

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 21, 2025**

SUMMARY

A request by Ashley Ann Perry (applicant), on behalf of Marvin Tyler Perry and Ashley Ann Perry, as co-Trustees of The Tyler and Ashley Perry Living Trust, U/A dated October 25, 2023 (owners), to allow 2613 N Creasy Springs Road to be used as a short-term rental for a maximum of 6 transient guests 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 0.83-acre R-1 (One-family Dwelling) zoned subject site is located 390 feet north of the intersection of Creasy Springs Road and Proctor Drive, and is addressed 2613 Creasy Springs Road.

DISCUSSION - APPLICATION EVALUATION

The applicant seeks to obtain a conditional use permit (CUP) to allow a property 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 final action on this request is pending, enforcement action on the operation of the dwelling as an STR will 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.

The following is a site-specific analysis of the property desired to be used as a short-term rental.

Dwelling Unit Details

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|---------------------------------|--|
| Property Address | 2613 Creasy Springs Road |
| Zoning | R-1 (One-Family Dwelling) |
| STR Request Type | Tier 2, 210 nights |
| Maximum Guests Requested | 6 |
| Bedrooms | 3 |
| Parking Spaces | 3 required, 3 off-street parking spaces provided |
| Abutting Properties | R-1 residential to south and east, Boone Quarry to the west, and IG to the north |

Owner/Agent

| | |
|-------------------------------------|--|
| Owner | Marvin Tyler Perry and Ashley Ann Perry, as co-Trustees of The Tyler and Ashley Perry Living Trust, U/A dated October 25, 2023 |
| Designated Agent | Ashley Perry |
| Agent's Distance to Property | 7 miles, 13 minutes away from property |

Listing Information

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|--------------------------------|--|
| Listing Links | www.airbnb.com/h/thecomoquarry |
| STR previously offered? | Yes, beginning March 2022. Operated 84 nights in 2024 |
| STRs within 300 feet? | None |
| Primary residence? | No |
| Previous Violations? | One identified, pertaining to illegal STR operation |

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 are 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. 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 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 all 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.

While the frequency of occupant turnover maybe greater than that of surrounding development, given the dwelling is generally surrounded by other rental properties and adjacent to a towing facility and an operational quarry (Boone Quarry), the impacts of this turnover rate may not be significantly noticeable given the current activity levels within the surrounding neighborhood.

Any 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 390 feet north of the intersection of Creasy Springs Road and Proctor Drive; however, obtains its sole access from Creasy Springs through a traditional driveway approach not unlike the majority of development surrounding the site. The driveway on the subject property has adequate off-street parking to meet the regulatory requirements to support the desired guests requested. Staff finds that the design of the parking provided and the site’s access 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.**

Boone Quarry operates to the west, a towing facility to the north, and R-1 zoned properties to the south and east. The structures within this buffer are located within the R-1, A, and IG zoning districts. Dwellings within the R-1 district permit only 3 individuals when used as rental properties. The proposed CUP, if authorized, would permit 6 unrelated individuals to occupy the dwelling when used as a STR. However, given the dwelling has been used as an STR since March 2022 without apparent incident there is no evidence to suggest that such continued usage would create adverse impacts.

Any 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 registrant has stated "No I do not live there" in response 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 "To the best of my knowledge there are no other STR within 300 feet". Staff has identified zero additional unregistered STR property 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 "I have been operating a few years with no issues so far and aim to keep it that way".

- (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 issues so far, our guests are prescreened and told about all house rules that they must follow to ensure we are not a bother to the neighborhood" to this question.

As a general staff observation, using the subject dwelling for transient accommodations for the requested annual nights and guests 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 regulatory structure provides standards for limiting impacts (occupancy and nights) and has enforcement mechanisms to mitigate of possible negative outcomes.

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

The owner answered “I own the property to the north and we have 1 neighbor to the south. She knows we operate a STR with the property and has not come to me with any issues so far” to this question. No correspondence has been received from the public regarding this case at time of writing.

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 2613 Creasy Springs Road to be operated as a 210-night, 6 guest STR would not result in a use significantly incompatibility with surrounding development. The property abuts Boone Quarry to the west, a towing facility to the north, and R-1 zoned properties to the south and east. While the proposed occupancy of 6 guests would be greater than that allowed in adjacent R-1 zoning district, there is no evidence to support that the neighborhood has been negatively impacted by this dwelling’s use as a STR.

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 the dwelling at 2613 Creasy Springs Road Street to be operated as a STR subject to:

1. The maximum occupancy of 6 transient guests); and
2. A maximum of 210-nights of annual rental usage

ATTACHMENTS

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

HISTORY

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|--|---------------------------|
| Annexation date | 1964 |
| Zoning District | R-1 (One-family Dwelling) |
| Land Use Plan designation | Residential District |
| Previous Subdivision/Legal Lot Status | Edgewood Place Addition |

SITE CHARACTERISTICS

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|-------------------------------|--------------------------------|
| Area (acres) | 0.83 acres |
| Topography | Slanting from east to west |
| 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

| Creasy Springs Road | |
|----------------------------|---------------------------------------|
| Location | Along eastern edge of property |
| Major Roadway Plan | Local Residential |
| CIP projects | N/A |
| Sidewalk | Installed on both sides of the street |

PARKS & RECREATION

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|--------------------------------|--|
| Neighborhood Parks | Columbia Cosmopolitan Recreation Area, Bear Creek Trail, Garth Nature Area, Proctor Park, Bear Creek Trail, Bear Creek Trail |
| Trails Plan | N/A |
| Bicycle/Pedestrian Plan | None |

PUBLIC NOTIFICATION

18 “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 August 4, 2025. The public hearing ad for this matter was placed in the Tribune on August 5, 2025.

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|---|-------------------------|
| Public Notification Responses | None |
| Notified neighborhood association(s) | Parkade |
| Correspondence received | None at time of writing |

Report prepared by: Kirtis Orendorff

Approved by: Patrick Zenner