

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
March 20, 2025**

**SUMMARY**

A request by Matthew Spence (agent), on behalf of Spence Investments LLC (owner), for approval of a Conditional Use Permit (CUP) to allow 504 Campusview Drive to be used as a short-term rental for a maximum of 8 transient guests for 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 approximately 0.22-acre subject site is zoned R-1 (One-family Dwelling), is approximately 200 feet west of the intersection of Bennett Springs Drive and Campusview Drive, and includes the address 504 Campusview Drive.

**DISCUSSION**

The applicant seeks approval of a conditional use permit (CUP) to allow their 2,002 sq. ft. detached single-family dwelling containing 4 bedrooms and 3 bathrooms to be used as a short-term rental for a maximum of 8 transient guests up to 210 nights annually. The home is located within an R-1 (One-family Dwelling) district and is not the applicant's primary residence.

A site-specific evaluation of the property found that the home has an attached 2-car garage and the existing driveway serving the property has sufficient on-site/off-street capacity to support 2 UDC-compliant parking spaces outside of the public right of way. Based on this finding, should approval of the requested CUP be considered, it will be necessary to recommend a **"condition of approval"** that ensures both parking spaces within the 2-car garage are made available at all times the dwelling is in use as an STR. Such a condition is necessary to ensure compliance with the minimum parking standards of Sec. 29-3.3(vv)(1)(ii)(B)(2) and the desired transient guest occupancy. Given the number of desired guests, a minimum of 4 UDC-compliant on-site/off-street parking spaces must be provided. Any condition of approval is subject to final approval by the City Council.

A review of available code violation records associated with this property has not identified any violations. The property has operated as a short-term rental since 2021 to the present. In 2024, the property was available for rental 330 nights and occupied for 230 nights.

Pursuant to Sec. 29-3.3(vv)(2)(i) of the UDC, full compliance with the adopted short-term rental regulations was delayed until June 1, 2025. As such, the operation of an STR until June 1, 2025, is permissible without a license. Approval of this request would ensure the current STR is compliant before the June 1, 2025 licensure deadline. The applicant must fully comply with the City's regulatory standards (i.e. obtain their STR Certificate of Compliance and Business License) by June 1, 2025. If these final regulatory steps are not completed, the STR would be operating in violation of the city code and would be subject to enforcement action which may include fines and revocation of the CUP if granted.

**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, respectively. The following analysis provides an overview of the submitted application and these criteria.

The dwelling is not the applicant's principal residence and was disclosed as having been previously offered as a short-term rental. Based on review of online listing records, the dwelling has operated as an STR since 2021. According to the applicant, in 2024 the dwelling was used approximately for 230 nights. The dwelling is listed on Airbnb at <https://www.airbnb.com/rooms/52917301>. It should be noted

that the bedrooms described on the Airbnb listing are consistent with STR application. Furthermore, the Airbnb listing is for 8 guests, as is the request.

The listing description will be required, as a condition of licensure, to be modified to accurately reflect the listing and will undergo periodic review to ensure compliance with the issued CUP and corresponding licenses. A review of online rental platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinders.com did not identify additional STR within a 300-foot radius of the subject.

In phone conversation with the registrant, they indicated that they were operating more than one STR in the town and would be ceasing operation of other STRs to comply with the regulations adopted by City Council by June 1, 2025. As part of future STR compliance verification, there will be a procedure by which to identify if the applicant has followed through on their communicated intent. Operation of a STR in violation of the adopted regulations could result in enforcement action being sought against the applicant and this property including fines and possible revocation of the STR Certificate of Compliance.

Based upon the stated **bedroom** square footages shown within the application, it would appear that the dwelling would be capable of supporting the maximum transient guests allowed by the ordinance. This conclusion is made following a review of the most current edition of the adopted International Property Maintenance Code (IPMC) and Sec. 404.4.1 thereof in which it is stated that every bedroom shall contain not less than 70 sq. ft. of floor area and every bedroom occupied by **more than** one occupant there shall be no less than 50 sq. ft. of floor area per occupant thereof. The bedrooms were all listed as being greater than 100 sq. ft. Given the limitations imposed by Sec. 29-3.3(vv)(2)(v) with respect to maximum occupancy, the owner is seeking approval for 8 transient guests which is the maximum permitted. Available on-site/off-street parking, inclusive of the garage spaces, would support this number of guests.

A final verification of the maximum occupancy allowed within the dwelling will be determined by the City's Housing and Neighborhood Services Department in conjunction with the required compliance checks for conformance with the provisions Chapter 22, Art. 5 (Rental Unit Conservation Law) prior to issuance of a STR Certificate of Compliance. No occupancy over 8 transient guests would be permitted. 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. If the Commission desires to restrict the occupancy such action may be addressed via a **"condition of approval"** with justification stating why such condition is offered. Any proposed condition of approval is subject to final approval by the City Council.

Within the required 185-foot notification radius, the subject dwelling abuts other single-family structures of similar size and lot area that are located within the R-1 zoning district to the east and the west, undeveloped R-1 zoned land to the south, and the Boulder Springs Condominium Development, zoned R-MF, to the north. The dwelling is supported by adequate public infrastructure (i.e. electric, sewer, & water) and there are no known issues with available capacity to serve the dwelling as an STR. Sidewalks are installed on both sides of Campusview Drive, and on-street parking is allowed on the southern edge of Campusview Drive.

Based on public notification letters, there are 35 individual properties within 185-feet and 5 neighborhood association within 1,000 feet of the subject dwelling. Of the 35 properties, 6 are owner-occupied and 29 are rentals. Given the zoning of the surrounding dwellings, the maximum "long-term" rental occupancy of each dwelling unit would be 3-unrelated individuals for the R-1 properties and 4 unrelated individuals for the R-MF properties.

The subject dwelling is owned by an LLC. Based on this ownership, approval of the requested CUP would be the LLC and its members "one and only" STR license within the City pursuant to the provisions of Sec. 29-3.3(vv)(2)(ii) of the UDC. The application indicates that the LLC will use a designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. Based on the location information provided within the application, this agent is located within Boone County approximately 10 miles (18 minutes) from the dwelling if the need arises to address compliance matters.

Based on a site-specific evaluation, it would appear that access to the dwelling does not require ascending or descending steps to enter the structure. As such, compliance with the accessibility provisions of Sec. 29-3.3(vv)(2)(xiv) of the UDC may not be required. A final determination of required compliance will be completed 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 of the dwelling no signage was identify as being present to advertise the dwelling as an STR.

#### **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 2 UDC compliant parking spaces outside the public right of way and an attached 2-car garage. As such, and given the desired transient guest occupancy (8 total), a **"condition of approval"** is deemed necessary to ensure that sufficient on-site parking is provided at all times the dwelling is used for STR purposes. 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 south of Campusview drive are all improved with single-family residences on lots of similar size and square footage. This site, and the other homes along the southern side of Campusview Drive, are split zone between R-1 and R-MF, but again contain only single-family dwellings. The properties north of Campusview surrounding this site are condominiumized parcels, part of the Boulder Spring-Columbia Condominium Revision and are zoned R-MF.

Based on a search of typical listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinders.com the dwelling was identified as being a listed short-term rental. The applicant has indicated that the home has been previously used as a STR since 2021. In 2024 the dwelling has been used for approximately 230 nights. Based on online reviews the dwelling has been actively listed and made available since October 2021 to the present.

The adopted STR regulations provide standards by which potential negative impacts of operating the dwelling as an STR may be mitigated and afford a method of regulatory reporting/enforcement that prior to February 2024 were nonexistent within the City’s municipal code. The regulatory standards ensure added scrutiny is placed on the dwelling’s operation as a commercial use. Should violations of the regulatory provisions raise to the level requiring action, such action may include, in addition to fines, revocation of the STR Certificate of Compliance.

Given the lack of identified/reported violations, there is nothing to suggest that the continued operation of the dwelling as an STR would be non-compliant or incompatible with the

surrounding neighborhood. Based upon property owner notification letters, of the 35 surrounding parcels within 185-feet of the subject dwelling, it appears 6 are owner-occupied and 29 are rental units.

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

The site is accessed from Campusview Drive via a traditional driveway approach. Campusview Drive is a residential street that has sidewalks and permits on street parking on the north side of the street. The site has adequate on-site/off-street parking to meet the regulatory requirements for use as an STR provided garage spaces are also required to be made available. In the event a guest parked on the street, on-street parking would not create visual obstructions from adjacent driveways or street intersections. The design of the parking and the site's access is consistent with other adjacent residential developments and is believed 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 approval of the CUP.

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

29 of the 35 parcels surrounding the subject site are rental units. Of these, 3 are located on parcels south of Campusview Drive within an R-1 zoning district where a maximum of 3 unrelated individuals would be permitted. There are 3 owner-occupied parcels within 185-feet of the subject site south of Campusview. The remaining 26 rental units are located north of the Campusview Drive and are within an R-MF zoning district where the maximum number of unrelated individuals per unit would be 4. There are 3 owner-occupied units within 185-feet north of Campusview.

While approval of a CUP allowing the subject dwelling to be used as a 210- night STR with a maximum of 8 transient guests could be considered more intense than adjacent owner & rental-occupied single-family dwellings there is no evidence to suggest that such usage would create adverse impacts. The dwelling has been operating as a STR since October 2021 without apparent incident and was used in 2024 for a total of 230 nights.

If the CUP is approved, potential negative impacts can be mitigated through the adopted regulatory provisions which provide a means by which to report and address those impacts including fines and revocation of the STR Certificate of Compliance. Furthermore, 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.

**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 owner has stated they stay in town to visit their son who is a student in the City for 30 to 60 days per year.

**(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 has stated they are not aware of any STRs operating within 300 feet of this property. Staff reviewed the websites of AirBnB, VRBO, Booking.com, and Furnishedfinders.com and did not identify additional STR property within 300-feet

**(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.**

This applicant stated they have operated STRs since 2021 and have no history of complaints.

**(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 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. Furthermore, according to Airbnb online reviews, the dwelling has been offered as STR since October 2021 and the applicant has stated the property has been used as an STR since 2021. This level of use has not generated a complaint record.

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

The owner states that the neighbors have knowledge of the property operating as an STR and it has operated as such without complaint. As of writing this report, no public inquiries in writing, or email have been received. One phone call was received regarding whether or not a home owners’ association was within the notification radius of this property, and staff confirmed it was either not in the radius or not registered with the Office of Neighborhood Services.

## **CONCLUSION**

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a conditional use permit to allow 504 Campusview Drive to be operated as a short-term rental with a maximum of 8 transient guests and rental usage up to 210 nights annually would be appropriate **provided** that a condition stipulating that both garage parking spaces within the attached 2-car garage be made available whenever the dwelling is used for STR purposes. The property is located within a neighborhood that is predominantly rental-occupied consisting of 29 renter occupied dwellings and 6 owner-occupied dwellings.

Approval of the CUP would grant “legal status” to this 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 CUP to allow 504 Campusview Drive to be operated as a short-term rental subject to:

1. Both garage parking spaces within the attached 2-car garage and the driveway be made available at all times the dwelling is used for STR purposes; and
2. 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); and
3. A maximum of 210-nights of annual usage

## **ATTACHMENTS**

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

## **HISTORY**

<b>Annexation date</b>	1964
<b>Zoning District</b>	R-1 (One-family Dwelling)
<b>Land Use Plan designation</b>	Residential District
<b>Previous Subdivision/Legal Lot Status</b>	Legal Lot, Seven Oaks Subdivision Plat 2

## **SITE CHARACTERISTICS**

<b>Area (acres)</b>	0.22 acres
<b>Topography</b>	Slopes relatively steep down to southeast.
<b>Vegetation/Landscaping</b>	Trees and natural ground cover
<b>Watershed/Drainage</b>	Bear Creek
<b>Existing structures</b>	Single-family home w/ attached 2-car garage

## **UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia

## ACCESS

Campusview Drive	
Location	Along northern edge of property
Major Roadway Plan	Residential street
CIP projects	N/A
Sidewalk	Installed

## PARKS & RECREATION

Neighborhood Parks	Highpointe
Trails Plan	Hinkson, South Providence, Greenbriar Connector
Bicycle/Pedestrian Plan	None

## PUBLIC NOTIFICATION

35 “public hearing” letters were distributed with respect to this matter. 29 notices were mailed to property owners and tenants within 185-feet of the subject property, one letter was provided to the Council Ward representative and five letters were sent to neighborhood and homeowners’ associations. All “public hearing” letters were distributed on March 3, 2025. The public hearing ad for this matter was placed in the Tribune on March 4, 2025.

Public Notification Responses	N/A
Notified neighborhood association(s)	Foxfire, Seven Oaks, Meadows, Meadows HOA, Stadium Heights
Correspondence received	One call, no formal opposition

Report prepared by: David Kunz

Report approved by: Patrick R. Zenner