AN ORDINANCE

AMENDING Springfield City Code, Chapter 36, 'Land Development Code,' Article III.- 'Zoning Regulations,' Division 2.- 'Rules of Interpretation and Definitions,' Section 36-321.- 'Definitions'; and Division 4.- 'District Regulations,'; and Division 5.- 'Supplemental District Regulations'; Section 36-451.- 'Home Occupations'; and adding a new Section 36-472; for the purpose of establishing rules and regulations regarding the operation of Short-Term Stay Rentals; and designating an effective date for said amendments.

WHEREAS, the City of Springfield desires to preserve the quality, integrity, and stability of its residential areas; and

WHEREAS, the City has enacted a variety of ordinances which govern the extent and location of certain uses, including overnight lodging; and

WHEREAS, the City has established a general prohibition regarding the rental, for less than 30-days, of premises, in furtherance of its efforts to preserve the quality, integrity, and stability of the City’s residential areas; and

WHEREAS, the City has identified a new trend in the community of allowing rentals of less than 30 days in primarily residential areas; and

WHEREAS, the City, after review and input from various interested groups, has determined to allow such use, subject to regulations, in order to fulfill the goals of preserving the quality, integrity, and stability of the City’s residential areas.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:
Section 1 - Chapter 36 of the Springfield City Code, ‘Land Development Code,’ is hereby amended to add new sections and amend existing sections as follows:

(Note: Language to be added to existing code provisions is underlined and language being removed is stricken.)

Sec. 36-321. - Definitions.

Short-term stay: A short-term stay is defined as the rental of an entire dwelling, or any portion thereof, for a period of not more than 30 days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short-term stays are further categorized as Type 1, 2 or 3.

Sec. 36-380. - R-SF - Single-family residential district.

(2) Permitted uses.

(o) Short-term stay Type 1 in accordance with section 36-472.

(oo) Temporary uses, as permitted by section 36-452, temporary uses.

(qp) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(rq) Transitional housing for single-family use.

(sr) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

(3) Conditional uses. The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(i) Short-term stay Type 2 in accordance with section 36-472.

Sec. 36-381. - R-TH - Residential townhouse district.

(2) Permitted uses.

(p) Short-term stay Type 1 in accordance with section 36-472.

(qp) Temporary uses, as permitted by section 36-452, temporary uses.
(ref) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(sfr) Townhouses.

(ts) Transitional housing for single-family or low to moderate residential density.

(ut) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

(3) **Conditional uses.** The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(i) Short-term stay Type 2 in accordance with section 36-472.

Sec. 36-382. - R-LD - Low-density multifamily residential district.

(2) **Permitted uses.**

(r) Short-term stay Type 3 in accordance with section 36-472.

(sr) Temporary uses, as permitted by section 36-452, temporary uses.

(ts) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(ut) Transitional housing for single-family or low to moderate residential density.

(vu) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-383. - R-MD - Medium-density multifamily residential district.

(2) **Permitted uses.**

(r) Short-term stay Type 3 in accordance with section 36-472.

(sr) Temporary uses, as permitted by section 36-452, temporary uses.

(ts) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(ut) Transitional housing for single-family or low to moderate residential density.
Sec. 36-384. - R-HD - High-density multifamily residential district.

(2) Permitted uses.

(u) Short-term stay Type 3 in accordance with section 36-472.

(vu) Temporary uses, as permitted by section 36-452, temporary uses.

(wv) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(xw) Transitional housing for single-family or low to moderate residential density.

(yx) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-385. - R-MHC - Manufactured home community district.

(2) Permitted uses.

(p) Short-term stay Type 3 in accordance with section 36-472.

(gp) Temporary uses, as permitted by section 36-452, temporary uses.

(qe) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(sf) Transitional housing for single-family.

(ts) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-400. - O - Office districts.

(2) Permitted uses.

(v) Short-term stay Type 3 in accordance with section 36-472.

(wv) Schools or development centers for persons with handicaps or development disabilities.
Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and

2. A plan of operation, including, but not limited to, administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.

Temporary uses, as permitted by section 36-452, temporary uses.

Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

Sec. 36-401. - GI - Government and institutional use district.

(2) Permitted uses.

(II) Short-term stay Type 3 in accordance with section 36-472.

Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and

2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.

Temporary uses, as permitted by section 36-452, temporary uses.

Tier I wireless facilities in accordance with section 36-466, telecommunication towers.

Tier III wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers 60 feet or greater in height allow collocation of at least one additional provider's facilities.
(hhgg) Tier IV wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers are setback from any residential district at least two feet for every one foot of tower height and allow collocation of at least one additional provider’s facilities or at least two additional providers’ facilities if the tower height is 120 feet or greater.

(jhhh) Other towers, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

Sec. 36-409. - WC - West College Street district.

(2) WC-1, Mixed-use sub-area.

(a) Permitted uses.

21. Short-term stay Type 3 in accordance with section 36-472.

(3) WC - 2, live/work sub-area.

(b) Permitted uses.

10. Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days provided one off-street parking space is provided for each person.

22. Short-term stay Type 3 in accordance with section 36-472.

(4) WC - 3, residential sub-area.

(a) Permitted uses.

14. Short-term stay Type 3 in accordance with section 36-472.

15. Temporary uses, as permitted by section 36-452, temporary uses.

16. Townhouses.


Sec. 36-420. - LB - Limited business district.

(2) Permitted uses.
(n) Short-term stay Type 3 in accordance with section 36-472.

(oo) Temporary uses, as permitted by section 36-452, temporary uses.

(po) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(qp) Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

Sec. 36-421. - GR - General retail district.

(2) **Permitted uses.**

(bb) Short-term stay Type 3 in accordance with section 36-472.

(ccbb) Taxidermists.

(ddcc) Temporary lodging use group.

(eedd) Temporary uses, as permitted by section 36-452, temporary uses.

(ffee) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(ggff) Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

(hhgg) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

Sec. 36-422. - HC - Highway commercial district.

(2) **Permitted uses.**

(pp) Short-term stay Type 3 in accordance with section 36-472.
Swimming pool sales and displays.

Taxi dispatch yards and offices.

Taxidermists.

Temporary lodging use group.

Temporary uses, as permitted by section 36-452, temporary uses.

Temporary vendors as permitted under subsection 36-452(3)(b)2.

Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.

Upholstery shops.

Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities, and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services, and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

Wholesale sales.

Sec. 36-423. - CS - Commercial service district.

(2) Permitted uses.

Short-term stay Type 3 in accordance with section 36-472.

Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(zzyy) Swimming pool sales and display.

(aaazz) Taxi dispatch yards and offices.

(bbbaaa) Taxidermists.

(cccbbbb) Temporary uses, as permitted by section 36-452, temporary uses.

(dddeeee) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(eeedddd) Towers other than wireless facilities, less than 100 feet in height and related facilities.

(fffeee) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.

(gggfff) Truck stops.

(hhhggg) Upholstery shops.

(iiihhh) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.
Sec. 36-424. - CC - Center city district.

(2) Permitted uses.

(jjiii) Wholesale sales use group.

Sec. 36-425. - COM - Commercial street district.

(2) Permitted uses.
(a) The following uses are permitted on any floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit.

27. Short-term stay Type 3 in accordance with section 36-472.

(b) The following uses are only permitted above the first floor or in the second layer of the first floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit for the use set out in this subsection. The first layer of the first floor is the first 50 feet of lot depth measured from the front of the lot. The second layer is located behind the first 50 feet of lot depth measured from the front of the lot. An entrance and hallway through the first layer to provide access to the second layer or upper floors is permitted.

14. Short-term stay Type 3 in accordance with section 36-472.

Sec. 36-430. - RI - Restricted industrial district.

(2) Permitted uses.

(y) Short-term stay Type 3 in accordance with section 36-472.

(zy) Swimming pool sales and display.

(aaz) Taxidermists.

(bbaa) Temporary uses, as permitted by section 36-452, temporary uses.

(ccbb) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ddcc) Upholstery shops.

(eedd) Veterinary clinics, animal hospitals, and kennels, with no outside activities.

(ffee) Warehouses, storage and distribution centers.

(ggff) Wholesale sales.

Sec. 36-431. - LI - Light industrial district.

(2) Permitted uses.

(w) Short-term stay Type 3 in accordance with section 36-472.
(xw) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(yx) Swimming pool sales and display.

(zy) Temporary uses, as permitted by section 36-452, temporary uses.

(aaz) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(bbaa) Upholstery shops.

(ccbb) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(ddcc) Warehouses, storage and distribution centers.

(eedd) Wholesale sales and distribution.

(ffee) Wholesale sales use group.

Sec. 36-432. - GM - General manufacturing district.

(2) Permitted uses.

(cc) Short-term stay Type 3 in accordance with section 36-472.

(ddee) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(eedd) Swimming pool sales and display.

(ffee) Temporary uses, as permitted by section 36-452, temporary uses.

(ggff) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(hhgg) Upholstery shops.

(iihh) Vehicle rental, towing and storage services.

(jjii) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(kkjj) Warehouses, storage and distribution centers.

(llkk) Wholesale sales use group.

Sec. 36-433. - HM - Heavy manufacturing district.

(2) Permitted uses.

(mm) Short-term stay Type 3 in accordance with section 36-472.

(nnmm) Stockyards or feed lots.

(oonn) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional
service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(pppp) Swimming pool sales and display.

(qqpp) Temporary uses, as permitted by section 36-452, temporary uses.

(rrqq) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ssrr) Upholstery shops.

(ttss) Vehicle rental, towing and storage services.

(uuut) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(vvvv) Warehouses, storage and distribution centers.

(wwww) Wholesale sales.

(xxww) Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.

Sec. 36-434. - IC - Industrial commercial district.

(2) Permitted uses.

(mm) Short-term stay Type 3 in accordance with section 36-472.

(nnmm) Swimming pool sales and display.

(oonn) Taxi dispatch yards and offices.

(ppoo) Taxidermists.
(qqpp) Temporary lodging use group.

(rrqq) Temporary uses, as permitted by section 36-452, temporary uses.

(ssrr) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ttss) Upholstery shops.

(uutt) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(vvuu) Warehouses, storage and distribution centers.

(wwwv) Wholesale sales use group.

Sec. 36-451. - Home occupations.

(3) Home occupations permitted. Home occupations include, but are not limited to, the following occupations:

(i) Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days provided on an off-street parking space is provided for each person.

Sec. 36-472. - Short-term stay rentals.

(1) Short-term Stay Type 1

(2) This section shall apply to a Short-term Stay use that:

1. Is rented for periods of less than 30 consecutive days; and
2. Is located within a R-SF or R-TH zoning district; and
3. Is an owner-occupied primary residence and is not rented for more than 95 days in a calendar year.

(b) The following provisions shall apply to a Short-term Stay Type 1:
1. A Short-term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

2. A Short-term Stay Type 1 shall only be located in the primary structure.

3. No exterior alterations that would change the single-family character of the Short-term Stay Type 1, other than those necessary to ensure the safety of the structure, shall be made.

4. No residential structure shall be removed for parking or to expand the Short-term Stay Type 1.

5. A Short-term Stay Type 1 shall not be rented solely for receptions, parties, weddings or any similar activities.

6. The owner of a Short-term Stay Type 1 shall provide notification as required by Section 36-475.

7. It shall be a violation of this section for an owner to advertise or promote a Short-term Stay Type 1 which is not in compliance with the provisions of this section.

(c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(d) Annual business license shall be obtained.

(3) Short-term Stay Type 2

(a) This section shall apply to a Short-term Stay use that:

1. Is rented for periods of less than 30 consecutive days; and

2. Is located within a R-SF or R-TH zoning District; and

3. Is not an owner-occupied residence or is an owner-occupied primary residence and is rented for more than 95 days in a calendar year.

(b) A conditional use permit shall be required for Short-term Stay Type 2 uses.
(c) A conditional use permit shall comply with Section 36-363, Conditional use permits, and the following requirements:

1. A Short-term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

2. A Short-term Stay Type 2 shall only be located in the primary structure.

3. No exterior alterations that would change the single-family character of the Short-term Stay Type 2, other than those necessary to ensure the safety of the structure, shall be made.

4. No residential structure shall be removed for parking or to expand the Short-term Stay Type 2.

5. A Short-term Stay Type 2 shall not be rented solely for receptions, parties, weddings or any similar activities.

6. The owner of a Short-term Stay Type 2 shall provide notification as required by Section 36-475.

7. It shall be a violation of this section for an owner or operator to advertise or promote a Short-term Stay Type 2 which is not in compliance with the provisions of this section.

(d) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(e) Annual business license shall be obtained.

(4) Short-term Stay Type 3

(a) This section shall apply to a Short-term Stay use that:

1. Is rented for a period of less than 30 consecutive days; and

2. Is not located in an R-SF or R-TH zoning district.

(b) The following provisions shall apply to a Short-term Stay Type 3:
1. No more than two Short-term Stay Type 3 units are allowed on a premise.

2. A Short-term Stay Type 3 shall provide notification as required by Section 36-475.

3. A Short-term Stay Type 3 unit shall not be rented solely for receptions, parties, weddings or any similar activities.

4. It shall be a violation of this section for an owner or operator to advertise or promote a Short-term Stay Type 3 which is not in compliance with the provisions of this section.

(c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(d) Annual business license shall be obtained.

(4) Short-term Stay Notification Requirements.

(a) The owner of a Short-term Stay shall post, conspicuously in each rental unit the following information:

1. The names and contact information of the person or persons responsible for the day-to-day operations of the Short-term Stay;

2. The certificate of occupancy and business license number;

3. The restrictions on noise applicable under Section 36-485, Noise standards, including limitations on the use of amplified sound;

4. Any applicable parking restrictions;

5. Trash collection schedule;

6. That receptions, parties, weddings or other similar events shall not be permitted in the Short-term Stay unit.

Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability nor any cause or causes of action occurred or existing, under any act or ordinance.
repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or
affected by this Ordinance.

Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
phrase of this Ordinance is for any reason held to be invalid, such decision shall not
affect the validity of the remaining portions of this Ordinance. Council hereby declares
that it would have adopted the Ordinance and each section, subsection, sentence,
clause, or phrase thereof, irrespective of the fact that any one or more sections,
subsection, sentence, clause, or phrase be declared invalid.

Section 4 - This Ordinance shall be in full force and effect from and after
passage.

Passed at meeting: ______________________

______________________________ Mayor

Attest: ________________________________, City Clerk

Filed as Ordinance: ____________________

Approved as to form: ____________________, City Attorney

Approved for Council action: _____________, City Manager
EXPLANATION TO COUNCIL BILL 2018-041

FILED: 01-23-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Springfield City Code, Chapter 36, 'Land Development Code,' Article III, 'Zoning Regulations,'; Division 2, 'Rules of Interpretation and Definitions,' amending Section 36-321, 'Definitions,,'; adding a definition for Short-Term Stay Rentals; amending Division 4, 'District Regulations,'; by adding as a permitted use Short-Term Stay Rentals to each district contained therein; amending Division 5, 'Supplemental District Regulations' Section 36-451, 'Home Occupations,'; and adding a new section 36-472 establishing rules and regulations for operation and location of Short-Term Stay Rentals; for the purpose of establishing rules and regulations regarding the operation of Short-Term Stay Rentals; and designating an effective date for said amendments.

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – SHORT-TERM STAY RENTAL AMENDMENTS

City Council initiated amendments to the definition, locations and standards for short-term residential rentals on August 22, 2011, (Res. No. 9899).

Staff has developed three Short-Term Stay Rental categories, Type 1, 2 and 3. Each of these categories allow for a rental of a residential dwelling for less than 30 days (currently not permitted in residential districts).

Short-Term Stay Rental, Type 1

The Short-Term Stay Rental, Type 1 is allowed in the R-SF or R-TH districts. The Type 1 is for owner-occupied primary residences and provides that such properties cannot be rented for more than 95 days in a calendar year. All Type 1’s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the lot lines of each parcel.

Short-Term Stay Rental, Type 2

The Short-Term Stay Rental, Type 2 is allowed in the R-SF or R-TH districts. The Type 2 is for non-owner-occupied residences or owner-occupied primary residences that want to rent for more than 95 days in a calendar year. Type 2s have no limitation on the number of days that they can be rented; however, all Type 2s will require a conditional use permit. The conditional use permit requires compliance with 21 standards, a
neighborhood meeting, public hearings before Planning and Zoning Commission and City Council and approval by City Council. All Type 2s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

Short-Term Stay Rental, Type 3

The Short-Term Stay Rental, Type 3 is allowed in all zoning districts except R-SF and R-TH. The Type 3 has no residency requirement or limitations on the number of days that it can be rented; however, no more than two dwelling units on a premise can be used as Short-Term Stay Rentals. A premise is any tract of land, consisting of one or more lots, under single or multiple ownership, which operates as a functional unit. A premise possesses one or more of the following: shared parking, common management, common identification, common access or shared circulation. For example, a multi-family apartment complex that is divided into multiple lots and ownership will only be permitted two Short-Term Stay Rental units. There are also no separation requirements as in the Type 1 and 2. All Type 3s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments.

General Provisions

All Short-Term Stay Rentals shall comply with the residential occupancy requirements in the Zoning Ordinance which requires that a dwelling unit may not be occupied by more than three unrelated persons in a R-SF or R-TH zoning district or four unrelated persons in a R-LD, R-MD or R-HD (multi-family) district. There are no limits on the number of related (by blood, marriage or adoption) persons who may occupy a dwelling unit. The proposed amendments do not allow any exceptions to these residential occupancy requirements.

Short-Term Stay Rentals must obtain an annual business license. If an annual business license is not continually obtained, then the owner/business risks losing the ability to operate a Short-Term Stay due to the separation requirements in Type 1 and 2 and the maximum dwellings on the premise in a Type 3. It shall be a violation to advertise or promote a Short-term Stay which is not in compliance with the provisions of the proposed amendments.

Staff proposes the ordinance require all Short-Term Stay Rentals to come into compliance or the use terminated by a date six (6) months from the adoption of these amendments. Staff will process Short-Term Stay Type 1, 2 or 3s on a first-come, first-serve basis. Staff is not currently aware of any Short-Term Stays that will be prohibited by the proposed 500 feet separation requirements; however, these rentals change rapidly and therefore new homes and units can be added and removed daily. Since
there are approximately 70 Short-Term Stay Rentals in the City, staff may need to stage the number of Short-Term Stay Type 2 Conditional Use Permits processed per month so as to not overwhelm staff, Planning and Zoning Commission and City Council with cases. This is one of the reasons for giving these Short-Term Stay Rentals six months to come into compliance.

In response to this growing business model, staff conducted an informational meeting with two neighborhoods that could be most impacted by these Short-Term Stay Rental uses. Staff sought feedback about what issues these uses could create in these neighborhoods. Approximately 1,500 notification letters were sent to owners in the Rountree and Phelps Grove neighborhoods as well as to known Short-Term Stay Rental property owners. The informational meeting was held on June 14, 2016, to discuss Short-Term Stay Rentals and Accessory Dwelling Units. Approximately 50 property owners and known Short-Term Stay Rental owners attended. Staff took notes and recorded results from a poll of questions and concerns that owners would have with these uses. Staff also created a survey to gain input from those that could not attend the meeting or wanted to make additional comments. The survey was opened the next day and remained open for three weeks. Staff also presented information on Short-Term Stay Rentals and Accessory Dwelling Units on August 10, 2016, to the Neighborhood Advisory Committee and promoted the survey to gain input from all other registered neighborhood associations. The next day staff opened a similar online survey for three weeks. Staff has included the survey information in the packet in Attachment 3 of the staff report.

Staff met with the City Council Plans and Policies Committee three times over this last year and made multiple changes in response to their concerns. Staff has also met with representatives of the Springfield Convention and Visitors Bureau, Missouri Hotel Lodging Association, Springfield Hotel Lodging Association and with the Developer’s Issues Input Group.

The Development Issues Input Group, Downtown Springfield Association, Environmental Advisory Board, and all registered neighborhood associations were notified of these amendments.

This Ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major; Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. Short-Term Stay Rentals are currently not permitted in the Zoning Ordinance. The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Stay Rentals are a growing land use that needs to be addressed with certain conditions and requirements in the Zoning Ordinance to be compatible with other residential uses. The reason for the short-term rental
ordinance is to allow this growing industry while protecting the integrity of single-family neighborhoods within the community.

2. The proposed Zoning Ordinance will allow three Types of Short Term Stay Rentals; Type 1 - owner-occupied in the R-SF and R-TH districts with limited rental days, Type 2 - non-owner occupied in the R-SF and R-TH districts which requires a conditional use permit, and Type 3 - allowed in all other zoning districts but limited to two per premise.

REMARKS: The Planning and Zoning Commission held a public hearing on January 11, 2018, and recommended denial, by a vote of 4 to 2, of the proposed changes to the Zoning Ordinance.

The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:

Daniel Neal, Senior Planner

Recommended by: Approved by:

Mary Lilly Smith, Director Greg Burris, City Manager

EXHIBITS:
Exhibit A, Record of Proceedings
Exhibit B, Development Review Staff Report

ATTACHMENTS:
Attachment 1, Department Comments
Attachment 2, Proposed Amendments
Attachment 3, Neighborhood Meetings and Survey Information and Comments
Attachment 4, Other Public Comments and Correspondence
Mr. Neal stated that this is a request to Clarify Home Occupation requirements in residential districts regarding renting of sleeping rooms. Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days provided on off-street parking space is provided for each person. Staff is proposing amendments that reflect language that is consistent with the City’s bed and breakfast and other code requirements and utilizes other city’s recent code proposals and amendments.

Short-term stay: The rental of an entire dwelling, or any portion thereof, for a period of not more than 30 days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short term stays are further categorized as Type 1, 2 or 3:

Short Term Stay Type 1
- Is rented for periods of less than 30 consecutive days; and
- Is located within a R-SF or R-TH zoning district; and
- Is owner-occupied primary residence and is not rented for more than 95 days in a calendar year.
- [No more than three unrelated persons in R-SF or R-TH, no exemptions for this use]

Short Term Stay Type 2
- Shall only be located in the primary structure.
- No exterior alterations that would change the single-family character.
- No residential structure shall be removed for parking or to expand.
- Shall not be rented solely for receptions, parties, weddings or any similar activities.
- The owner of a Short Term Stay Type 2 shall provide certain notifications.
- It shall be a violation of this section to advertise or promote a Short Term Stay Type 2 which is not in compliance with the provisions of this section.
- A certificate of occupancy and annual business license shall be obtained.

Short Term Stay Type 3
- No more than two (2), Short Term Stay Type 3’s are allowed on a premise.
- Shall not be rented solely for receptions, parties, weddings or any similar activities.
- The owner of a Short Term Stay Type 3 shall provide certain notifications.
- It shall be a violation of this section to advertise or promote a Short Term Stay Type 3 which is not in compliance with the provisions of this section.
• A certificate of occupancy and annual business license shall be obtained.

Ms. Broekhoven asked how staff came up with the quantity in the separation requirements of 500-feet versus 300-feet and the 95-day rental.

Mr. Neal noted that the 500-foot separation requirement comes from the current Bed and Breakfast ordinance and a few other cities that were using the separation requirement and the 95-day rental derives from the Kansas City ordinance.

Mr. Coltrin asked various questions and voiced concerns regarding the proposed ordinance and believes that the City of Springfield may be over-regulating Short-Term Stay Rental Amendments. Main concerns were the 500-foot separation requirement and the 95-day rental limit and believes that these tend to be self-regulating and is encouraging staff to get more statistics from other cities to help with the development of the ordinance.

Mr. Neal noted that we are using information/data from various cities to develop the current amendments and noted that if we need to get more statistics from other city’s we can certainly get that information.

Mr. Thomas asked for any specific problems that the City has had with Short-Term Stay Rentals and if the City must set-up new regulations and how long is the approval time, approximate cost and enforcement.

Mr. Neal noted that Short-Term Stays are not legal and if someone wants to set up (Type 1) they would need a business license/service agent fee (approximate $25.00), certificate of occupancy (approximate $35.00) and making sure they are not within 500-feet of another Short-Term Stay Rental unit.

Ms. Smith stated that the City has received complaints about properties operating as Short-Term Stay Rentals and currently not allowed in our zoning ordinance. There have been concern looking at the separation as it is essentially operating a commercial activity in a single-family neighborhood. If there, for example a row of Short-Term Stay Rentals, then the character of the single-family neighbor is changed. The challenge is to balance the new business model with preserving single-family neighborhoods by addressing separation requirements and having the Type-1 (owner-occupied) opportunity.

Mr. Rose asked about the history of complaints and if they are a daily occurrence and what type of enforcement actions are being taken and by which department.
Ms. Smith noted that enforcement is the responsibility of Building Development Services (BDS) and they respond on a complaint basis and currently do not have a listing of complaints available tonight and noted that complaints do come in sporadically.

Mr. Doennig asked about the current count of Short-Term Stay Rentals and Mr. Neal said that the number is based on a count from last summer (2017) is 78 approximately and that there can only be one Short-Term Rental Stay within 500-feet along or across the street.

Ms. Broekhoven asked about current Short-Term Stay Rentals. Mr. Neal stated that would have to come into compliance.

Mr. Doennig opened the public hearing.

Mr. Jerry Reynolds, 2833 E. Normandy, voiced his concerns about the downside of the Short-Term Stay Rentals, noting drug-trafficking, brothels, and employers using for a group of employees (truckers/railroad, etc.) for a quick overnight. He stated that people get concerned over the devaluing of their property and saw a property today where it was being used for a group of 17 people.

Mr. Johnny Lively, 2002 S. Arcadia, wants short-term-rentals, but against any regulations and fees, noting that the money earned by local short-term-rental goes back to the City and not big operations and want to terminate the less than 30-day consecutive requirement.

Ms. Julia Blackmon, 1254 E. Meadowmere, supports the short-term rental community and does not see the any problem and asks why fix it.

Mr. John Horner, 1622 E. Walnut Street, supports short-term-rentals and currently has 3 units, two in the Rountree district and one in historic district. He stated that he takes care of his properties and believes that regulations are heavy handed and need less regulations as well as incentives to promote short-term-rentals. He also voiced his concern over the proposed 500-foot separation requirement.

Ms. Jenna Lively, 2002 S. Arcadia, supports short-term-rentals and has had only a good positive experience.

Mr. Blake Brewer, 2012 S. Arcadia, support short-term rentals, however opposed to the regulations as well as the cost associated with complying to obtain the appropriate licenses, etc.

Mr. Doennig closed the public hearing.
COMMISSION ACTION:

__________________________
Bob Hosmer, AICP
Principal Planner
SUMMARY OF REQUEST:

To amend the permitted uses subsections in all base zoning districts in Division 4 of the Zoning Ordinance, clarify Section 36-451, Home Occupations, add a new Section 36-472, Short-Term Stay Rentals and definition to allow Short-Term Stay Rentals under certain conditions and requirements.

FINDINGS FOR STAFF RECOMMENDATION:

1. Short-Term Stay Rentals are currently not permitted in the Zoning Ordinance. The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Stay Rentals are a growing land use that needs to be addressed with certain conditions and requirements in the Zoning Ordinance to be compatible with other residential uses. The reason for the short-term rental ordinance is to allow this growing industry while protecting the integrity of single-family neighborhoods within the community.

2. The proposed Zoning Ordinance will allow three Types of Short Term Stay Rentals; owner-occupied in the R-SF and R-TH with limited rental days, non-owner occupied in the R-SF and R-TH which requires a conditional use permit, and the third Short Term Stay Rental type for allowed in all other districts but limited to two per premise.
CITYWIDE LAND USES:

- Property Zoned R-SF or R-TH
- Property Zoned R-LD, R-MD, or R-HD
- Property Zoned Non-Residential
COMPATIBILITY WITH COMPREHENSIVE PLAN:

Short-Term Stay Rentals were not addressed in City’s Comprehensive Plan and Field Guide 2030 Guidelines; however, the Growth Management and Land Use Element of the Comprehensive Plan encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and non-residential development patterns.

SUMMARY OF PROPOSED TEXT AMENDMENT:

Staff has developed three Short-Term Stay Rental categories, Type 1, 2 and 3. Each of these categories allow for a rental of a residential dwelling for less than 30 days (currently not permitted in residential districts).

Short-Term Stay Rental, Type 1
The Short-Term Stay Rental, Type 1 is allowed in the R-SF or R-TH districts. The Type 1 is for owner-occupied primary residences and provides that such properties cannot be rented for more than 95 days in a calendar year. All Type 1’s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

Short-Term Stay Rental, Type 2
The Short-Term Stay Rental, Type 2 is allowed in the R-SF or R-TH districts. The Type 2 is for non-owner-occupied residences with no limitation on the number of days that it can be rented or also owner-occupied primary residences that are rented for more than 95 days in a calendar year; however, all Type 2’s will require a conditional use permit. The conditional use permit requires compliance with 21 standards, a neighborhood meeting, public hearings before Planning and Zoning Commission and City Council and approval by City Council. All Type 2’s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

Short-Term Stay Rental, Type 3
The Short-Term Stay Rental, Type 3 is allowed in all other zoning districts. The Type 3 has no residency requirement or limitations on the number of days that it can be rented; however, no more than two dwelling units on a premise can be rented. A premise is any tract of land, consisting of one or more lots, under single or multiple ownership, which operates as a functional unit. A premise possesses one or more of the following: shared parking, common management, commons identification, common access or shared circulation. For example, a multi-family apartment complex that is divided into multiple lots and ownership is only allowed two Short-Term Stay Rental units. There are also no separation requirements as in the Type 1 and 2. All Type 3’s must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments.

General Provisions
All Short-Term Stay Rentals shall comply with the residential occupancy requirements in the Zoning Ordinance which requires that a dwelling unit may not be occupied by more than three unrelated persons in a R-SF or R-TH zoning district or four unrelated persons in a R-LD, R-MD or R-HD (multi-family) district. There are no limits on the number of related persons who may occupy a dwelling unit. The proposed amendments do not allow any exceptions to these residential occupancy requirements.

Short-Term Stay Rentals must obtain an annual business license. If an annual business license is not continually obtained, then the owner/business risks losing the ability to operate a Short-Term Stay due to the separation requirements in Type 1 and 2 and the maximum dwellings on the premise in a Type 3. It shall be a violation to advertise or promote a Short-term Stay which is not in compliance with the provisions of the proposed amendments.
Staff proposes the ordinance require all Short-Term Stay Rentals to come into compliance or the use terminated by a date six (6) months from the adoption of these amendments. Staff will process Short-Term Stay Type 1, 2 or 3's on a first-come, first-serve basis. Staff is not currently aware of any Short-Term Stays that will be prohibited by the proposed 500 separation requirements; however, these rentals change rapidly and therefore new homes and units can be added and removed daily. Since there are approximately 70 Short-Term Stay Rentals in the City, staff may need to stage the number of Short-Term Stay Type 2 Conditional Use Permits processed per month so as to not overwhelm staff, Planning and Zoning Commission and City Council with cases. This is one of the reasons for giving these Short-Term Stay Rentals six months to come into compliance.

### Short-Term Stay Amendments Table

<table>
<thead>
<tr>
<th>Short-Term Stay Types</th>
<th>Zoning District(s) Permitted</th>
<th>Conditional Use Permit Required</th>
<th>Distance from other Short-Term Stays or Bed and Breakfast uses</th>
<th>Maximum Rental Period</th>
<th>Owner-Occupied Primary Residence Requirement</th>
<th>Located in a Primary Structure Requirement</th>
<th>Business License and Certificate of Occupancy Requirement</th>
<th>Maximum Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1</td>
<td>R-SF, R-TH</td>
<td>No</td>
<td>500 feet</td>
<td>95 days</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No more than 3 unrelated persons</td>
</tr>
<tr>
<td>Type 2</td>
<td>R-SF, R-TH</td>
<td>Yes</td>
<td>500 feet</td>
<td>Depends on CUP restrictions</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No more than 3 unrelated persons</td>
</tr>
<tr>
<td>Type 3</td>
<td>All zoning districts except R-SF, R-TH</td>
<td>No</td>
<td>None</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No more than 4 unrelated persons in R-LD, R-MD and R-HD, based off building code in other districts</td>
</tr>
</tbody>
</table>

### STAFF COMMENTS:

City Council initiated amendments to the definition, locations and standards for short-term residential rentals on August 22, 2011 (Res. No. 9899).

Short-term stay rentals are not a new type of use; however, the advances in technology with smartphones and the internet apps and platforms have changed the way that they are advertised and rented (e.g. AirBnb, VRBO, HomeAway, etc.). Short-term stay vacation rentals are flourishing and while typically found in destination communities, they have now been expanding into other communities for business, medical and recreational purposes. The “Short-Term Stay” new regulations would apply to any renting of an apartment, house, condominium or bedroom in a primary structure on a temporary basis for less than 30 days to transient guests as an alternative to a hotel/motel.

The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Stay Rentals are currently not permitted by the Zoning Ordinance. The exceptions are hotel/motels (allowed in commercial districts), boarding, rooming and lodging houses (allowed in multi-family districts), institutional care facilities (allowed in multi-family, commercial and institutional districts) and bed and breakfast uses (allowed in R-SF and R-TH with a Conditional Use Permit and location restrictions). Staff has determined that the Short-Term Stay Rentals and a traditional Bed and Breakfast use differ in a few ways. A bed and breakfast is allowed up to 5 guest rooms, individual cooking facilities are not permitted, only guests shall be served meals, the operator shall live at the bed and breakfast, and monthly rentals are not permitted. Many of these requirements do not fit the Short-Term Stay business models; however, staff considers these as two separate uses.

Opposition to Short-Term Stay Rentals argue there are limited benefits to this type of use to a community, however, staff believes that short-term stay rentals are part of a burgeoning sharing economy. The sharing economy concept like vacation rentals is not new either. This is a business model where there is peer-to-peer based sharing of access to goods and services. Examples include Uber, Parkatmyhouse, DogVacay, StreetBank, etc.
The issue of Short-Term Stay Rentals has recently been brought to staff’s attention through complaints by neighbors of existing short-term stay rentals. Complaints have varied from issues with on-street parking, noise and an influx of transient guests during all hours of the night. Staff also wanted to address the possibility of being pre-empted by the State of Missouri with new laws regulating Short-Term Stay Rentals. The Missouri State Legislature has discussed multiple bills to restrict local authority on regulating Short-Term Stay Rentals; however, no new legislation has been passed to date. It is also important to note that the City does not enforce private agreements; therefore, existing homeowner’s association or deed covenants will remain binding between the parties, and enforceable to the extent allowed by law.

In theory, Short-Term Stay Rentals are self-regulating since renter’s rate owners and owners rate renters, thus poor operators will receive negative ratings and consequently fewer rentals. However, the adjacent neighbors are not given any way to rate or post their issues and concerns for these businesses. Typically, the enforcement issue is not the specific use, rather, the potential side effects of overcrowding, parking and noise.

Staff believes that this use is an issue of preserving neighborhood character and preventing negative impacts to surrounding residential neighborhoods. Proposed regulations are intended to ensure that existing life safety and health codes including occupancy requirements are being met. They will create a level playing field between these types of temporary lodging businesses and provide a diversity of lodging options for guests/tourists. They will also help to ensure adequate housing options for residents.

In response to this growing business model, staff conducted an informational meeting with two neighborhoods that could be most impacted by these Short-Term Stay Rental uses. Staff sought feedback about what issues these uses could create in these neighborhoods. Approximately 1,500 notification letters were sent to owners in the Rountree and Phelps Grove neighborhoods. The informational meeting was held on June 14, 2016 to discuss Short-Term Stay Rentals and Accessory Dwelling Units. Approximately 50 property owners and known Short-Term Stay Rental owners attended. Staff took notes and recorded results from a poll of questions and concerns that owners would have with these uses. Staff also created a survey to gain input from those that could not attend the meeting or wanted to make additional comments. The survey was opened the next day and remained open for three weeks. Staff also presented information on Short-Term Stay Rentals and Accessory Dwelling Units on August 10, 2016 to the Neighborhood Advisory Committee and promoted the survey to gain input from all other registered neighborhood associations. The next day staff opened a similar online survey for three weeks. Staff has included the survey information in the packet in Attachment 3.

Staff met with City Council’s Plans and Policies Committee three times over this last year and made multiple changes in response to their concerns. Staff has also met with representatives of the Springfield Convention and Visitors Bureau, Missouri Hotel Lodging Association, Springfield Hotel Lodging Association and with the Developer’s Issues Input Group (DIIG).

Staff used many different sources for the development of the proposed amendments. The City of Kansas City and Waco, TX have recently been going through a review and approval process for their proposed draft ordinances. The City of Lee’s Summit and St. Louis have bed and breakfast homestays (Short-Term Rental) with conditional use permit requirements. The City of Austin, TX implemented one of the first Short-Term Stay Rental ordinances in the Midwest back in 2012 and has amended their ordinances multiple times since. Staff used the citizen feedback that we mentioned earlier and our existing codes and ordinances as well.

Staff has identified the major issues that were presented to these groups:

- Neighborhood character and stability – too many in one area
- Enforcement of new and existing Short-Term Stays
- Enforcement of private covenants
- Discourage tourists/travelers that prefer Short-Term Stays
- Provide more lodging options for tourists/travelers
- Source of income for property owners
• Health and safety issues
• Aesthetics and maintenance – will a short-term vacation property owner take care of their property better or worse than a long-term renter
• Potential loss of hotel/motel and sales tax revenues (City Code and Hancock issues)

In review of all the public comments, our existing ordinances, and other cities ordinances, staff is proposing amendments to permit Short-Term Stay Rentals under certain conditions and requirements. The current Short-Term Stay providers who rent out their property within Springfield via Airbnb, VRBO or other online marketplaces will need to have a business license and comply with the short-term stay rental regulations to protect the safety, character and quality of life in all of the City of Springfield neighborhoods.

PUBLIC COMMENTS:

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood associations were notified of these amendments and public hearing dates.
DEPARTMENT COMMENTS:

BUILDING DEVELOPMENT SERVICES COMMENTS:
No comments.

CITY UTILITIES COMMENTS:
No objection to zoning text amendments. It is assumed that the utility account will stay in the owner’s name and they would be responsible for all utility billing.

CLEAN WATER SERVICES COMMENTS:
No objection to zoning text amendment.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:
Traffic has no issues with the zoning text amendment.

STORMWATER COMMENTS:
Stormwater has no issues with the zoning text amendment.

FIRE DEPARTMENT COMMENTS:
No comments.
REQUIREMENTS FOR APPROVAL:

Note: Language to be added is **underlined**, language to be deleted is **stricken**.

Sec. 36-321. - Definitions.

**Short-term stay:** A short-term stay is defined as the rental of an entire dwelling, or any portion thereof, for a period of not more than 30 days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short-term stays are further categorized as Type 1, 2 or 3.

Sec. 36-380. - R-SF - Single-family residential district.

(2) *Permitted uses.*

   **(o)** Short-term stay type 1 in accordance with section 36-472.

   **(pe)** Temporary uses, as permitted by section 36-452, temporary uses.

   **(ge)** Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

   **(re)** Transitional housing for single-family use.

   **(sf)** Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

(3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

   **(i)** Short-term stay type 2 in accordance with section 36-472.

Sec. 36-381. - R-TH - Residential townhouse district.

(2) *Permitted uses.*

   **(p)** Short-term stay type 1 in accordance with section 36-472.

   **(ge)** Temporary uses, as permitted by section 36-452, temporary uses.

   **(rg)** Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

   **(sr)** Townhouses.

   **(ts)** Transitional housing for single-family or low to moderate residential density.
(ut) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

(3) **Conditional uses.** The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(i) Short-term stay type 2 in accordance with section 36-472.

Sec. 36-382. - R-LD - Low-density multifamily residential district.

(2) **Permitted uses.**

(r) Short-term stay type 3 in accordance with section 36-472.

(sr) Temporary uses, as permitted by section 36-452, temporary uses.

(ts) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(ut) Transitional housing for single-family or low to moderate residential density.

(vu) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-383. - R-MD - Medium-density multifamily residential district.

(2) **Permitted uses.**

(r) Short-term stay type 3 in accordance with section 36-472.

(sr) Temporary uses, as permitted by section 36-452, temporary uses.

(ts) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(ut) Transitional housing for single-family or low to moderate residential density.

(vu) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-384. - R-HD - High-density multifamily residential district.

(2) **Permitted uses.**

(u) Short-term stay type 3 in accordance with section 36-472.

(vu) Temporary uses, as permitted by section 36-452, temporary uses.

(wv) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(xw) Transitional housing for single-family or low to moderate residential density.

(yx) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.
Sec. 36-385. - R-MHC - Manufactured home community district.

(2) Permitted uses.

(p) Short-term stay type 3 in accordance with section 36-472.

(gp) Temporary uses, as permitted by section 36-452, temporary uses.

(rq) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(sr) Transitional housing for single-family.

(ts) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-400. - O - Office districts.

(2) Permitted uses.

(v) Short-term stay type 3 in accordance with section 36-472.

(wv) Schools or development centers for persons with handicaps or development disabilities.

(xw) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.

(yx) Temporary uses, as permitted by section 36-452, temporary uses.

(zy) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

Sec. 36-401. - GI - Government and institutional use district.

(2) Permitted uses.

(cc) Short-term stay type 3 in accordance with section 36-472.

(ddcc) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and

2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.
Temporary uses, as permitted by section 36-452, temporary uses.

Tier I wireless facilities in accordance with section 36-466, telecommunication towers.

Tier III wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers 60 feet or greater in height allow collocation of at least one additional provider's facilities.

Tier IV wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers are setback from any residential district at least two feet for every one foot of tower height and allow collocation of at least one additional provider's facilities or at least two additional providers' facilities if the tower height is 120 feet or greater.

Other towers, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

Sec. 36-409. - WC - West College Street district.

(2) WC-1, Mixed-use sub-area.

(a) Permitted uses.

21. Short-term stay type 3 in accordance with section 36-472.

(3) WC - 2, live/work sub-area.

(b) Permitted uses.

10. Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days unit provided one off-street parking space is provided for each person.

22. Short-term stay type 3 in accordance with section 36-472.

(4) WC - 3, residential sub-area.

(a) Permitted uses.

14. Short-term stay type 3 in accordance with section 36-472.

15. Townhouses.


Sec. 36-420. - LB - Limited business district.

(2) Permitted uses.

(n) Short-term stay type 3 in accordance with section 36-472.

(on) Temporary uses, as permitted by section 36-452, temporary uses.
(po) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.  
(gp) Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

Sec. 36-421. - GR - General retail district.

(2) Permitted uses.

(bb) Short-term stay type 3 in accordance with section 36-472.

(ccbb) Taxidermists.

(ddcc) Temporary lodging use group.

(eeed) Temporary uses, as permitted by section 36-452, temporary uses.

(ffee) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(ggff) Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

(hhgg) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

Sec. 36-422. - HC - Highway commercial district.

(2) Permitted uses.

(pp) Short-term stay type 3 in accordance with section 36-472.

(qqpp) Swimming pool sales and displays.

(rrqq) Taxi dispatch yards and offices.

(ssff) Taxidermists.

(ttss) Temporary lodging use group.

(uuuu) Temporary uses, as permitted by section 36-452, temporary uses.

(vvvu) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(wwwv) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius
of another transitional service shelter, soup kitchen, overnight shelter, substance abuse
treatment facility or community correctional facility as measured from property lines, in
accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be
issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary
or secondary school as measured from property lines.

(ww) Upholstery shops.

(xx) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities, and
kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal
hospitals, pet daycare services, and pet grooming facilities may have supervised outside
activities, which are defined as having a single animal under the physical control of an
individual. All outside activity spaces shall be fully enclosed and screened from adjacent
residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in
conformance with subsection 36-480(3). No outside activity spaces shall be located within 25
feet of any residential use or district, and all animal waste shall be collected and disposed of
on a daily basis.

(yy) Wholesale sales.

Sec. 36-423. - CS - Commercial service district.

(2) Permitted uses.

(xx) Short-term stay type 3 in accordance with section 36-472.

(yy) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000
   feet from any emergency shelter, soup kitchen, transitional service shelter or community
corrections facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: administration contact information, patron
   access requirements, hours of operations and security measures, is on file with the City
   of Springfield Planning and Development Department.

(yy) Swimming pool sales and display.

(aa) Taxi dispatch yards and offices.

(aa) Taxidermists.

(bb) Temporary uses, as permitted by section 36-452, temporary uses.

(cc) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(dd) Towers other than wireless facilities, less than 100 feet in height and related facilities.

(ef) Overnight shelters or transitional service shelters for 50 or fewer residents, which are
    located at least 500 feet from a residential district, as measured from property lines provided
    that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius
of another transitional service shelter, soup kitchen, overnight shelter, substance abuse
treatment facility or community correctional facility as measured from property lines, in
accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be
issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary
or secondary school as measured from property lines.

(fff) Truck stops.

(ggg) Upholstery shops.

(hhh) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use
is established any outdoor activities are clearly accessory to the primary use and provided
that no outdoor activities are located closer than a 300-foot radius from a building used for a
church, school, hotel, motel, or restaurant, or from a property zoned residential or a building
used for residential purposes.

(iiiii) Wholesale sales use group.

Sec. 36-424. - CC - Center city district.

(2) Permitted uses.

(nn) Short-term stay type 3 in accordance with section 36-472.

(oonn) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000
feet from any emergency shelter, soup kitchen, transitional service shelter or community
corrections facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: Administration contact information, patron
access requirements, hours of operations and security measures, is on file with the City
of Springfield Planning and Development Department.

(ppoo) Taxi dispatch yards and offices.

(ggpp) Temporary uses, as permitted by section 36-452, temporary uses.

(rrqq) Temporary lodging use group.

(ssff) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ttes) Veterinary clinics. Facilities may have supervised outside activities, which are defined
as having a single animal under the physical control of an individual. All outside activity spaces
shall be fully enclosed and screened from adjacent residential uses, districts and all public
rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No
outside activity spaces shall be located within 25 feet of any residential use or district, and all
animal waste shall be collected and disposed of on a daily basis.

(uutt) Wholesale sales.
Sec. 36-425. - COM - Commercial street district.

(2) Permitted uses.

(a) The following uses are permitted on any floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit.

27. Short-term stay type 3 in accordance with section 36-472.

(b) The following uses are only permitted above the first floor or in the second layer of the first floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit for the use set out in this subsection. The first layer of the first floor is the first 50 feet of lot depth measured from the front of the lot. The second layer is located behind the first 50 feet of lot depth measured from the front of the lot. An entrance and hallway through the first layer to provide access to the second layer or upper floors is permitted.

14. Short-term stay type 3 in accordance with section 36-472.

Sec. 36-430. - RI - Restricted industrial district.

(2) Permitted uses.

(y) Short-term stay type 3 in accordance with section 36-472.

(zy) Swimming pool sales and display.

(aaz) Taxidermists.

(bbaa) Temporary uses, as permitted by section 36-452, temporary uses.

(ccbb) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ddee) Upholstery shops.

(eedd) Veterinary clinics, animal hospitals, and kennels, with no outside activities.

(ffee) Warehouses, storage and distribution centers.

(ggff) Wholesale sales.

Sec. 36-431. - LI - Light industrial district.

(2) Permitted uses.

(w) Short-term stay type 3 in accordance with section 36-472.

(xw) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(yx) Swimming pool sales and display.

(zy) Temporary uses, as permitted by section 36-452, temporary uses.

(aaz) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(bbaa) Upholstery shops.

(ccbb) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(ddee) Warehouses, storage and distribution centers.

(eedd) Wholesale sales and distribution.

(ffee) Wholesale sales use group.

Sec. 36-432. - GM - General manufacturing district.

(2) Permitted uses.

(cc) Short-term stay type 3 in accordance with section 36-472.

(ddee) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(eedd) Swimming pool sales and display.

(ffee) Temporary uses, as permitted by section 36-452, temporary uses.

(ggff) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(hhgg) Upholstery shops.

(ihhh) Vehicle rental, towing and storage services.

(iii) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a
church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(kkij) Warehouses, storage and distribution centers.

(llkk) Wholesale sales use group.

Sec. 36-433. - HM - Heavy manufacturing district.

(2) Permitted uses.

(mm) Short-term stay type 3 in accordance with section 36-472.

(nnnn) Stockyards or feed lots.

(oonn) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including, but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(ppoe) Swimming pool sales and display.

(ggpp) Temporary uses, as permitted by section 36-452, temporary uses.

(rrqq) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ssrr) Upholstery shops.

(ttes) Vehicle rental, towing and storage services.

(uuuu) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(vvvv) Warehouses, storage and distribution centers.

(wwwv) Wholesale sales.

(xxww) Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.

Sec. 36-434. - IC - Industrial commercial district.

(2) Permitted uses.
(mm) Short-term stay type 3 in accordance with section 36-472.

(nnmm) Swimming pool sales and display.

(ooon) Taxi dispatch yards and offices.

(ppoo) Taxidermists.

(qqpp) Temporary lodging use group.

(rrqq) Temporary uses, as permitted by section 36-452, temporary uses.

(ssrr) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(ttss) Upholstery shops.

(uutt) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(vvuu) Warehouses, storage and distribution centers.

(wwvv) Wholesale sales use group.

Sec. 36-451. - Home occupations.

(3) Home occupations permitted. Home occupations include, but are not limited to, the following occupations:

(i) Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days provided on off-street parking space is provided for each person.

Sec. 36-472. - Short-term stay rentals.

(1) Short-term Stay Type 1

(a) This section shall apply to a Short-term Stay use that:

1. is rented for periods of less than 30 consecutive days; and

2. is located within a R-SF or R-TH zoning district; and

3. is an owner-occupied primary residence and is not rented for more than 95 days in a calendar year.

(b) The following provisions shall apply to a Short-term Stay Type 1:
1. **A Short-term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.**

2. **A Short-term Stay Type 1 shall only be located in the primary structure.**

3. **No exterior alterations that would change the single-family character of the Short-term Stay Type 1, other than those necessary to ensure the safety of the structure, shall be made.**

4. **No residential structure shall be removed for parking or to expand the Short-term Stay Type 1.**

5. **A Short-term Stay Type 1 shall not be rented solely for receptions, parties, weddings or any similar activities.**

6. **The owner of a Short-term Stay Type 1 shall provide notification as required by Section 36-475.**

7. **It shall be a violation of this section for an owner to advertise or promote a Short-term Stay Type 1 which is not in compliance with the provisions of this section.**

   (c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

   (d) Annual business license shall be obtained.

(2) **Short-term Stay Type 2**

(a) **This section shall apply to a Short-term Stay use that:**

   1. **is rented for periods of less than 30 consecutive days; and**

   2. **is located within a R-SF or R-TH zoning District; and**

   3. **is not an owner-occupied residence or is an owner-occupied primary residence and is rented for more than 95 days in a calendar year.**

(b) **A conditional use permit shall be required for Short-term Stay Type 2 uses.**

(c) **A conditional use permit shall comply with Section 36-363, Conditional use permits, and the following requirements:**

   1. **A Short-term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.**
2. A Short-term Stay Type 2 shall only be located in the primary structure.

3. No exterior alterations that would change the single-family character of the Short-term Stay Type 2, other than those necessary to ensure the safety of the structure, shall be made.

4. No residential structure shall be removed for parking or to expand the Short-term Stay Type 2.

5. A Short-term Stay Type 2 shall not be rented solely for receptions, parties, weddings or any similar activities.

6. The owner of a Short-term Stay Type 2 shall provide notification as required by Section 36-475.

7. It shall be a violation of this section for an owner or operator to advertise or promote a Short-term Stay Type 2 which is not in compliance with the provisions of this section.

(d) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(e) Annual business license shall be obtained.

(3) Short-term Stay Type 3

(a) This section shall apply to a Short-term Stay use that:

1. is rented for a period of less than 30 consecutive days; and

2. is not located in an R-SF or R-TH zoning district.

(b) The following provisions shall apply to a Short-term Stay Type 3:

1. No more than two Short-term Stay Type 3 units are allowed on a premise.

2. A Short-term Stay Type 3 shall provide notification as required by Section 36-475.

3. A Short-term Stay Type 3 unit shall not be rented solely for receptions, parties, weddings or any similar activities.

4. It shall be a violation of this section for an owner or operator to advertise or promote a Short-term Stay Type 3 which is not in compliance with the provisions of this section.

(c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.
(d) Annual business license shall be obtained.

(4) Short-term Stay Notification Requirements.

(a) The owner of a Short-term Stay shall post, conspicuously in each rental unit the following information:

1. The names and contact information of the person or persons responsible for the day-to-day operations of the Short-term Stay;

2. The certificate of occupancy and business license number;

3. The restrictions on noise applicable under Section 36-485, Noise standards., including limitations on the use of amplified sound;

4. Any applicable parking restrictions;

5. Trash collection schedule;

6. That receptions, parties, weddings or other similar events shall not be permitted in the Short-term Stay unit.
June 3, 2016

The City of Springfield staff will be hosting an informational meeting on Tuesday, June 14, 2016 at 6:00pm to 8:00pm in the auditorium at the Springfield Art Museum, 1111 East Brookside Drive. Staff will be providing information and collecting public input on two separate topics;

1. Short-Term Vacation Rentals and
2. Accessory Apartments or Accessory Dwelling Units.

Currently Short-Term Vacation Rentals are not a permitted use by our Zoning Ordinance. They are typically located in destination communities, however, they are increasing throughout the nation even into our community. City Council has requested that staff review and make recommendations regarding whether they should be permitted and if so, what restrictions should apply.

Currently, accessory apartments (more commonly called accessory dwelling units) are permitted in single-family residential districts in limited circumstances. Staff is seeking input as to whether those restrictions should be modified.

There will be an online survey that will be used for those that cannot attend or if attendees would like to provide more comments after the meeting. The survey will be active after the informational meeting.

[http://vacationrentals.questionpro.com](http://vacationrentals.questionpro.com)

If you are unable to attend, you may contact our office at (417) 864-1611 if you have any questions or would like additional information.

Sincerely,

Daniel Neal
Senior Planner
June 14, 2016 meeting at the Springfield Art Museum

Total Attendees: 48
Letters Mailed: 1500+ (returned/undeliverable: 60+)

Short Term Vacation Rentals:
If the State of Missouri does not mandate that the City of Springfield allow Short Term Vacation Rentals, do we allow them?
Yes: 27
No: 22

Please place your green dots on what is most important to you:
Off-Street Parking: 44
Owner Occupied: 28
Overcrowding: 18
Enforcement: 16
Sewer/Water Infrastructure: 14
Distance Separations: 11

Notes:
<table>
<thead>
<tr>
<th>What type restrictions allowed in Rountree and Phelps Grove</th>
<th>Parking on the street and overcrowding concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are restrictions on B&amp;Bs</td>
<td>Phelps Grove does NOT want STVRs</td>
</tr>
<tr>
<td>Not keeping appearances up (grass, trash, etc.)</td>
<td>STVR - taxes??? Do they pay taxes?</td>
</tr>
<tr>
<td>Business License needed?</td>
<td>Enforcement - how?</td>
</tr>
<tr>
<td>STVR's are here to stay</td>
<td>STVR and &quot;party house&quot;</td>
</tr>
<tr>
<td>Sewer and water concerns</td>
<td>People do look at ratings on STVR</td>
</tr>
</tbody>
</table>

Accessory Dwelling Units:
Would you support changing the current Accessory Dwelling Unit ordinance?
Yes: 27
No: 14

Please place your red dots on what is most important to you:
Aesthetics: 36
Remove carriage house requirements: 30
Infrastructure: 30
Owner Occupied: 30
Relative of Family Only Restrictions: 14

Notes:
<table>
<thead>
<tr>
<th>Tiny houses</th>
<th>May help homeless off street/have homeless work around home/garden for living quarters.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don't like the current restrictions</td>
<td>What is BDS trying to accomplish?</td>
</tr>
<tr>
<td>Absentee landlords</td>
<td>Owner occupied / infrastructure</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>James Cates</td>
<td>1616 E. Elin</td>
</tr>
<tr>
<td>Toda Darrell</td>
<td>1616 E. Elin</td>
</tr>
<tr>
<td>Johnny Linley</td>
<td>2002 S. Arcadia</td>
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<tr>
<td>Jim Davis</td>
<td>2150 S. Pine LN</td>
</tr>
<tr>
<td>Garry &amp; Susan Rice</td>
<td>2248 E Mercer</td>
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<tr>
<td>Harvey Corse</td>
<td>1003 S. Fremont</td>
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<tr>
<td>Yuli Rainy</td>
<td>631 E. Loren</td>
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<tr>
<td>Free Payne</td>
<td></td>
</tr>
<tr>
<td>Cameron Ky</td>
<td>757 S. Cullen</td>
</tr>
<tr>
<td>Rhonda Ridinger</td>
<td>744 S. Pickwick</td>
</tr>
<tr>
<td>Sarah McCubbin</td>
<td>1257 E. Cory</td>
</tr>
<tr>
<td>Tracy Kinsale</td>
<td>CVB</td>
</tr>
<tr>
<td>Steve Kane</td>
<td>1311 E. Delmar</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Pat Johnson</td>
<td>747 S. Weller</td>
</tr>
<tr>
<td>Trice Gregory</td>
<td>1315 S Ingram Mill</td>
</tr>
<tr>
<td>Virginia Altis</td>
<td>546 E. Cardinal</td>
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<tr>
<td>Hal Naster</td>
<td>8441 South</td>
</tr>
<tr>
<td>Angel Boyd</td>
<td>1051 S. Pickwick</td>
</tr>
<tr>
<td>Amy Boyd</td>
<td>1051 S. Pickwick</td>
</tr>
<tr>
<td>Pat Porter</td>
<td>910 E. Walnut</td>
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<td>Jim Boyce</td>
<td>1051 S. Pickwick</td>
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<tr>
<td>John Winters</td>
<td>815 E. 2nd</td>
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<td>Nancy Bost</td>
<td>1615 S. Jefferson</td>
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<tr>
<td>Laurel Bryant</td>
<td>1628 E. 104 S. Weller</td>
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<tr>
<td>Lee Leyton</td>
<td>1014 S. Weller</td>
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<td>Margaret Werman</td>
<td>740 S. Weller</td>
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<tr>
<td>Jane Sellers</td>
<td>637 E. Loren</td>
</tr>
<tr>
<td>Peggy Wise</td>
<td>747 S Fairway</td>
</tr>
<tr>
<td>Matt Stevens</td>
<td>901 S. Pickwick</td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------</td>
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<tr>
<td>LaDonna Sterling</td>
<td>901 S Pickwick</td>
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<tr>
<td>Thomas Jones</td>
<td>3653 S 12th</td>
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<tr>
<td>Vicky + David</td>
<td>65807</td>
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<tr>
<td>Timpone</td>
<td>65804</td>
</tr>
<tr>
<td>Janice Harper</td>
<td>1684 E. Grand</td>
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<tr>
<td>Nick Harper</td>
<td>807 E Normal St</td>
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<tr>
<td>Nancy Danielsen</td>
<td>811 E Normal St</td>
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<tr>
<td>Terry Tyson</td>
<td>719 S. Kickapoo Ave</td>
</tr>
<tr>
<td>Jeremiah Smith</td>
<td>1531 S. Rogers</td>
</tr>
<tr>
<td>Doug Balogh</td>
<td>3253 E. Redbird St</td>
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<tr>
<td>Nancy</td>
<td>1523 W. Morgan St</td>
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<tr>
<td>Susan Hollis</td>
<td>1326 E. Delmar</td>
</tr>
<tr>
<td>Beat Hollis</td>
<td>1326 E. Delmar</td>
</tr>
<tr>
<td>Alissa Zhu</td>
<td>1972 S. Oak Grove</td>
</tr>
<tr>
<td>W. Bultos</td>
<td>1028 S. Rosano Rd</td>
</tr>
<tr>
<td>Tai Li</td>
<td>727 S. Fairway</td>
</tr>
</tbody>
</table>
DENNIE MARY TILANT 725 S. ROGERS AVE 417-906-1133
Nicholas Williams 1961 S Virginia Ave
Jeff Barber 746 S. WELLER AVE
Steve Hargis 1160 S. Clay Ave
Karen Spencer 1322 E. Harrison St.
Eddie Trims 1174 S. Maryland
If the State of Missouri does NOT mandate that the City of Springfield allow short-term vacation rentals, do we want to allow them?

**Answer Count Percent**

<table>
<thead>
<tr>
<th>Answer</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>82</td>
<td>82.83%</td>
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<tr>
<td>No</td>
<td>17</td>
<td>17.17%</td>
</tr>
<tr>
<td>Total</td>
<td>99</td>
<td>100%</td>
</tr>
</tbody>
</table>

If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.
If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.

- Text Data for Other

Permits to operate and a limited number of permits per neighborhood. Of course, I think long-term rental properties should work the same way.

Please don't allow this to happen

I would like to see limitations on purchasing a home in established neighborhoods for the sole purpose of renting it out as a short term vacation rental.

Same as for 30+day rentals

Same as currently required of property owners of month to month rentals.

Ability for neighbors to report misuse of property if tenants are disrespectful to ordinances and neighbors. If multiple complaints are made, the property should be on a non-eligible list.

Not exactly sure what the implications of these requirements would be. It would have been helpful to see examples of what other cities have regulated and why it is important.

These properties do not cause any more burden than a traditional rental. As long as all tenants obey parking and noise ordinances and owners cover these rules and maintains the properties, there should be no other restrictions.

These type of rentals do not create any problem that a traditional rental would. If it would make neighbors happier to limit street parking or limit the number of cars a guest can have at the property, that might be reasonable. The fact is these properties are maintain better than traditional rentals and neighbor around my properties are glad this how I use the properties. I actually help accommodate Their visiting family members and I keep the properties in great condition. I've never had a problem with any guest in nearly two years. The 30 days mentioned in the definition seem arbitrary and does not serve any legitimate purpose that I can think of. What is important is that homeowners and tenants respect the laws of the city.

Neighborhoods should be able to decide if they want them not simply citywide.

Allow them

A number or at least address where the owner can be contacted if problems occur if the owner is out of state then a manager who can be contacted.

1. owner must be held responsible for upkeep of house and grounds. 2. Parking must be off street and not imposing on the residents. 3. Short term Residents must not disturb the neighborhood.

Noise control

The fact that these have been problem free in this city (maybe one complaint that turned out to be a mistake), suggests they are already self regulated by the social media platform built within it (where reviews are seen by the public). Why regulate something that has not caused a problem. Instead hold them to the standards of existing laws regarding rental property. No additional laws needed for short term rental.

No more than 3 unrelated people in any STVR, follow the guide that exists for everyone in the city.

Noise control

I do not support stvr

Require registration and collect a tax similar to city hotel/motel tax

Safety

Normal building codes that apply to all homes already.

Property maintenance i.e. Exterior
If you have any comments or suggestions about short-term vacation rentals please share them below.

06/28/2016 54681699
If you have any comments or suggestions about short-term vacation rentals please share them below.

06/26/2016 54695174

06/24/2016 54489420

06/23/2016 54424674

06/22/2016 54368097

06/22/2016 54363898
One of the reasons I consider these as a good option if someone were to do an Air BNB or whatever platform they use is, unlike with pure rental property, if a bad "neighbor" were to move in, with Air BNB I will only have to deal with them for a night or weekend as opposed to a full year.

06/22/2016 54355984
The two that I know of in this neighborhood are great - beautifully maintained, more so than rental property, with host/owners nearby. If all were handled so well, there would be no issues and if long-term rental properties were handled so well, the neighborhood would be a far better place.

06/21/2016 54330722
Residential neighborhoods should be for residents only. How does the property owner know if he/she is renting to a person with a criminal record or warrant? They don't so they should not put my family at risk for their profit.

06/21/2016 54320776
Please don't allow

06/21/2016 54319383
As a traveler that has a family and a budget, I love utilizing services like airbnb to find a comfortable "home away from home" that suits my family and is much more affordable than a hotel. However, as a home owner, I am aware that when people are purchasing homes in established neighborhoods that are ONLY for short term rentals, it diminishes the quality of the neighborhood. For instance, in the small cul-de-sac I live on, right in the heart of Walnut Street Historic District, there is a home that was purchased and is only being used as an AirBnB rental. I know this not only from the multiple people and cars that are in and out but also from finding the listing on AirBnB and seeing that it is advertised as being an upscale, exclusively short term rental. This is frustrating that someone is essentially operating a full time business on our private residential street and I feel that it takes some of the quality away from our neighborhood. I wish that this was regulated so that if a person chose to purchase a residential home for a business venture, they would have to go through steps to make sure they are not infringing on the neighbors/neighborhood. I feel like there is a difference between someone purchasing a residential home to use as a mostly full time business rental and a home owner deciding to rent out a room, "in law units" or their home if they are frequently out of town. When a homeowner still lives in the residence for at least 25-50% of the time, I feel like they stay invested in the well being of their neighbors and neighborhood. I see no need for the homeowner that is occasionally using their residence as a short term vacation rental to be regulated. I see a SIGNIFICANT need for the person purchasing properties to use either exclusively or nearly exclusively as short term vacation rentals to be regulated.

06/21/2016 54314588
They should be taxed like hotels / motels

06/21/2016 54310220

06/21/2016 54306142

06/21/2016 54306347

06/21/2016 54305132

06/21/2016 54303883

06/21/2016 54302720

06/21/2016 54302501

06/21/2016 54300548

06/21/2016 54299825

06/21/2016 54299293

06/21/2016 54298864

06/21/2016 54295137
I am a home owner in Rountree and I've lived next to a vacation rental for over two years. The place always looks amazing and, to be honest, looks way better than my house. It definitely keeps the Rountree vibe while offering out of town visitors a great place to stay. Every once in awhile I start a conversation with some of the renters and learn a bit of their story. They are either to support their kids at an MSU event, here for some sort of sports tournament, gathered for a family reunion, or even here as newly weds on their honeymoon. In any form, I can not make one complaint about the vacation rental next to me. It makes the neighborhood look great and honestly is way better than having an unpleasant long-term renter next door.

06/21/2016 54291137
I am a home owner in Rountree and I've lived next to a vacation rental for over two years. The place always looks amazing and, to be honest, looks way better than my house. It definitely keeps the Rountree vibe while offering out of town visitors a great place to stay. Every once in awhile I start a conversation with some of the renters and learn a bit of their story. They are either to support their kids at an MSU event, here for some sort of sports tournament, gathered for a family reunion, or even here as newly weds on their honeymoon. In any form, I can not make one complaint about the vacation rental next to me. It makes the neighborhood look great and honestly is way better than having an unpleasant long-term renter next door.

06/21/2016 54294668
If there is a market for short-term rentals, it seems positive to allow them. I haven't heard a good argument against them as it relates to our city.

06/21/2016 54292283
These properties enhance neighborhoods and help bring revenue to the city. I have operated one for nearly 2 years and have never had a problem with a guest or caused any problems with neighbors. In fact my neighbors have asked me to accommodate visiting family and friends.

There should be no restrictions on this use of property. If you want to mandate these owners cover applicable ordinances with guests, that would be fine however, these tenants do not pose any additional burden on the city than a traditional renter. In fact they cause less, they don't typically use our school systems or utilize other public services. Furthermore they bring in out of town money to our local economy!!

I've heard several residence say they would rather have a short term renter than a marginal or bad traditional renter. I can see this logic. Compare the maintenance of these properties to traditional rentals, these short term rental are maintained better than most owner occupied homes, ... look and see for yourself!!

06/21/2016 54291207
Please compare these short term rental properties to the average traditional rental properties. You will see that these short term rental are maintained better than most traditional rental and they do not burden the city any more than a long term tenant.

How about just requiring short term rental owners to go over the critical city rules that are intended to protect the neighbors like noise ordinances and parking ordinances. I've never had these problems with tenants and I do cover these issues anyway but if this would make the handful of people complaining happy, that would be fine with me.

Several attendees at the meeting June 14, 2016 states they lived by short term rentals and preferred them over traditional renters because often they have be stuck with marginal or bad renters for a long time. I could certainly understand that logic.

My neighbors know what I do with properties and I have never had any problem with tenants nor have I had any complaints from neighbors. As a matter of fact my neighbors have called on me to accommodate their visiting family and friends.

Short term rentals are not going away and in fact the industry is growing rapidly. Travelers demand more than a bed and bathroom. These types of rentals help promote Springfield and keep revenue in the city limits. If the Council did ban them, owners would just offer them outside the city limits. That would hurt the city kissing out on that revenue.

Also, the complainers need to acknowledge that short term renting adds value to their properties because this offers addition utility to every house. Furthermore, as mentioned, the upkeep of these short term rental house is better than surrounding houses.
Short-term vacation rentals would be fine if there is the ability to oversee them and enforce any regulations.

I think it is best to regulate very lightly. There will always be those who demand tight control of what their neighbors do, please ignore them.

I don’t think enforcing distance separation, owner occupancy, or off street parking is an issue. Having a facility that is in the basic form of life / safety / shelter / utilities is a minimum threshold. Renting out your garden shack with no electricity or running water (while some people may rent a place like that) seems like a potential line in the sand for basic safety and human habitation. Registration as a vacation rental seems reasonable with fee of say $50 for an annual inspection by a building inspector for basic measures of life / safety / utilities. Sub letting of rental versus owner occupied seems like an agreement that should be left to the discretion of the landlord and tenant. However if the property is a rental, a request for vacation rental by the tenant should also require the OWNER approval / signature on the annual inspection, acknowledging that their tenant is sub letting and that the owner is responsible for maintaining the facility.

Vacation rentals are a good thing. I rent a VRBO house everywhere I go. It’s so much better than a hotel.

Please allow short-term rentals. They are a great benefit and feature for the community.

They might actually look better than slumlord places.

Short-term rentals must not be used as party houses.

There are several in the neighborhood, including two on my street. So far they all seem to be good neighbors - the houses are kept up, the visitors are not disruptive or loud. As long as people are not loud or disruptive, the house is maintained, and the parking doesn’t get out of control, I think short-term rentals should be allowed. I would rather see a house be a short-term rental and be maintained than have someone buy it and rent to drunk college boys who trash the place and throw loud parties all the time.

There will always be those who demand tight control of what their neighbors do, please ignore them.

Springfield lose the opportunity that these kind of “sharing economy” companies provide. Residents benefit from some extra income, and guests benefit from a more authentic travel experience.

I would like to see STVR allowed.

These are an attractive alternative for many people, particularly families, guests who want to stay near families in the neighborhood and business people working longer-term assignments. Since we have so few hotel choices, particularly downtown, VRBO is a great alternative.
Personally I would prefer a home in my neighborhood be a vacation rental then a permanent rental property. As a life long resident in one of Springfield's most beautiful neighborhoods, I have lived in close proximity to both types of rentals and have had far less, zero to be exact, issues with any vacation rental, other rental properties however, I cannot say the same for. The few vacation rentals I know of in our neighborhood are beautifully kept, pristine, quiet homes. Other rental properties are often much more unkempt, yard and grass overgrowth seems to be a given, and have caused noise complaints on numerous occasions. If it truly is the character of the neighborhood you are striving to preserve then it seems to me you are going after the wrong kind of housing. Not saying we should ban all rentals, of course not, but just can't fathom what truly serious issues these VRBOs are causing our city. Are they not a great draw for tourists? I know multiple families, including my own and many close relatives that always choose a vacation rental, in Springfield and other destinations, over hotels for all sorts of reasons. Also, if you're truly interested in neighborhood preservation, and dealing with complaints, then let's talk about the state of the unkempt dilapidated insane looking homes that the city tends to turn a blind eye to all over our city, and the state of our "historic district" and other neighborhoods that should be deemed as such, yet homes get torn down right and left for hideous apartment complexes, student housing and other multi resident structures, and homes the should be condemned go on falling apart, devaluing neighbors property with zero consequences. Something tells me this whole thing is more about hotel tax, big money, and politics then it is about neighborhood preservation, addressing residents complaints and keeping good and beautiful quiet neighborhoods the way the are.

I lived across the street from a STVR in Rountree for a couple of years. While the owner did a fantastic job of upkeep, having "new neighbors" every few days was terrible. Sometimes they were good neighbors, sometimes they were bad. Either way, being directly across the street, we always felt "on display". Even the best-kept well-tended STVRs can take away from the charm and close-knit feeling we share with our neighbors. There are major reasons we live here and not in an apartment building or motel. Stability of community being near the top. KNOWING AND TRUSTING those who live nearby. STVRs make it impossible to achieve this.

This has become a valuable resource for business and personal travel and would not want it regulated by the City. There are other "bad neighbor" policies in place to deter "trouble" properties. There are worse rental properties out there with significantly higher levels of detriment to neighborhoods.

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I use them when I travel and think they're great. The owners of these houses generally keep them pristine - it's why anyone would choose to stay there. I think a transparency and ability to contact the owner should there ever be an issue is important. I live near several homes used for this purpose and have had zero issues with travelers.

I don't have a problem with them. If anything, short term rentals are competing with each other to have the better properties in order to be successful - which means they will be maintained and often actually help the neighborhoods in which they reside, unlike a common rental property in which maintenance sometimes becomes an issue and the dwellings go on falling apart.

I live next door to an Airnib home. We have people blocking the sidewalk. I have picked up cigarette butts out of my yard because the owner doesn't allow smoking so the butts (and beer cans) end up over the fence. The owner may love the system, the neighbors do not. He has not left any phone numbers for anyone to contact him if there is an issue. My vote is no way.

Cars parked out on the street is a major concern. We already have a lot of cars on the streets. A safety hazard for kids walking and on bikes and unsightly. But - I have stayed in VRBOs and owners generally keep them well maintained to attract renters. I live in Rountree.

I stayed exclusively at AirBnBs on my recent vacation and they provide an excellent option for those who do not wish to stay at a hotel or motel when they travel. I would like my friends and family traveling to Springfield to have the same options available to them when they come for a visit.

I oppose them completely. Jerome D. Robeen 1455 S. Clay
If the State of Missouri does NOT mandate that the City of Springfield allow short-term vacation rentals, do we want to allow them?

Yes: 58.82%
No: 41.18%

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If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.
If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.

- Text Data for Other

08/31/2016 57945106
Enforce required registration of STVR property owners.

08/31/2016 57944785
registered with the City

08/26/2016 57718314
Monetary compensation to adjacent property owners for decreased property value.

08/23/2016 57559644
Noise/disturbance regulations strictly enforced.

08/11/2016 56927560
I think it would be a good idea to require vending through a recognized source such as VRBO or AirB&B. Listing independently through Craigslist or similar sites would skirt the review process which is critical in insuring clean, well-maintained properties run by reputable owners.

If you have any comments or suggestions about short-term vacation rentals please share them below.

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08/31/2016 57945106
Please act soon with regulation to protect neighborhoods/neighbors, to protect STVR investors themselves, and to decrease numbers of STVR lobbying that might impede common sense City/State rulings.

08/31/2016 57944785
There must be regulation in place now before residential neighborhoods are impacted with potential problems (noise, parking, etc.) and before people invest in purchasing STVR properties to rent out. Protects neighborhoods/neighbors, protects STVR investors, and decreases lobbying potential of STVR property owners with the state/City.

08/31/2016 57938771

08/26/2016 5718314
Why is the City of Springfield allowing businesses to move into in single-family neighborhoods?

08/26/2016 57699661
My chief concern as a homeowner is that when I purchased my house, I purchased it in a single family zone, not a transient zone near a hotel. It's great to think about the revenue generated, and to look at as "stuck in time" by now allowing STVR, but a line has to be drawn between what constitutes a single-family residential zone. I don't believe running a hostel next door is fair to those that have bought in a residential district and comply with current zoning laws. There is already an issue in Springfield with those living in rental homes subletting out extra rooms on Hotpads, and other sites. At what point do we draw a line in the sand and stop sacrificing everything at the altar of "more revenue", and realize that shredding the fabric of communities by allowing eased hostel regulations could potentially cost more in the long run? And what are the potential side-effects of changing the current occupancy laws now? Do I have to now worry about my neighbors throwing up buildings next door, calling it a detached living facility, and turning it into a defacto rental?

08/19/2016 57405156

08/19/2016 57357961

08/18/2016 57288054
Should City of Springfield allow short-term vacation rentals?

- **YES**: 74%
- **NO**: 26%

Total number of respondents: 148
Should the City of Springfield allow short-term vacation rentals?

- **YES**: 59%
- **NO**: 41%

Total number of respondents: 17
Mayor and City Council Members,

It is our understanding that the Planning & Development Department is working on regulations regarding “Air B&Bs” (Bed & Breakfast) for your consideration. The Phelps Neighborhood Association has serious concerns on this matter. We met and discussed the topic, and our official position is that we oppose this use being legalized in our neighborhood. If the City Code is changed to allow them, at minimum we would ask that it be limited to owner occupied properties and spaced appropriately.

June 14, 2016 Planning and Development and Building Development Services held a meeting for the residents of Phelps Grove and Roundtree neighborhoods to educate and discuss short term vacation rentals, (BnB) and accessory apartments. We attended, hoping to get a better understanding of the City’s proposed approach to these issues. We also wanted to hear the concerns and ideas of people from the Roundtree neighborhood. The presentation was disjointed and unclear as to what the potential City regulations might be regarding B&Bs. Several people in attendance asked questions that could only be answered by the City’s legal department, which was not present.

Our Urban Conservation District is something the Phelps Grove Association fought long and hard to achieve. The Phelps Grove Neighborhood Plan approved by City Council (relevant pages of the document attached) states that that we should “limit the home occupation of renting sleeping rooms and serving meals to owner occupied residences”.

During a recent meeting of the Phelps Grove Neighborhood Association our position regarding BnB’s was discussed and voted upon. Our resolution is that we are opposed to the encroachment of BnB’s into our neighborhood. There are several reasons for this:

1. It diminishes the character of our neighborhood from a residential area to a business district. Short term rentals are a business similar to hotels, not normal residential rental properties.
2. The northern section of our neighborhood is densely populated with student rental which could be ideal for short term renting for events such as bachelor parties or off site frat parties.
3. B&Bs should be inspected like hotels/motels by the Health Department. This responsibility would fall to BDS, which is already understaffed.
4. Off street parking is limited and is regulated by our Residential parking districts. Securing parking passes for short term rentals would be very problematic.
5. As the BnB is not allowed by The City, it is disturbing that no current action is being taken to address those who are clearly in violation. A simple Google search of BnB will turn up many in Springfield, along with the address and contact information. If the ordinance is changed to allow B&Bs, we question how the City intends to track and regulate them.

Please respect our Urban Conservation District and help us protect and preserve our residential neighborhood by not legalizing B&Bs in our neighborhood.

Respectfully,

Renee Tyson, Phelps Neighborhood Association Secretary
October 3, 2016

Dear City Council,

It has come to our attention that the City Council will soon be looking at the topic of Short-Term Vacation Rentals (STVR) and appropriate oversight (i.e., ordinances, codes, regulations). We applaud this effort and we would like to share with you our experiences with a STVR and our resulting views.

For the past several years we have lived in close proximity to a STVR. It is located at 2106 South Mayfair Ave. The “J.C.’s Villa,” is advertised on two websites (Home Away Rental, Listing # 339903 and VRBO, Listing #324190). The listings indicate the STVR sleeps up to 16 people with a minimum stay of 2-4 nights.

This STVR is located in a residential area (zoned Residential Single Family). To drive by the STVR, it appears to be a home. However, as a STVR it functions as a lodging and event venue business.

- The owner does not reside onsite.
- The garage has been converted to a game room (to generate additional revenue).
- The parking area is limited to a driveway. As a result, the street functions as a parking lot.
- The patrons who rent the STVR frequently host events (i.e., bridal shower, baby shower, birthdays, family reunions, pre- and post-game team meals). This brings additional traffic to the neighborhood.
- The STVR generates noise at all hours with patrons and their guests arriving and departing.

When we have inquired as to the legality of a STVR in a residential neighborhood, we have encountered a range of responses from the STVR owner and the City. Most recently, we have spoken to Chris Straw, Carson Cash, Daniel Neal, and the Public Information Office.

At this time, we are bringing our concerns to the City Council. We do not believe STVR should be allowed to exist within residential neighborhoods unless they are owner-occupied and have adequate off-street parking. We would welcome the opportunity to discuss this situation with you.

Thank you for your time and consideration.

Name          Address                   Phone
William & Jacqueline Hawks  2107 S. Mayfair Ave, Springfield, WI 57316-1065
Judy Richardson  2056 S. Mayfair Ave  496-2335
Joe & Kay Simmons  2056 S. Mayfair Ave  839-2139
Springfield Hotel Lodging Association (SHLA), is a local association advocating for hotels and lodging facilities in the Springfield area. SHLA and its members welcome competition from the short-term rental sector as long as it is on a level playing field. Competition in the lodging industry thrives when everyone plays by the same set of rules designed to ensure the safety of our guests and our communities. The local hotel community shares the concerns of local residents about the growing number of commercial operators who are using sites like Airbnb and VRBO to run multi-unit, full-time lodging businesses without any oversight.

Unregulated hotels operated in residential properties are disruptive to communities and pose serious safety concerns for guests, for communities, and for neighborhoods.

- **Guests:** particularly those with special needs have no way of verifying whether these properties are compliant with basic health and safety standards, like smoke and carbon monoxide detectors, fire escapes and wheelchair ramps.
- **Neighbors:** Because most short-term rental properties are not required to register with local authorities, residents who live near illegal hotels have no way of knowing who is listing the property, much less renting it, and face chronic problems like excessive noise, unruly behavior, unhealthy living conditions, a revolving door of strangers next door, and possible decrease in home values.
- **Communities:** By flouting zoning laws, these unregulated businesses are disrupting communities and changing the long-standing residential feel of neighborhoods. And by reducing the supply of homes and driving up rents in already tight and expensive real estate markets, these same commercial operators are undermining the social fabric that makes neighborhoods stronger and safer.
- **Safety and Crime:** Unlike hotels and Bed and Breakfasts, where the guest checks in with a person and can verify by I.D., many short-term rentals are being transacted on line with no oversight. Can you imagine a short-term rental next to a school and they allow a sex offender to rent on a nightly basis?

Short-Term rental companies are advocating for state wide ordinances that would preempt the ability of local communities to set and enforce rules about short term rentals. SHLA believes that the counties and cities inside our state should have the power to control when and where a business opens. No other company in America gets to decide what rules and regulations they get to follow or what taxes they must pay. Short-term rental companies could crack down on illegal operators by providing full transparency to state and local authorities about which hosts are operating units and preventing properties that are not licensed to be allowed to be listed on sites.
State and local governments should act to ensure that:

- Hosts who meet a certain threshold register their rental property and obtain a business license and other applicable rental permits.
- Revenue is transparent and all taxes and fees are paid, just like every other company is required to do.
- Zoning laws are followed.
- Basic health, safety and cleanliness standards are met.
- Appropriate levels of insurance are in place to protect homeowners, guests, lending institutions and communities.

Sincerely,

[Signature]

JP Roberts
President | SHLA
General Manager | Hotel Vandivort
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In many major urban areas and vacation destinations, investors are buying rental properties with no intention of living there, but solely for the purpose of renting them out to short term visitors, just like a hotel. The industry keeps referring to these companies as “short term rentals”, but how are they any different than a hotel? MHLA does not believe they are any different and should be treated by state and local authorities like a hotel.

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Sincerely,

Greg E. Walker
President MHLA
Dear City and County of Springfield

It has come to our attention there are a number of short-term/transient inns and lodging establishments in our jurisdiction that are not operating according to local and state laws and regulations. These establishments are part of the new “sharing economy” that end-users can participate in on sites like Airbnb and VRBO.

Enclosed is the Bed and Breakfast Inns of Missouri’s policy statement regarding short term/transient lodging. We expect fair and equal treatment of all lodging businesses. We are not interested in new regulations or laws, we just want you to fairly regulate and enforce the current regulations and laws within our jurisdiction. Thank you for your attention and please contact me or BBIM if we can be of any assistance.
Bed and Breakfast Inns of Missouri (BBIM) is the state association for bed & breakfast lodging and was founded in 1990. BBIM is the voice of the B&B industry in the state and provides marketing, education, networking, quality and safety inspections, and other support to its membership. Requirements for association membership include compliance with applicable federal, state, and local laws, ordinances, and regulations through an inspection process.

Over the past 25+ years, BBIM and our individual members have built strong partnerships with wineries, historic sites, museums, art studios, antique shops, restaurants, farm stores, caterers, and equipment rental companies. Together, we create a positive cooperative experience for our visitors. A great experience means a repeat guest for all of us, and increased economic impact in our communities and state.

Recognizing the economic importance of tourism to the state of Missouri, BBIM is proud to play a role in providing unique and high quality lodging options to support our vibrant communities. As an advocate for our members, we believe it is important to express our position about the emergence of alternative, short-term/transient lodging facilities. We clearly state that a “level playing field” for all short-term/transient lodging facilities is essential to the continued success of the tourism industry in our state.

Currently, licensed short-term/transient lodging facilities are being taxed at different levels than “shared economy” platform hosts like Airbnb and VRBO. It is discriminatory and illegal to selectively enforce taxation on only licensed lodging businesses in Missouri. All lodging facilities must comply with applicable state and local licensing and registration requirements, codes, regulations, and the following:

- federal income taxes
- state income taxes
- state sales taxes
- local sales taxes
- local lodging taxes or occupancy taxes.
A lodging facility that employs full- or part-time employees should also be required to collect and submit the following:

- federal income tax withholding
- social security withholding
- Medicare withholding
- federal unemployment taxes
- state income tax withholding
- state unemployment taxes
- applicable workers’ compensation insurance

BBIM also recognizes inequality in the enforcement of lodging and food safety regulations. When operating any lodging property, guest safety is a primary concern. All lodging facilities should adhere to current standards, codes, and regulations regarding fire safety, alcohol use and control, guest security, liability insurance coverage, applicable building/structure codes, food safety, and applicable zoning regulations and ordinances.

BBIM expects fair and equal treatment of all lodging businesses operating in the state of Missouri. BBIM is not interested in new regulations heaped on top of regulations already on the books. We encourage and support lawmakers and officials to enforce the current set of laws in an equal and fair manner.
From: Geoffrey Butler  
To: Neal, Daniel; Hosmer, Bob; Smith, Mary Lilly; Straw, Chris; Hill, Harlan  
Subject: RE: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC  
Date: Monday, December 18, 2017 10:58:18 AM  

This is going to be a boondoggle. What are the fees besides the nominal business license? Inspection of the properties required by BDS? Monitoring/registration tracking? First come first served? Or should you have an application window where everyone can apply and if there are two or more in an area then draw straws to see who gets the license? Put licenses up for renewal every three years so others might have an opportunity to do it? Guaranteed that any Conditional Use would not ever be granted due to neighborhood opposition. Nice try but this is sort of like Tax reform, never please everyone.

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From: Danny Perches [mailto:danny@springfieldchamber.com]  
Sent: Monday, December 18, 2017 10:33 AM  
Subject: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC

DIIG Committee Members,

Please see the information below:
Dan,

I sat down with the owner of a small AirBnB house just down Walnut Street from Mother’s to review the materials that you provided. The change to not require a conditional use permit for Type 1 properties was very helpful. That cost would have been significant for this owner-occupied start-up. The only recommendation that we identified was increasing the number of days from 95 to at least 120 or as many as 180 per year. She was under the 95 for 2017, but as the business grows it needs to be hosting guests at least 120 nights per year to be sustainable.

Everything else looked fine at this point. We appreciate your sending this information for our feedback. Please let me know if you or Danny have any questions.

Merry Christmas and Happy New Year!

RUSTY WORLEY
Executive Director
Downtown Springfield Association
417-831-6200
Facebook | Instagram | Twitter

From: Danny Perches [mailto:danny@springfieldchamber.com]
Sent: Monday, December 18, 2017 10:33 AM
Subject: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC

DIIG Committee Members,

Please see the information below:

Staff is proposing text amendments (attached) at the Planning and Zoning Commission meeting for public hearing on January 11, 2018, and City Council on January 29, 2018. The staff report for P&Z will be complete and available for review on January 4th.

Short-Term Stay Rentals (e.g. AirBnb, VRBO, Homeaway, etc.) are currently not permitted by the Zoning Ordinance. Staff is proposing amendments to permit them under certain conditions and requirements. Hosts who rent out their property in the city limits of Springfield via AirBnb, VRBO or other online marketplaces will need to