

Transient Lodging Task Force Public Comment Minutes [L]
[SEP]

Tuesday November 20, 2018 [L]
[SEP]

6:31 p.m. [L]
[SEP] Town Hall

Draft

1. Members Present: D. Tucker - Chair, L. Robertson, Dow Benedict, Ellen Hoffman, Greg Renz, Lauren Duh, Elise Baach.

Absent: Jeanie Muir and Sonya Evanisko.

2. Visitors: Mike Chalmers, Heather Crosby, Mark Everhart, Tabitha Johnston, Effie Kallas, Steve Pearson, Isaac Kessler, Mary Stanley, and Terri and Diane Fulton, Jan Hafer.

3. Meeting called to order at 6:31 p.m. by D. Tucker.

D. Tucker thanked everyone for coming. Transient housing is defined as less than 30 days, like an AirBnB. The Task Force started this process 18 months ago. We did not want, and we advised against, doing spot zoning for transient housing. The TF was charged with looking at the types of lodging in town and to see if it is meeting the needs of its visitors. We discovered that visitors are looking for more diversified types of lodging, pet friendly, within the downtown, in a historic home, and to be able to park a car and walk. Those interested in opening their homes to transient housing have expressed the benefit of an income that will help with maintaining their older home.

The current ordinance allows transient housing only in the commercial/commercial-residential districts. Not is residential. We have one AirBnB on German Street as that is in the commercial district. This TF does not want to lose sight of the historic nature of Shepherdstown and that we are all neighbors.

To address that directly in regards to transient housing, the proposed ordinance would require anyone operating transient housing, it be owner-occupied. Other proposed requirements from this TF are that all current parking ordinances pertain. Currently, an owner has the option to purchase a guest pass, so they would have the option of purchasing a guest pass or a TH pass, but not both. An apartment building would not be allowed to have transient housing. There is also a proposed inspection process to make sure there is safe entry/exit, smoke alarm, and fire extinguisher.

J. Hafer – does the owner have to stay in the home overnight? Can there be a designee?
D. Tucker – the TF is recommending that the owner/designee stay overnight. The TF has discussed the option of a manager but only for short periods, like when the owner is away on vacation, but not for an extended period of time.

M. Stanley – even with all of the restrictions, there's less completion for me, but good for more choices.

M. Chalmers – this idea reflects positively on the renewal of the area.

D. Fulton – regarding owner occupied – I wouldn't want to be in the renters face.

J. Hafer – research shows that when an owner is there - less rentals. Owner occupied equates to limited rentals.

D. Tucker – the owner is responsible to their neighbors.

L. Robertson – that was the one of the biggest complaints from across the country for towns that dove into allowing AirBnB's. There would be a loudness or messy issue with the renter, and the neighbor's wanted to be able to confront the owner. They couldn't if they weren't there.

H. Crosby - all of these rentals are based on ratings. Ratings from the rental and renter. Many police themselves. Likes the idea of a designated person.

S. Pearson – AirBnB's do displace long-term rentals. Could have a licensed manager within a specific number of miles of town.

D. Tucker – that's the reason for the restrictions. This TF does not advocate losing long-term rentals.

E. Baach – If an owner leaves for 5 months – do we want a designated person? Does that change the characteristic of the town? In Colorado, everyone was allowed to do it with no regulations, and there were many problems.

D. Benedict – right, when an area is tourist dependent, employers lost employees because they had no place to stay when unregulated. People moved out of town – need regulations.

T. Fulton – you could restrict the number of days of operation to peak times for the town- seasonal, major events, etc.

G. Renz – not sure how you police that.

L. Robertson – parents come to see their kids at Shepherd for football games, or just to see them. Hard to pick peak times.

J. Hafer – we need more rooms for sure, but we don't want the town to be over run.

M. Chalmers – the next generation will expect the option of an AirBnB, and if it's not offered in Shepherdstown then they will go the harper's Ferry, Sharpsburg, and Charles

Town. He read about a recent visitor to Shepherdstown who stayed at the AirBnB a block outside of town. They loved staying there because they could walk, and stated that would not have come otherwise.

Mayor – enforcement is very difficult. What if a resident doesn't want it next to them? There is a silent majority in town that will never send an email, call, text, or come to a meeting. We are a residential community, and many moved here for that reason. Do we want to do this and then not be able to change it back if it isn't liked? Title 9 has to be changed. Maybe take one step at a time. We can already do it in commercial/commercial-residential – we need parameters for all.

D. Tucker – we can always undo something. We also need regulations for our current transient housing in those accepted districts no matter what else we do moving forward. CATF needs quality lodging.

S. Pearson – for the safety of everyone these areas will need fire exits, smoke alarms, and smoke detectors.

L. Duh – we have also proposed the owner carrying extra insurance and to pay the appropriate taxes.

D. Tucker – the business license fees will factor in an inspection process.

I. Kessler – AirBnB does not have an inspection process? No.

J. Hafer – how does this fit into the current economic impact?

D. Tucker – it is the same role.

D. Benedict – young people like to be spontaneous and are used to making reservations online at AirBnB's. These owners will have to pay taxes as well, like any hotel. He is open to a limited option like opening it up to German Street extended and Princess St.

J. Hafer – would the owner have to get permission from their neighbor?

H. Crosby – it's not required now.

Mayor – right now a short-term rental is 4 months minimum. Title 9 would have to be changed. We have to think of the common good, that's why we are meeting.

G. Renz – that's unfair to those not living on German or Princess. Too limiting.

D. Tucker – we are here to find out the appetite for doing this, if there is an interest.

H. Crosby – could do a survey monkey.

E. Baach – AirBnB's are wanted and is being driven by residents.

E. Hoffman – maybe do a mailing with a survey.

G. Renz – we don't need any more data.

L. Robertson – agreed, we are ready to move forward in getting an ordinance ready to present.

M. Chalmers – Shepherdstown does well because of the visitor's center. People see progress and innovation in this town.

L. Robertson – we have dived in hard over many months. We didn't take this on lightly. Many on the TF were very skeptical, and that was a good thing. We looked at many, many municipalities across the country to see what they did right and what they did wrong. We did that so we wouldn't make those same mistakes, and to not pass transient housing willy-nilly with no regard to our neighbors. The mayor is right that we are all in this together. If an owner rents out to a bad renter, it's not enough for a bad review to police that. That neighbor living next door needs to feel like they can go to that owner as a neighbor. That neighbor needs to know that if they make a complaint, it will be heard, and more importantly, be acted on. Our goal this whole time has been to maintain our historic feel while trying to provide alternative housing options within reason and with regulations. To be a good neighbor.

D. Tucker – we will schedule another meeting with an executive summary.

4. Adjourn - D. Tucker – if there are no objections, the meeting is adjourned at 8:03 p.m. No objections noted.

Minutes respectfully submitted by L. Robertson.