



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 24, 2023

Re: Short-term Rental Regulations – Council/Planning Commission Discussion (Case #45-2023)

Executive Summary

On December 19, 2022, the City Council and the Planning Commission met in a joint work session to discuss the revised regulations pertaining to short-term rentals. This meeting followed approximately 1.5 years of work by the Commission and was the second attempt at drafting regulations addressing the topic. The original ordinance on this matter was introduced late 2019 and was removed from Council consideration in December 2020 following several public hearings, 15 Council-initiated amendments, and a remand of the regulations back to the Commission.

At the end of the December 19 work session, the Council requested that public comment be obtained on the regulations prepared. A public engagement process was launched in February 2023 which was hosted on the City's BeHeard engagement platform. Following the closure of the comment period in late March 2023, staff analyzed the responses and provided a report to the Commission at its May 4, 2023 work session and followed up a similar report to the Council on June 5, 2023.

Given that approximately 45-days have elapsed since the engagement results were presented to Council and in keeping with the future action plan offered within each report, the July 24, 2023 work session is seen as an opportunity for the Council to express its desired outcomes with the proposed regulations. Obtaining this feedback and direction is highly desired so the Commission can prepare any amendments to the current draft regulations such that a public hearing on the regulations and final action can be taken.

Discussion

At the end of the December 19, 2022, Council and Planning Commission Joint work session there was a request that public comments be obtained as it related to the proposed short-term rental regulations that had been discussed. In response to this request, staff launched in mid-February through March 2023 a public engagement process containing seven (7) questions that were hosted on the City's public engagement platform BeHeard. The engagement process captured 434 responses to the questions and 28 written comments. An additional 26 written comments were submitted to the Community Development email (planning@como.gov). A full summary of the engagement results are attached and were presented to the Commission and Council on May 4 and June 6, respectively.

The purpose of the engagement process was to obtain general community feedback on the idea of regulating short-term rentals. The questions asked were broadly based on provisions contained within the proposed regulations; however, there was no direct reference to any



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specific proposed code provision. Individuals who visited the BeHeard site and this public engagement opportunity were encouraged to review and leave additional written comments on the proposed draft regulations which were attached to the engagement via hyper-links. Given the limited number of written responses, it can be concluded that members of the public either opted to not review the draft regulations or not leave comments.

The Commission when presented the result of the engagement process were not satisfied with its structure or its results. Concerns were expressed that the questions should not have been simple "yes" or "no" responses and that there should have been more of an opportunity for scaled (i.e. on a scale of 1 to 5 rate...) questions to get better gauge potential public sentiments on the particular topic. While staff acknowledges the question structure could have been differently designed it was prepared to assess "attitudes" not collect statistical data relating to this topic.

The findings of the engagement process offer information, that to staff, presents an indication that the regulations prepared by the Commission may need calibration and are not fully congruent with the needs of the community. As such, the purpose of discussing these results with the Council is to determine what, if any, changes are necessary such that a final ordinance can be put forth for public comment.

To facilitate a discussion, the following questions are offered as a starting point for dialogue between the Council and Commission. These questions are based, in part, on the public engagement response results as well as topics of discussion between the Commission and staff throughout the draft regulation development process.

Over-arching Objectives -

What are the Council's desired objectives with the implementation of land use regulations pertaining to the operation of short-term rentals within the R-1, R-2, and R-MF zoning districts?

Regulation Preferences -

Do Council members favor:

- 1) Limiting STR operations within the R-1, R-2, or R-MF district to only primary residents of their private residence or secondary residence or an authorized long-term tenant.
- 2) Allowing investor-owned properties to be utilized for STR purposes in the R-1, R-2, or R-MF districts, subject to limitations which may include analysis similar to issuance of a conditional use permit.
- 3) Limiting STRs licensure based on ownership class (i.e. primary resident or investor).
- 4) Limiting the total number of days that a dwelling can be utilized for STR purposes.
- 5) Limiting STRs in specific locations based on distance to attractions, number per block, or special districts - not based on zoning classification.



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- 6) Establishing a maximum "cap" on the total number of STRs within the City based on a percentage of total housing units possibly by zoning district.
- 7) Creating a "pathway" (i.e. conditional use permit) for presently operating STRs to obtain approval in locations that may not be fully compliant with all aspects of adopted regulations
- 8) Solely a registration and licensure process similar to "long-term rentals" with no regard to zoning district, licensure limits, or rental duration. Tax collection would be addressed through revisions to Chapter 13. Chapter 22 would need revision to ensure effective nuisance property penalties/license revocation provisions.

A copy of the public engagement analysis report presented to Council on June 5, 2023 and proposed "Final Draft" regulations (dated December 8, 2022) are attached for review.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Inclusive Community, Tertiary Impact: Organizational Excellence

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
December 2022	Joint Council-Planning Commission Work Session
December 2020	B348-19 removed from further Council consideration
March 2020	Planning Commission returns remanded B348-19A to Council with recommendation of denial
February 2020	Council amends and remands B348-19A to Planning Commission for reconsideration
November 2019	Amendment to Chapter 29 introduced to create standards for short-term rentals (B348-19)

Suggested Council Action

Report has been provided for information purposes.