



TOWN COUNCIL
Committee to Review Zoning and Permitting Regulations
Selectmen's Conference Room

Thursday September 5, 2019 – 6:00pm

Councilors:

Chair of Committee, Councilor Jennifer Cullum
Councilor Paul Hebert
Councilor Paula K. Schnepf
Councilor Britt Beedenbender
John G. Flores, Vice President, Town Council

MEETING MINUTES

PRESENT: Chair of Committee, Councilor Jennifer Cullum; Councilor Paul Hebert; Vice President, John G. Flores; Councilor Paula K. Schnepf; Councilor Britt Beedenbender **ALSO IN ATTENDANCE:** Elizabeth Jenkins, Director, Planning and Development; Brian Florence, Building Commissioner

Chair Councilor Cullum opened the meeting at 6:00pm with Public Comment, announcing that the comments will be limited to 3 minutes.

Heather Hunt from Barnstable Watch which is group of people that either lives near or around currently owned homes being rented out as short term rentals, Ms. Hunt spoke about a PowerPoint created by Barnstable Watch.com. and hopes the Committee members get a chance to see it, and possibly that her group can come back to speak to this Committee at another time and have a dialogue. Peter Hanson, Osterville Village Association is here to get more information regarding Air B and B and he hopes to bring back the information to the Village Association of Osterville.

Councilor Rapp Grassetti is pleased to see this on the Agenda tonight and looks forward to the regulations that may or may not come before the Council, butt is hopeful that the Town can put some regulations forward to protect the residents from this type of rental market, this not only effects neighborhoods, but is also affecting the year round rental market, other communities re struggling with this as well, so we are not alone, other Communities have put in regulations such as owner occupied regulations, longer rental stays, Councilor Grassetti is confident this town will come up with regulations so that are neighborhoods and our residents are not affected by this, New York banned non occupied rentals all together, so the owner must be on premise I order to rent.

Vice president Flores said the last thing he supports is neighborhoods being ruined by these short term rentals. Councilor Schnepf said the regulations have to be done so that it doesn't impact the long term rentals, but she agrees that the short term rentals seem to be the ones that are destroying neighborhoods, so we need to craft regulations surrounding short term without hurting the long term rentals in our area, this is a problem we have faced for a very long time, is a shortage of year round rentals, and these short term rentals are ruining that market.

This Committee has new membership since the last Committee that was formed, this membership has reached out to Planning and Development to do more of the outreach to the community with meetings and surveys and hiring consultants to look at this for us, and to come back with the information gathered with the input of the residents through the surveys and public meetings and with that feedback we receive we intend to craft draft regulations having to do with short term rentals and present to the Council. Councilor Cullum wants to hear from the Village Associations and the residents what works best for them in their village, every village is different and every village has different challenges, but by putting all the differences together there should be regulations that fit the need of every village and the town as a whole.

Chair of the Committee introduced Elizabeth Jenkins, Director of Planning and Development who went through the PowerPoint attached.



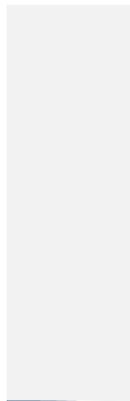
Short-Term Rental Update

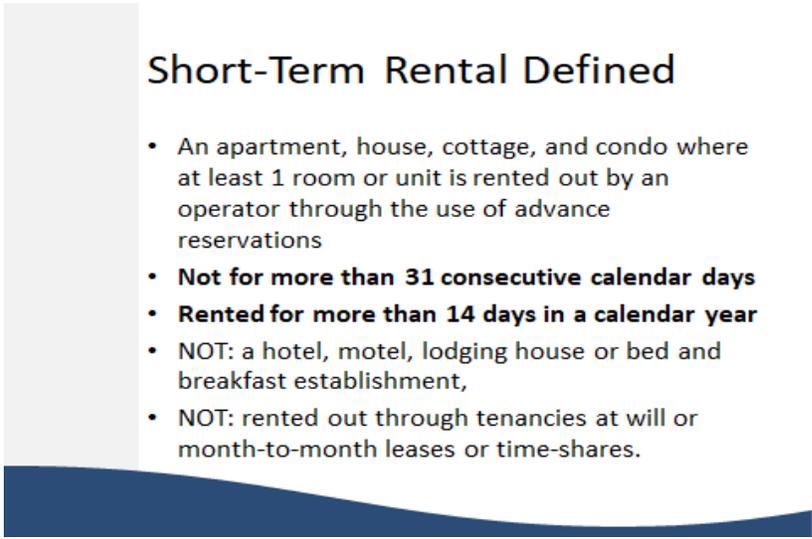
Town Council Zoning & Regulatory Committee
September 5, 2019



Short-Term Rentals

An Act Regulating and Insuring Short-term Rentals (c. 337 of the Acts of 2018)
signed by Governor





Short-Term Rental Defined

- An apartment, house, cottage, and condo where at least 1 room or unit is rented out by an operator through the use of advance reservations
- **Not for more than 31 consecutive calendar days**
- **Rented for more than 14 days in a calendar year**
- NOT: a hotel, motel, lodging house or bed and breakfast establishment,
- NOT: rented out through tenancies at will or month-to-month leases or time-shares.



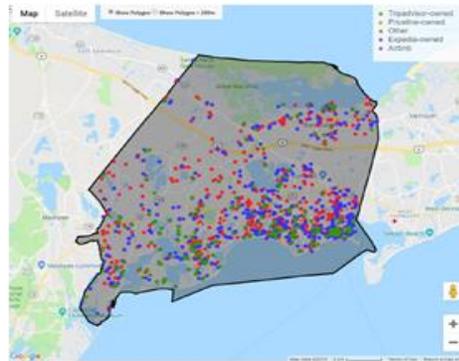
The Short-Term Rental Market

- Listings on on-line platforms have grown 15x since 2011
 - 125+ web platforms
- 

Barnstable Data & Analysis



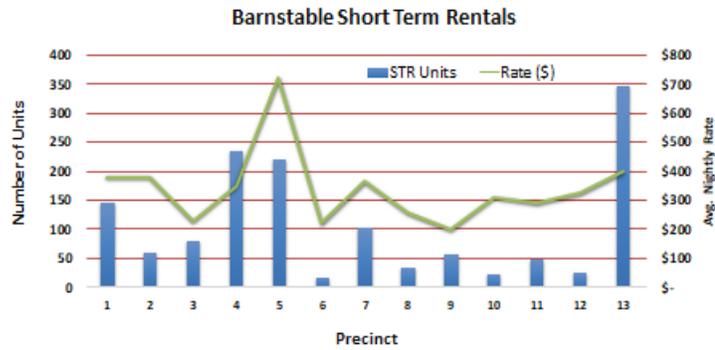
958 active, unique listings



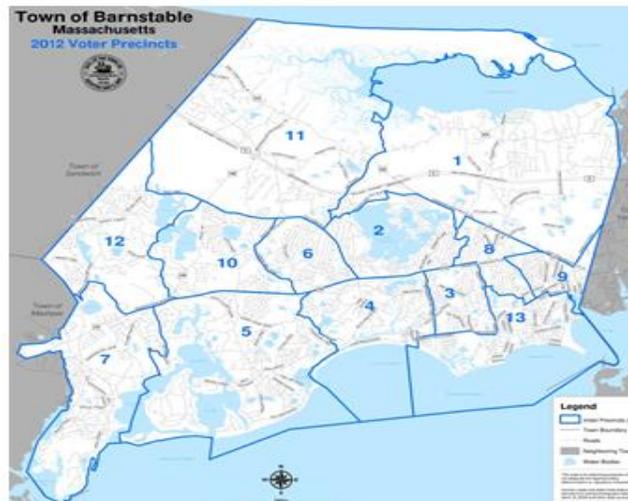
May 2019

Source: Host Compliance Solutions Data

68% of Barnstable's short-term rentals are in Precincts 1, 4, 5 and 13



Source: Community Opportunities Group/Host Compliance Group Data

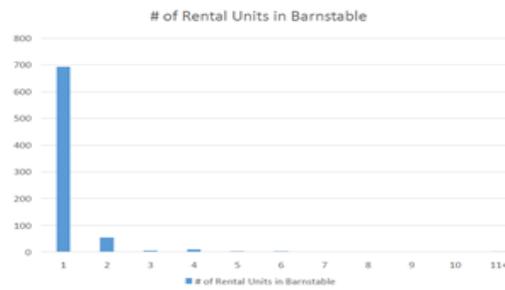


The average nightly rate for entire home rentals is \$404 and the average rate for room rentals is \$197



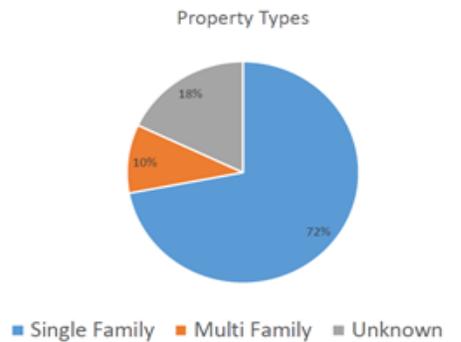
Source: Host Compliance Group

89% of Barnstable's STRs are managed by Hosts with only 1 property in the Town



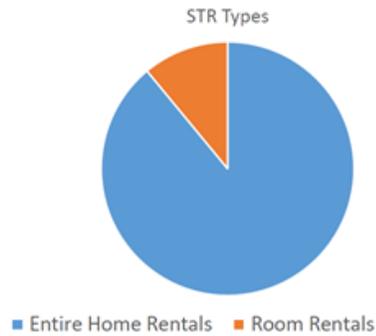
Source: Host Compliance Group

72% of the Town's STRs are in single-family buildings



Source: Host Compliance Group

89% of STRs are “Entire Home” listings



Source: Host Compliance Group

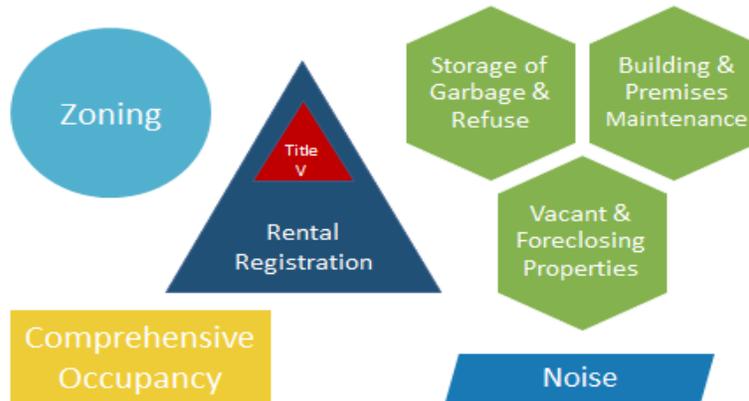
General Findings

- Limited overlap between year-round workforce housing market and STR market
- Limited “off-Cape” speculative investment
- Many listings continue to be managed by leasing agents/local managers

Source: Community Opportunities Group/Host Compliance Group Data

Regulation

Current Regulations



Protect Quality of Life & Safety

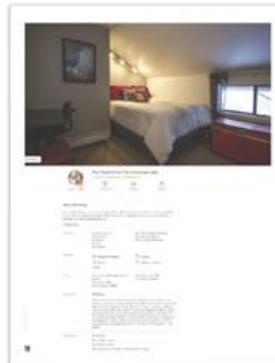


Easy to Register





Systematically Monitor Listings



“Make it easy for neighbors to report, prove and resolve non-emergency STR related problems in real-time”

Step 1
Concerned neighbor calls 24/7 short-term rental hotline



Step 2
Complainant provides info on alleged violation and is asked to provide photo, video or other proof of alleged violation



Step 3
If property is registered, Host Compliance immediately calls host to seek resolution



Step 4
Problem solved or escalated – Complaints saved in database so serial offenders be held accountable



Protect Quality of Life & Safety

Inspections Operator + Contact Guest Register Abutter Notice	Noise Trash Events Penalties & Fines Revocation
Zoning: Use & Parking	

Quality of Life & Safety + Other

Other Considerations	
Inspections Operator + Contact Guest Register Abutter Notice	Noise Trash Events Penalties & Fines Revocation
Zoning: Use & Parking	

Owner Occupied	Investor Owned
Renting Rooms	Renting Whole House
Host Present	Host Not Present

Other Considerations

- Housing Supply & Speculative Investment
- Intensity of Use
- Type of Dwelling being Rented
- Location of Dwelling being Rented
- Economic Impacts: Rental income & additional spending

Community Outreach

- Civic Associations
- Project Page with FAQs, register for updates, submit comments

Other Rental Issues: Group Homes

- Local data + analysis
- Not-for-Profits / Educational Exemption
- Fair Housing Act & ADA / Congregate Living for Persons with Disabilities
- Voluntary certification of Sober Homes (MASH) - public funds

Elizabeth would like to mention as well that the regulations when crafted intends to keep the quality of life and safety of our residents in the forefront when the regulations are drafted, as well as making it easy to register and have it be an organized process for the homeowner; this will make it easy to communicate to the homeowner as well as the renter the expectations of renting here in our community. Elizabeth also wants to make sure that when the regulations are crafted that they are crafted in a way that the enforcement is easy for the Building Commissioner to enforce.

Councilor Cullum would like to keep the policy writing in house and not have the consultant write them, there are a lot of people we have here on staff that can write these policies or develop the regulations that live here in the community, rather that someone who has a top view of our town who has never lived here. We as a community know what works and what does not work here, Councilor Cullum along with other developed the problem property ordinance that has been used and very successful in our town, and has really solved some real problem properties, without it, the properties would still be in existence today and in worse shape than they were; so we can handle all this in house, and that is where she would like to see it stay. Councilor Schnepf would like to put a timeline on getting the information back from the residents and getting the information from the Associations, so that this is not going on forever and we go through another season of this without regulations or policies on place. Elizabeth will put the survey out this week and will reach out to the Associations to get them to talk about it, and welcome any feedback from them; the information we already have from some of the outreach we have already done, along with the survey put out to the residents and ask for the feedback to be received by the middle of November and the Committee can meet again to see the information obtained.

NEXT MEETING: September 26, 2019 @ 6pm

Chair of Committee asked for a motion to adjourn, Councilor Hebert made the motion to adjourn; Councilor Schnepf seconded, all members voted in favor of adjournment

ADJOURN: 6:55pm