

Meagan Tuttle

From: Lori <zimmer_mim2000@yahoo.com>
Sent: Monday, February 08, 2021 8:14 PM
To: Meagan Tuttle
Cc: Lori Kettler
Subject: Comments for Feb. 9 Meeting of Joint Committee of the Planning Commission and City Council Ordinance Committee

[WARNING]: External Message, please be cautious.

Dear Committee members:

I'm a Super Host with Airbnb, and I am permitted under the current zoning regulations. I'd like to offer a few points for your consideration.

I was disturbed by a comment by one of the committee members at the last meeting who referred in passing to current STR hosts as "gaming the system" - I think that's the phrase she used. With regard to "gaming the system" and **grandfathering**, I think it's fundamentally unfair for the city to have expected people who were in the LTR market to understand that converting to an STR required them to be permitted as a B&B. When I converted 3 years ago, to my knowledge there was not one word on any of the City's web sites about STRs much less that they needed to be permitted as B&Bs. I don't think that most people would have considered themselves to be a B&B and to need anything more than they needed as a LTR. My point is that if the City was so concerned about the proliferation of STRs, why did they not have any information about them on their websites to inform property owners and try to bring people into compliance until they began the process that is underway now? The average homeowner doesn't know how to navigate a zoning code much less understand it, yet now the City wants to punish existing hosts for not figuring that out on their own. I think it was reasonable for people to have assumed, especially with no express language about STRs on the web sites or in the code, that they were OK. In some cases, prospective hosts were told by City officials that STRs were unregulated and so no action was required beyond that for LTRs, or that only payment of Rooms and Meals Tax was required (the advice was inconsistent). For these reasons, I think it's unjust for the City to dismiss the option to grandfather-in existing non-compliant STR properties.

I've been following both this issue and the efforts by the City to prohibit "no cause" non-renewal of leases and associated restrictions on landlords, and I want to mention that it seems to me that **the City is working at cross-purposes**. The proposed "no-cause" ballot item is so restrictive of landlords' property rights that I think the City will drive people out of the rental market completely or into the arms of Airbnb and similar platforms, which is exactly what the City does not want to do based on the current efforts underway to restrict STRs. I for one would never return to LTR if such an ordinance is enacted. I mention this because I think the Committee needs to consider the impact of other efforts by the City Council and take a more global approach to the stated goal of preserving a sufficient number of LTRs.

Relatedly, I want to mention that I have lived on lower North St. for almost 14 years. I am the only owner-occupier on my block and until last summer the vast majority of the rental units were low-income Section 8 rentals and there were never any students on the block. This year, at least four of the units are now occupied by students, and those are just the units that I am aware of. My point is that at least two landlords on my block have made the decision recently that **it is more lucrative to rent to students than to low-income permanent residents**. As with the proposed "no cause" ordinance, the City needs to think about how to incentivize landlords in ways that encourage uses that the City desires rather than drive landlords in the other direction with archaic restrictions, and the issue of student housing needs to be addressed with UVM in a meaningful way since the impact of students on the lack of affordable housing in the City surely impacts it more than STRs.

Thank you for your consideration.

Lori Kettler
65 North St.

February 9, 2021

To: Joint Committee of Planning Commission and City Council Ordinance Committee

From: Deb Ward Lyons

Re.: STRs

Dear Committee Members,

I'm writing again to promote the idea of "grandfathering" STRs into existence in Burlington's registration and zoning process. When I started my Airbnb in 2015 it was for a variety of reasons: 1. Past tenants had caused great damage and cost to my rental; 2. The need for housing flexibility for family members; and 3. A desire to renovate and furnish my building for travelers who would maintain the property with regard. In truth, 80% of my long-term tenants DID respect the property, but with 20% not, I could no longer take that loss in time and money. I do not have additional rental properties to help absorb the cost of repairs, as well as the lost of income from unpaid rent and long-drawn-out court fees.

When I set up a business account at City Hall to pay my monthly 2% city tax, I asked about Airbnb rental rules and was told as long as I had my building inspected (I've maintained a 5-year rating), and paid my Rooms and Meals Tax on the income generated, then I was fine... until the city figured out what to do with Airbnb's.

Time has passed, and here we are today. You're figuring it out.

Depending on who's numbers you use, entire-unit STRs (253) make up only 3%, or even 2%, of the rental housing stock in BTV (Scott G. and Host Compliance: 10,000+ rentals, 357 unique STR rentals of which 71% are entire units; Allen, Brooks & Minor lists 10,679 rentals in Burlington in 2020).

This is not an abundance of housing that is taken from the 10,000+ rentals, for short-term-renting use. As stated in Scott's overview, many STR listings are now inactive because of the pandemic (some have actually been sold), or are renting for longer durations (weeks and months at a time). Still, this is not Long-Term Renting, which is what this committee is concerned with. But you have also come to understand the benefits that STRs bring to both the city and to hosts. It seems there is a way to balance both needs.

As such, I ask that you "grandfather" all the currently active STRs into compliance, with the expectation that they are registered, inspected and current in their R&M tax payments. And since some are interested in a cap on STRs for the purpose of preserving the long-term housing stock, I suggest you cap STRs at 5% of the total housing units in the city.

I also ask that you allow off-site hosting in ALL short-term rental units, stand-alone buildings to quad-plex, with a reasonable limit of one STR per owner. Lastly, that this "grandfathering" is allowed across all residential districts in Burlington.

"Grandfathering" IS an option, and it's one that would meet the needs of this committee while acknowledging the property owners who have been pleading with you for over a year to allow them a path to still maintain their livelihood.

Thank you for this consideration.