



Rachel Bacon &lt;rachel.bacon@como.gov&gt;

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## STR options

1 message

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**Shawna Neuner** <shawna@comohome.net>  
To: Rachel Bacon <rachel.bacon@como.gov>

Thu, Dec 6, 2018 at 5:11 PM

The Columbia Apartment Association has attempted to follow the proposed ordinance regarding short-term rentals (STR) now before the P&Z commission. As written the ordinance is full of unclear terminology and many clauses that are at difficult to enforce or even illegal.

As rental property owners and managers in the City of Columbia, MO, we have a few concerns regarding the proposed ordinance for Short-term Rentals and the possible repercussion that it could have either now or in the future for my traditional rental property. My first concern is to address that compliance inspections should be consistent and that if my property is approved for rental, it should not matter that it is 5 days, 30 days, 90 days or 4 years. Rental is rental, and the process should be the same. A certificate should be valid for short- or long-term rental and it should transfer with title of the property as there are provisions for certificates to do so now.

Additionally, we have serious concerns about starting trends with the short-term rentals that could soon be added to all rental properties:

Items such as the distance requirement between properties and notification of the neighbors. These items are time consuming, expensive and set the city up to play mediator between neighbors in situations that should not be controlled by legislation. Over 50% of our residents live in rental property, we need to respect the need that is being served and when you start placing limits on one type of rental because a few neighbors complain, it won't be long till someone gets the idea to limit the distance between traditional rental properties. We already have zoning that limits occupancy and neighborhoods are welcome to create covenants that are more restrictive for their properties and to enforce those through civic means. It is not the place of the City council to legislate neighborhoods.

The limitations on any event or party to the level of no dinner party, bible study or book group is ridiculous. People have a constitutional right to peaceful assembly. Not to mention that enforcement would be expensive and steal valuable resources in our already stretched police department. There are rules on parking and noise etc that are already in place and solve most of the problems that you can even begin to address with such a rule.

Finally, the restrictions on improvements or dividing property while not only completely counter to the rights and interests and responsibility of the property owner. Frankly, it is in the best interest of the neighborhood and the city that a home be properly cared for. Existing building codes and restrictive covenants are already in place to control properties as appropriate for their specific location.

Shawna Neuner, President

Columbia Apartment Association

Shawna Neuner  
573 864-0437

Licensed Realtor, AI Realty  
[1315 Rustic Rd](#)  
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# COLUMBIA

## BOARD OF REALTORS®

November 30, 2018

Planning Department  
City of Columbia Missouri  
P.O. Box 6015  
Columbia, MO 65202-6015

Re: Short Term Rental Code Amendments to the UDC

Dear Mr. Zenner and Ms. Bacon:

I am writing to express the Columbia Board of REALTORS® Board of Director's views of the proposed Short-term Rental (STR) Code Amendments to the Unified Development Code (UDC). Overall, our Board supports the original intent of the short-term rental process brought forward by the City of Columbia's Convention and Visitor's Bureau (CVB). As you know, the process began last fall for the CVB to gather public feedback regarding levying the lodging tax on operators of short-term rental units in the City of Columbia. In general, we understand and support the imposition of a form of lodging tax for short-term rentals. To that end, we recognize the reason for the creation of a new definition of short-term rentals. If that occurs, short-term rentals should be excluded from the definition of "hotels," as regular bed and breakfast accommodations are.

However, after significant discussion and participation in public forums, we do not feel the added regulations for short-term rentals, some of which duplicate and/or contradict other city ordinances, are not relevant to the City's original intent of collecting revenue and putting short-term rentals on par with local hotels. In addition, we do not deem the City has adequately explained how it will administer and enforce STR regulations to influence landlords to comply with the code requirements.

Our opposition to the proposed additional requirements for short-term rentals can be summarized as follows:

1. There are several state legislative bills to be presented during the next State of Missouri Legislative session. The city would be better off to immediately move forward with implementing the lodging tax on short-term rentals and then consider other regulations later to avoid contradictions with state law.



2. The proposed “short-term rental types” give advantages to some property owners and take away opportunities from others. The city hasn’t made any indication of how the use of the three types would be enforced. It would be easier for all if there is only one type subjected to uniform taxation. Alternatively, there is the possibility there could be “hosted” and “un-hosted” types of rentals, although going down this path seems to create more confusion about implementation and enforcement than it does solve any pervasive, existing problem.
3. The certificate of short-term rental compliance should be transferable as it is with long-term rentals. Requiring a new certificate of rental compliance for a property has the possibility of reducing its marketability when an owner decides to sell. The condition of a property is either in compliance or it is not. The term of the tenancy should have no bearing on the status of a certificate of compliance. This requirement expresses animus against short-term rental operators and creates an unnecessary procedure.
4. The creation of a conditional use permit for some types of short-term rentals is excessive in terms of regulation and injects an element of politics into a situation that simply does not warrant such extreme oversight. One of the benefits the UDO is reducing/eliminating political motivations in development decisions.
5. The rule that would restrict the location of short-term rentals within 250-feet of each other is arbitrary at best and will undoubtedly cause unintended consequences that go beyond the city’s responsibility to protect public safety and general welfare of the city.
6. Similarly, the proposed rule that would restrict the use of only 25% of a multi-family structure for use as short-term rentals is arbitrary in terms of the percentage. Why does the frequency of a rental negatively affect public health and/or safety when multi-family housing is already subject to the same levels of inspection and occupancy as short-term rentals would be?
7. Forbidding a property owner from making structural modifications to a property is unreasonable. As society undergoes changes in how people live, all property owners should have the right to make any modifications to their properties so long as those changes do not threaten public health and safety. Constructing a sun porch, an alternative entryway, or even privacy fencing should not be regulated to any greater extent for short-term rentals than it is for single-family homes so long as the construction meets applicable codes.
8. The occupancy rules being considered contradict current occupancy regulations established in the R-1 districts. Occupancy standards should be the same across all zoning classifications/and uses for easy compliance and enforcement.
9. It will be impossible for the city to hold all property owners to the same standard. Short-term rental usage will continue to grow as travelers and property owners learn the benefits this use has provided. The city will have many property owners only wanting to participate in short-term rental use a handful of times each year, such as during the True/False film festival or events similar to the solar eclipse in 2017. How will the city manage to hold those property owners to the same standards as those who regularly rent short-term and comply with the ordinance? The answer is the city will not because they do not have the resources to do so.

The city should consider moving forward with taxing short-term rentals as is done to hotels and motels, as a matter of fairness. However, the city should abstain from imposing additional requirements on property owners who wish to use their properties as short-term rentals. All indications are that the existence of short-term rentals is not creating significant problems across the city. In fact, most complaints, of which there are few, seem to be centered in just a handful of locations, which are temporary because of the short-term tendency of the lessee. If a neighborhood is having issues with short-term rentals, those property owners need to work together to create a solution that meets the needs of the neighborhood without adding unnecessary burdens to property owners throughout the City of Columbia.

Thank you for your consideration of these comments and for providing the opportunity for input on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean Moore', written over a light blue horizontal line.

Sean Moore

2018 President

Columbia Board of REALTORS®

**December 10, 2018**

**As a resident of Columbia since 1960 I am expressing my concern about the Short Term Rental Amendment (STR) proposed by the City in the November 12, 2018 Draft.**

- **The Short Term Rental Amendment (STR) proposed by the City in the November 12 Draft makes absolutely no sense.**
- **It is a plan that will begin eating away at the fiber which holds our wonderful city together and continue eating until we have no areas that are reasonably safe from pockets of criminal activities and deterioration.**
- **Columbia currently has a lot of single family R-1 neighborhoods where the residents own their home and take pride in having a quality of life with a sense of peace, tranquility and safety where the neighbor next door is actually a neighbor and not a transient who is unknown.**
- **We have other areas saturated with drug and other criminal activities and a lack of respect for laws and law enforcement. Watching the news, it appears we now have more than law enforcement can handle. How do you propose to handle the added issues from the inevitable transient activities associated with this zoning change?**
- **What can really be gained by making this change? Columbia hotels employ a large number of people and the hotels pay a lot of tax. It seems maybe it would be a bad idea to take business away from our big employers.**
- **Single family residential neighborhoods and subdivisions with R-1 zoning need to continue being zoned R-1 and not be invaded by short term rental and commercial business.**

**Kay Pingelton  
3600 Berrywood Dr.  
573-864-1706**



December 6, 2018

Mayor Brian Treece  
City Council Members  
City of Columbia  
701 E. Broadway  
Columbia, MO 65201  
*Via Email*

**RE: Unified Development Code Draft Text Changes - Short-term Rentals**

Dear Mayor Treece and City Council Members:

On behalf of the Expedia Group family of platforms, including HomeAway and VRBO, I am writing to express our concerns with certain provisions of the proposed short-term rental regulations under consideration by the City of Columbia.

First, I'd like to thank you and city staff for the time you've spent on this issue, and in pursuit of effective short-term rental policies. HomeAway supports a regulatory framework for short-term rentals within which homeowners and property and managers can operate legally, responsibly, and with accountability. We commend the City of Columbia for working to draft effective short-term rental policies, and while we do not oppose regulation, we do oppose requiring a conditional use permit for certain short-term rental homes. Short-term rentals should be an allowed use in all zones subject to restrictions.

Traditional vacation rentals are more often than not, non-owner-occupied single family residential homes. A majority of short-term rental owners maintain their homes in all classifications of residential zones, and we recommend the Council not disadvantage these homeowners by subjecting them to a discretionary permitting process. In other locations, this type of policy has proven to be inequitable for homeowners, and an enormous administrative burden for local government. Alternatively, policies that allow secondary homeowners to rent (even with strict limitations) enjoy greater compliance, easier administration and require fewer enforcement resources.

Sensible policy should impose reasonable limits on short-term rentals, so that they cannot impact the character and continuity of Columbia's neighborhoods. Reasonable limits, such as density limitations per block face or in multi-family buildings (such as those established by cities like [San Antonio](#)), would encourage compliance by allowing homeowners to participate, but would establish limitations on the number of short term rentals in a given neighborhood. Greater

compliance will ease enforcement, and will help create more effective recourse for bad actors. We believe this may be a more equitable system than the current proposed distance limitations.

We would eagerly welcome the opportunity to work with you on effective short term rental regulations for Columbia, and would be happy to provide additional information and resources. Thank you for your consideration, and please do not hesitate to contact me with any questions or concerns.

Respectfully,  
Ashley Hodgini

Government Affairs Manager, Mid-South Region  
Expedia Group | HomeAway  
1011 W. 5th Street, Suite 300  
Austin, TX 78703  
[ahodgini@homeaway.com](mailto:ahodgini@homeaway.com)

**Randall Kilgore**

11:44 AM (3  
hours ago)

to Gary, Randall, me

Thank you, Rachel.

I knew this was coming in time, and now that it is here, I feel some measure of relief that we are well within the guidelines and boundaries set forth in the proposed wording.

There is one small detail about "signage" that I may take some issue with. Our Airbnb does have very simple, understated, subtle signage and the entrance gate where Guests enter the property listing, and vinyl lettering of the exact location of the Suite we offer that designates the space for the Guest on arrival. I would hope such understated and tasteful signage could be "Grandmothered" in if it does not defy any other guidance or City Ordinance. We view our signage as an important safety feature guiding the Guest to the secured location of the Guest Suite entrance. We would welcome your site visit to our property listing any time if you are interested.

Once everything is approved, we will gladly step forward to register our property listing and willingly be in compliance with the expectations of the ordinance!

Count on us to be present for the public hearing.

**RANDALL KILGORE**

804 Fairway Drive  
Columbia, MO 65201  
Mobile: (573) 808 - 5254

[rfkilgore55@hotmail.com](mailto:rfkilgore55@hotmail.com)





Rachel Bacon &lt;rachel.bacon@como.gov&gt;

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**Short term rental draft**

1 message

**Richard Burns** <chardw62@yahoo.com>

Sun, Dec 9, 2018 at 11:28 AM

To: "patrick.zenner@como.gov" &lt;patrick.zenner@como.gov&gt;, "rachel.bacon@como.gov" &lt;rachel.bacon@como.gov&gt;

Hello Mr. Zenner and Miss Bacon,

I 'd like to weigh in on the recent draft for short term rental (STR) regulations. I know this takes time to research and develop and appreciate the effort of City staff thus far.

I live in a residential neighborhood (Grasslands) that is mostly zoned R-1. I choose to live here for the same reasons as many others: Single family homes, good neighbors that become good friends, and convenient to downtown/campus. The rental property that does exist is on the periphery of the neighborhood and long-term. No one anticipated short-term rentals like Airbnb; much like Bird and Uber this was a business model dropped on cities before they had time to react with regulations. Now some see this as an opportunity for additional income, which I don't believe was a consideration or expectation when they purchased their home.

In creating the draft change I wanted the City to err on the side of maximum protection for residential neighborhoods, and for that reason am disappointed. The current language puts the onus on those that oppose STRs to make the case why it is not a good idea. This past summer my neighborhood took the time to survey homeowners. 160 surveys were sent out with 107 collected (66%). 66% of total respondents were against un-hosted short-term rentals. Based on the survey information the draft could have had a much different starting point, and this appears to be a case of the tail wagging the dog as opposed to the other way around. Those that bought into R-1 neighborhoods accepted the rules of zoning (single family homes) and understood the type of neighborhood they were moving into. Retrofitting a new use designation that may negatively impact homeowners adjacent to an Airbnb property is not fair.

I understand a major reason for the draft's permissiveness may be the issue of enforceability: If problems with a particular Airbnb property occurs let 'neighbor shaming' take care of it. With or without stricter regulations problem properties are going to pit neighbor against neighbor(s), and for the City to take a step back is absconding their responsibility. There are plenty of laws on the books that are difficult to enforce (stop signs, cross walks, etc.) but they exist for our protection.

Some Columbia neighborhoods have covenants that prevent STRs. How would those homeowners feel if this was suddenly forced upon them? Given they won't be impacted I don't expect their vocal opposition to STRs over the next few weeks, but no one should assume this translates into support.

The only occupant cap for Type-II short term rentals is based on the number of bedrooms. This could easily mean 8 or more people in a 4-bedroom house. Could anyone owing a home next door to 8 weekend renters have anticipated this situation a few years ago, with the accompanying potential for noise, traffic, and parking issues? Homeowners (and especially those with young children) in these neighborhoods want to know who their neighbors are, whether it be for one day, one month, or one year.

Airbnb should not be allowed to commercialize our residential neighborhoods, and the desire of a few should not supersede the interests of the majority of homeowners. Let STRs grow into areas with high density rental property or more permissive zoning, which will have the least impact on those who prefer not to have this type of activity. Please consider the following revision to the current draft:

- 1) No short-term rentals allowed in R-1 neighborhoods, whether owner-hosted or not.
- 2) If short-term rentals are allowed in R-1 neighborhoods:
  - a. Must be owner hosted.
  - b. Occupancy is capped at 3 people, not including the home owner. This would mirror what is currently allowed for 3 unrelated people in R-1 zoning.
  - c. A conditional use permit is also needed, requiring 100% of adjacent neighbors to agree on the STR use.
- 3) OR same as #2 but without the conditional permit requirement.

Thanks for your attention.

Richard Burns

310 East Brandon Road



Rachel Bacon &lt;rachel.bacon@como.gov&gt;

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**Fwd: FW: Short term rentals**

1 message

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**Dean Arthaud** <deanarthaud@gmail.com>

Sun, Dec 9, 2018 at 11:08 PM

To: Timothy.Teddy@como.gov, Patrick.zenner@como.gov, Rachel.bacon@como.gov

----- Forwarded message -----

From: **Dean Arthaud** <deanarthaud@gmail.com>

Date: Fri, Dec 7, 2018 at 6:39 PM

Subject: Re: FW: Short term rentals

To: Joe and Terry Weston &lt;jtweston@mchsi.com&gt;

Very good message from Kay. (above)

This issue is being brought to the attention of many, including the Gary Nolan show; "hot talk radio" who made some comments about it this morning. Many seem to take it as a negative toward Air BnB. That is not the case; it is disconcerting that some don't see the real picture. **Short term rentals** are a new concept with many ramifications and it can have a significant impact.

This is not another "wave of the future". If you value your quiet family lifestyle in our Woodridge neighborhood you need to get informed on this. Current Zoning doesn't allow BnB in R-1 communities (pp 139 of Code of ordinances/Columbia MO) but it appears Planning and Zoning is being pressed to find a way to make this acceptable and change our zoning rules to allow STR everywhere including R-1 (single family residence); A huge error in judgement in my opinion. Our city council will be taking this up shortly.

Many who favor this have or plan to benefit from a STR financially and could care less about your neighborhood or the effect this has on your every day lives. Other subdivisions are up in arms and have come to realize this is a big unwanted problem.

Common sense dictates that commercial businesses such as this don't belong in a residential area with small children and families that moved to a neighborhood to get away from this type of activity. We were told in a P&Z meeting (11/29/2018) that some towns in Missouri have outlawed STR completely. There must be a reason they came to that decision. We don't expect the STR concept to be outlawed in Columbia but it is not appropriate for our R-1 communities.

On Fri, Dec 7, 2018 at 2:52 PM Joe and Terry Weston <jtweston@mchsi.com> wrote:

Hello. Please see the note from Kay Pingelton about a proposed amendment. Feel free to express your thoughts to the two people in the Planning Department whose email addresses are at the bottom of this note.

Thanks- Terry

-----Original Message-----

From: Kay Pingelton [mailto:[bkpingelton@centurytel.net](mailto:bkpingelton@centurytel.net)]

Sent: Friday, December 07, 2018 12:47 PM

To: Joe and Terry Weston

Subject: Short term rentals

Hi Terry,

Please send this neighborhood wide e-mail encouraging residents to become familiar with the Short Term Rental Amendment being proposed by the City. As proposed it will permit short term rentals in R-1 single family neighborhoods citywide by anyone who has an extra room to whomever and there is no vetting of the guest by any agency. This plan is an open door to any transient traffic and associated unwanted activity in single family neighborhoods.

This amendment is a major change in zoning and pertains to far more than Airbnb type rentals. It paints with a very wide brush.

Please go to the City Website <https://www.como.gov/community-development/planning/> and read all about it. If you wish to express your opinion, e-mail maybe sent to [PatrickZenner@como.gov](mailto:PatrickZenner@como.gov) and [RachelBacon@como.gov](mailto:RachelBacon@como.gov). Both are in the Planning Department.

1602 Hinkson Avenue  
Columbia, MO 65201

December 6, 2018

Community Development Department  
City of Columbia  
701 East Broadway Street  
Columbia, MO 65201

Dear Ms. Rachel Bacon and Patrick Zenner,

Let me start by saying I have problems with the principle of short-term rentals. The words that are provided as the proposed zoning regulation should work, in my view. Where I disagree with the text, I have made Word comments in the accompanying document.

Two basic concerns that I do not see addressed by the proposed modification to the Unified Development Code include:

1. Lack of increasing barrier to entry for operations of increasing scale, and
2. Enforcement.

The lack of increasing barrier to entry for operations of increasing scale concerns me from a theoretical standpoint. Consider a large-scale rental operation in the downtown district with, for instance, 40 or more multi-bedroom dwelling units. Supposing 25 % of those dwelling units are rented or offered for rent as short-term rentals, then a total of 10 dwelling units would be available. According to the definitions provided in §26-76, Article 4 of the taxation chapter, a hotel is defined:

Any structure or building, under one management, which contains rooms furnished for the accommodation or lodging of guests, with or without meals being so provided, and kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or lodgers and having more than twelve (12) bedrooms furnished for the accommodation of such guests.

As far as taxation goes, any building offering 13 or more bedrooms for rent is a hotel. Using the example from above for an apartment house like the District Flats, where each dwelling unit consists of multiple rooming units (§22-183), the proposed type-III designation would permit up to 10 dwelling units and ten times the number of rooming units. Observe that a rooming unit is defined to include any room that serves as a bedroom. A large-scale operation could very

easily exceed the number of bedrooms (13) required to be considered a hotel. An outright prohibition on apartment houses operating as short-term rentals seems appropriate in light of the above ambiguity. The code defines a hotel as anything over 12 bedrooms, therefore NO short-term rental “operation” should exceed 12 bedrooms.

I would also propose that a new definition for a short-term rental operation be developed to mean any operating entity considered a short-term rental operation shall be limited to no more than 12 bedrooms offered for rent at any given time. This limits the scale of a short-term rental operation and aligns with the definitions of a hotel. This rule applies to type-III designations only.

I believe the detriment to the community arising from “vacant houses” pock-marking the neighborhood far outweighs the potential benefits to single individuals. Therefore, I would actually prefer to prohibit all of the proposed type-II designation.

The other principal concern I have with short-term rentals is the ability of the City or other regulating body to effectively enforce the rules set forth in the proposed code changes. How does the City determine that a type-I designated short-term rental is not being rented for longer than the 30-day limit? Is it that we now consider all short-term rentals simply as rentals? If so, then it seems to me the proposed code does not provide any regulating control at all. On the other hand, if we are not considering short-term rentals as simply rentals, then how is the City going to go about ensuring that *all* real short-term rentals are regulated according to the rules? How does the City go about *verifying* that short-term rentals are being used “as advertised”?

The proposal does not address the issue of off-street parking requirements. In neighborhoods like Benton-Stephens the availability of off-street parking is quite limited. Any proposal to permit additional occupants, even if transient in nature, should require participants to ensure the availability for off-street parking as part of the requirements for obtaining permission to operate a short-term rental.

Occupancy is another of the issues I have questions about. It used to be that an R-1 dwelling unit could have at most 3 unrelated occupants. If a short-term rental designation of type-I is permitted to have two bedroom units offered for rent, then potentially the entire dwelling unit has 5 unrelated individuals. Where does the International Property Management Code stand on this?

Thank you for considering my comments.

Respectfully,

A handwritten signature in black ink, appearing to read 'Peter Norgard', with a long horizontal flourish extending to the right.

Peter Norgard