

Council Memo

Department Source: Community Development

To: City Council

From: City Manager & Staff

Council Meeting Date: July 20, 2026

Re: 1505 Richardson Street – STR Conditional Use Permit (Case #169-2026)

Impacted Ward: Ward 3

Executive Summary

Approval of this request would grant a Conditional Use Permit (CUP) to allow 1505 Richardson Street to be used as a 210-night, maximum eight-guest short-term rental pursuant to Sec. 29-3.3(vv) and Sec. 29-6.4(m)(2) of the Unified Development Code. The R-MF zoned subject property is 0.27 acres in size and is located 100 feet east of the intersection of Richardson Street and Ripley Street.

Discussion

Jessica Foote (agent), on behalf of BJEM Properties LLC (owner), is seeking a CUP to use the dwelling addressed 1505 Richardson Street as a 210-night, maximum eight transient guest short-term rental. The four bedrooms allocated to STR use meet the minimum square footage required to accommodate the requested eight transient guests per the City-adopted International Property Maintenance Code (IPMC).

The designated agent has ownership interest in the LLC that owns the property, and is a local Boone County resident located 2 miles (8 minutes) from the subject site and will respond to regulatory or operational issues that arise when the dwelling is in use as an STR. Approval of this CUP would constitute the owners', inclusive of everyone with interest in the LLC, one and only STR license within the City's municipal limits.

A review of Airbnb, Vrbo, Booking.com, Furnished Finder, and City records did not identify any additional licensed STRs within **300 feet** of the subject property. Within the 185-foot notification radius, there are 40 dwelling units, of which at least three appear to be owner-occupied. Adjacent properties are all zoned R-MF.

The applicant has 3 on-site parking spaces available, with three being in the existing gravel driveway. In order to meet the parking requirement for eight transient guests, an additional parking space would need to be paved with a compliant surface, and compliant with dimensional standards for driveways. Access to the dwelling is provided via Richardson Street, a local residential street that permits on-street parking and has sidewalks installed. The access arrangement is consistent with surrounding residential development and is believed to be adequate to accommodate anticipated traffic without compromising public safety.

Aside from the potential increase in occupancy of the dwelling when compared to that of surrounding R-MF zoned properties, staff has not identified other **technical** reasons to conclude that the proposed STR would be incompatible with the surrounding neighborhood. There have been no unresolved citations with the respect to the dwelling's current usage.

The property has been used for short-term rental purposes under the current ownership and prior to receiving a license to operate. The owner was referred to the prosecutor by the Office of Neighborhood Service, where the owner plead guilty and paid fees for illegal STR operation.

It is worth noting, the adopted STR regulations do not prohibit individuals found guilty of operating illegally from applying for legal licensure. Furthermore, the adopted regulations do not prohibit individuals denied by the City Council a required CUP from immediately re-applying for one.

The City's STR regulations provide mechanisms to address potential adverse impacts, including limits on rental nights, a formal violation reporting process, fines, and the authority to revoke a STR Certificate of Compliance following two verified violations within a 12-month period.

Given that the dwelling sought for licensure is not the owner's "principal residence", a CUP is necessary to allow for its legal operation. 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 requested CUP be granted, full regulatory compliance with the provisions of Chapter 22, Article 5 (Rental Unit Conservation Law), and Chapter 13 (Business Licensing) of the City Code is required. As part of the required Business License procedure, 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 request at its June 11, 2026 meeting. Staff presented their report and summarized the findings regarding the application's compliance with applicable **technical standards**. Two members of the public spoke regarding the request. The owner was present to respond to questions from the Commission. Notably, the Commissioners asked why it took the owner so long to register their property as a STR, and what the plan was to provide additional parking. The owner noted that they were receiving conflicting information about the necessity of registering one's property from other real estate agents in the City, and they believed the STR ordinance was going to change, so they delayed applying until they were summoned to court and plead guilty.

Following the closure of the public hearing, the Commission engaged in additional discussion regarding the request. The Commissioners discussed voting instead on a maximum of four guests rather than the requested eight by the applicant, and decided to do so. A motion was made to approve the request to permit 1505 Richardson Street to be operated as a 210-night, maximum **four**-guest short-term rental. The motion failed by a vote of 3-3. The split vote results in a recommendation of denial being forwarded to City Council.

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

Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: Increased usage of the dwelling as an STR will result in the potential for higher collection of accommodation taxes, which will assist the Convention and Visitors Bureau in its marketing efforts relating to the city. While increases in public service demand are possible, such demands are not foreseen to be greater than a typical single-family home. Such increases may or may not be offset 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

Denial of the requested conditional use permit to operate 1505 Richardson Street as a short-term rental for 4 transient guests up to 210-nights annually, as a result of the Commission's tie (3-3) vote.