

Proposed revisions to Sec. 29-1.11(g) of the Chapter 29 of the City Code

(Changes shown with underline are to be added and those show as ~~strike-through~~ are to be deleted)

(g) *Short-term rentals.* For the purpose of [chapter 29, article 3, section 29-3.3](#)(vv) the following words and terms as used are defined as follows:

Authorized Tenant. An individual, under a signed lease greater than thirty (30) days, who has obtained permission from the dwelling's owner to conduct a short-term rental within the dwelling unit on the parcel where the dwelling unit that is the subject of the short-term rental registration is located.

Designated agent. An individual or management company located within the County of Boone that is available twenty-four (24) hours per day who accepts full responsibility for addressing matters arising with the operation or use of a dwelling unit licensed as a short-term rental in the absence of the owner/authorized tenant of the property upon which such dwelling is located. The individual or management company is not required to be on-site in the absence of the owner/authorized tenant of the property.

Owner. Any person, corporation, limited liability company, partnership, limited partnership, trust, real estate investment trust or any other legal entity who has legal interest in a property as shown within the records of the Boone County Assessor's Office.

Registrant. The natural person who has:

- (1) Identified themselves as the registrant in the registration information and documentation submitted pursuant to the provisions of [chapter 22](#) (Rental Unit Conversation Law) of the City Code:
- (2) Either owns the dwelling unit, or is an authorized tenant who has a documented right to possess and conduct a short-term rental within the dwelling unit; and
- (3) Has complied with all registration requirements for such dwelling unit in the City Code.

Short-term rental. A residential dwelling unit, portion of a dwelling unit or room within a residential dwelling unit rented by a transient guest.

Short-term rental (Tier 1). A residential dwelling unit that is rented, on occasion, in whole or in part, as a short-term rental for less than two hundred ten (210) nights in a calendar year, as set forth in [section 29-3.3](#)(vv)(1)(i).

Short-term rental (Tier 2). A residential dwelling unit that is rented, in whole or in part, as a short-term rental for greater than two hundred ten (210) nights in a calendar year, as set forth in [section 29-3.3](#)(vv)(1)(ii).

Short-term rental intermediary. A marketplace or network that facilitates the listing, marketing, or rental of a short-term rental on a site, also referred to as a platform.

Transient guest. A person who occupies a room in a hotel, motel or tourist court as well as a bed and breakfast or short-term rental for less than thirty-one (31) consecutive days.

Proposed revisions to Sec. 29-3.2, Table 29-3.1 of the Chapter 29 of the City Code

(Changes shown with underline are to be added and those show as ~~strike-through~~ are to be deleted)

Table 29-3.1: COLUMBIA, MISSOURI, PERMITTED USE TABLE															
P=Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use															
Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in Section 29-3.3	
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD		
LAND USE CATEGORY															
...															
COMMERCIAL USES															
...															
Guest Accommodations															
Bed and Breakfast		C	C		C	P	P	P						Per PD Approval	(s)
Hotel							P	P	P	P					
Travel Trailer Park							C				C				
Short-term Rental (Tier 1)	A	A	A		A	A	A	A			A				
Short-term Rental (Tier 1)	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		P/C	P/C	P/C	P/C			P/C				
Short-term Rental (Tier 2)					C	P	P	P							
...															

Proposed revisions to Sec. 29-3.3(vv) of the Chapter 29 of the City Code

(Changes shown with underline are to be added and those show as ~~strike-through~~ are to be deleted)

(vv) *Accessory and temporary uses of land and buildings: Short-term rental.*

(1) *Short-term rental types.* Short-term rentals shall be classified as either a Tier 1 Permitted or Conditional, or Tier 2 Permitted or Conditional dwelling unit subject to the following provisions:

(i) *"Tier 1" short-term rental.* Shall be either a Permitted Use or a Conditional Use in zoning districts A, R-1, R-2, R-MF, M-OF, M-N, M-C, and M-DT subject to the following criteria:

(A) Permitted Use. A dwelling unit used by its owner or authorized tenant that is found to comply with the following provisions shall be considered a permitted use:

(1) The dwelling unit or portion of the dwelling unit is rented by transient guests for no greater than two hundred ten (210) nights in a calendar year; and

- (2) Compliance with the provisions of section 29-3.3(vv)(2) below have been met; and
 - (3) Off-street parking, as described below, shall be provided, except as set forth in [section 29-3.3\(vv\)\(2\)\(vi\)](#) below:
 - (a) Dwellings rented to no more than 4 transient guests and for no greater than 120 nights in a calendar year shall not require additional off-street parking; or
 - (b) Dwellings rented to transient guests, regardless of number, for greater than 120 nights in a calendar year shall provide one (1) off-street parking space for every two (2) occupants of the dwelling unit. Such parking shall be provided on the site of the short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking; and
 - (4) None of the provisions listed in subsection (B)(1) have been identified as being applicable to the subject dwelling unit or the dwelling unit's location.
- (B) Conditional Use. A dwelling unit used by its owner or authorized tenant and meeting any of the provisions of subsection (B)(1) below shall only be allowed following the issuance of a conditional use permit by city council in accordance with section 29-6.4(conditional use permit) and compliance with the remaining provisions of this subsection.
- (1) A conditional use permit shall be required for a dwelling unit meeting any of the following criteria:
 - (a) The dwelling unit is located within 300-feet of an approved and/or fully licensed short-term rental; or
 - (b) The dwelling unit has City of Columbia code violations, of any kind, documented complaints filed with the City of Columbia's Community Development or Housing and Neighborhood Services Departments, or is sought to be licensed by a registrant that has had a prior short-term rental license revoked; or
 - (c) The dwelling unit is located within 1000-feet of a public school.
 - (2) The dwelling unit or portion of the dwelling unit is rented by transient guests for no greater than two hundred ten (210) nights in a calendar year; and
 - (3) Compliance with the provisions of section 29-3.3(vv)(2) below have been met; and
 - (4) Except as set forth in [section 29-3.3\(vv\)\(2\)\(vi\)](#) below, one (1) off-street parking space for every two (2) occupants of the dwelling unit shall be provided. Such parking shall be provided off-street on the site of the short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking.
- (ii) *"Tier 2" short-term rental.* Shall be a permitted use in zoning districts M-N, M-C, and M-DT and shall be a conditional use in zoning district M-OF provided the following criteria are met:
- (A) The dwelling unit is rented by transient guests for a period greater than two hundred ten (210) nights in a calendar year; and
 - (B) Compliance with the provisions of section 29-3.3(vv)(2) below have been met; and

- (C) Except as set forth in [section 29-3.3\(vv\)\(2\)\(vi\)](#) below, one (1) off-street parking space for every two (2) occupants of the dwelling unit shall be provided. Such parking shall be provided off-street on the site of the short-term rental on a parking surface compliant with the provisions of this Code and shall not result in the displacement of required parking; and
- (D) A conditional use permit, where required, is approved by the city council in accordance with [section 29-6.4](#) (conditional use permit).

(2) *Supplemental use-specific standards.* The following standards shall be applicable to all short-term rentals regardless of their "tier" of designation.

- (i) *Compliance.* It shall be unlawful to operate within the city any short-term rental without complying with the provision of this subsection (vv) and having obtained a business license and a short-term rental certificate of compliance pursuant to the provisions of [chapter 13](#) (Business License) and [chapter 22](#), article V (Rental Unit Conservation Law) of this Code.
- (ii) *Limits on licensure.* A maximum of one (1) short-term rental certificate of compliance may be issued per owner or authorized tenant.
- (iii) *Registration.* Registration for a short-term rental certificate of compliance shall follow the provisions of [chapter 22](#) (Rental Unit Conversation Law) of the City Code. Concurrent with submission of registration forms provided by the city, the registrant shall submit:
 - (A) *Registrant.* Identification of the registrant by full name, Social Security Number or Federal Tax Identification Number, telephone number, mailing address, email address and date of birth,
 - (B) *Owner.* If registrant is not the owner of the dwelling unit, identification of each owner of the unit by full name, telephone number, Social Security Number, Federal Tax Identification Number, mailing address, email address and date of birth. If the dwelling unit is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of the following shall be provided: for a corporation, a corporate officer and chief operating officer; for a partnership, the managing partner; for a limited liability company, the managing or administrative member; for a limited partnership, a general partner; for a trust, a trustee; or for a real estate investment trust, a general partner or officer,
 - (C) *Registrant's proof of possession.* Proof of possession of the short-term rental, either by valid warranty deed, valid lease, or other verification of a tenant's right to possession of the dwelling unit. If the proposed registrant does not own the dwelling unit, they must also provide a notarized affidavit from the property owner allowing the proposed registrant to conduct a short-term rental within the dwelling unit,
 - (D) *Maximum day.* The maximum number of nights annually that the dwelling is to be rented as a short-term rental, and
 - (E) *Designated agent.* The name, address, and contact number of a designated agent within the County of Boone and accessible twenty-four (24) hours per day, seven (7) days a week who shall accept full responsibility for addressing matters arising with the operation or use of the dwelling unit in the absence of the registrant.

- (iv) *Conditional use permit.* When applicable, a short-term rental certificate of compliance shall be granted only after the issuance of a conditional use permit in accordance with the provisions of [section 29-6.4](#) (conditional use permit).
- (v) *Maximum occupancy.* The maximum number of occupants permitted in a dwelling unit offered and operated as a short-term rental shall be subject to the "occupancy limitations" of the most recently adopted edition of the International Property Maintenance Code (IPMC). In no instance, regardless of short-term rental tier designation, shall a dwelling unit be occupied by more than a total of eight (8) occupants.
- (vi) *Parking.* In such instances where the parking requirements of an overlay zoning district or the mixed use - downtown (M-DT) district conflict with the parking requirements set forth in [section 29-3.3\(vv\)\(1\)](#) above, the parking requirements of the overlay zoning district or M-DT district shall control.
- (vii) *Reservations.* Only one (1) rental reservation at a time shall be permissible for each short-term rental. If rented "in part" and additional occupancy is permitted, it shall be unlawful to have a second reservation for the same dwelling.
- (viii) *Dwelling unit usage.* Dwellings licensed for short-term rental usage shall not be used for special events such as weddings, corporate events, commercial functions, large parties (greater than eight (8) persons), and other similar events or activities otherwise prohibited by this Code.
- (ix) *Certificate of compliance posting.* The short-term rental certificate of compliance issued by the city shall be conspicuously posted at the entry of the dwelling unit for review upon the request of a police officer or city inspector investigating a violation of this subsection (vv), [chapter 16](#), article IV (Nuisances), or [chapter 22](#), article V (Rental Unit Conservation Law) of this Code.
- (x) *Safety requirements.* Certification shall be required by the proposed registrant, and, if the proposed registrant is not the owner of the dwelling unit, by the owner, to each of the following requirements:
 - (A) The dwelling unit complies with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, electrical, mechanical, and plumbing codes.
 - (B) The following information has been conspicuously posted at the entry of each dwelling unit rented as a short-term rental:
 1. The contact information for the registrant, owner, and that of the designated agent representing the dwelling unit in the absence of the registrant.
 2. The contact information for emergency services (police, fire, and ambulance), and the city's community development department.
 3. The occupancy limitations as provided within the short-term rental certificate of compliance.
 4. An emergency evacuation route map.
 - (C) Installed and maintained within the dwelling unit are smoke and carbon monoxide detectors in locations as specified for dwelling units by the building code.

- (D) Proposed registrant and owner will allow inspection of the short-term rental dwelling unit by the city for fire, police, public safety, health/sanitation and other City Code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short term-rental guest.
- (xi) *Rental platform identification.* It shall be unlawful to list a short-term rental on any website or other media without first obtaining a short-term rental certificate of compliance from the city. Any website or media listing of the dwelling unit shall include the short-term rental certificate of compliance licensing number. Concurrent with the application to register a dwelling unit as a short-term rental and annually thereafter, the registrant shall provide the city with a list of all specific website or other media where the dwelling unit will be advertised for rental purposes.
- (xii) *Accessory dwelling unit (ADU) usage.* An ADU may be permitted to be utilized as a short-term rental subject to compliance with the provisions of this subsection (vv) and all other applicable provisions of this Code, provided not more than one (1) dwelling unit upon the property is registered for use as a short-term rental.
- (xiii) *Signage.* One (1) non-illuminated building-mounted sign no greater than one (1) square foot in area shall be permitted to identify the dwelling unit as a short-term rental. One (1) non-illuminated onsite directional sign no greater than one-half ($\frac{1}{2}$) square foot in area shall be permitted for guest way-finding purposes.
- (xiv) *Accessibility requirements.* Short-term rentals in dwelling units shall comply with federal, state, and local accessibility requirements as applicable.
- (xv) *Short-term rental certificate of compliance non-transferable.* An active short-term rental certificate of compliance authorizing the use of a dwelling unit as a short-term rental and, if applicable, any conditional use permit granted under the provisions of [section 29-6.4](#) (conditional use permit), shall be void upon the sale of the property. Application to re-establish the dwelling unit as a short-term rental shall be subject to all requirements of this Code and shall be submitted in compliance with the provisions of [chapter 13](#) (Business License) and [chapter 22](#), article V (Rental Unit Conservation Law).
- (xvi) *Revocation of a short-term rental certificate of compliance.* Operation of a short-term rental, regardless of classification, in violation of any of the provisions of this subsection (vv) shall constitute a violation of this chapter and the violations and penalties provisions of [section 29-6.6](#) of this Code shall apply. Any registrant who has had their short-term rental certificate of compliance revoked shall be required to seek a conditional use permit to re-establish the short-term rental.

Proposed revisions to Sec. 29-6.4(m)(2)(iii) of the Chapter 29 of the City Code

(Changes shown with underline are to be added and those show as ~~strike-through~~ are to be deleted)

Sec. 29-6.4. Specific regulatory procedures.

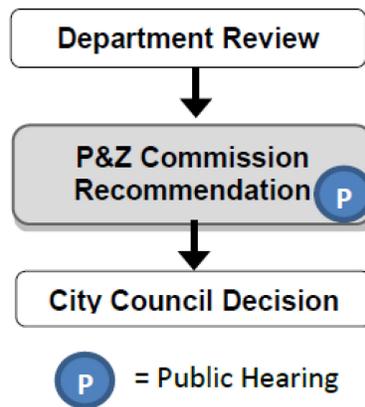
- (a) *Zoning compliance.* Each application under this chapter that does not require one or more of the specific regulatory procedures in subsections (b) through (q) below shall be reviewed for zoning compliance. Zoning compliance checks shall be conducted by the department, and applications shall be approved if they comply with this chapter. The department's decision may be appealed to the board pursuant to section 29-6.3(f).

. . .

- (m) *Conditional use permit.*

- (1) *Procedure.*

Conditional Use Permit



- (2) *Criteria for approval.* After giving due consideration to the following criteria, the commission may recommend and the council may grant a conditional use permit which may include any conditions deemed necessary to carry out the provisions and intent of this chapter.

- (i) *General 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;
- (B) The proposed conditional use is consistent with the city's adopted comprehensive plan;
- (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;
- (D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion;
- (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
- (F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.

- (ii) *Criteria for communication antennas and towers.* When considering a conditional use permit application for a communications antenna or tower, the application shall be submitted to the board and the board shall consider the following criteria in addition to those listed in subsection (i) above, and its decision shall be based on substantial evidence in the written record:
- (A) Whether or not existing towers are located within the geographic area necessary to meet the applicant's engineering requirements;
 - (B) Whether or not existing towers, structures or buildings within the applicant's required geographic area are of sufficient height to meet system engineering requirements;
 - (C) Whether or not existing towers or structures have sufficient structural strength to support the applicant's proposed antenna;
 - (D) Whether or not the fees, costs, or other contractual terms required by the owner(s) of existing tower(s), structure(s) or building(s) within the required geographic area of the applicant or to retrofit the existing tower(s) or structure(s) are reasonable;
 - (E) Whether or not there are other limiting conditions that render existing towers, structures or buildings within the applicant's required geographic area unsuitable;
 - (F) Whether or not the proposal minimizes the number and size of towers or structures that will be required in the area;
 - (G) Whether or not the applicant has previously failed to take advantage of available shared use opportunities provided by this section or otherwise; and
 - (H) Whether or not the applicant has provided sufficient evidence indicating that the tower will be made available for use by others, subject to reasonable technical limitations and reasonable financial terms.
- (iii) *Criteria for short-term rentals.* When considering a conditional use permit application for a short-term rental (STR), the commission and council shall consider the following criteria in addition to those listed in subsection (i) above:
- (A) Whether the proposed STR is used for any part of the year by the registrant as a residence. If so, for how long?
 - (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."
 - (C) Whether or not there are established public schools within one thousand (1,000) feet of the proposed STR measured in all directions from property lines "as the crow flies."
 - (D) 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.
 - (E) Whether the proposed STR will increase the intensity of the use of the property and cause increased traffic or noise coming from the property.
 - (F) Whether there is support for the establishment of the proposed STR from neighboring property owners.