Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. B 239-24

AN ORDINANCE

granting the issuance of a conditional use permit to Randall F. Kilgore to allow the operation of a short-term rental on property located at 804 Fairway Drive; providing a severability clause; and fixing the time when this ordinance shall become effective.

WHEREAS, pursuant to Section 29-6.4(m)(1) of the City Code, the Planning and Zoning Commission (hereinafter "Commission") held a public hearing and submitted a written recommendation to the City Council related to issuance of a conditional use permit on property located at 804 Fairway Drive and legally described as set forth in "Exhibit A" attached hereto and incorporated by reference; and

WHEREAS, the City Council has considered the recommendation of the Commission along with the criteria set forth in Section 29-3.3(vv) and Section 29-6.4(m)(2)(i) of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council finds and determines that the criteria established in Section 29-6.4(m)(2)(i) of the City Code has been met and hereby grants the issuance of a conditional use permit to Randall F. Kilgore (hereinafter the "Owner") to allow the operation of a short-term rental on property located at 804 Fairway Drive in an R-1 (Single-family Dwelling) zoning district, subject to the following conditions:

a. The conditional use permit is granted to the Owner, is not transferrable to any subsequent property owner, and shall be valid for the duration of the short-term rental operation or revocation of the permit. Any discontinuance of the short-term rental operation for a period of twelve (12) months or more or any change in ownership of the property shall render the permit null and void.

b. Operation of the short-term rental shall be subject to the use-specific standards of Sec. 29-3.3(vv)(1)(ii)(B) of the City Code, and shall be limited to an 800 square foot "suite" that is integrated and accessible via a private exterior entrance to the property located at 804 Fairview Drive and occupancy maximum of two (2) transient guests per rental.

c. The Owner shall maintain a certificate of compliance as required by Chapter 22, Article V. Rental Conservation Law and a business license as required by Chapter 13, Article IX, Division 3. Short-Term Rentals.

d. The Owner shall comply with the requirements of District R-1 and all other applicable regulations unless the Owner is granted a variance pursuant to the City Code.

e. The allowed use, per this conditional use permit, shall not create negative impacts on neighboring properties and rights-of-way, including but not limited to:

1. Lighting and glare inconsistent with a residential neighborhood use;
2. Excessive noise;
3. Excessive traffic not compatible with the surrounding neighborhood; or
4. Physical appearance.

f. If any of the conditions of this conditional use permit are not complied with, the City Council, upon recommendation of the Commission following written notice and a noticed public hearing by the Commission, may in addition to revoking the permit, amend, alter, delete or add conditions to the permit.

SECTION 2. The provisions of this ordinance are severable and if any provision is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2024.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor