

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 24, 2025**

SUMMARY

A request by Claire Altman (owner) to allow 115 Clinton Drive 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 0.52-acre, R-2 (Two-family Dwelling) zoned, subject site is located southwest of the intersection of Ash Street and Clinton Drive.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow their 1,964 sq. ft. 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 applicant has stated that the dwelling has 4 bedrooms and 2.5 baths, which was confirmed on the Boone County Assessor's Parcel Information Viewer. As part of the STR licensing process, a full structural inspection will be performed by Neighborhood Services and the Building and Site Development Division of Community Development. The home is located in an R-2 (Two-family Dwelling) district and is not the applicant's primary residence.

A site-specific evaluation of the property found that the home does have a garage and two driveways for parking. The parking area serving the property has sufficient on-site/off-street capacity to support 4 UDC-compliant parking spaces outside of the public right-of-way on both of the driveways on the site. Given the number of desired guests, a minimum of 4 UDC-compliant on-site/off-street parking spaces must be provided. Such 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.

A review of available violation records associated with this property has identified 0 violation cases. The property doesn't currently possess a long-term rental license. In 2024, the property was occupied for 136 nights as an STR.

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. 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 since 2023. According to the applicant, in 2024, the dwelling was used for approximately 136 nights. Online reviews for the dwelling show usage as an STR starting in May 2023 and continuing into the present. The dwelling is listed on Airbnb at <https://www.airbnb.com/rooms/874645024183753687>. The listing currently offers the property for 9 guests, but otherwise matches the information listed in the

application. As a condition of licensure, the listing will be required to be modified and will undergo periodic inspection to ensure conforms to the issued CUP and corresponding licenses.

A review of online rental platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinder.com identified 1 additional STR within a 300-foot radius of the subject dwelling addressed as 121 N West Boulevard. This STR was granted a CUP in December 2024 and authorized to have 4 guests and operate up to 210-nights annually. This STR is, listed at <https://www.airbnb.com/rooms/46709068>. It should also be noted that West Boulevard Elementary is within 1,000 feet of the proposed STR.

Based upon the stated **bedroom** square footages shown within the application, it would appear that the dwelling would be capable of supporting the maximum 8 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. 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 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 or the number of available nights of rental, given the presence of another authorized STR within 300-feet, such actions may be addressed through a "**condition of approval**" with justification stating why such condition is offered. Any condition of approval proposed is subject to final approval by the City Council.

Within the required 185-foot notification radius, the subject dwelling abuts other single-family structures in all directions of similar size and lot area. The site is surrounded on all sides by R-2 zoning. The subject dwelling has a fenced-in rear yard. 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 not installed on both sides of Clinton Drive and on-street parking is allowed.

Based on public notification letters, there are 17 individual properties within 185-feet and 6 neighborhood associations within 1,000 feet. Of the 17 properties, it appears 9 are owner-occupied dwellings and 8 are rental dwellings. Given the R-2 zoning of the surrounding dwellings, the maximum "long-term" rental occupancy of each dwelling unit would be 4-unrelated individuals for dwellings.

The subject dwelling is owned by an individual. Based on this ownership, approval of the requested CUP would be the owner's "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 owner be the designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. Based upon the location information provided within the application, the owner is a resident of Boone County located approximately 7.8 miles (16 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 requires ascending a step to enter the structure. Compliance with the accessibility provisions of Sec. 29-3.3(vv)((2)(xiv) of the UDC 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 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(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-2 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 two driveways with parking capacity capable of accommodating 4 UDC compliant parking spaces outside the public right of way. 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 all improved with single-family residences of similar size and square footage; however, the applicant's lot is significantly larger than those surrounding it. The property is immediately southeast of the Salvation Army's Columbia Corps facility located on W. Ash Street. Adjoining developments are within the R-2 zoning districts.

A search of listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinder.com 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 May of 2023. In 2024, the applicant indicated that the home was used for 136 nights. The dwelling is located within 300-feet of another STR that received its CUP in December 2024 at the 121 N. West Boulevard.

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 rise to the level requiring action, such action may include, in addition to fines, revocation of the STR Certificate of Compliance.

With the lack of identified/reported violations pertaining to the current owner's usage, there is nothing to suggest that the operation of the dwelling as a STR would be non-compliant or incompatible with the surrounding neighborhood. It is worth noting that the STR at 121 N. West Boulevard was operating at the same time in 2024 and neither property generated neighborhood complaints.

Based upon property owner notification letters, of the 17 surrounding parcels within 185-feet of the subject dwelling, it appears 9 dwellings are owner-occupied and 8 are rental units. Given the UDC definition of "family" and the surrounding parcel's R-2 zoning, all dwelling units, owner and renter occupied, would be permitted to be occupied by up to 4-unrelated individuals.

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

The site is accessed from Clinton Drive through a two traditional driveway approaches. Clinton Drive is a residential street that has no sidewalks and permits on-street parking. The site has adequate on-site/off-street parking within its two driveways to meet the regulatory requirements for use as an STR. In the event a guest parked on the street, on-street parking would not create visual obstructions given the subject site is mid-block and not at a corner. The design of the parking and the site's access is consistent with other residential development within the neighborhood 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.

8 of the 17 parcels within 185 feet of the subject site appears to be used for rental purposes. The 9 remaining structures are owner-occupied. The structures are located within the R-2 zoning district. The R-2 zoning legally permits 4-unrelated individuals within each dwelling. 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 subject property is located on a lot approximately twice the size of adjacent parcels, has ample on-site/off-street parking to support the increased number of occupants, and has a fenced in rear yard that essentially adjoining the Salvation Army's Columbia Corps facility parking lot.

The dwelling has been listed STR since May 2023 and, as noted, was made available throughout 2024 for 136 nights. If the CUP is approved, potential negative impacts can be mitigated through the adopted regulatory provisions which provides a means by which to report and address those impacts including fines and revocation of the STR Certificate of Compliance.

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" 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 that they are unaware of other established STRs within 300 feet of the subject dwelling. Staff reviewed the websites of Airbnb, VRBO, Booking.com, and

Furnishedfinders.com and identified 1 additional STR property at 121 N West Boulevard which received a CUP in December 2024 allowing 4 transient guests and operation of up to 210-nights.

- (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 answered “no” to this question. Review of City code violation records supports their 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 “no” to this question. As a general staff observation, using the subject dwelling for transient accommodations for 210-nights annually and double the number of un-related individuals permitted by the UDC could result in increased impacts; 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.

It should be noted that no public correspondence was received expressing concern with this application at the time of report writing even though a similar request was approved in December 2024 within 300-feet. The STR within 300-feet is not on the same street, is smaller in size, and limited in its ability to meet regulatory parking standards on-site/off-street.

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

The owner answered “no” to this question. There has been no public correspondence received by staff at time of writing.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a conditional use permit to allow 115 Clinton 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 within the surrounding land use context notwithstanding the presence of another authorized STR within 300-feet. If approved the subject dwelling would be located on a different street frontage than the previously authorized STR, would be in the middle of a block that has mixed tenancy, and has lot area and parking capacity significantly greater than surrounding 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 conditional use permit to allow 115 Clinton Drive 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	1946
Zoning District	R-2 (Two-family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	Bateman Place

SITE CHARACTERISTICS

Area (acres)	0.52 acres
Topography	Sloping from north to south
Vegetation/Landscaping	Trees and natural ground cover
Watershed/Drainage	Perche Creek
Existing structures	Single-family home, detached garage

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

Clinton Drive	
Location	Along eastern edge of property
Major Roadway Plan	Residential street
CIP projects	N/A
Sidewalk	Not Installed

PARKS & RECREATION

Neighborhood Parks	Clary-Shy Community Park, Again Street Park-School
Trails Plan	N/A
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

45 “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 within 1,000 feet of the subject site. The public hearing ad for this matter was placed in the Tribune on April 8, 2025.

Public Notification Responses	None
Notified neighborhood association(s)	Lake Broadway, West Ash, Historic West Broadway, Historic Sunset Lane, County House Branch, Gary-Atkins
Correspondence received	None at time of writing

Report prepared by: Kirtis Orendorff

Report approved by: Patrick Zenner