

Short Term Rentals- Chapter 29 Unified Development Code Revisions (Draft)

Public Info/Input Meeting Summary

November 29, 2018

Ms. Bacon and Mr. Zenner of the Community Development Department reviewed a PowerPoint Presentation regarding a summary of previous public engagement and proposed revisions to the Unified Development Code (UDC), contained in Chapter 29 of City Code, regarding the potential to regulate Storm Term Rentals (STRs) in the City of Columbia. The presentation is available online: <https://www.como.gov/community-development/planning/short-term-rentals/>

Public Discussion:

- Neighborhood associations are getting calls from concerned homeowners; feel there is a need to protect neighborhoods. Oppose commercial uses in the R-1 zone.
- Is there a demand for hotels? This is a quality of life vs. economics issue. Want to stay in the community; don't want changes.
- Covenants are a legal option for neighborhoods, use as a regulating tool was discussed. The City does not enforce private covenants.
- Questions regarding why recommending changes to definition of a hotel, Mr. Zenner clarified the revision was to match the state law for a hotel and that hotel tax may apply for lodging of 31 days or fewer, more than 31 days was a traditional rental lease (though shorter than typical) versus a short term rental.
- It was clarified that sheds, tents, and similar would not be included as a short term rental.
- Discussion regarding the need to revise the zoning code definition of a hotel to exclude short term rentals as B&Bs are called out.
- Discussion regarding the scale and types of short term rentals. Comparison and differences between home occupations in residential areas discussed. Additional concern about levels of commercial activities and types in residential areas.
- Discussion of occupancy allowed under present zoning code in comparison with proposed revisions. Concerns noted, with need to clarify and look at critically. Request for hotel occupancy rates. Request to look at additional restrictions for type II and the intensity of each use by each zone.
- Discussion of what proposal for no structural modifications intended and how to enforce. Discussion of how often owner host would need to be on-site and definition of principal residence. How to measure 250 feet discussed, what if two applications come in at same time? Discussion of intent to prevent over concentration and practical application of every fourth home or so potentially used as a STR. These areas need additional clarification and discussion.

- Concern about areas without covenants, and concerns about bad operators and difficulty to enforce owner occupancy/hosting and already existing enforcement issues for rentals. Additional regulations challenging when existing not enforced/or take a long time for resolution.
- Discussion of STR operators improving properties to be competitive, benefits of filling properties that would otherwise be vacant such as pipes freezing in winter; discussion of economic impact of folks staying and spending money and jobs produced for cleaning, operation, maintenance, etc. Worries about over-regulation.
- Questions about how to measure 250 feet, Mr. Zenner indicated looked at existing standards for a protest petition. Definition and how to measure is important and need to be well-defined.
- Questions regarding administrative process such as who would sign a certified letter, the composition of the letter, etc. Staff responded some details would need to be worked out and better defined, the process part is dependent upon the set of regulations that are adopted.
- Questions regarding how many units in a multi-family building or a duplex and the potential of renters seeking approval to rent out from their landlord. Forms, standards and notification process to be better defined. How owner-occupied may be verified a variety of ways; look at tools available. The International Building Code (IBC) has sleeping space definitions per person.
- Concerns regarding the transferability of rental certificates and transition between short and long term rentals. If use 250 feet how is that calculated as operators enter and leave the market, something to consider. Discussion regarding separate vs. overlapping certificates in terms of if a conditional use permit is required following revocation; discussion regarding fees and single room vs. whole dwelling inspection.
- Discussion regarding the impetus for STR regulations. Started with discussion about lodging tax and has evolved to discussion about safety and security.
- Discussion regarding allowing STRs and also regulating STRs for 300 or so listings when there are 25,000+/- homes in the city. Impact of changing zoning code in terms of magnitude of activity discussed.
- Discussion of higher level questions reading will of the community in terms of regulation and leveling the playing field in terms of protections in terms of single family property owner expectations, hoteliers and STR operators.
- Concerns regarding repeating mechanical inspections if transitioning between short and traditional renting.
- Discussion that the sharing economy is an evolving issue and that occupancy, ownership and lease terms are evolving over time.
- Discussion regarding having a max number of sleeping rooms in type I and type II to prevent hotel types. Request to look at 14 days or less as an exemption for owner occupied units. Discussion of difficulty of enforcement.
- Additional discussion anticipated at the next public meeting (format the same) November 29. Mr. Zenner and Ms. Bacon provided the website and proposed schedule moving forward and asked everyone to sign in to receive email notifications as revised materials become available.