



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 2, 2025

Re: 1617 Highridge Circle – STR Conditional Use Permit (Case #134-2025)

Executive Summary

Approval of this request would grant a conditional use permit (CUP) for the operation of a 210-night short-term rental (STR) with a maximum of 4 transient guests. The dwelling unit is not the applicant's principal residence and has been offered as an STR since May 2023. In 2024, the dwelling was used for a total of 217 nights. The subject property is zoned R-1 (One-Family Dwelling) and is addressed 1617 Highridge Circle.

Discussion

Ashleigh Stundebeck (owner), seeks approval to allow 1617 Highridge Circle to be used as a short-term rental (STR) for a maximum of four transient guests and up to 210-nights annually pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m) of the Unified Development Code (UDC). The 0.16-acre subject site is zoned R-1 (One-family Dwelling).

The subject dwelling is a 3-bedroom, 1-bath single-family home with an attached 1-car garage, is not the owner's principal residence, and has been previously used as short-term rental since May 2023. In 2024, the dwelling was used for 217 nights as a short-term rental. The stated bedroom square foot areas appear to conform with the minimum areas necessary to support the desired level of occupancy when evaluated against the adopted International Property Maintenance Code (IPMC). Final compliance with these provisions will be verified prior to the issuance of the STR Certificate of Compliance. The approved occupancy and authorized rental nights will be shown on the issued STR Certificate of Compliance and must appear on any website listing upon which the dwelling is offered for rental.

The application indicates that registrant will act as the property's designated agent for compliance purposes when it is in use as an STR. The registrant is a Boone County resident and is located within 8.5 miles of the dwelling. The property is owned by a husband and wife, as such, approval of the requested CUP would constitute the property owner's "one and only" STR license within the City's municipal limits.

Evaluation of typical listing platforms such as Airbnb, Vrbo, Booking.com, and Furnished Finder did not identify additional unregistered STR properties within a 300-foot radius of the subject property. There are 15 parcels within 185-feet of which eight appear to be owner-occupied and seven appear to be rental properties. The adjacent properties are located in the R-1 zoning districts. An R-1 zoning designation would permit a maximum "long-term" rental occupancy of 3-unrelated individuals.

The subject dwelling is consistent in size, style, and bedroom mix as those adjoining it. The property has a driveway capable of supporting one UDC-compliant on-site/off-street



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parking spaces and the dwelling has an attached 1-car garage. To ensure parking compliance and to support the desired 4 transient guests, the parking space within the 1-car garage will need to be available when the dwelling is used as an STR in addition to the driveway space. The dwelling is accessed from Highridge Circle, a residential street, that does not have sidewalks and permits on-street parking on both sides. The site's access is consistent with surrounding residential development and is sufficient to support future traffic generation without compromising public safety.

Given there is no violation history associated with this property, no unregistered or registered STRs within 300-feet, and the dwelling's general conformity to its surroundings, approval of the CUP is compatible with the adjoining neighborhood. The enacted STR regulations provide the City with options to address potential negative impacts including nightly usage restrictions and other means for which violations can be reported and acted upon which include fines and possible revocation of the STR Certificate of Compliance after two verified violations within a 12-month period.

Given the dwelling sought for licensure is not the applicant's "principal residence", a CUP is necessary to allow for its operation as an STR. The STR CUP process requires an analysis of the general and supplemental CUP criteria shown within Sec. 29-6.4(m)(2)(i) and (iii) of the UDC. A full description of this analysis is found in the attached Planning and Zoning Commission staff report.

Should the CUP be granted, the owner and the dwelling will be required to obtain full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code. As part of the required Business License, the owner will be required to remit accommodation taxes pursuant to the requirements of Chapter 26 (Taxation) of the City Code.

The Planning and Zoning Commission held a public hearing on this matter at their May 8, 2025 meeting. As noted in the minutes, the Planning & Zoning Commission originally heard the case on April 10, 2025 but due to an error in the required public notice (which stated a hearing date of March 20, 2025), the public hearing needed to be rescheduled with new notice. At the May 8, 2025 hearing, staff provided its report and described its findings related to what was shown on the STR application. The applicant gave a presentation on the purpose of the request and was available to answer Commissioner questions.

Several members of the public spoke in opposition to this case citing concerns about traffic, litter, noise, and safety around the proposed STR. Multiple persons cited an instance of construction vehicles and equipment parked on the property as well as over-occupancy. One member of the public spoke in favor of the request, noting the improvements to the home the owner had completed since acquiring the property. Twelve written comments to the request were submitted, four in support and eight in opposition (attached).

Following closure of the public hearing a motion to approve the requested CUP permitting 1617 Highridge Circle to be operated as a 210-night STR with a maximum of 4 transient guests subject to the garage parking space being made available when the home was in STR use was made. The motion resulted in a tied vote of (4-4). A tied vote pursuant to



the Planning and Zoning Commission's Rules of Procedure is a "no recommendation". For the purposes of City Council action, a tie vote of the Planning Commission is considered a recommendation of denial.

Given the requested action is for a conditional use permit and not a zoning map amendment, there is no option for submission of a protest petition and the triggering of a "super-majority" vote of Council members to override the Commission's recommendation. Rather, a "simple-majority" vote of Council member to override the Commission recommendation would be necessary should approval be desired.

A copy of the Planning and Zoning Commission staff report, locator maps, STR application and Supplemental "Conditional Accessory/Conditional Use Questions", public correspondence, and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None are anticipated.

Long-Term Impact: Usage of the dwelling as an STR will result in the collection of accommodation taxes which will assist the Convention and Visitor's Bureau in their marketing efforts relating to the City. While increases in public service demand is possible, such demands are not foreseen to be greater than a typical single-family home. Such increases may or may not be off-set by increased user-fees or property tax collection.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve a conditional use permit allow 1617 Highridge Circle to be operated as a 210-night short-term rental for a maximum of four transient guests with a condition that the 1-car garage being made available while in STR.