

# SHORT TERM RENTALS

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TOWN OF EMMITSBURG PLANNING COMMISSION MEETING

OCTOBER 30, 2017

# TRADITIONAL LODGING OPTIONS

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- Hotel, motel, inn
- Bed and Breakfast
- Boarding house

What do they have in common?

- Short term stay
- On-site manager or owner
- Inspections, regulations, sometimes lodging tax
- Rent to complete strangers

# NEWER CONCEPTS

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**Short term rentals or “vacation rentals”** in private homes or apartments, or in buildings that are not approved hotels, motels, inns, boarding houses

## **Common characteristics**

- Marketing and reservations via social media sites, such as AirBnB, HomeAway, TripAdvisor, Craigslist, Zillo
- Rent to complete strangers
- Often no owner or manager present to provide supervision, so no one responsible for renters' behavior or safety.
- No health and safety inspections.

# PUBLIC CONCERNS

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- Neighborhood character –
  - Transient use in non-commercial setting can lead to commercialization of residential districts.
  - Reduction of neighborhood cohesion due to non-stable, transient population.
  - Possible impact on property values.
- Safety –
  - Increased number of strangers in the neighborhood on a random, short-term basis.
  - In apartment buildings, security concerns in general, and in common areas.
- Noise and other annoyances
  - Late night activity, litter, property damage, parking overload
  - Party houses

# OTHER ISSUES

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- Fraudulent listings
- Unfair competition with hotels, b&bs, and legal short-term rentals.
- Unregulated competition with legal/licensed businesses can reduce number of service jobs.
- Building, health, safety, fire, and ADA requirements that apply to hotels and licensed accommodations -- safety of the visitors.
- Short-term rentals remove units from long-term housing stock, and can increase rents on remaining long-term rentals
- No public notice that this activity is proposed or taking place.
- Hostility between neighbors

# BOTTOM LINE

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- It can be like having a mini-hotel in the neighborhood
- Property owner benefits financially.
  - In a case where the owner lives on-site, this can be a good thing, helping to afford housing cost in higher cost areas.
- For neighborhood, it can be a dis-benefit.
- Some type of controls are needed.

# WAYS TO CONTROL SHORT TERM RENTALS

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Zoning – Allow as an accessory use, but with conditional use approval by Planning Commission or Special Exception by Board of Appeals, with specified requirements to be met, such as:

- Proof of liability insurance
- Show there is adequate on-site parking that meets code requirements
- Show there is on-site manager or owner present during rental period
- Limit number of rooms rented, percent of building rented on a short term basis

# CONTROLS FOR SHORT TERM RENTALS, CONT.

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Example:

Portland, Oregon

- Rental of 2 bedrooms or fewer, requires a Short Term Rental permit
- 3-5 bedrooms requires Conditional Use Review
- > 5 bedrooms is not considered an accessory residential use, but a commercial use.

# LICENSING

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Licensing puts short term rentals (STRs) on same level as B&Bs and hotels.

- It treats STRs as a commercial use, subject to inspections, can limit length of stay (e.g. not less than X days)
- Can be fined for operating without a permit or license
- Can require proof of liability insurance
- Can limit number of rooms, number of days rented.
- Can require proof that there is adequate parking
- Can have annual renewal, based on conformance to requirements

Requires staff or outside firm to monitor listings, inspect, etc.

# EMMITSBURG CODE

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- Need to review and update definitions for hotel, motel, inn, B&B, rooming house
- Need to decide whether short term rentals will be allowed in residential zoning
- Need to decide whether owner or manager is required to live in the building and be present when rentals take place.
- Research/review how other municipalities are handling this issue.
- Develop a draft ordinance.
- Need to get public input via the ordinance process