

# Short Term Rentals Citizen Feedback

December 13, 2018 – January 28, 2019

- Comment:** I live in an NC-zoned neighborhood. Several houses on my street and dozens within a one-mile radius of my house are operating primarily as short-term rentals (AirBNBs). We chose to live on this street because it's close to AU and to our neighborhood schools and because it's zoned for families. It bums me out to see so many houses in my neighborhood sit vacant for most of the year. The AirBNBs on my street are like holes in the neighborhood. Those homes don't have kids attending local schools, my kids can't trick-or-treat at that house, the front porch light is off most of the time, they're not voting in local elections, won't be counted in the census, and I never run into those neighbors like I do all the other ones that actually live in their houses fulltime. I don't mind if my neighbors rent their houses out for game day weekends, so I wouldn't mind if the short-term rentals, as they're defined now (the owner lives there most of the time and only rents out on certain weekends), are expanded to NC-zoned areas, but I think it's a good idea to keep a very narrow definition of what kinds of short-term rentals are allowed in neighborhoods like mine.
- Comment:** Hello. I have a second home in Auburn, several blocks from the university. I am there quite a bit as my daughter and her family live in Auburn. However, when I am not there I would like to rent it out for the football games and graduation. I am not a wealthy woman, and this would allow me to afford a second home. I love my home, it is special, I have it decorated just the way I like it, and I expect guests that stay in my home will love and respect my home the way I do. I would not want to rent to anyone else. I expect these people will be respectful of the neighborhood as well. I do not see it any different that if I were there: lights on, my car coming and going, grandkids coming by, maybe a family gathering or a football party, nothing different than what anyone else in the neighborhood would be doing. It does not make sense that I should not be allowed to have guests in my house. And my guests are the kind of guests that neighbors would want to have, because I would screen them well. On another point, I understand that the football game phenomenon is fairly new, and that folks may not be quite used to what that means, other than perhaps being annoyed by the increased number of people in their town, but it also seems to me that these same folks are enjoying the economy that game days bring and the increased popularity that Auburn is becoming, as it is keeping the businesses alive and making for a prosperous downtown. I am not sure that they can have it both ways: like the prosperity of their town but not an occasional rental in their neighborhood. What do you think? I also am wary of the influence that the hotel business is making on this issue. Do Auburn residents want lots of new hotels vs the occasional rental of some of their neighborhood properties? I urge you to reconsider an ordinance to restrict us responsible owners from renting our homes for short term rentals.
- Comment:** I believe that homeowners in Auburn should be allowed to exercise their right to use their own property in any way that does not infringe on the rights of others. Home stays provide a pleasant experience to visitors as well as tax revenue for the city. I'm sure that visitors will look for home stays in Opelika if not available in Auburn. Many people who conduct such business use the extra income to make improvements to their property, thereby increasing property values and aesthetics. NC zones make up most of the city's neighborhoods. With all of these regulations and requirements, it is unjust to disallow home stays in NC zones. This is unfair to those homeowners and assumes that they would not follow these regulations. The same requirements set forth in HOA's or city ordinances (such as noise and disturbance) should be followed by home stays. We should not take away the rights of homeowners based on fear of other homeowners. No limit to overnight guests is placed on a homeowner, so it should not be placed on a home stay business. Many homes can accommodate more than 6 overnight guests. This limit should be removed or at the very least adjusted to two adults per bedroom. Auburn has the chance to provide options for giving visitors a good experience, as well as giving homeowners a chance to run a successful small business. Fear should not stop it. Please allow home stay in NC zones and remove the 6 person limit. Respectfully submitted.
- Comment:** I attended Lynda Tremaine's ward 2 meeting on June 4, 2018. Mr. Forrest Cotten spoke about the proposed working document for short-term rentals in Auburn. I stopped by city hall on June 5, 2018 and received a copy of the working document from Mr. Cotten. I received a copy of the working document again at the first

meeting of the Task Force for short term rental group from Mr. Jim Bustin on December 11, 2018. The document was identical to the version I received on June 5th more than 6 months before. Several concerns appear with each reading. First – the proposal considers jointly, two very different types of “short term” rentals. In one case residents are renting their home for “game days, or other events”. The residence is occupied most of the time by permanent residents. This is actually a “home-stay”. The other type of “short term” rental involves a house that is not a permanent residence, but is a “house hotel”. These are not home stays, as this is not a home. A home is, by definition, a permanent residence. These are not anyone’s permanent residence. The major commonality between these two types of rentals is the mechanism by which they are rented. The current most popular way to discover rentals is the Internet in today’s market. Both of these types of rentals are frequently discovered and rented this way. Today VRBO and Airbnb are popular sites. These sites and others like them are just the want ads of today. These two uses are separate and distinct. These items should be considered separately. They should be treated as such. Second – and I think most important, is the statement that this use, “house hotel” is (by exclusion) not allowed in Neighborhood Conservation (NC) districts at all. Why then, is a “house hotel” operating across the street from my home in a NC district? This usage has been complained about many times dating back many years. It is not the only “house hotel” in this NC neighborhood. What is the point of the zoning ordinance? Ordinance is defined as “a piece of legislation enacted by a municipality, an authoritative order”. In Auburn an ordinance seems to be a suggestion. There is no enforcement. There are no apparent penalties for violations. So violations continue. What if speed limits and stop signs were only suggestions? What is important to a community is enforced. What is enforced is obeyed. As a tax payer and property owner in this community I want the “City” to do its job and enforce the ordinances as written, and enforce them to the degree that they are no longer violated. Prompt attention to these matters would be appreciated.

5. **Comment:** Because my street is only three blocks from the main gate of AU, there has been a proliferation of game-day houses on my street and surrounding areas. That includes the massive new house at [REDACTED] Payne that, frankly, I never understood how the city permitted it since it doesn’t fit with the historical nature of our narrow one-way street. I don’t know if this particular house has ever been a short-term rental, but there have been people living there during and after football season. And it attracts a noisy, vulgar group. I know there are other short-term rentals in the area - some that I have complained about due to loud music, parking and speeding on our street. If this particular ordinance is passed, I believe these problems will get worse in our area of the city and our street (which should have some sort of historical protection).
6. **Comment:** tersection of Pinedale and Payne). The owner of the property, [REDACTED], also owns (and see am very concerned about short-term rentals in or near NC areas. We live in one such area (Pinedale Drive) and have a VRBO/AirBnb-type rental only a half-block from our house (the inms to reside in) the property on Pinedale directly across the street from us. Many (if not most) of the homeowners on Pinedale fear what may become of this property. These kinds of short-term rentals are supposed to be regulated by city code, but enforcement seems to be lax. I am not certain that street directly behind us, Hare Ave, is also zoned NC, but recent developments on that street are concerning because they seemed designed for short-term rental purposes. Please help save these historic streets and neighborhoods!
7. **Comment:** I would like to be included in the discussion of the short term rentals regulations. Please let me know when the next meeting will be and what the time line is on the final presentation of regulations.
8. **Comment:** It seems to me that this revised ordinance is trying to address businesses in homes (such as repair shops) along with short-term rentals ("home stays") and this makes wording in the ordinance very confusing. These issues should be dealt with separately. Citizens have been more concerned recently with investors buying properties in established residential neighborhoods and converting them to hotel-like short-term rentals, changing the character of the neighborhood. Article B (1) remove "At the Planning Director's option" and change the sentence to read "A floor plan of the residence must be submitted, indicating the specific locations and extent of the business activity." Article B (6): "A maximum of 1 person not residing in the dwelling may engage in the operation of the home occupation. There must be off-street parking available for this individual." Is this referring to a manager of some sort, for the business? Article B (7)" No more than 3 customers or clients of a home occupation business shall be present on the premises at the same time; for homestays, no more than 6 adult

overnight guests are allowed per day. No customers, clients, or employees shall be allowed to visit the property, nor shall business deliveries be made to a property on which a home occupation business is conducted earlier than 8:00 am or later than 6 pm; these hours of operation shall not apply to a homestay." Totally confusing. Can people in a short-term rental order take-out food? Item B (11) " With the exception of homestays, off-street parking shall be provided on the premises as required by Section 513. Parking in connection with homestays may use available on-street parking only when off-street parking cannot be accommodated." So--if a house has off-street parking for 2 cars but 6 adults (each with a car) are in the Homestay, it is permissible for those 4 extra cars to park on the street along with that of the owner of the property, who is supposed to be onsite? Item B (14): "The on-site repair of vehicles shall be prohibited as a home occupation." Wording should clarify that vehicular repair businesses are prohibited, and that fines will be levied. Under present wording, changing a flat tire or a battery would be illegal. Item B 14 (a) Explicitly state that Homestays are not permitted in NC zones. Item B 14 (e) Do not delete this. It puts some teeth for safety into the ordinance. Item B 14 (g) Add a substantial compulsory fine if property owner does not comply with the regulations in the ordinance.

9. **Comment:** I have already submitted some comments but had an additional thought. Many short term rental sites like Airbnb and HomeAway automatically collect and submit rental taxes. This takes away any guess work and keeps the owners accountable to city regulations.
10. **Comment:** If the ordinance requires the residence to be owner-occupied, then I think it is only reasonable to allow homestay use in the Neighborhood Conservation zones of the city. This proposed use aligns with the qualities and characteristics of current uses within those zones, and as such, doesn't disrupt the intent or character of those areas. Thank you!
11. **Comment:** I'm in favor of short term rentals in all zones. We use vrbo in other communities and enjoyed our experiences especially when you want to combine families, ect. Please don't regulate this service that so many enjoy. Thank You
12. **Comment:** The information in B1 isn't clear - meaning, for someone who isn't familiar with ordinance language, I don't understand what is meant by the 25% of floorspace or up to 500 square feet. This needs to be put into language that is clear to everyone concerning whether this amount of floorspace is intended for guests or for residents while guests are there?? It is unclear. Thank you.
13. **Comment:** When the ordinance limits the homestay definition to houses with permanent residents, how are the game day houses going to be handled? The wording that states 6 adults per day is going to be an issue if one group leaves and another group comes in the same day. It should probably be worded using something like "over night". Since this could only be monitored by neighbor complaints, this over site could be critical.
14. **Comment:** No short term rentals in N/c neighborhoods Protect our homes!
15. **Comment:** No short term rentals in neighborhood conservation area. Protect our neighborhood. We want to know our neighbors and have a stable neighborhood.
16. **Comment:** I have no problem with short-term rentals outside NC zoning areas. The fact that the city has had no ordinance that prohibited VRBO/AirB&B does not mean these practices were legal in a neighborhood. Even five or ten or twenty years ago a VRBO or AirB&B was a violation of city Neighborhood Conservation zoning ordinances. VRBO and AirB&B are full-time business that are being operated in houses where no permanent resident lives. They advertise worldwide and use agencies to handle the scheduling and financial aspects of the business. Such businesses are prohibited by the zoning. The fact that someone has done this for years is more a testimony to our city failing to enforce its own zoning regulations than acceptance by the neighbors affected by this use. Also, when people purchase property in the NC zoning area, it is expected the city would do what was right for neighborhood conservation. Neighborhood Conservation is a city designation. To not enforce this is dereliction of duty by the city. We pay taxes for the protection of these very zoning ordinances. There are numerous nuisances related to shortterm rentals; large parties (many at night), deliveries of tables, chairs, decorations and other venue services by contractors such as Special Arrangements. Excessive noise and music (some resulting in police visits), rude and vulgar behavior by occupants, traffic and limo services blocking the streets, street parking overload, frequent visits by cleaning and catering crews, front yard parking and excessive garbage created by those businesses, just to

name a few of the inconveniences to neighbors. Short-term rental allows unknown strangers (with no vetting) to reside in and come and go at will in the neighborhood. Thank you for allowing input

17. **Comment:** I would strongly encourage the recommendation that the Rural Zoning designation not be allowed for home stays (in other words, remove the Rural Zoning in Item 14a). Our neighborhood (Creekwood Trail) is zoned Rural but is essentially a regular neighborhood like Asheton Park which adjoins us. The lots are bigger but it and many other Rural designations are traditional family neighborhoods and home stays would be inappropriate
18. **Comment:** Is the 180 day occupancy requirement in homestay paragraph (f) intended to meet the definition of a Permanent Residence? If so (and I think that it should be), suggest changing the statement to refer to that definition so that the owner understands that this has to be documented by motor vehicle registration, driver's license, voter registration, or other such evidence (instead of just saying that they were there for some random 180 days).
19. **Comment:** Thank you for your work on the Short Term Rental Task Force and for the solicitation of input. I'd like to see the areas zoned NC (etc) included in these allowances. I value the restrictions in place on permanent residency, specifically the familial relationship requirements, but I fail to see the harm to the atmosphere of the neighborhood in renting a home out for a maximum of thirty calendar days annually in a NC zoned area.
20. **Comment:** You asked for feedback on the proposed short-term rentals ordinance, so here's mine. I am puzzled about this part: Homestays may only be established as a home occupation business in the following zoning districts: Urban Core(UC), Urban Neighborhoods-West, East, and South (UN-W, UN-E, UN-S), Redevelopment District (RDD), Comprehensive Development District (CDD), Rural (R), Comprehensive Development District (CDD), and Corridor Redevelopment District-Urban and Suburban (CRD-U, CRD-S). From what I can tell from the zoning map, I am in an NC zone, where short-term rentals aren't allowed (I am on Woody Drive in Willow Creek). No signage, off-street parking, guest limitations and a license all make sense, but barring shortterm rentals in NC neighborhoods (at least mine) makes no sense at all. The homes are widely spaced on large lots with ample off-street parking. I live in a large house with a lot of extra room, so my daughter urged me to try renting rooms through Airbnb. I did so starting in August, and through football season had a steady flow of people. And here's the thing - except for the neighbors I told about it, nobody knew! My guests were quiet and parked off the street. They occasionally used Uber, which theoretically increased traffic, but we're talking one extra car a week on my street. That's almost laughable! I'm not getting rich off Airbnb and could easily afford to stop. However, not allowing short-term rentals in NC neighborhoods makes no sense. The only reason I can think of is that there are homeowners who are afraid traffic would increase or something. I assure you that is not the case. And I specify "no parties," so I've got nothing but nice people coming to spend the night in a place they find very pleasant. Not one has ever made me nervous or caused a problem. Most are on business trips or just passing through and need to stay overnight. I have spent a little time with most of them, and they are like guests in my home. To be quite honest with you, you're going to make a lot of alumni and other visitors pretty unhappy by barring them from Auburn's nice, quiet neighborhoods. They want to feel safe and comfortable, too, and not necessarily surrounded by students. In fact, a quick glance at the map looks like they are excluded from almost anywhere desirable! I will study it more later; I certainly hope that is not the case. I would be glad to talk with the task force or the City Council about my experience. Please try to explain your rationale to me. As I said, I don't care about the money - but I can guarantee you you're going to make a lot of alumni and visitors unhappy.
21. **Comment:** Imagine.... You're planning a trip and you find two locations that offer everything you want and they are the same price, so how do you choose? As you examine the two booking options you realize one charges a 13% lodging tax and the other doesn't. Aha! A 13% discount! Sweet! The difference you needed to make your choice. Suddenly the owner that is law abiding just lost out. Good guys only win in movies..... Whether the legal location was a hotel, BnB or homestay; the other was a most likely an unregulated home-stay. As a legal game-day rental owner in Auburn and the above scenario has happened to me more than once since 2016. It is the reason I filed a complaint with the planning department in August of 2017 with a list of over 80 active listings in Auburn in NC zones who were not paying city lodging taxes. I simply want the playing field to be level. Let them operate, but make them pay all 13% lodging taxes, have a business license, have a zoning certificate and have short-term rental insurance (its different than regular home owners insurance). With so many citizens operating

home-stays in our city, (288 on Airbnb, 113 on RentlikeaChampion, and 139 on Vrbo – over 500 as of 12/16/2018) it is frustrating to know that many have never followed the tax, license, and zoning regulations we already have. I am pleased that efforts are being made to level the playing field. However, several requirements of the proposed ordinance (owner-occupied, a limit of 6 guests and 30 nights annually) will make it impossible for me to continue operating as I have. Again, I am being punished for following the rules. PLEASE write a concurrent ordinance that addresses the use of a properly zoned investment property as a home-stay year round. If a concurrent ordinance is not a possibility I ask you to consider the following changes: 1) Include ownermanaged properties and remove the requirement to use the dwelling as owners' primary residence. I have followed all laws and it is deplorable that this proposed ordinance will punish me. 2) Allow up to 90 or 120 days of rental annually (well below the 180-day limit to lose homestead for owner-occupied rentals and the 6-month long term rental designation). My house rents approximately 75 days per year and I make as much or more in those 75 days than I would if leased for the entire year (with less wear and tear). 3) Limit of 8 - 10 guests. This is not an unreasonable number for larger houses. I have beds for 8 in my 3 bedroom house plus a crib. 4) Guest vehicles limited to the number of spaces available off-street (# must be on license or zoning certificate). Guests of guests could park on the street if available. I am very clear about parking in my listings and rental agreements for guests. This is something owners can make a great effort at managing if required too. 5) Current license, insurance, and zoning certificate must be posted in the home and/or in photos on listing site. 6) An emergency card must be posted in the home (on back of the front door) with emergency numbers, home address, owner/management contact, fire exits, and fire extinguisher locations. A copy of the card could be required to receive zoning permit or license. 7) in 14.g) create a zoning violation report form for citizens that is only required to be reported to the city one (1) time before the permit can be revoked. This would be different than a substantiated complaint about noise, parking, upkeep, large parties etc. which could require 3 violations. 8) If not owner-occupied, add owner-managed or locally managed (and the local manager must be licensed with the city). I respect the intent behind the owner-occupied aspect as proposed, but believe it can be achieved less restrictively. I believe my home is a successful example of this. Existing compliant short-term rentals should be allowed to continue or "grandfathered-in" in some way. We have to find middle ground on this issue! My rental is owner-managed. I am in the home multiple times a week. I live 8 blocks away. I enjoy greeting guests and take pride in my home. My listing ranking (and thus my booking likelihood) is dependent on great reviews from guests. This is a business investment and I treat it like one. Others have mentioned how the zoning requirement, the owner-occupied requirement, and the 30-day limit will effectively eliminate home-stays in Auburn. They don't point out that over half of the current local listings advertise that they can house 7 or more adults. Another major issue that has yet to be brought up is that many of the homes listed are already booked for dates in 2019. By March most of the fall football home games will be booked. I have so many questions! Will bookings in NC zoned homes- that violate the ordinance when passed ( in April or May)-have to be canceled and refunded? Will this be enforced? How? What are the penalties? Will the city be able to enforce the guest limit of 6? As a host, I have had more guests than I expected arrive on a few occasions. Will the city be more aware of that than the host? How can they know if a host exceeds the 30-day limit? The websites have a long history of protecting the identity and location of their hosts and will not release this to the city. The city has stated multiple times they do not know the addresses or the rental dates or lengths that Airbnb is remitting lodging tax for. The city blindly accepts a monthly payment from Airbnb that they acknowledge is an increase in the taxes that were remitted directly by the owners prior to the agreement. If they do not know who the hosts are, how will they enforce the zoning and licensing? Planning has told me it is not cost effective for a city employee to research these violations. Should violations be reported to the finance department as well? Aren't there existing penalties for operating without a business license and failure to remit taxes? My assessment is that enforcement will have to be citizen complaint-driven like the unrelated occupancy ordinance. Please know that if it is, I will submit another list of violations with as many of the offending on-line listings as I can identify. I'm weary of being the individual punished for the unfair tax advantages that others have been allowed for years. Enforcement should be the mantra in ordinance writing. If it cannot be enforced, an ordinance is not worth the paper its written on. Please ensure that each requirement you decide to include is enforceable and has penalties that will deter violations. Home-stays are an expected option for today's travelers and Auburn needs to embrace this choice not

almost eliminate it. There is a demand for Vrbo and Airbnb vs hotels just like Uber and Lyft vs taxi cabs. Please do not let this ordinance be a step backward. If anyone would like to discuss further --I am happy too. Feel free to call, text, email, or join me for a meal at my home-stay rental.

22. **Comment:** To whom it may concern, I am an Auburn graduate, an Auburn business owner, and the owner of condo for business purposes in Auburn. Our business condo is used when myself or other management personnel are in the Auburn area and need a place to stay. While we were partly able to justify our purchase of the condo through this use, short term rentals were also essential to our ability to purchase the condo a fill voids in our company's usage. These overly restrictive regulations would undoubtedly require us to sell our condo. This is the obvious impact on myself, however, I am concerned that the city doesn't fully understand the impacts these regulations could have on its community. Below are several areas of concern: - There is a growing desire for tourists and visitors to have access to a home as opposed to a hotel. Logically thinking, if given the option, visitors would prefer to have access to short term rentals offering a variety of amenities that hotels lack (living areas, patio, yard, kitchen, etc.) - Short term rentals are a "glimpse" of what living in the beautiful Auburn area looks like. These rentals should be viewed as vehicles for recruiting / attracting new residents. - It is my estimate these regulations would result in the sale of approximately 75 homes or condos. - A focus should be made on the potential lost revenues on accommodations tax as opposed to more stringent use regulations. My estimate is that \$125,000 + of accommodations tax to the city of Auburn are not being collected. I am happy to elaborate or suggest appropriate rules and regulations to make sure that Auburn's short term lodging atmosphere is safe, inviting, and mutually beneficial for permanent residents and short term tenants / landlords. Best,
23. **Comment:** I'd like to see something more about parking regulation - specifically parking on only one side of the street and not too close to an intersection. Additionally, I think noise is often an issue with short-term rentals (especially during football season), so I think something more specific about noise levels/times should be included.
24. **Comment:** I own 2 properties in Auburn having just closed on a new home in late October. My other property is a student rental in the Shady Glenn area. These regulations would have a negative impact on my property values as it considerably limits my options as a property owner. As written to rent either one of my houses out for anything less than a year to year basis would require that I also live in the house. Short term rentals need to be allowed in all zones and it should not matter whether it is a primary residence or not. Neighborhood conservation zones are a key area for this to be allowed. Not everyone who visits wants to be right downtown or in a hotel by the interstate. Part of the charm of Auburn is the neighborhoods so why would we not allow visitors to experience that. There should be no limit on the number of guests. This is typically driven by bedroom count anyway. Does the city limit how many friends you can have for a gameday weekend? I recently had 6 friends in town for an employee reunion weekend. My current house is 2 bedrooms and a bonus room but there was plenty of room for everyone. The ordinance states no advertisement of the address etc. Does this mean websites like VRBO and AIRBNB cannot be utilized which show a property's location? The ordinance states: "Residence, Permanent: Residential occupancy of a dwelling unit by the same individual(s) for a period of more than 180 consecutive days and the usual place of return for housing as documented by motor vehicle registration, driver's license, voter registration, or other such evidence." Consecutive is defined as without any interruption which would also effectively eliminate even a primary residence unless one never travels out of town. I manage a bar downtown and MANY of our customers as well as customers of the other businesses in Auburn stay in these short term rentals through VRBO and Airbnb. I did a quick count of the number of beds available on VRBO alone and the number is right around 900. If 900 people come to town and spend a nominal \$200 a person per weekend, that is \$180,000 per weekend to the local economy. Most businesses piece of that number is a big deal and should not be overlooked. I got here in 2000 for school and I have made Auburn my home ever since. In those days a place to stay (especially on a game weekend) was very hard to come by. While more hotels have been built in the area, many of them are in Tiger Town and only 1 small hotel has been built downtown (The Collegiate) in that time. As far as I know there is no licensing process for short term rentals currently. I believe we should implement a yearly license process to track but not limit short term rentals. I welcome more discussion on the matter and fully intend to come to city council when this issues comes up.

25. **Comment:** Increasingly, travelers are looking for alternative accommodations, and short-term rentals provide flexible housing options that allow them to spend longer periods of time in communities, in unique accommodations while contributing to the local economy. As such, Auburn should embrace this economic opportunity by working with industry stakeholders to establish a reasonable framework for regulating short-term rental activity so that all may benefit.
26. **Comment:** I am concerned with the proposed regulations that are linked above. Short term rentals need to be allowed in all zones and it should not matter whether the property is a primary residence or not. I am a non-married 27 year old male without a roommate that owns my home. I would not have been able to comfortably afford my mortgage and utilities without the option to rent my house out on home football weekends. This has allowed me to save and invest my rental income, which sets me up for a better future, which will in turn also result in me spending more money locally (more tax dollars) now and in the future. I have not had a single issue with any weekend tenant nor any issue with displeased neighbors. When I had a roommate in this same property, I had 4-5 cars full of people most home weekends with our friends staying at my home. When my property is rented, it is limited to one family and two cars. This policy has been followed by each tenant that has stayed at my home. Short term rentals also offer a more comfortable stay for guests with young children. In a hotel room, most parents are forced to go to bed at the same time as their young children, which deters more families from visiting during football season (again spending money locally, also increasing tax revenue for the city). I am and would be happy to pay a reasonable lodging tax if the city were set up to accept payment. That should be the main focus of the city versus restricting something that has seemingly no negative impact to the city or its residents.
27. **Comment:** What is the rationale for creation of homestay regulations? Short term rentals offer an alternative to visitors that is needed. Alumni and others who want to stay in a home to enjoy football games, special events, reunions, etc... are a great alternative to a hotel. And they prefer not to be in house without the owner. These folks bring tourism dollars to local businesses and leave with favorable memories of our town and will want to come back again and again. Alternatively, they will book their next reunion in another town that allows Airbnb lodging. Restricting it to certain zones is overkill. How many complaints has the city had? I agree there needs to be some licensing, but come on...this is not the solution. I suggest that a more common sense solution be considered, rather than this broad swipe eliminating an industry. My guess is that the city is succumbing to pressure from an interested party such as the hotel industry or small group of very vocal citizens who have a stake in the game. Thank you for soliciting input. Please keep me posted.
28. **Comment:** I am for the continuance of short term rentals as my family and i have recently stayed in two VRBO homes for separate wedding weekends and it was a wonderful option to have a yard for the kids to play in, rooms to spread out when everyone was tired, and a washer and dryer. Plus, it was more economical, as we are on a tight budget.... thank you.
29. **Comment:** We frequently allow guest to stay at our home - both while we are in the house and when we are traveling. When friends are having family around at the holidays and don't have enough room for all of their guests, and we plan to be out of town during their visit, we frequently allow relatives of our friends to stay while they are in Auburn. There has never been a problem with this and it has been a great thing for everybody. We have never charged but if someone wants to ask for some payment from someone using their house to stay while they want to be in Auburn - I just don't see the problem. Asking them to pay tax on that income would be fair - but preventing them from allowing people to use their home is an awful idea. If we are really to be the loveliest village on the plains - then we should be hospitable not selfish and preventing people from enjoying Auburn. The proposed rules are way, way out of line
30. **Comment:** I believe the proposal is far too restrictive. If an individual is interested in renting out his property for others to use on a short term basis, I don't see why we should prevent it. If there is inappropriate behavior by the renters it should be dealt with in the same way the owners would be treated if they were behaving inappropriately. People should have the right to do what they would like with the property they own as long as their behavior does not impinge on the rights of others. I don't see how people in a house behaving properly are going to impinge on the rights of others. Thanks,

31. **Comment:** At first glance these guidelines appear to be quite restrictive. "180 consecutive days" in the definition of permanent residence could open the door to disallow anyone who takes vacation during a 6 month period. B.3 3. "The home occupation shall be operated in the existing dwelling unit, which shall not be enlarged to accommodate the business activity." B.4. "No new accessory structure shall be built, nor shall any existing accessory be used, for the purpose of operating the home occupation." This would effectively eliminate any home which has been added to at any time since original construction? B.9 states that no advertisement of address is allowed. Would this mean that the residence could not be listed on sites like AIRBNB? If so, then you should just be transparent and call this a ban on short term rentals. My main concern is the limited area that this proposed regulation allows for short term rentals. This would exclude the area where I live and remove my ability to rent my home under any circumstance. While I do not currently engage in short term rentals, I do not believe this opportunity should be taken away. I would appreciate some clarity on these portions of the proposed regulations. I am not against trying to protect a neighborhood, but as these regulations read it would essentially outlaw short term rentals in a town that largely benefits from them. The addition of two luxury hotels downtown is not going to fill the void that sends people to LaGrange and Columbus on game weekends. Short term rentals bring money into the pockets of local taxpayers instead of our neighboring state. Please consider refining these regulations. Having some regulation is understandable. However, this far exceeds what I believe to be necessary to help protect the peace and integrity of our neighborhoods. Thank you.
32. **Comment:** The draft of this ordinance seems more complicated than it should be. I would recommend allowing short-term rentals in all zones whether it is a primary residence or not. I do not think there should be a limit on the numbers of days that it is allowed either. I don't think it is feasible to limit the number of guests. Lastly, I don't know how you could advertise your property if you could not use the address. I do not anticipate using my home as a short-term rental nor do I own any rental properties. However, I believe in free enterprise, and I don't think we should tell someone that they cannot profit from renting their own premises. This will mostly apply to football game weekends which is only 7-8 weekends per year. I think this issue is overblown.
33. **Comment:** This ordinance does not directly address the issue that is most disruptive to neighborhoods zoned for single family residence. This is the issue of unoccupied houses or houses that are not the primary residence of the owners engaging in a business by renting out as Air B&B or VBRO This ordinance should specify that in single family neighborhoods the only permitted residences to be used for short term rental are houses which are the primary residences of the owners as evidenced as being the house receiving the homestead exemption. Short term rentals should be prohibited by people owning homes in single family residences unless that home is their primary residence. All individuals applying to use their primary home for short term rental will include a copy of their tax bill verifying that short term rental being offered has been given a homestead tax exemption. If it is found that houses being used for short term rental are not the primary residence of the owner, that owner must be given a significant fine to discourage this infraction.
34. **Comment:** Short term rentals need to be allowed in all zones and it should not matter whether it is a primary residence or not. Neighborhood conservation zones are a key area for this to be allowed. There should be no limitation on the number of days per year it is allowed. There should be no limit on the number of guests. This is typically driven by bedroom count anyway. Does the city limit how many friends you can have for a gameday weekend? How does a homeowner comply with the building code and does this mean they will have to bring a property up to current code? The ordinance states no advertisement of the address etc. Does this mean websites like VRBO and AIRBNB cannot be utilized which show a property's location?
35. **Comment:** As a citizen of Auburn I appreciate the attention the council is putting towards this matter. Having said that I feel it is only fair for all voices to be heard for and against this regulation. As it stands and from reading the proposed recommendations- I feel that this is TOO MUCH and too strict. What is the end goal of the proposal? There must be some sort of middle ground but this proposal certainly is not it. If the city is going to carve out one group and give them these regulations then every citizen should have the same regulations. Specifically referring to number of unrelated persons occupying a home and cars in the driveway etc.
36. **Comment:** I'm writing to express my displeasure with the current proposal for limiting short term rentals. As it is written now, it would essentially completely eliminate all short term rentals. I don't know of any other

communities that don't allow them as I've stayed in vacation rentals all over the country. Short term rentals are a good thing for our city as they bring lots of visitors to the area which brings in revenue for our downtown area and retailers as well as tax revenue for the city. My suggestion would be to find a way to appropriately tax the short term rental income rather than eliminate the ability to generate income. I understand you've had complaints about noise and whatnot, but I don't think you should let a few bad apples ruin the bunch. The vast majority of rentals have no issues or complaints and they are an excellent way to supplement income. Please reconsider and adjust the proposal for all zones to allow short term rentals, do not limit the number of days a year they can be rented or the number of guests. I think short term rentals should be viewed as a great thing for the area to offer, not a negative thing. Again, please consider that no other communities have limitations like this, why should we?

37. **Comment:** Number of issues wrong with this versions of the ordinance. 1. This ordinance only appeals, and is one sided to the opposition toward short term rentals. 2. The overlapping restriction in this ordinance would not control short term rentals, it would effectively eliminate them. The ordinance offers very few residents the ability to short term rent. Short term rental ordinances should be optional in all zones. 3. It appears no marketing of the property would be allowed. With this version of the ordinance would VRBO or Airbnb even be an option? 4. Have negative effects on property values been considered a result of this particular version of the ordinance. Many investors consider cap rates when evaluating the value of a property. The inability to rent these properties short term would surely effect that. In addition many residents use the income from short term rentals as supplemental income. The passing of this ordinance would make it illegal for our fixed income residents to benefit from short term rental income. 5. Is 180 consecutive days feasible for any resident? No one occupies there home for 180 consecutive days. I am very grateful for our new city council members, but I think we need to go back to the drawing board on this one. I understand we have to have some type of regulation, but we need a less restrictive version that doesn't make citizens feel as if the CITY OF AUBURN is imposing its own version of an HOA on its citizens.
38. **Comment:** I believe that the ordinance is too limiting as written. We need to look at communities who have handled this well and follow them. We are in a sharing economy and companies like VRBO and AIRBNB are a large part of that. There seem to be a lot of questions regarding the legality of municipalities restricting them. There have been a few court rulings supporting the right to rent these out. A Texas Supreme Court recently sided with AIRBNB owners against the city of Austin. <https://www.texastribune.org/2018/05/25/airbnb-homeaway-texas-supreme-court-kenpaxton-austin-ordinance/> <https://www.mcall.com/news/local/bethlehem/mc-nws-homesharing-court-ruling-20181003-story.html> Short term rentals should be allowed in all zones and there should be no limit on the number of days per year it is allowed. There should be no limit on the number of overnight guests. As it is written does it mean that the houses will have to be brought up to current building code? The ordinance states no advertisement of the address etc. Does this mean websites like VRBO and AIRBNB cannot be utilized which show a property's location? The ordinance states: "Residence, Permanent: Residential occupancy of a dwelling unit by the same individual(s) for a period of more than 180 consecutive days and the usual place of return for housing as documented by motor vehicle registration, driver's license, voter registration, or other such evidence." Consecutive is defined as without any interruption which would also effectively eliminate even a primary residence unless one never travels out of town. If the city refuses to allow any other zones then there should a be a grandfather provision to allow those who have invested a significant amount of money into these properties and homes with no clear zoning restricting them from being rented out short term. If grandfathering were not allowed it could possibly be a case of Regulatory Taking or taking without compensation by unjustly limiting what a property owner can do with their property and affecting the value after one purchased it. One could argue that by not having an ordinance that expressly prohibits the practice of renting out a home as a short term rental that it could be implied that it was allowed. This ordinance needs to be looked at carefully with a lot of consideration. Many cities and towns have attempted to regulate this too harshly and have wound up in lengthy court cases, many of which have favored the homeowners.
39. **Comment:** I believe short term rentals should be governed by an HOA/COA and not the city. If the argument of "We don't have an HOA/COA" arises then they need to discuss forming one, or realize that buying into an area without one has its risks and rewards. Some do not want to be under the control of an HOA/COA so they knowingly

enter into a purchase with that in mind. We can't have it both ways. We can't disregard the fact that certain areas don't have HOA/COA and then they come crying to the city to step in when one factor of not having a HOA/COA affects them. Localized control of short term rentals through HOA/COA is the only fair control. Many many many HOA/COAs address short term rentals in their rules/reg. Some COAs next to campus disallow short term rentals (Champions club, tiger suites? and a couple others). The city should tax them like any other rental in Auburn. Short term rentals are nothing new. Students living above garages, or in basements is nothing new. The residents of Auburn have been doing this for decades. It's just now becoming an "issue". An over reaction is the worst possible reaction at this crucial juncture in Auburn's history.

40. **Comment:** I am not supportive of the proposed ordinance for the following reasons: The allowed zones (UC, UN, etc.) are primarily occupied by students and are not "owner occupied" which basically takes out any of the STR in areas that truly are "owner occupied." Also, the STR should not have to be in an "owner occupied" residence. Who will be monitoring the residence to make sure that the owner is in it the majority of the time? Who will monitor to make sure that the owner does not go over the 30 day allowance? Does this include any additional vacation days that the owner may not stay in the home? I do not believe that this ordinance is enforceable. My suggestion is to look at the current listings on Rent Like a Champion, VRBO, and AirBnB (I see over 300 listings and potentially up to 500 listings). These should all have to have a STR permit so that any neighbor complaints could be addressed by fines. If you look at most of these STRs on the websites, you will see homes that have been remodeled and are an asset to the neighborhood. I see many homes that are in our neighborhoods that are in disrepair and unsightly that are doing more harm to the neighborhood than an immaculately maintained STR. I have heard comments that people are concerned about parties, but if the STR was regulated with a permit, then the city would have some backbone to be able to enforce stiff penalties. Also, limiting the STR to the UC or UN areas (basically student apartments) is not what most people who are utilizing a STR want. We like to rent homes or condos in neighborhoods so that we have access to kitchens or yards. People rent homes in Auburn during all times of the year, not just 7 football weekends. People come for graduation, weddings, camps, AU orientation, reunions, etc. By regulating the STR, then you are leveling the economic playing field because the STR is paying the same permits and taxes that the hotels are paying. Allowing STRs in more diverse areas will increase tourism and tourism dollars, as people go to restaurants, gas stations, shopping, etc. Also, the local economy flourishes as the workers in service industries (laundry, lawn care, maintenance) keep the STR in good shape. Please refer to this article from Huntsville to see how their council is regulating STR by required business permits. <https://whnt.com/2018/04/27/huntsville-short-term-rentals/> <https://cityblog.huntsvilleal.gov/huntsville-looks-to-regulate-popular-home-stay-options-for-travelers/> Ultimately, the way to regulate STR is to have a stringent ordinance that ALLOWS STR in more diverse areas so that the neighbors can be protected. STR are popular and will continue to grow, so the city needs to embrace and regulate them. By trying to ban or prohibit STR, homeowners will find a variety of ways to rent out their homes without advertising. I have mentioned this previously, but Prohibition of alcohol did not work in the 1920s, and trying to prohibit STR will not work either. Thank you for your time,
41. **Comment:** Can neighborhoods, such as Moores Mill, Grove Hill, Ashton Park, etc. have their own covenants against short-term rentals or with their own rules, or does what the city passes override anything that a neighborhood covenant might have in it? For what it is worth, I am against having game-day rentals and any short-term rentals due to problems this may cause the neighbors due to possible disrespect of the property and to surrounding home owners. However, if this trend is going to continue to grow, then let's make the rules as stringent as possible. Thank you.
42. **Comment:** Short-Term Rental in any zoned residential neighborhood always morphs into some form of "libertarianism" debate by those owners who practice profiteering (and possibly tax evasion) with such activities. Many undesirable issues often result from these activities (too many to describe here). For example, just look at what happens in trailer parks in trailers owned strictly for short-term occupancy during sports events. Short-term rentals in zoned residential housing areas should be strictly forbidden by city ordinance, IMHO.
43. **Comment:** Please do not allow short-term rentals until the city gets some solid regulations and followthrough on enforcing them regarding long-term rentals. Our neighborhood (Shelton Park) is being pulled down by landlords

who do not maintain their properties, tenants who aren't invested in neighborhood upkeep, trash on streets, noise, etc. Frankly, I do see some rules for neighborhood care in the city ordinance, but the city doesn't appear to have time or/and interest in enforcing them. Let's get city care and enforcing going first.

44. **Comment:** It's a little confusing but it's fine.
45. **Comment:** My husband and I operate a VRBO, have a license and pay taxes. We have provided a homie environment for people's weddings, ball game reunions etc.. We do live in our home but enjoy sharing it a few nights a year. My one concern with the regulations, and I do believe there should be regulations, is the number of people allowed. Right now, 6 is the max. I believe the max should've determined by number of bedrooms. We have a 5 bedroom home that can easily accommodate 5 couples or ten people. Our long circular driveway can easily accommodate that many guests cars. What if it was two people per bedroom? Thank you,
46. **Comment:** I am in favor of prohibiting short-term rentals in NC districts. The proliferation of such rentals is having a negative impact on neighborhoods, a "hollowing out" effect whereby several houses on a block are changed from homes occupied by full-time residents to houses sporadically occupied by an ever-changing set of strangers. These strangers are welcome guests to town when staying in hotels but are a poor fit for established neighborhoods. Investors who purchase homes for such purposes compete with families for a limited housing stock, particularly in proximity to the AU campus. (I lived on Payne Street for 10 years, finally moving because throughout the 1990s the city refused to enforce multiple occupancy ordinance.) I would recommend, however, that a new ordinance prohibiting short-term rentals in NC districts be phased in over a period of perhaps two years. Owners engaging in short-term rentals of the "game day" variety should get a permit and opportunity to obtain such permits should end some short period like two years after the ordinance is adopted. This would allow people who invested in such properties either to sell their properties or to shift to an annual rental basis. There is a strong demand for long-term rental in Auburn.
47. **Comment:** Why should a short term rental "business" be permitted in a residential neighborhood when car repair, baking, massage, hair styling, etc are not nor should be? Hotels and B&B's are at a disadvantage to short term rentals. Level the playing field...levy identical taxes, require inspections for safety and food, ADA compliant, fire suppression, business licenses, etc. Establish punitive fines and enforcement procedures and detail them in the ordinance.
48. **Comment:** I work in the short term rental industry and have for the past 4 years. I'm extremely well versed in restrictive languages cities have implemented and am more than happy to help craft a reasonable, responsible ordinance. My company, NoiseAware, provides noise detection monitors that inform the owner of the property that is being rented data if the guests are causing noise disturbances to a point that it would bother neighbors or indicate misuse (parties). I'd love to come chat with the council members responsible for creating this legislation. I'd also like to add, during football season and graduation, my wife and I will rent out our home for what equates to be a month's mortgage per weekend. It is a wonderful source of income (taxes collected by airbnb) and it would be an utter shame to make this activity illegal. That being said, there are good responsible measures, like noise monitoring, that can enable us to maintain the fabric of our community, welcome guests to our beautiful town, and all make a little money. Thanks, [REDACTED] Short term rental expert, concerned citizen, happy to assist.
49. **Comment:** Personally I don't like the idea of short term rentals in neighborhoods. You never know who is suppose to be there at your neighbors house. What if the renters bring random people back to the rental house they had only just met. I feel like it's very unsafe for those living around a place that does short-term rentals. Look at the things that go on in hotels and motels. Do we really want to bring that into our neighborhoods where families live?
50. **Comment:** The requirement that it be the property you live in should be removed. You should be able to rent your, appropriately zone, property for what ever duration and frequency you want.
51. **Comment:** Thanks for the task force and the document; I am concerned that 1) representation on the task force appears to be dramatically weighted towards realtors/developers; and 2) that the portion of the policy specified in the document that provided a real enforcement mechanism via city on-site annual inspections, has been eliminated without any other such mechanism included. Without a real enforcement mechanism, how will this policy operate as citizens wanted it to?

52. **Comment:** I am a member of the board and chairman of the code enforcement committee in Solamere subdivision here in Auburn. I know that there are homes in our neighborhood that do rent for gamedays. We have had no issues whatsoever from these rentals, nor have we received any complaints regarding them. I know that some of the homes are rented to help with the already sky high property taxes here in Auburn. I understand that taxes should be collected from these "businesses", but the way the proposal is laid out, Solamere, as well as some other neighborhoods where I know this occurs, would be left out as we are zoned NC. The far bigger problem we have is the homes here that are rented to students at the university where more than two unrelated people are staying. I'm sure the homeowners here wouldn't have a problem paying taxes on their rentals. I would just hope that the opportunity for a little extra income (and extra taxes for the city) wouldn't be taken away from them because of where they live. I would love to see NC added to the list of zoning districts where this is allowed.
53. **Comment:** Article V, 511.04. Section C What is the proposed application process and fee's? Will there be a public hearing?
54. **Comment:** Article V, 511.04. Section B Number & Line 2 Should this not be decided by the size of the house, the acreage of the property and the zoning?
55. **Comment:** I don't believe that the city planning office completely understands the different and totally discrete business models associated with the STR agencies. They are basing the entire policy on one specific model-( owner present Homestay with an allowance of 30 days a year during which the owner does not have to be present). This is the most unpopular model and will effectively eliminate the entire STR business model in Auburn, which I believe might very well be the intent. The proposed plan is discriminatory, it selects winners and losers and determines who can monetize the Auburn experience and who can not. It precludes residents who live in the badly defined NC zones the same rights as those who do not. The planning commission apparently assume that Football games are the sole driver of the STR market. I have rented my dedicated, maintained, rental home on both a long term and short term basis. My short term guests attended not only Football games but also Graduation, Sorority Rush, Art exhibitions and Baseball and basketball games. They were fully vetted and screened through the STR agencies. HOW DOES THE CITY PROPOSE TO ENFORCE THE POLICY, MONITOR THE 30 DAY EXEMPTION AND ADDRESS THE DISCRIMINATORY NATURE OF THE POLICY INCLUDING NC LOCATED PROPERTY RIGHTS. I look forward to hearing from the Planning Commission ( Mr. Cotton)
56. **Comment:** I am an Auburn grad who purchased a home in Auburn this summer. It's currently being used as a long term rental, but the whole reason for the purchase was so that in the future it could be used by my family for gameday weekends and also as a retirement home further down the road. However, in order to do that, we would need to rent it out short term to cover the costs. My primary residence is in Los Angeles, so you can understand my concern on this new ordinance. I strongly oppose making it homestead only. Auburn already has serious lack of accommodation during gameday weekends (I know, as I always have a hard time securing a decent place to stay). Taking away short term vacation rentals will make the price of accommodations skyrocket higher than they already are during gameday weekends and there will be lack of places to stay, and people will be less likely to come.
57. **Comment:** PLEASE consider making NC "conditional." This property, for instance, bears no resemblance to one in Cary Woods, for instance. 1) that whole side of the street is rental property. 2) it has paved parking to accommodate 11 cars! 3) from the house, you cannot even SEE the homes on either side 4) a creek separates the house & one neighbor Seems like there should be a little "wobble room" for properties in old neighborhoods, close in. Thanks
58. **Comment:** The city of Auburn is taking the wrong side! I don't have a problem paying the taxes or the 6 person rule but the zoning only benefits hotels and rental companies. Zoning neighborhoods (NC) will cut out the short term rental opportunity for families to earn an extra dollar. This proposal only benefits the big money in the rental game. If this gets passed it will hurt the city as a whole because the more short term property available on game days, graduation and golfing events help the City in tax revenue. Last if this passes it'll take money out of the homeowners pockets which will hurt our local economy. Follow the \$\$\$
59. **Comment:** Please don't ban short-term rentals! I have no problem paying taxes on the money I make renting out my house 6 or 8 nights per year. Just don't ban it! I am a single mom. This extra income significantly impacts my

family! A lot of the extra money is spent locally and on home improvements. Plus, my renters spend money HERE instead of Montgomery or Columbus or Bham! We're not hurting the hotels, they're still always booked during home games! Tax, don't ban! I don't even mind limiting it to a certain number of nights per year. Please! Don't ban it altogether!

60. **Comment:** Home rentals, such as airbnb, started as a way to form a sense of small town community and offer up our homes to share with other families. I believe this fits in line with Auburn and our amazing values and small town feel that we share. It is a wonderful feeling to offer up your home to a family visiting for a football game and share in that excitement for them to see family they may only see this time of year, or even attend their first game! I understand the need for some sort of regulations, and agree with some of them, especially parking issues, advertising, noise ordinances...etc. This should never be a burden to our neighborhoods. I do, however, believe that we need to keep the heart of what we do in mind and not punish people for opening up their homes for other families to enjoy. Some of us have homes that sleep more than 6, we shouldn't limit a 4 bedroom house that could very comfortably sleep more, to only 6 guests. We should not impart large annual fees that keep regular families from being able to offer this service as a way to earn a little bit of extra money. I personally am able to stay home and homeschool my daughter because I can share my home during football season. It has been such a blessing and I hope that fees and taxes won't take that gift away from many Auburn families. I hope that you will keep the heart of this in mind and continue to share the small town spirit that Auburn is known for.