

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
October 9, 2025**

SUMMARY

A request by Kevin Dickherber (agent), on behalf of Par Five Properties, LLC (owner), to allow 1306 St. Michael 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 4-bedroom, 2-bath home has an attached 1-car garage and sufficient driveway capacity to support 1 UDC-compliant on-site/off-street parking space. This request, if approved, would be subject to expansion of available on-site/off-street parking by 2 additional spaces to permit the 8 desired guests. The dwelling is presently limited to 4 guests given available parking. The 0.23-acre subject site is located on the south side of St. Michael Drive approximately 510-feet west of the intersection of Crestland Avenue and S. Christopher Street.

DISCUSSION - APPLICATION EVALUATION

The applicant seeks to obtain a conditional use permit (CUP) to allow 1306 St Michael Drive to be used as a short-term rental (STR) pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. As of June 1, 2025, any dwelling operated as an STR must fully comply with the provisions of the STR regulations which include acquisition of an STR Certificate of Compliance, Business License, and submission of accommodation taxes. Approval of this request is a required prerequisite to proceeding forward in obtaining the STR certificate and business license.

While action on this request is pending, enforcement action on the operation of the dwelling as an STR will be suspended. Continued operation of the dwelling as an STR following final City Council action without acquiring the STR certificate of compliance and business license would constitute an illegal use of land and would be subject to revocation of the CUP, if authorized, as well as other enforcement actions identified in the City Code.

The subject site currently has enough parking spaces for 2 vehicles to be stored on the subject site, one in the driveway and one in the single car attached garage. In order to be legally authorized for the requested 8 guests an additional 2 parking spaces must be added to the subject site and accessible from the public right of way. No on-street parking cannot be used to meet the parking standards established within the STR regulations.

As of writing this report, staff has received 4 letters of opposition regarding this case. These letters contain concerns regarding on-street parking, partying, neighborhood character, property maintenance, safety, and noise impacts created by the dwellings use as an STR. One letter noted an incident in July 2024 where guests of the STR mistakenly attempted to enter a different dwelling, and CPD was called. Staff confirmed that this incident did occur with CPD; however, no reports were filed and no charges were pressed.

This property has 9 code violations currently on file, starting from December 2022 to the present. 8 of these cases pertained to solid waste violations. These cases broadly include overflowing/spilled trash and roll carts placed too early/removed too late on the street. These cases are all currently resolved and occurred prior to STR operations being regulated as a land use within the UDC. The single open case is in reference to an illegal STR operation, filed June 10, 2025. A letter of violation was sent the same day. This illegal STR code case notes complaints regarding number of vehicles parked on the street, and included photographs of a pickup truck parked in the front yard on grass. Police visited the property in relation to a parking complaint on June 10, 2025, but were not able to get in contact with anyone on the property. A follow up visit on June 11th was conducted and the officer met with guests of the STR, noting 3 vehicles parked legally in front of the house at time of visit. A second letter of violation was sent on August 5th. The applicant applied for an STR CUP permit on September 2nd.

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

Dwelling Unit Details

Property Address	1306 St Michael Drive
Zoning	R-1 (One-Family Dwelling)
STR Request Type	Tier 2, 210 nights
Maximum Guests Requested	8
Bedrooms	4
Parking Spaces	Two provided, applicant will be required to install a parking pad with two parking spaces to support desired guest occupancy
Abutting Properties	R-1 in all directions

Owner/Agent

Owner	Par Five Properties LLC
Designated Agent	Kevin Dickherber
Agent's Distance to Property	10 miles, 20 minutes away from property

Listing Information

Listing Links	https://www.airbnb.com/rooms/565785679437983241
STR previously offered?	Yes, beginning July 2022 based on listing reviews. Operated 190 nights in 2024
STRs within 300 feet?	None
Primary residence?	No
Previous Violations?	One open code case regarding illegal STR operation, 8 closed cases regarding solid waste violations. Multiple reports of parking concerns to Community Development.

Conditional Use Analysis

This application triggers approval of a conditional use permit (CUP) and has been analyzed 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 owner's 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 principal residence or to be operated for up to 210 nights in a residential zoning district is subject to approval of a CUP. The submitted application has illustrated compliance with the minimum regulatory standards established within Sec. 29-3.3(vv) of the UDC with the exception of providing required on-

site/off-street parking. If this request is approved provision of required parking will be made a condition of final licensure. Additional regulatory review to ensure full compliance with the provisions 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 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, 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 improved with one-family residences on lots of similar size and square footage. The dwelling has not been modified structurally to accommodate the STR use and appears from the street frontage to be a single-family dwelling. If the requested CUP is approved, the only potentially noticeable change in this dwelling’s character would be the number of unrelated individuals permitted within the structure when compared to adjacent R-1 zoned property. Additionally, the frequency of occupant turnover maybe greater than that of surrounding development.

Occupancy within the dwelling is sought to accommodate five more people than allowed within adjacent R-1 single-family residences and the frequency of occupant turnover may be

greater than that of surrounding development. Staff determined that 10 of the nearby 16 parcels are used as long-term rental properties. Furthermore, the applicant would also be required to construct a driveway/parking pad to accommodate the required additional 2 on-site/off-street spaces to support the requested guest occupancy.

Potential negative impacts can be mitigated through the adopted regulatory provisions that provide a means to report and address violations. The regulations permit imposition of fines and possible revocation of the STR Certificate of Compliance after 2 **verified** violations within a 12-month period.

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

The site is located on the south side of St. Michael Drive approximately 510-feet west of the intersection of Crestland Avenue and S. Christopher Street, and the site obtains its sole access from St. Michael Drive. This site does not currently have sufficient on-site/off-street parking and the applicant would be required to construct a driveway/parking pad on-site that can accommodate 2 additional vehicles before full compliance with the STR regulations can be achieved and licenses for **legal** operation of the desired dwelling as an STR with a maximum of 8 guests could be authorized. Given the site's current parking improvements only a **maximum of 4** guests could be **legally** authorized if the CUP is approved.

(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 requirement that a dwelling sought to be used as an STR provide or install necessary parking to support such a use is intended to ensure that negative impacts associated with the "commercial" nature of a dwelling as an STR have been mitigated.

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

The subject site is adjacent to single family homes within the R-1 district. Dwellings within the R-1 district permit 3 unrelated individuals when used as rental properties. The request authorization to allow a **maximum** of 8 unrelated individuals to occupy the dwelling would be greater than double the surrounding "long-term" rental occupancy. However, if the requested CUP were approved authorized and no further parking improvements were made, a **maximum** of 4 guests would be permitted – one guest greater than that allowed if the dwelling were used for long-term rental purposes.

This STR has been in operation since June 2022 and has had 8 code case violations. CPD was called to a disturbance on July 26, 2024 for an attempted break-in by alleged STR guests; however, no charges were filed and no report was submitted. While prior events at the dwelling cannot be a consider an indicative predictor of future activities, it is worth noting that these events generally had occurred prior to the dwelling being subject to City regulations. Any on-going/future potential negative impacts can be mitigated through the adopted regulatory provisions that provide a means to report and address violations. The regulations permit 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 applicant's response to this question, has stated "0 nights."

- (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 applicant indicates "None". Staff has identified zero additional 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 applicant has stated "No." Staff has identified 9 code violations regarding this property, 8 of which regard solid waste violations, the details of which are described above. The applicant was notified that they were in violation of the STR provisions in two separate mailings in June and August 2025, with the second notice indicating a compliance deadline after which "prosecution" of illegally operating a STR would be taken. Following the second notice, the applicant and owners applied for the required CUP on September 2, 2025.

- (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.**

In response to this question, the applicant has stated "No"

As a general staff observation, using the subject dwelling for transient accommodations for the requested annual nights and double the allowable number of occupants when compared to traditional long-term rental housing in the R-1 district could result in increased impacts and neighborhood disruptions; 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 adopted regulatory structure provides standards for limiting impacts (occupancy and nights) and has enforcement mechanisms to mitigate of possible negative outcomes. The identified violations have been resolved and aside from the attempted "break-in" in 2024 are not generally considered uncommon in residential neighborhoods where property owners are more attentive city-enacted laws. Any future impacts can be addressed through the adopted regulatory processes and continued property owner actions.

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

The applicant did not respond to this question. At the time of report publication, staff has received 4 letters of opposition to this case, citing concerns on parking, partying, neighborhood character, property maintenance, safety, and noise.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it is staff's finding that granting a conditional use permit to allow 1306 St Michael Drive to be operated as a 210-night, 8 guest STR subject to installation of a driveway/parking pad to accommodate 2 additional on-site/off-street parking spaces, would result in the dwelling being compliant with the adopted regulatory provisions

relating to short-term rentals for its desired occupancy. Prior events and activities occurring at this property are not a predictor of future events or actions especially given such events occurred at a time when the dwelling was not subject to STR licensure.

The property abuts single-family homes in the R-1 district in all directions which are permitted a maximum of 3 unrelated individuals when used as long-term rentals. The proposed occupancy of the dwelling at 8 total guests would, if approved, permit more than double this allowance. However, if no additional on-site improvements for parking were made, a maximum of 4 guests would be considered **legally** allowed if the STR CUP were to be approved.

The subject property has accumulated 9 violations within the prior 3 years. Of these violations 8 are presently resolved and were related to ineffective trash management. Violations of this nature can occur in any residential neighborhood and with any type of dwelling usage. The remaining outstanding violation, "operating an illegal STR" was not addressed for 3 months following initial issuance of a notice of violation. This application seeks to resolve that matter.

Approval of the CUP would grant "legal status" to the existing 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 can be restricted to a lesser number of nights and occupants than that being sought. Such a recommendation is at the discretion of the Planning and Zoning Commission and is subject to final approval by the City Council. Regardless of the intensity of proposed operation of this dwelling as an STR, the issuance of a CUP would fulfill several policies, strategies, and actions of the Columbia Imagined Comprehensive Plan.

RECOMMENDATION

Approve the conditional use permit to allow the dwelling at 1306 St Michael Drive to be operated as a STR subject to:

1. The maximum occupancy of 8 transient guests regardless of occupancy permitted by the most recently adopted edition of the International Property Maintenance Code (IPMC);
2. A maximum of 210-nights of annual rental usage;
3. One parking spaces within the attached 1-car garage be made available while the dwelling is in use as a short-term rental;
4. The construction of a driveway/parking pad on-site accommodating two additional parking spaces prior to issuance of a STR Certificate of Compliance or Business License for more than 4 transient guests.

ATTACHMENTS

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

HISTORY

Annexation date	1955
Zoning District	R-1 (One-Family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	Westwood Manor

SITE CHARACTERISTICS

Area (acres)	0.23 acres
Topography	Sloping from south to north
Vegetation/Landscaping	Trees and natural ground cover
Watershed/Drainage	Perche Creek
Existing structures	One-family home

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

St Michael Drive	
Location	Along northern edge of property
Major Roadway Plan	Local Residential
CIP projects	N/A
Sidewalk	None

PARKS & RECREATION

Neighborhood Parks	Kiwanis Park, Westwinds Park, MKT Nature and Fitness Trail, Martin Luther King, Jr. Memorial at Battle Garden, County House Trail
Trails Plan	MKT Connector, Westwinds Park Trail, Kiwanis Park Trail, County House Access Trail, MKT Trail
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

41 “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. 1 letter was sent to neighborhood associations and homeowners associations within 1,000 feet of the subject site. All “public hearing” letters were distributed on September 23, 2025. The public hearing ad for this matter was placed in the Tribune on September 23, 2025.

Public Notification Responses	None
Notified neighborhood association(s)	Westwinds Park, Miles Manor
Correspondence received	Four letters in opposition at time of writing

Report prepared by: Kirtis Orendorff

Approved by: Patrick Zenner