AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 24, 2025

SUMMARY

A request by Stealth Rental Properties LLC (owners), for approval of a Conditional Use Permit (CUP) to allow the dwelling addressed as 1010 West Broadway to be used as a short-term rental for a maximum of 8 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 subject property contains approximately 0.26-acres, is located directly south of the intersection of West Broadway and Clinton Drive, is zoned R-1 (One-family Dwelling), and includes the address 1010 West Broadway.

DISCUSSION

The applicant seeks approval of a conditional use permit (CUP) to allow their approximately 2,113 sq. ft. two-story detached single-family home to be used as a short-term rental for a maximum of eight (8) transient guests up to 210 nights annually. The applicant has stated that the dwelling has four bedrooms containing, 238, 195, 195, and 140 sq. ft. According to the Boone County Assessor's site, the dwelling contains five bedrooms, one full bathroom and one half bath.

As part of the STR Licensing process, a full inspection of the dwelling will be performed by Housing and Neighborhood Services Department and Building and Site Development Division. It is worth noting, that the subject dwelling was has not been registered as a "long-term" rental with the Office of Neighborhood Services. The home is located within the R-1 (one-family Dwelling) district and is the not the applicant's principal residence.

Given the number of desired guests (8), a minimum of 4 UDC-compliant on-site/off-street parking spaces must be provided. A site-specific evaluation of the property found that the home has an existing driveway serving the property that has sufficient on-site/off-street capacity to support 7 UDC-compliant parking spaces outside of the public right of way. This was determined given the existing driveway was measured as being at least 100-feet in depth and 13-feet in width at the point of ingress/egress that can accommodate 5 parked vehicles, leading to a detached two-vehicle garage behind the dwelling. A compliant parking space must measure 18-feet in depth and 8.5 feet in width, which would require 72 feet in depth minimum.

Review of available code violation records associated with this property has not identified a single violation. The property has operated as a short-term rental since 2023 and was booked for 180 nights in 2024.

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 the current STR has obtained the required CUP approval in advance of the June 1, 2025 licensure deadline. The applicant must become fully compliant with the City's regulatory standards (i.e. obtain their STR Certificate of Compliance and Business License) by 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 the not the applicant's principal residence and was disclosed as having been previously offered as a short-term rental since 2023. Based on review of online listing records from Airbnb, the dwelling has operated as an STR since 2023 and was used as such in 2024 for approximately for 180 nights. The dwelling is listed on Airbnb at the link here and VRBO at the link here.

It should be noted that the Airbnb listing for this dwelling indicates that 4 bedrooms are available for use with 5 beds and a maximum guest occupancy of 10 at the moment. Thecurrent advertised occupancy is inconsistent with the STR application and must be rectified to be a maximum of 8 guests before June 1, 2025. The listing description will be required, as a condition of licensure, to be modified to accurately reflect the occupancy authorized following approval of this request and will undergo periodic review to ensure compliance with the issued CUP and corresponding licenses. A review of online rental platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinders.com did not identify additional STRs within a 300-foot radius of the subject site.

Based upon 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. The bedrooms were all listed as being greater than 70 sq. ft. 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, does 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 via a **"condition of approval"** with justification stating why such condition is offered. Any proposed condition of approval is subject to final approval by the City Council.

Within the required 185-foot notification radius, the subject dwelling abuts other single-family structures of similar size and lot area that are located within the R-1 zoning district to the south, east and west, and R-2 zoning with detached single family dwellings to the north. This site is about 300 feet west of the intersection of West Boulevard and Broadway, which contains a mix of M-N and PD zoning. 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. Sidewalks are installed along the edge of this site but are not contiguous, and on-street parking is not permitted on Broadway.

Based on public notification letters, there are 45 individual properties within 185-feet and 7 neighborhood associations ae within 1,000 feet. Of the 45 properties, 8 are owner-occupied and 37 are rentals. Given the R-1 zoning of the surrounding dwellings (south side of Broadway, along the rear yard of this property), the maximum "long-term" rental occupancy of each dwelling unit would be 3-unrelated individuals. Un-related occupancy within the R-2 district to the north would be a maximum of 4-unrelated individuals.

The subject dwelling is owned by Stealth Rental Properties LLC. Based on this ownership, approval of the requested CUP would be the "one and only" STR license available to any member of the LLC within the City pursuant to the provisions of Sec. 29-3.3(vv)(2)(ii) of the UDC. The application indicates that one of the owners is the designated agent to address compliance matters should they arise while the dwelling is offered for STR purposes. Based on the location information provided within the application, this agent is located within Boone County approximately 1.1 miles (4 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 does not require ascending or descending steps to enter the structure as there is a grade level entry in the rear of the dwelling. Compliance with the accessibility provisions of Sec. 29-3.3(vv)((2)(xiv) of the UDC will be determined prior to the issuance of a STR Certificate of Compliance by the Housing and Neighborhood Services Department and Building and Site Development Division of Community Development.

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 is capable of accommodating 5 UDC compliant parking spaces within the driveway located upon the property which is sufficient to meet code requirements for the requested 8 maximum 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 mostly improved with detached single family structures, except for the Lake Broadway subdivision and the intersection of West Boulevard and Broadway. Based on a search of typical listing platforms such as Airbnb, VRBO, Booking.com, and Furnishedfinders.com the dwelling was identified as a listed short-term rental on Airbnb and VRBO.

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

The dwelling has been used as an STR since 2023. The applicant has implied the dwelling was occupied by guests in 2024 for a total of 210 nights without apparent incident. Given the lack of identified/reported violations, there is nothing to suggest that the continued operation of the dwelling as an STR would be non-compliant or incompatible with the surrounding neighborhood.

Based on public notification letters, there are 45 individual properties within 185-feet and 7 neighborhood associations within 1,000 feet of the subject dwelling. Of the 45 properties, 8 appear to be owner-occupied with the remainder being used as rental properties. The requested guest occupancy within the dwelling is five persons greater than that allowed in other permissible dwellings within the 185-foot notification radius.

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

The site is accessed from West Broadway via a private driveway. West Broadway is classified as a major arterial in the CATSO Major Roadway Plan that has sidewalks along the entire northern frontage, but only along segmented portions on the southern edge. On street parking is not permitted.

The site-specific evaluation has found that adequate driveway area exists to support the required minimum 4 on-site/off-street parking spaces necessary accommodate the desired 8 transient guests. The available driveway depth would support a maximum of 5 vehicles ; therefore, the garage that is located on the site is not needed to be dedicated for guest parking use. The design of the parking and the site's access from Broadway is consistent with adjacent single-family dwellings in the neighborhood. The available access is believed sufficient to support future traffic generation of 8 guests 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 dwelling is served by sufficient 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.

A CUP allowing the subject dwelling to be used as a 210-night STR with a maximum of 8 transient guests may be considered generally inconsistent in its intensity of use when compared to adjacent dwellings which are all located within the R-1 district and permit up to 3-unrelated individuals each. Given the dwelling has operated since 2023 as an STR and was used in 2024 for a total of 210 nights without incident, there is no evidence to suggest that such continued usage would create adverse impacts.

If the CUP is approved, potential negative impacts can be mitigated through the adopted regulatory provisions which provides a means by which to report and address those impacts including fines and revocation of the STR Certificate of Compliance.

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 has responded that the dwelling will not be occupied by them as a residence.

(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 they are unaware of other established STRs within 300 feet of the subject dwelling. Staff reviewed the websites of AirBnB, VRBO, Booking.com, and Furnishedfinders.com and did not identify any additional STR properties within 300-feet.

(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 dwelling has been operated as an STR since 2023 on Airbnb, it is the applicant's only STR, and that there have been no complaints or city code violations. Staff's review of city complaint records has not revealed complaints associated with the property.

(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 guests may be fined for excessive noise complaints.

As a general staff observation, using the subject dwelling for transient accommodations for 210-nights annually with 8 guests could result in increases in activity due to higher occupant turnover; how significant is unknown. The impact 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 been the use on this site for 2 years, there are not means to compare the past intensity to the proposed intensity. If it were rented to a family or up to 3 unrelated individuals, as is permissible in the R-1 district, guests could be invited over resulting in similar or equal levels of occupancy at times.

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

The applicant indicates that they have had zero complaints from the neighboring property owners. No public inquiries in writing, email, or telephone have been received relating to this request.

CONCLUSION

Given the submitted application and the analysis of the criteria stated above, staff supports granting a conditional use permit to allow 1010 W Broadway to be operated as a short-term rental for a maximum of 210-nights annually with 8 transient guests. The property is a single-family, detached dwelling that has been used as an STR since 2023 and was rented in 2024 for 210 nights. The use of the dwelling as an STR is not believe significantly more intense than what is otherwise be permissible for adjacent dwellings that are used as long-term rentals within the R-1 district.

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 of the CUP to allow 1010 W Broadway to be operated as a STR subject to:

1. Maximum occupancy permitted within the dwelling shall not exceed 8 transient guests regardless of potential occupancy allowed by the most recently adopted edition of the International Property Maintenance Code (IMPC); and
2. A maximum of 210-nights of annual usage.

ATTACHMENTS

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

HISTORY

Annexation date	1929
Zoning District	R-1 (Detached, Single-family Dwelling)
Land Use Plan designation	Residential District
Previous Subdivision/Legal Lot Status	BACKUS PLAT LOT 4 EXC PT TO ROAD (legal)

SITE CHARACTERISTICS

Area (acres)	0.26 acres
Topography	Flat
Vegetation/Landscaping	Some along east/west edge of property
Watershed/Drainage	County House Branch
Existing structures	Detached SF Home, detached garage

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

West Broadway	
Location	Along northern edge of property
Major Roadway Plan	Major Arterial
CIP projects	N/A
Sidewalk	Along northern edge, segmented along southern edge

PARKS & RECREATION

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

PUBLIC NOTIFICATION

53 “public hearing” letters were distributed with respect this matter. 45 letters were mailed to property owners, occupants and tenants within 185-feet of the subject property, 7 letters were provided to a City-recognized neighborhood association within 1000-feet of the subject property, and 1 letter was provided to the Council Ward representative. All “public hearing” letters were distributed on April 7, 2025. The public hearing ad for this matter was placed in the Tribune on April 7, 2025.

Public Notification Responses	No responses or inquiries
Notified neighborhood association(s)	Lake Broadway Homeowner, Old SW, West Ash, West Broadway, Sunset Lane, County House, Gary-Atkins
Correspondence received	None

Report prepared by: David Kunz Report approved by: Patrick Zenner