

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
May 21, 2026**

SUMMARY

A request by Rachelle and Jonathan Lee-Warner (owners) to allow the property addressed as 3303 Timberhill Street to operate a 210-night, maximum four-guest short-term rental pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The dwelling sought for licensure currently possesses a license allowing four guests for up to 120-nights annually. Additionally, there is adequate parking on-site. The 20.17-acre subject site is located west of the intersection of Timberhill Street and East Broadway.

DISCUSSION - APPLICATION EVALUATION

The applicant seeks to obtain a Conditional Use Permit (CUP) to allow 3303 Timberhill Street to be used as a short-term rental (STR) for a maximum of 210-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The applicants presently have a license to operate the dwelling as a short-term rental for 120-nights with a maximum of four guests. This application seeks to only authorize an increase in the number of nights permitted for STR operations. No increase in occupancy is sought and the dwelling will remain the **principal residence** of the applicants.

The following is a site-specific analysis of the property:

Dwelling Unit Details

| | |
|---------------------------------|-------------------------------------------------------------------|
| Property Address | 3303 Timberhill Street |
| Zoning | A (Agriculture) |
| STR Request Type | Tier 2, 210 nights |
| Maximum Guests Requested | 4 |
| Bedrooms | 2, partial home |
| Parking Spaces | 4 parking spaces are provided on-site, and 2 spaces are required. |
| Abutting Properties | A to the north and east, and R-1 to the south |

Owner/Agent

| | |
|-------------------------------------|----------------------------------|
| Owner | Rachelle and Jonathan Lee-Warner |
| Designated Agent | Dan Hader |
| Agent's Distance to Property | 1 mile, 5 minutes |

Listing Information

| | |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Listing Links | https://www.airbnb.com/rooms/1519107415004100025 |
| STR previously offered? | Yes |
| STRs within 300 feet? | There are no STRs within 300' |
| Primary residence? | Yes |
| Previous Violations? | None |

Conditional Use Analysis

Operation of an STR within the subject dwelling requires approval of a Conditional Use Permit (CUP), which has been analyzed for both general and **technical compliance** pursuant to the provisions found in Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. Staff's analysis of these provisions is shown below. The owners' analysis of the criteria is attached to this report.

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

(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 primary residence or to be operated for up to 210 nights in a residential or agriculture district is subject to approval of a CUP. The submitted application demonstrates compliance with the minimum regulatory standards established within Sec. 29-3.3(vv) of the UDC. The site has four parking spaces, which are adequate to support the requested four guests. Additional regulatory review to ensure compliance with the remaining UDC and Rental Unit Conservation Law requirements will occur upon issuance of the CUP and prior to issuance of an STR Certificate of Compliance and Business License.

(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, it 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.

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 fulfilling the idea of supporting mixed-uses within residential neighborhoods.

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).

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 surrounding R-1 and A zoned properties are developed with single-family dwellings. If the requested CUP is approved, up to four guests would be permitted, allowing one more occupant than the maximum three unrelated occupants permitted in long-term rental dwellings in the surrounding R-1 and A zoned properties. Approval of the requested CUP would result in increased occupancy; however, it is uncertain whether trips generated from the subject site would exceed those of the surrounding development. Of the surrounding 4 properties, 1 appears to be owner-occupied. Any potential impacts associated with higher turnover or increased activity may not be noticeable, depending on the current usage patterns of nearby properties.

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

The site is accessed from the north side of Timberhill Street, which is a local residential street. The property currently has four UDC-compliant parking spaces, which are sufficient to meet the parking requirement for four guests. There is no evidence to suggest that a short-term rental operating with a maximum of four guests, supported by current on-site parking, would negatively affect existing or future traffic in the area. During the period of operation as a 120-night STR there has been no identified record of violations relating to the use of the dwelling as a short-term rental.

(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. The subject STR is a portion of the existing residential dwelling located upon the property.

(F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.

The subject site is adjacent to single-family dwellings in all directions, located in the R-1 and A zoning districts, which limit long-term rental to no more than three unrelated occupants. The requested occupancy of four guests would allow one additional individual beyond the R-1 maximum. The property presently is legally licensed to operate as a 120-night, maximum 4 guest short-term rental. There are no identified regulatory violations with the current short-term rental operations.

Any potential negative impacts that may arise given the requested increase in nightly usage can be mitigated through the adopted regulatory provisions which provide a means to report and address violations. The regulations permit the imposition of fines and possible revocation of the STR Certificate of Compliance after 2 verified violations within a 12-month period.

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 registrants have answered they live within the main house and often use the STR for friends and family. The STR will be used by the applicants for such purposes approximately 3-4 weeks annually.

(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 registrant has answered "no" to this question. Staff did not identify additional licensed or registered STR properties within 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 registrant has replied they have operated since October 2025 and have not had any complaints or violations.

(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 registrant has answered the driveway is 270' long with plenty of room for parking. Additionally, the hosts state that they intentionally discourage loud/rowdy guests by stating the rental is co-located near the primary residence.

From a staff perspective, operating the dwelling as transient lodging for up to 210-nights with a maximum of four guests could result in increased impacts; however, the extent of those impacts is unknown. If permitted to only operate at a maximum of four guests, the dwelling's occupancy would be one more than

that permitted in adjacent R-1 and A zoned property; however, the potential for higher turnover would exist. The level of these impacts will depend on several factors, including unit desirability, pricing, and occupancy rates. Similar impacts could be experienced if the dwelling were occupied by long-term residents.

Dwellings used as short-term rentals are subject to a more robust regulatory framework than applicable to long-term rentals to mitigate potential negative effects of using the dwelling for commercial purposes. The STR regulations include limits on occupancy and rental nights as well as a reporting mechanism for violations that can result in licensure revocation following two verified violations within a 12-month period.

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

The registrant has noted that they have discussed this application with their closest neighbors on Timberhill Street (over 500-feet from the dwelling) and have not received any concerns, objections, or negative feedback regarding the current operations or the request to expand the available rental nights. As of writing this report, staff has not received any correspondence.

CONCLUSION

Staff's **technical review** of the application and analysis of the above criteria concludes that approval of a CUP for operation of 3303 Timberhill Street as a 210-night short-term rental with a maximum of four guests would meet regulatory compliance. While the increased guest occupancy would allow one more individual than permitted in other surrounding R-1 and A zoned dwellings, there is no evidence indicating that use of the dwelling with this level of occupancy has created an impact on the surrounding neighborhood. The property is currently legally licensed to operate as a 120-night, maximum 4 guest "Administrative STR" and this application has been triggered by the desire to increase the allowable rental nights. The current STR has operated without apparent regulatory issues.

Approval of the CUP would authorize the applicant to pursue legal licensure to increase their allowable rental nights from 120 to 210 with no increase in the number of permitted guests. Furthermore, approval of the CUP would afford neighbors as well as the city additional regulatory tools to ensure compliance with the adopted standards governing STRs.

RECOMMENDATION

Approve the conditional use permit to allow the dwelling at 3303 Timberhill street to be operated as a STR subject to:

1. The maximum occupancy of four transient guests;
2. A maximum of 210-nights of annual rental usage

ATTACHMENTS

1. Locator Maps
2. STR Application
3. Supplemental "Conditional Accessory/Conditional Use Questions"

HISTORY

| | |
|----------------------------------------------|--------------------------------------|
| Annexation date | 1969, 1964 |
| Zoning District | A (Agriculture) |
| Land Use Plan designation | Open Space / Greenbelt, Neighborhood |
| Previous Subdivision/Legal Lot Status | MPT S ½ NE |

SITE CHARACTERISTICS

| | |
|-------------------------------|--------------------------------|
| Area (acres) | 20.17 acres |
| Topography | Rolling hills |
| Vegetation/Landscaping | Trees and natural ground cover |
| Watershed/Drainage | Hominy Branch |
| Existing structures | Single-family dwelling |

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

Timberhill Street

| | |
|---------------------------|-----------------------|
| Location | South of subject site |
| Major Roadway Plan | Local Residential |
| CIP projects | None |
| Sidewalk | Not installed |

PARKS & RECREATION

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|--------------------------------|--------------------------------------------------------------------------|
| Neighborhood Parks | American Legion Park, Shephard Boulevard Park-School, Hominy Creek Trail |
| Trails Plan | Shephard Park Trail, Hominy Creek Trail, Hominy Creek Connector |
| Bicycle/Pedestrian Plan | None |

PUBLIC NOTIFICATION

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|---------------------------------------------|-----------------------------|
| Public Notification Responses | None at the time of writing |
| Notified neighborhood association(s) | Smithton |
| Correspondence received | None at the time of writing |

11 “public hearing” letters were mailed to property owners and tenants within 185-feet of the subject property. One letter was provided to the Council Ward representative. One letter was sent to neighborhood associations and homeowners associations within 1,000 feet of the subject site. All “public hearing” letters were distributed on May 4, 2026. The public hearing ad for this matter was placed in the Tribune on May 5, 2026.

Report prepared by: Ross Halligan

Approved by: Patrick Zenner