

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

SUMMARY

A request by Xiao Yien Lim (agent), on behalf of Signature Collections LLC (owner), to allow 221 Brenda Lane 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 0.27-acre subject site is located at the end of Brenda Lane on the left side of the cul-de-sac.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow their 2,881 sq. ft. single-family dwelling containing 4 bedrooms and 3 bathrooms to be used as a short-term rental for a maximum of 8 transient guests and usage 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 the public right of way. Given the number of desired guests, a minimum of 4 UDC-compliant on-site/off-street parking must be provided. It is necessary that as a condition of licensure, the garage is made available while the property is used as an STR. Compliance with the minimum parking standards of Sec. 29-3.3(vv)(1)(ii)(B)(2) is met given the desired transient guest occupancy.

A review of available code violation records associated with this property has not identified any violations. The property has not previously been used 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 proposed STR is compliant after 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) post 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 has not been previously listed as an STR. The applicant has provided links to Zillow https://www.zillow.com/homedetails/221-Brenda-Ln-Columbia-MO-65201/58714500_zpid/?view=public and Furnished Finder https://www.furnishedfinder.com/property/843212_1 to show how the property is being listed. If approved, the listing will be required to accurately conform to the issued CUP and corresponding licenses as a condition of licensure. The listing would undergo periodic review to ensure future compliance. A review of online rental platforms such as Airbnb, Vrbo, Furnished Finder, and Booking.com and did not identify additional unlicensed STRs within a 300-foot radius of the subject dwelling.

Based on 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. 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 such action 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 that area located within the R-1 and R-2 zoning districts. 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. On-street parking is allowed on both sides of the street, though there are not sidewalks installed on either side.

Based on public notification letters, there are 14 individual properties within 185-feet and a neighborhood association within 1,000 feet. Of the 14 properties, it appears 5 are owner-occupied dwellings and 9 are rental dwellings. The maximum "long-term" rental occupancy of surrounding dwellings in the R-1 district is 3-unrelated individuals, and in the R-2 district it is 4-unrelated individuals.

The subject dwelling is owned by an LLC. Based on this ownership, approval of the requested CUP would be the "one and only" STR license that any member of the LLC would be issued 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 upon the location information provided within the application, the designated agent is a resident of Boone County located approximately 4.9 miles (12 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 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 of the dwelling no signage was identify 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 was 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-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 a driveway parking capable of accommodating 2 UDC compliant parking spaces outside the public right of way and an attached 2-car garage. A minimum of 4 UDC compliant parking spaces must be provided to support the desired 8 transient guests. A "condition of approval" stipulating that the 2 parking spaces within attached 2-car garage be made available at all times the dwelling is offered as an STR will be necessary.

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 and two-family residences on lots of similar size and square footage. All adjoining development is within the R-1 and R-2 zoning districts. Searches of typical listing platforms such as Airbnb, Vrbo, Furnished Finder, and Booking.com did not identify the listing being a short-term rental supporting the applicant stating the property has not previously been used.

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

With the lack of identified/reported violations, there is nothing to suggest that the operation of the dwelling as a STR would be non-compliant or incompatible with the surrounding neighborhood. Based upon property owner notification letters, of the 14 surrounding parcels within 185-feet of the subject dwelling, it appears 5 dwellings are owner-occupied and 9 are rental units. Given the UDC definition of "family" all dwelling units surrounding the subject site, owner and renter occupied, would be permitted to be occupied by up to 3-unrelated individuals in the R-1 district and 4-unrelated individuals in the R-2.

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

The site is accessed from Brenda Lane through a traditional driveway approach. Brenda Lane is a residential street that does not have sidewalks, though, permits on-street parking. The site has adequate on-site/off-street parking to meet the regulatory requirements for use as an STR when considering use of the attached 2-car garage. In the event a guest parked on the street, on-street parking would not create visual obstructions seeing intersections. The design of the parking and the site's access is consistent with other 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.

9 of the 14 parcels within 185 feet of the subject site appears to be used for rental purposes. The 5 remaining structures appear to be owner-occupied. The structures are located within an R-1 and R-2 zoning district and are single and two-family residential dwellings. The R-1 zoning would legally permit 3-unrelated individuals to live within each dwelling if used for rental purposes, while R-2 permits 4-unrelated individuals. 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 applicant states the dwelling has not previously been used as an STR. If the CUP is approved, potential negative impacts can be mitigated through the adopted regulatory provisions which provides a means 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 registrant has stated that the dwelling will not be used by them.

(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 there are no established STRs within 300 feet of the subject dwelling. Staff reviewed the websites of Airbnb, Vrbo, Booking.com, and Furnished Finder and has not identified additional STR properties.

(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 this is their first time operating an STR.

(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 applicant has stated they will install a noise monitoring system to address potential partying activities and coordinate with the guest(s). 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. Since the STR has not previously been used, there is not a means to compare the past intensity to the proposed intensity.

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

The owner has stated they have recently acquired the property and they will be friendly to neighbors. Additionally, they will communicate with them regularly to gain suggestions to address any concerns they have to mitigate disturbances. As of writing this report, there has been 2 phone calls, one asking about the proposal and the other in opposition. Three emails opposing the use has also been received.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, it would appear that granting a conditional use permit to allow 221 Brenda Lane 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. The property is located within a neighborhood that appears to be predominantly rentals consisting of 9 rental dwellings and 5 owner-occupied dwellings.

The dwelling has not previously been listed as an STR according to the applicant. 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 221 Brenda Lane 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. Both parking spaces within the attached 2-car garage being made available when the dwelling is being used as STR
3. A maximum of 210-nights of annual usage

ATTACHMENTS

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

HISTORY

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|--|---------------------------|
| Annexation date | 1906 |
| Zoning District | R-1 (One-family Dwelling) |
| Land Use Plan designation | Residential District |
| Previous Subdivision/Legal Lot Status | Kaywood Subdivision |

SITE CHARACTERISTICS

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|-------------------------------|---|
| Area (acres) | 0.27 acres |
| Topography | Sloping from south to north |
| Vegetation/Landscaping | Trees and natural ground cover |
| Watershed/Drainage | Hinkson Creek |
| Existing structures | Single-family home w/ attached 2-car garage |

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

| Brenda Lane | |
|---------------------------|--------------------------------|
| Location | Along eastern edge of property |
| Major Roadway Plan | Residential street |
| CIP projects | N/A |
| Sidewalk | None |

PARKS & RECREATION

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|--------------------------------|--|
| Neighborhood Parks | Stephens Lake Park, Lions-Stephens Park |
| Trails Plan | SLP Perimeter Trail, Hinkson Creek Trail |
| Bicycle/Pedestrian Plan | None |

PUBLIC NOTIFICATION

27 “public hearing” letters were distributed with respect to this matter. 19 notices were mailed to property owners and tenants within 185-feet of the subject property and 2 letters were provided to a Neighborhood Association and the Council Ward representative, respectively. All “public hearing” letters were distributed on April 8, 2025. The public hearing ad for this matter was placed in the Tribune on April 8, 2025.

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| Public Notification Responses | 1 general information call, 1 call in opposition |
| Notified neighborhood association(s) | Country Club Estates |
| Correspondence received | 3 emails in opposition |

Report prepared by: Ross Halligan

Report approved by: Patrick R. Zenner