

# SHORT TERM RENTALS

**Community Regulation?**

A house is a home



“Short term vacation rental platforms, like Airbnb, Homeaway and VRBO, have been emerging in the last ten years and growing rapidly since their inceptions. The biggest player in the field, Airbnb, has been valuated at \$30 billion and with that it surpasses the valuation of major hotel chains such as Hilton, Marriott and Intercontinental. And by all indications, there’s no end in sight to the growth of the short-term vacation rentals industry”.

—Host Compliance

Ulster County has confirmed over 1,600 active short term rentals

# INTRODUCTION

## Why Consider Regulation

**There are some very good reasons to allow Short Term Rentals**

**Market Favorite adds to tourism economy**

Increased capacity to an area particularly in peak seasons.

**Increases economic activity at local businesses and can help Main Street Survive**

## **Effect on Neighborhoods**

Quality of Life issues - noise, garbage, parking, dark neighborhoods, public safety

## **Effect on Community Organizations**

People and owners less interested in investing time and energy into community events and issues

## **Impacts housing costs and rental costs**

Housing is sold on an investment basis vs. residential value. Available long term rentals decrease.

## **Impacts other forms of Lodging**

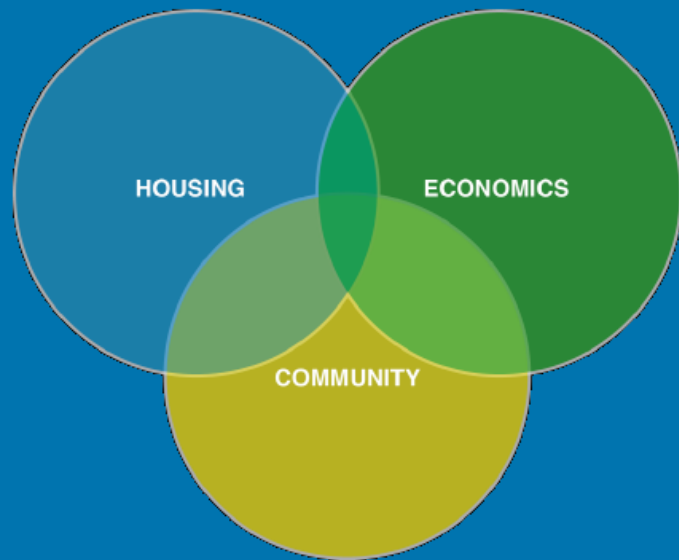
Competes with traditional hotels, motels, inns and bed and breakfast establishments

## **Currently operate without local regulation**

Zoning laws do not address, and industry does not share listing

# Effective Regulation

Begin with Policy Objectives and an Understanding what can be enforced



*"If you don't know where you are going any road will get you there."* – Alice in Wonderland

## Considerations

### Offer Opportunities for STR's

particularly in the Main Street Corridor

### Address Neighborhood Issues

Quality of Life issues - noise, garbage, parking, dark neighborhoods,

### Minimize Public Safety Impacts

### Ensure adequate housing options for residents

Housing is sold on an investment basis vs. residential value. Available long term rentals decrease.

# Regulatory Strategies

Start with Congenial Public Meetings



## Strategies

- Permitting and review
- Code Enforcement/Monitoring
- Neighborhood/Community Caps
- Owner vs. Non-Owner Occupied
- Standards
- Prohibitions

# Regulatory Tools



## Regulatory Tools

- Zoning and Licensing

### Zoning

- Definition
- Where Allowed
- Discretionary vs non-discretionary approval

### Licensing

- Renewal Period
- Ability to Revoke
- Annual/Other Fee
- Requirements for Inspections

### Community Transparency

- Complaint Line
- Permit Notification to Neighbors
- How to Apply

# Regulation Components



## Regulatory Tools

### Zoning

- Define both owner and non-owner occupied units - owner occupied units should be permanent residents Can be **defined as primary residence** - think voting/ majority of time of the year.
- Alternatively – simply define hosted STRS as one in which the owner is present during the stay.
- Allow owner occupied units in all zones?
- Restrict/Cap non-owner occupied units in terms of total number and location consider tying caps to creation of additional housing
- Owner Occupied units should be permit based ZEO –simple. Require discretionary approvals for non-owner occupied units.
- Decide on restrictions on accessory dwelling units.

# Regulation Components



## Update on the Regulation of short term Rentals

### Regulatory Tools

#### Zoning

##### Restrictions/Prohibitions

- Prohibit STR's in the following:
  - Multiple family dwelling – three or more units in a structure;
  - Townhouses and Condominiums – attached dwelling
- Consider geographic restriction by type – non-owner prohibited in higher density residential zones.
- Consider allowing non-owner occupied STR's that reuse vacant structures or jump start depressed hamlets/main streets
- Restrict SRT's to one unit per lot
- Restrict use of Accessory Apartments for STR's – in some instances.



# Regulation Components



**Update on the Regulation of  
short term Rentals**

## Regulatory Tools

### Zoning

#### Create standards

- Parking related to occupancy
- Maximum occupancy based on # of bedrooms
- Use of outdoor space
- Time of day restrictions for activities

# Regulation Components



## Regulatory Tools

### Licensing

- Require registration on local and county level
- Require owner to hold the license
- Consider restrictions or prohibitions on licenses to corporate owners - no longer a shared housing should be commercial
- Issue permits on an annual basis
- Set fees to cover inspection consider higher fee for non-owner occupied
- Require onsite and/or on call manager
- Create and inspection checklist based on the standards in the zoning statute - include parking and outdoor items on that list with particular attention proximity to neighbors
- Provide for cancelation for "bad actors" base on police reports/responses, etc..

# Regulation Components



## Regulatory Tools

### Community Transparency

- Establish a Complaint Line – track complaints and utilize data in decisions regarding renewal of license
- Provide permit notification to neighbors
- Create an easy to apply process that does not hold people up
- If necessary hire an outside party for inspections and include the cost in the licensing fee.

**ADOPT ONLY THOSE REGULATIONS THAT THE COMMUNITY CAN AND IS WILLING TO ENFORCE**