually 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 applicant stated there are no known objections.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a CUP allow 207 West Briarwood to operate as a 210-night, **maximum** of 8 guest STR would be appropriate. It should be acknowledged that approval of this CUP would permit 3 short-term rentals

within a 300-foot radius; however, the existing two “administratively” approved STRs are limited to 120-nights annually and are considered the “principal residence” of the licensed operator.

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 207 West Briarwood Lane to be operated as a STR subject to:

1. The maximum occupancy permitted within the dwelling shall not exceed 8 transient guests regardless of potential occupancy allowed by most recently adopted edition of the International Property Maintenance Code (IPMC)
2. A maximum of 210-nights of annual usage

ATTACHMENTS

- Locator maps
- STR Application
- Supplemental “Conditional Accessory/Conditional Use Questions”

HISTORY

Annexation date	1955
Zoning District	R-1 (One-family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	Rockingham Place Blk 7

SITE CHARACTERISTICS

Area (acres)	0.26 acres
Topography	Flat
Vegetation/Landscaping	Natural ground cover, trees
Watershed/Drainage	County House Branch
Existing structures	Single-family home

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

West Briarwood Lane	
Location	Along eastern edge of property
Major Roadway Plan	Local residential
CIP projects	N/A
Sidewalk	Not installed

PARKS & RECREATION

Neighborhood Parks	Clary-Shy Community Park
Trails Plan	None
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

31 “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. All “public hearing” letters were distributed on July 21, 2025. The public hearing ad for this matter was placed in the Tribune on July 22, 2025.

Public Notification Responses	None at the time of writing
Notified neighborhood association(s)	Bourn Avenue, Rockingham
Correspondence received	None

Report prepared by: Ross Halligan

Report approved by: Patrick R. Zenner