

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
July 10, 2025**

SUMMARY

A request by Michelle Mathews (owner) for approval to allow 104 North Greenwood Avenue to be used as a short-term rental for a maximum of 210 nights and 4 transient guests subject to the provisions of Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The 0.21-acre subject site is zoned R-2 (Two-family Dwelling), is 430 feet south of the intersection of West Ash Street and North Greenwood Avenue, and is addressed 104 North Greenwood Avenue.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow a portion of their single-family dwelling to be used as a short-term rental for a maximum of 4 transient guests and up to 210 nights annually. The portion of the primary dwelling to be used as the short-term rental contains 1-bedroom and 1-bathroom which is located above the attached 1-car garage. The dwelling is located in the R-2 (Two-family Dwelling) zoning district and is the applicant's primary residence.

A minimum of 2 UDC-compliant on-site/off-street parking spaces must be provided to meet regulatory requirements given the requested 4 transient guests. A site-specific evaluation of the property has found that the home has an attached 1-car garage. The driveway serving the property has sufficient capacity to support 4 UDC-compliant on-site/off-street parking spaces – double that necessary for the requested 4 transient guests.

While evaluating the bedroom square footage supplied in the application, it would appear that it does not meet the area necessary to support the desired 4 guests. A minimum of 200 square feet of bedroom floor area would be required to support 4 guests; however, the application states that the bedroom is only 166 square feet. Given the shortage of available floor area, a **"condition of approval"** will be required that stipulates the **maximum** occupancy within the dwelling will be 3 guests unless 200 square feet of bedroom area is identified as part of the final STR compliance inspection by the Housing and Neighborhood Services Department.

A review of available violation records from the Housing and Neighborhood Services Department and the Columbia Police Department, **specifically** associated with this property, has not identified any violation cases. The subject dwelling has been offered as a short-term rental since 2019. In 2024, the property was occupied for 200 nights as an STR.

Pursuant to Sec. 29-3.3(vv)(2)(i) of the UDC, dwellings used prior to June 1, 2025 were allowed to operate without a CUP, STR Certificate of Compliance, or a Business License. Following 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 prerequisite to obtain the STR certificate and business license.

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

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 the applicant's primary residence and has been previously offered as a short-term rental since 2019. Online reviews for the dwelling show usage as an STR starting September 2019 and continuing to the present. According to the applicant, in 2024 the dwelling was used for 200 nights. The dwelling is listed on Airbnb (<https://www.airbnb.com/rooms/26608289>). The listing's description currently indicates the dwelling is available for 4 guests and will need to be altered if additional square footage is not identified within the bedroom to support this level of occupancy. A periodic review of the listing will be done to ensure continued compliance with all issued STR CUP and licensure conditions. A review of online platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder did not identify any additional short-term rentals within a 300-foot radius.

The owner is seeking approval for 4 transient guests which is within the limitations imposed by Sec. 29-3.3(vv)(2)(v) of the UDC and is supported by the number of available on-site/off-street parking spaces. However, based on the stated **bedroom** square footage shown within the application, it would appear that the dwelling is not capable of supporting the requested 4 guests based on the limited bedroom floor area. The occupancy permitted within the portion of the primary dwelling to be used for STR purposes is subject to the criteria contained in Sec. 404.4.1 of the International Property Maintenance Code (IPMC) as adopted by the City of Columbia. Maximum occupancy within the dwelling will be determined by the City's Housing and Neighborhood Services Department as part of the required compliance checks for conformance with the provisions of Chapter 22, Art. 5 (Rental Unit Conservation Law) prior to issuance of a STR Certificate of Compliance.

Given the stated bedroom square footage within the submitted STR application, a maximum occupancy of 3 transient guests is what this dwelling can accommodate. 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. Should the bedroom square footage be increased and the recommended "**condition of approval**" be included with this request, the applicant would be capable of increasing their occupancy limit to a **maximum** of 4 guests subject to IPMC compliance.

Within the required 185-foot radius there are 28 properties, of which 15 are owner-occupied and 13 are used for rental purposes. The property is within 1,000 feet of 4 neighborhood associations and the Columbia Montessori School. Adjacent properties to the subject site are zoned R-2 and permit 4-unrelated individuals to live together. The dwelling is supported by adequate public infrastructure (i.e. electric, sewer, and water), and there are no known issues with the available capacity to serve the dwelling as an STR. Parking is permitted on North Greenwood Avenue, though sidewalks are not installed.

The subject dwelling is owned by an individual. Based on this ownership, approval of the requested CUP would be the "one and only" STR license issued to the individual pursuant to the provisions of Sec. 29-3.3(vv)(2)(ii) of the UDC. The application indicates that the owner will use a designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. Based upon the location information provided, the designated agent is a permanent resident of the dwelling in question.

Based on a site-specific evaluation, it would appear that access to the dwelling requires ascending steps to enter the structure. Compliance with the accessibility provisions of Sec. 29-3.3(vv)((2)(xiv) of the UDC will be determined 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, 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(m)(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 seeking to be used greater than 120-nights annually within a long-term resident's principal residence is a permitted use within the R-2 zoning district subject to the approval of the requested conditional use permit (CUP). The attached STR application, notwithstanding inadequate bedroom size, is compliant with the minimum regulatory standards established within Sec. 29-3.3(vv) of the UDC. A site-specific inspection finds that the dwelling has driveway parking capable of accommodating 4 UDC-compliant parking spaces outside the public right-of-way and a 1-car attached garage. A minimum of 2 UDC-compliant parking spaces must be provided to support the desired 4 transient guests. Given the bedroom square footage deficiency, a **"condition of approval"** will be required that stipulates the dwelling will be used for a maximum of 3 guests unless there is a total of 200 square feet of bedroom floor area identified to allow 4 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 improved with single-family dwellings and are zoned R-2. The 28 surrounding properties are split between owner-occupied and rental units. The current parking accommodations on-site would support the requested 4 transient guests. A search of listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder 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 September of 2019. In 2024, the applicant indicated that the home was used for 200 nights.

The adopted STR regulations include provisions intended to mitigate the negative impacts of STR operations as a commercial use and afford a method of regulatory reporting/enforcement previously nonexistent within the City's municipal code. 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 following 2 **verified** complaints within a 12-month period.

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

The site is accessed from North Greenwood Avenue through a traditional, single-lane, driveway approach similar to the surrounding properties. The site possesses adequate on-site/off-street parking to meet the regulatory requirements for use as an STR with the requested maximum of 4 transient guests. North Greenwood Avenue is a local residential that does not have sidewalks installed, though permits on-street parking. Staff finds that the design of the parking and the site's access is 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 the approval of the CUP.

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

13 of the 28 parcels within 185-feet of the subject site appear to be used for rental purposes. The structures are located within the R-2 zoning district. The R-2 zoning would legally permit 4-unrelated individuals living together. Given the dwelling has been a listed STR since 2019 and was made available to the present without any apparent incident, there is no evidence to suggest that such usage has created adverse impacts.

Potential negative impacts of the dwelling's use as an STR can be mitigated through the adopted regulatory provisions which provide a means by which to report and address violations as well as impose fines and possibly revoke the STR Certificate of Compliance after 2 **verified** violations of the regulations within a 12-month period of time. 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(m)(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 proposed STR is the applicant's main residence and they are renting a portion of their home.

- (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 they are not aware of any STRs. Staff's review of rental sites did not identify any STRs established within 300 feet of the proposed STR.

- (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 there has been zero complaints associated with this property. A review of City code violations supports this 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 that operation as an STR has not and will not increase intensity of traffic or noise. 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.

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

The applicant's answer reads there is not support from the neighbors. Staff reached out to clarify the response. The owner has stated that there is support from neighboring property owners/tenants and that is an error. As of preparing this report, four letters of support (attached) have been submitted with respect to this request.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a 210-night, **maximum** 4 guest CUP allowing 104 North Greenwood Avenue to be operated as an STR would not be inappropriate subject to a **"condition of approval"** stipulating that maximum occupancy within the dwelling is limited to 3 guests until sufficient bedroom square footage of at least 200 square feet is achieved. The property is located within a neighborhood that appears to be roughly split between equally between rental dwellings and owner-occupied dwellings.

Approval of the CUP would grant "legal status" to this 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 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 104 Greenwood Avenue to be operated as a STR subject to:

1. The maximum occupancy permitted within the dwelling shall not exceed 3 transient guests unless a total of 200 square feet of bedroom floor area is achieved to support 4 transient guests
2. A maximum of 210-nights of annual STR usage

ATTACHMENTS

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

HISTORY

Annexation date	1905
Zoning District	R-2 (Two-family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	Ridgeway Subdivision

SITE CHARACTERISTICS

Area (acres)	0.21 acres
Topography	Flat
Vegetation/Landscaping	Natural ground cover, trees
Watershed/Drainage	Flat Branch, County House Branch
Existing structures	Single-family home

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

North Greenwood Avenue	
Location	Along western edge of property
Major Roadway Plan	Local residential
CIP projects	N/A
Sidewalk	Not installed

PARKS & RECREATION

Neighborhood Parks	Worley Street Park, Again Street Park-School
Trails Plan	None
Bicycle/Pedestrian Plan	None

PUBLIC NOTIFICATION

39 “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. All “public hearing” letters were distributed on June 23, 2025. The public hearing ad for this matter was placed in the Tribune on June 24, 2025.

Public Notification Responses	None at the time of writing
Notified neighborhood association(s)	Historic Old Southwest NA, West Ash NA, Historic West Broadway NA
Correspondence received	6 emails in support

Report prepared by: Ross Halligan

Report approved by: Patrick R. Zenner