



November 12, 2018

Re: Short Term Rental (STR) Code Amendments to the Unified Development Code (UDC)

At the May 7, 2017 City Council meeting, Council discussed a report submitted by the Convention & Visitors Bureau and Community Development Department summarizing feedback received from the public regarding Short Term Rentals (STRs) in terms of potential extension of the hotel tax, and concerns relative to zoning-related regulations and the rental conservation program. Four (4) public input meetings were held in February and April of 2018, as summarized by report. Following discussion, Council directed staff to research potential text amendments to the Unified Development Code (Chapter 29 of the City of Columbia Code of Ordinances) and to continue to solicit public feedback on any proposed regulations.

Draft revisions to the UDC have been produced in response to the initial public feedback, with additional public feedback requested at two upcoming public information meetings, a listening session to be held by the Planning and Zoning Commission, and then a public hearing and recommendation by the Planning and Zoning Commission. The revisions include a new definition for STRs, three "tiers" of regulations for short term rentals depending upon the nature and zone of the operation, and revisions to the permitted use table. The City is the applicant. The proposed public information and public hearing schedule, the draft ordinances, and supporting information is available on the Community Development Department website: <https://www.como.gov/community-development/planning/>

Questions may be directed to Patrick Zenner, Development Services Director, or Rachel Bacon, Senior Planner, of my staff at Patrick.Zenner@como.gov and Rachel.Bacon@como.gov and 573-874-7239.

Sincerely,

Timothy Teddy, Community Development Director
Timothy.teddy@como.gov

TTT/rib

Unified Development Code Draft Text Changes – Short-term Rentals

The following text is proposed to be added to Section 29-1.11(a) of the Unified Development Code to define a short-term rental as land use. All text is new.

Short term rental. The rental of a residential dwelling unit, portion of a dwelling unit or room within a residential dwelling unit, by a transient guest for lodging purposes for a period of thirty-one (31) consecutive days or less.

The following existing definition within Section 29-1.11(a) of the Unified Development Code shall be amended as follows. ~~Strikethrough~~ text to be deleted and underlined text to be added.

Hotel. A building occupied or used as a temporary abiding place of individuals or groups of individuals, with or without meals, in which the typical stay is between one and thirty-one (30) (31) days. Accessory uses may include restaurants, cafes, swimming pools, meeting rooms, or sports/health facilities. The definition of *hotel* shall exclude bed and breakfast establishments.

The following text is proposed to be added to Section 29-3.3 of the Unified Development Code as “use-specific standard” (pp). All text is new.

(pp) Primary use of land and buildings: Short Term Rental. This use is subject to the following additional standards:

- A. Short-term rental types: A short-term rentals shall be classified as one of the following types:
 - i. Type I – An “owner hosted” dwelling unit in the R-1, R-2, or R-MF zone district in which the owner of record occupies the dwelling unit at the same time a renter is present.
 - ii. Type II – A “non-owner hosted” dwelling unit in the R-1, R-2, or R-MF zone district in which the owner of record or duly authorized operator does not occupy the dwelling unit at the same time as a renter is present.
 - iii. Type III – A “owner or non-owner hosted” dwelling unit in the M-OF, M-N, M-C, or M-DT zone district in which the owner of record or duly authorized operator does not occupy the dwelling unit at the same time as a renter is present.
- B. Authorization to operate: A short-term rental may be approved to operate either following an administrative approval by the Director or their designee or issuance of a conditional use permit by City Council subject to following:
 - i. Administrative Approval
 - a. Type I, Type II, and Type III short-term rental may be administratively authorized by the Director or their designee to operate upon demonstrating

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compliance with the application requirements enumerated in subsection C, below.

- ii. Conditional Use Permit Approval
 - a. In addition to demonstrating compliance with the application requirements enumerated in subsection C, below, a conditional use permit shall be required to operate a Type II short-term rental within 250-feet of a Type I, Type II, or Type III short-term rental. The application procedure and evaluation criteria for conditional use permits are enumerated in Section 29-6.4(m) of this code.

Measurement of the 250-foot distance shall be determined by drawing lines parallel to and two hundred fifty (250) feet from the boundary of the parcel upon which the short-term rental is located. Right-of-way (streets or alleys) abutting the subject parcel upon which the short-term rental is located shall not be counted as part of the 250-foot separation.

C. Use-specific Standards based on short-term rental type.

- i. The following standards shall apply to Type I short-term rentals:
 - a. The property owner shall provide an affidavit indicating that the proposed dwelling unit is under their fee-simple ownership and occupied as their principal residence. Such affidavit is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - b. The property owner shall, by certified mail, notify all abutting property owners of record and/or occupants of their intention to use their dwelling unit as an “owner hosted” short-term rental. The form to be used for certified mail notification is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - c. The property owner shall register the dwelling unit with the City and obtain a Certificate of Rental Compliance as enumerated in Chapter 22, Article 5 of the City of Columbia Code of Ordinances (Rental Unit Conservation Law). Proof of abutting property owner and/or occupant notification shall be required at the time of rental registration.
 - d. A maximum of two sleeping rooms or spaces, in addition to the host, may be offered for rental purposes. A sleeping room or space shall meet the definition as provided for in the adopted International Property Maintenance Code.
 - e. In no instances shall a sleeping room or space be permitted to accommodate more than 2 individuals, regardless of the square footage provisions as defined within the adopted International Property Maintenance Code.
 - f. A maximum of one-quarter (0.25) of the total number of dwelling units within a multi-family building, in which each dwelling is under “fee-simple” ownership, may be permitted to be registered as a Type I short-term rental.

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- g. A Type I short-term rental shall not be used for activities such as receptions, parties, weddings or similar activities.
- h. No structural modifications shall be performed upon the dwelling unit to accommodate the short-term rental. The dwelling unit shall maintain a residential appearance and adhere to all applicable codes of the City of Columbia. Routine maintenance and repairs shall be permitted and do not constitute a structural modification.
- i. No signage identifying the dwelling unit as a short-term rental shall be permitted.
- j. Operation of a Type I dwelling unit in violation of any of the foregoing provisions shall constitute a violation of this Code. The property owner shall be subject to any and all remedies provided for in Section 29-6.6 of this Code including, but not limited, revocation of any issued Certificate of Rental Compliance. Reissuance of a revoked Certificate of Rental Compliance, regardless of a change in ownership of the dwelling unit, shall require the approval of a conditional use permit.
- k. A Certificate of Rental Compliance for a short-term rental is non-transferrable and shall only be valid for the property owner to whom it was originally issued.
- ii. The following standards shall apply to Type II short-term rentals:
 - a. The property owner or duly authorized operator shall provide an affidavit indicating their interest in the property and their intention to utilize the dwelling unit as a short-term rental. Such affidavit is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - b. The property owner or duly authorized operator shall, by certified mail, notify all abutting property owners of record and/or occupants of their intention to use their dwelling unit as a “non-owner hosted” short-term rental. The form to be used for certified mail notification is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - c. The property owner or duly authorized operator shall register the dwelling unit with the City and obtain a Certificate of Rental Compliance as enumerated in Chapter 22, Article 5 of the City of Columbia Code of Ordinances (Rental Unit Conservation Law). Proof of abutting property owner and/or occupant notification shall be required at the time of rental registration.
 - d. A dwelling unit shall be rented in its entirety and shall not be partitioned and made available to multiple renters.
 - e. The maximum number of guests within a dwelling unit shall be calculated based upon the number of sleeping rooms and one additional sleeping space as defined within the adopted International Property Maintenance Code. In no instances shall a sleeping room or sleeping space be permitted to accommodate more than 2 individuals, regardless of the square footage

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- provisions as defined within the adopted International Property Maintenance Code.
- f. A maximum of one-quarter (0.25) of the total number of dwelling units within a multi-family building may be permitted to be registered as a Type II short-term rental.
 - g. A Type II short-term rental shall not be used for activities such as receptions, parties, weddings or similar activities.
 - h. No structural modifications shall be performed upon the dwelling unit to accommodate the short-term rental. The dwelling unit shall maintain a residential appearance and adhere to all applicable codes of the City of Columbia. Routine maintenance and repairs shall be permitted and do not constitute a structural modification.
 - i. No signage identifying the dwelling unit as a short-term rental shall be permitted.
 - j. Operation of a Type II dwelling unit in violation of any of the foregoing provisions shall constitute a violation of this Code and subject the property owner or duly authorized operator to any and all remedies provided for in Section 29-6.6 of this Code. Reissuance of a revoked Certificate of Rental Compliance, regardless of a change in property owner and/or duly authorized operator, shall require the approval of a conditional use permit.
 - k. A Certificate of Rental Compliance for a short-term rental is non-transferrable and shall only be valid for the property owner or duly authorized operator to whom it was originally issued.
- iii. The following standards shall apply to Type III short-term rentals:
- a. The property owner or duly authorized operator shall provide an affidavit indicating their interest in the property and their intention to utilize the dwelling unit as a short-term rental. Such affidavit is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - b. The property owner or duly authorized operator shall, by certified mail, notify all abutting property owners of record and/or occupants of their intention to use their dwelling unit as a short-term rental. The form to be used for certified mail notification is available at www.como.gov/community-development/neighborhoods under the link entitled “Short-term Rental”.
 - c. The property owner or duly authorized operator shall register the dwelling unit with the City and obtain a Certificate of Rental Compliance as enumerated in Chapter 22, Article 5 of the City of Columbia Code of Ordinances (Rental Unit Conservation Law). Proof of abutting property owner and/or occupant notification shall be required at the time of rental registration.
 - d. A dwelling unit shall be rented in its entirety and shall not be partitioned and made available to multiple renters.

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- e. The maximum number of guests within a dwelling unit shall be calculated based upon the number of sleeping rooms and one additional sleeping space as defined within the adopted International Property Maintenance Code. In no instances shall a sleeping room or sleeping space be permitted to accommodate more than 2 individuals, regardless of the square footage provisions as defined within the adopted International Property Maintenance Code.
- f. A maximum of one-quarter (0.25) of the total number of dwelling units within a multi-use building may be permitted to be registered as a Type III short-term rental.
- g. A Type III short-term rental shall not be used for activities such as receptions, parties, weddings or similar activities.
- h. No structural modifications shall be performed upon a single-family (attached or detached) or two-family dwelling unit classified as Type III to accommodate the short-term rental. The dwelling unit shall maintain a residential appearance and adhere to all applicable codes of the City of Columbia. Routine maintenance and repairs shall be permitted and do not constitute a structural modification.
- i. No signage identifying a Type III single-family (attached or detached) or two-family dwelling unit as a short-term rental shall be permitted.
- j. Operation of a Type III dwelling unit in violation of any of the foregoing provisions shall constitute a violation of this Code and subject the property owner or duly authorized operator to any and all remedies provided for in Section 29-6.6 of this Code. Reissuance of a revoked Certificate of Rental Compliance, regardless of a change in property owner and or duly authorized operator, shall require the approval of a conditional use permit.
- k. A Certificate of Rental Compliance for a short-term rental is non-transferrable and shall only be valid for the property owner or duly authorized operator to whom it was originally issued.

Sec. 29-3.2. - Permitted use table.

Table 29-3.1: COLUMBIA, MISSOURI, PERMITTED USE TABLE														
P=Permitted use C=Conditional use A=Accessory use CA=Conditional Accessory use T=Temporary use														
Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in Section 29-3.3
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
RESIDENTIAL USES														
Household Living														
Dwelling, One-family Detached	P	P	P	P	P	P						P	Per PD Approval	(a)
Dwelling, One-family Attached		P	P		P	P								(b)
Dwelling, Two-family		P	P		P	P								(c)
Dwelling, Live-work			C		P	P	P	P						(d)
Dwelling, Multi-family			P		P	P	P	P						(e)
Manufactured Home Park				P										
Second Primary Dwelling Unit												C		
Group Living														
Boarding House			P		P	P	P	P					Per PD Approval	
Continuing Care Retirement Community			P		P	P	P	P						(f)
Dormitory/Fraternity/Sorority			P		P	P	P	P						(g)
Group Home, Large			P		P	P	P	P						(g)
Group Home, Small	P	P	P	P	P	P	P	P				P		

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD
LAND USE CATEGORY														
Halfway House			C		C	C	C	C						(h)
Residential Care Facility			C		P	P	P	P						
Temporary Shelter			C		C	C	C	C						(i)
PUBLIC and INSTITUTIONAL USES														
Adult and Child Care														
Adult Day Care Center		P	P		P	P	P	P	P				Per PD	
Family Day Care Center	A	A/C	P	A	P	P	P	P	P		A			(j)
Community Service														
Assembly or Lodge Hall						C	P	P		P				
Cemetery or Mausoleum	C	C	C	C							P			
Community/Recreation Center	P	P	P		P	P	P	P	P	C	P			
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P		(hh)
Elementary/Secondary School	P	P	P	P	P	P	P	P	P	P	P	P	Per PD Approval	
Funeral Home or Mortuary					C	C	P	C		P				(k)
Higher Education Institution			P		P	P	P	P	P	C				(l)
Hospital					P	P	P	C	P	P				
Museum or Library	C	C	C		P	P	P	P	P	C	P			

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Zoning District	Residential				Mixed Use					Special Purpose			Use-Specific Standards, in Section 29-3.3	
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD
LAND USE CATEGORY														
Police or Fire Station	P	P	P	P	P	P	P	P	P	C	P			
Public Service Facility	P	P	P	P	P	P	P	P	P	P	P			
Public Park, Playground, or Golf Course	P	P	P	P	P	P	P	P	P		P	P		
Religious Institution	P	P	P	P	P	P	P	P	P	P	P	P		
Reuse of Place of Public Assembly	C	C	C	C										(m)
Utilities and Communications														
Communication Antenna or Tower as a Principal Use	See section 29-3.3(n)												(n)	
Public Utility Services, Major	C	C	C	C	C	P	P	P	P	P	P	P		
Public Utility Services, Minor	C	C	C	C	P	P	P	P	P	P	P			
Wind Energy Conversion System (WECS) as a Principal Use	See section 29-3.3(o)												(o)	
COMMERCIAL USES														
Agriculture & Animal-Related														
Agriculture											P			
Farmer's Market	T	T	T		T	P	P	T	T	P	P	P	Per PD Approval	
Greenhouse or Plant Nursery							P			P	P			

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD
LAND USE CATEGORY														
Pet Store or Pet Grooming						P	P	P	C	C				
Urban Agriculture			C		P	P	C	C			P			(p)
Veterinary Hospital					C	C	P	P	P	P				(q)
Food & Beverage Service														
Bar or Nightclub						C	P	P		C			Per PD	
Restaurant						P	P	P	P	P			Per PD	(r)
Guest Accommodations														
Bed and Breakfast		C	C		C	P	P	P					Per PD	(s)
<u>Short Term Rentals</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					Per PD	<u>(t)</u>
Hotel							P	P	P	P			Per PD	
Travel Trailer Park							C				C		Per PD	
Office														
Commercial or Trade School					P	P	P	P	P	P			Per PD	(t)
Office					P	P	P	P	P	P			Per PD	
Research and Development Laboratory					P	P	P	P	P	P			Per PD	(u)
Wholesale Sales Office or Sample Room							P	P	P	P			Per PD	

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD
LAND USE CATEGORY														
Personal Services														
Personal Services, General					C	P	P	P	P	P				(v)
Self-service Storage Facilities							P	C		P			Per PD	(w)
Tree or Landscaping Service							P		P	P				(oo)
Recreation & Entertainment														
Indoor Recreation or Entertainment						P	P	P	P	P				
Indoor Entertainment, Adult							C			C				(x)
Outdoor Recreation or Entertainment							P		C	P	C	C	Per PD Approval	(y)
Physical Fitness Center						P	P	P	P	P				
Theatre, Drive-In							C			P				
Retail														
Alcoholic Beverage Sale						P	P	P	P	P				(z)
Retail, Adult							P	P		P			Per PD Approval	(x)
Retail, General						P	P	P		P				(aa)
Vehicles & Equipment														
Car Wash						C	P	P	P	P			Per PD Approval	

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Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in Section 29-3.3
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
Heavy Vehicle and Equipment Sales, Rental, and Servicing										P				
Light Vehicle Sales or Rental							P	P	P	P				(bb)
Light Vehicle Service or Repair						C	P	P	P	P				(cc)
Major Vehicle Repair and Service							P		P	P				(cc)
Parking Lot, Commercial							P	P	P	P				
Parking Structure, Commercial							P	P	P	P				
INDUSTRIAL USES														
Commercial Services														
Heavy Commercial Services							P	P		P				
Mechanical and Construction Contractors							C			P			Per PD Approval	
Storage and Wholesale Distribution									P	P				(dd)
Manufacturing, Production and Extraction														
Artisan Industry						P	P	P	P	P			Per PD Approval	
Bakery						C	P	P	P	P			Per PD Approval	
Heavy Industry										C				

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	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O		PD
LAND USE CATEGORY														
Light Industry									C	P				(ee)
Machine Shop							C			P				
Mine or Quarry										C	C			
Transportation														
Airport											C			
Bus Barn or Lot							P			P			Per PD Approval	
Bus Station							P	P		P				
Rail or Truck Freight Terminal									C	P				
Waste & Salvage														
Sanitary Landfill											C		Per PD	
Vehicle Wrecking or Junkyard										C				(ff)
ACCESSORY USES														
Accessory Dwelling Units	C	A	A										Per PD Approval	(gg)
Backyard or Rooftop Garden	A	A	A	A	A	A	A	A	A		A			(hh)
Communication Antenna or Tower as an Accessory Use	See section 29-3.3(n)													(n)
Customary Accessory Uses and Related Structures	A	A	A	A	A	A	A	A	A	A	A	A		(ii)

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Zoning District	Residential				Mixed Use					Special Purpose				Use-Specific Standards, in Section 29-3.3
	R-1	R-2	R-MF	R-MH	M-OF	M-N	M-C	M-DT	M-BP	IG	A	O	PD	
LAND USE CATEGORY														
Drive-Up Facility					CA	CA	A	CA	A	A				(jj)
Home Occupation	A	A	A	A	A	A	A	A	A		A			(kk)
Home Occupation with Non-Resident Employees	CA	CA	CA	CA										(ll)
Outdoor Storage in Residential Districts	A	A	A	A										(mm)
Wind Energy Conversion System (WECS) as a Principal Use	See section 29-3.3(o)												(o)	
TEMPORARY USES														
Temporary Construction Office or Yard	T	T	T	T	T	T	T	T	T	T	T	T		
Temporary Parking Lot					T	T	T	T	T	T	T	T		
Temporary Real Estate Sales/Leasing Office	T	T	T	T	T	T	T	T	T		T			(nn)
Temporary/Seasonal Sales or Event, Other	T	T	T		T	T	T	T	T	T	T	T		

Per PD Approval