

March 13, 2019

TO: City of Columbia Missouri Planning and Zoning Staff and Commission members

RE: Proposals to regulate Short Term Rentals (STR's) within the City of Columbia

FROM: Sharon K. Feltman, 1136 saint Christopher Street, Columbia, Missouri 65203

I am a citizen and home owner in Columbia Missouri. I operate owner-hosted Short Term Rental (STR) in the City of Columbia. I have chosen to provide STR service for various reasons that include to meet the needs of visitors to Columbia; to utilize space in my home; to add to my retirement income; to meet interesting people from across the globe. I would like to address issues raised during recent Columbia Planning and Zoning Public Listening Sessions and the various suggested regulations that are now in draft form developed as a result. Below are my thoughts and suggestions:

Differentiate between owner-hosted STR's and investment STR's: There is broad distinction between a retiree or single parent utilizing extra space in her/his home to earn supplemental income and investors, local or remote, who offer several houses or apartments on multiple platforms. This distinction should be taken into consideration by those crafting any and all future regulations or ordinances.

Rental Unit Conservation Law: Currently in place through Office of Neighborhood Services, there is a process to certify rental properties. Utilizing current Ordinances of the City of Columbia (Application for Certificate of Compliance (COC) Rental Unit Conservation Law, Sections 22.186; 22.192) is the most efficient and effective means to address rental properties in all City zones. COC costs the homeowner \$86 for the application and inspection of their property. This process currently involves only the office of Neighborhood Services. If, as suggested in the current draft language, a Conditional Use Permit (CUP) is required, this increases costs to the homeowner by at least \$100 - \$150. City staff indicates the Planning and Zoning Commission process takes at least two months. Each separate request must then be addressed individually by City Council. Avoid burdensome over-regulation by utilizing the current law and City ordinances.

Neighborhood unease, Noise and Nuisance, Parking: The first-line strategy for addressing problems should be neighborhood covenants. We also recommend avoiding burdensome over-regulation by utilization of current noise and nuisance ordinances that apply; calling the police; filing formal complaints with the hosting platform such as AirBnB by calling directly at 855-424-7262 or 415-800-5959, numbers available online. AirBnB has a complaint process for neighbors of hosted properties on their website. They also have a strict hosting policy and a suspension process which will take problematic hosts off their site. STR's do not necessarily cause additional parking problems on a regular basis. It is possible that a home owner or long-term renter is a family with two teens. This could easily mean as many as four vehicles at that address permanently. Calling authorities to issue warning for persistent problems whether caused by STR's, long-term tenants, or homeowners is the most obvious and effective solution.

Grandfather in current owner-hosted/owner-occupied STR: If an owner-hosted STR has a current COC, and is without complaints against them, the property should be grandfathered in and not required to obtain a CUP.

Public Health and Safety: Each space for rent, whether STR or long-term, should be inspected and permitted by the City. Inspections and permits give the City officials knowledge of the rental stock as well as the ability to institute regulations. There already exists a mechanism through the Rental Unit Conservation Law to inspect and certify rental spaces in Columbia. Additional layers of inspection such as CUP are redundant.

City Staff: By utilizing current regulations many of the concerns expressed recently would be effectively addressed. The current Rental Unit Conservation Law, COC's, law enforcement and services offered by the various platforms, when utilized, can provide over-sight and actively deter any potential abuse of the market, neighbors, guests and hosts. Columbia is, after all, a college town with a wide variety of guests to our community every year. We know how to be great hosts while protecting the common good.

[Planning]: Comments on proposed STR draft regulations

Rick McGavock <yourfriendly601neighbors@gmail.com>

Thu, Mar 14, 2019 at 4:50 PM

To: planning@como.gov

Cc: City Of Columbia Ward1 <ward1@como.gov>, ward2@como.gov, ward4@como.gov, ward5@como.gov, ward6@como.gov

Greetings,

Every time you put forth a well thought out, rational, and fair set of STR regulations, a subset of the community complains that there are not enough enforcement provisions in place. Their goal is to get you to enact regulations so crippling that hosting an STR becomes impossible for the average citizen. Unfortunately, that appears to be exactly what has happened. I was disappointed to see that you are now proposing STR's in R-1 zones be required to obtain a conditional use permit. This will no doubt end my family's ability to host an STR and forfeit the significant amount of time and money we have invested in it. When we decided to make this investment, the department of neighborhood services encouraged us to apply for a standard rental license and gave no indication that STR use would be restricted in this way. I can meet our opponents halfway and understand the need in doing this for non-owner hosted STR's but applying it to owner-hosted STR's is a bridge too far.

During the December meeting I heard many people opposed to STR's express their feelings about them and what they thought would happen if they continued to be allowed. I wondered how many of those people ever had the privilege of staying at an STR. They tended to focus on worst case scenarios which can be done when discussing any property type out there.

As an engineer I prefer to focus less on feelings and more on data. A neighbor of mine has suggested that my STR will decrease the value of his home. Studies published in the Wall Street Journal dispute that, saying that property values actually *increase* slightly. It's also been said that STR's will cause traffic issues to which I say let's commission a traffic study and find out. Personally, I haven't noted any slowdowns or traffic jams on my street. It would take more time to determine if noise is truly a factor, but the city could certainly compare the percentage of noise citations at STR's vs. non-STR properties over time and see if there is a significant difference. In my case, I have hosted 52 nights in the last 6 months and haven't received any noise or other citations.

I personally think that current city ordinances can be leveraged as an enforcement tool for any "bad actors" and don't think what's effectively an outright ban on R-1 STR's is the correct path to take.

Continued revisions of the suggested ordinance have only led to drastic and unnecessary changes based on feelings and not facts. It needs to return to a state of being fair and rational. The issue of enforcement can always be revisited at a later date should the data prove there is an inherent issue with R-1 STR's. I've spoken with many people in the community that have no issue with them at all. You're not seeing the same level of passion from that side of the fence because to them it's just a normal part of the sharing economy.

Thank you again for your time,

Rick McGavock
601 Arbor Dr.

Short Term Rentals -- comments for the P & Z commission

Gordon Rogers <grogersm@yahoo.com>
To: "przenner@gocolumbiamo.com" <przenner@gocolumbiamo.com>
Cc: Michael MacMann <macmannmp@gmail.com>

Sun, Mar 10, 2019 at 6:20 PM

Hello --

I am writing to share my concerns with the Planning and Zoning Commission about the city's movement to regulate short term rentals (STRs). I want to be sure any regulation adopted addresses actual problems and actual potential problems rather than fears based on poor information.

Any action by the P & Z commission should be in concordance with the significant distinction between hosted and non-hosted STRs. These two categories of STR, like apples and oranges, should not be lumped into the same types of regulations. Hosted STRs are the original concept behind AirBNB and they are what made AirBNB successful. They have been enthusiastically embraced by hosts, guests, and neighborhoods and have had minimal if any negative impact. Eventually though, others saw a commercial potential in the STR concept and adopted commercial strategies to exploit it using non-hosted properties. These are the businesses that have generated nearly all of the complaints and negative comments.

I want to point out that non-hosted STRs do NOT meet the [city requirements for home-occupied businesses](#) because they are not in fact occupied by the business owners. This puts them on questionable ground even in the current regulatory environment, and these are what have generated all or nearly all of the complaints and concerns that have been raised about STRs.

I have no doubt that regular city residents having boisterous parties have generated far more complaints (even measured on a per capita basis) than owner-hosted STRs, whose guests by definition would disrupt their hosts more immediately and severely than they would any neighbors. The STR host is also in a much more advantageous position than any neighbor to address any problems directly -- without troubling the police except in extremely rare cases.

To summarize this point: STRs that are not hosted by the owners are not in compliance with current city business licensing or hotel regulations. Conversely, owner hosted STRs are not a significant source of ANY problems in this city.

There is a separate point I also want to make. It has been proposed to treat STRs differently depending on the zoning of their location. While zoning may determine how many unrelated people may live in a single residence, it has never determined how many short-term guests a home-owner or resident may have. This city has never tried to police how many guests a person may have in his or her home, and imagining it trying to do so is both frightening and inconceivable. It is one thing for the city to distinguish between a guest and a resident by the duration of stay -- that is understandable. But designing rules to police short visits by guests would open a can of worms that I believe no one who gives it any thought would really want to open.

Thanks for your consideration.

Gordon Rogers
111 Anderson Ave
Columbia MO 65203

Case # 31-2019 Additional public comment

David Thomas <ghivas.dt@gmail.com>
To: patrick.zenner@como.gov

Thu, Mar 14, 2019 at 2:17 PM

Good Day, Mr. Zenner
My name is David Thomas, of [3812 Addison Dr, Columbia, Mo](#)

I operate and host a Short Term Rental out of my primary residence, in an R-1 zoned subdivision I use the AirBnb reservation platform, though on occasion, have private paying guests stay over. The mix of guests I receive are travelers, professionals working or interviewing for jobs, attendees of events, many different festivals, family gatherings, weddings, funerals and conferences in the community and university. I have groups as large as 6 (albeit rarely) staying in my two designated bedrooms (three beds, two bathrooms) in the lower level of my walkout ranch home. I often have the two rooms rented separately, most often to accommodate my regular weekday visitors. My experience has been exceedingly positive with potential conflicts successfully prevented by effective vetting, education or mitigated with successful diplomacy. Out of hundreds of guests, two spoke critically about privacy due to the open staircase and sight line from lower to upper floor and another couple had a domestic dispute unrelated to their lodging, and one time a guest ate some foods put in kitchen by other guest, mistaking it for free snack available from host. Guests who did not care to share the rental space with strangers could opt to rent the whole apartment at a little added cost, even if not needing the extra bedroom. My system has worked for more than two years.

The context for my comments have to do with my right to economic dignity and the necessary conditions to exercise it: including the ability to care for my family, having the opportunity to realize my potential as provider, host and businessman, and be free from domination and humiliation, in this instance, due to the possibility of being overburdened by restrictive and discriminatory regulation of my home occupation. I am also a landlord for a couple of long term residential single family homes, with more than twenty years of experience in this endeavor. I am designated a Super Host with AirBnb.

Income/expense margins in rental operations can low in this community if one still pays a mortgage on a property, so it can be understandable that additional costs can have significant, perhaps critical, consequences. Restrictive ordinances regulating the STR marketplace will have the effect to abate the number of STR dwellings, shrink the market by increasing prices and reducing demand. While certain groups and members of local community may be happy with that result, to a large extent the process is fueled by proposed legal discrimination of a group of entrepreneurs and lacking substantive evidence to justify its passage.

The observable evidence that I see supports the view that a significant number of consumers are attracted to home sharing for personal and economic reasons. Guests are people, not just 'transients'! The term seems often used with the same profane emotional inflection often used by some people who, referring to economic refugees and seekers of asylum from violence and exploitation, call them illegals and criminals. Guests are generally motivated to be amenable to their social surroundings or they risk being uninvited to come back or banned from using reservation systems. STR owners have an important role here to highlight the many good qualities of our community, as well as create intrinsic values and liaisons among local groups and families.

We are not just here for football weekends and tailgate parties! My own house rules prohibit the latter. Speaking of rules, we are supposed to have a police force that practices community policing, only it has to be funded. STRs can furnish a fair share of local sales and lodging tax to help, though certainly not by making a licensing, certification or permit process prohibitively expensive.

My comment advocates for the following:

1. Remove restriction on number of guests; certify occupancy according to physical characteristics of STR dwelling perhaps added if necessary to the Neighborhood Services protective inspection; STRs should be exempt from the limitation of number of unrelated persons in a dwelling, because averaging over the course of monthly or yearly periods that prohibition is not violated.
2. Allow multiple booking for separate rooms; hosts and guest are better suited to decide how space can be shared; my guests are informed before booking of this possibility.
3. Regulate STRs in R-1 and other residential zones virtually identically to that of long term rentals, although clarifying parking availability, notifications, occupancy policies, and registering presence of STR with local police and fire department, (never mentioned, but advisable)
4. Add or simply attach the existing 31-2019 proposal with necessary changes to Neighborhood Services administration as a disciplinary metric, intended to enforce existing landlord violations and delinquencies, especially for repeated violations of nuisance laws; a restrictive zoning ordinance and STR permit process, as proposed, is not necessary, not supported by evidence or meaningful public policy articulation. Such ordinance if passed would abuse and harm a specific group of people living and pursuing livelihoods in Columbia, Missouri.

In closing, Its true that objective realities of multiple viewers can be different and even irreconcilable, but it is not necessary for one law, ordinance or an over reaching set of policy objectives, presumptive in protecting and suppressing one group over another, when lesser means are available to ensure peace and harmony, not to say how laws and policies affect the community as a whole. I say use existing laws for short term rentals, treated the same as long term rentals, and community policing to enforce nuisance laws and help resolve disputes.