

Cuyahoga Valley Scenic Railroad – Future Considerations



photo credit: Chris Weigand



photo credit: Cuyahoga Valley National Park



Image: via Google Maps

- The Mill Street area behind the depot presents a safety issue because of the high volume of pedestrian traffic, the narrow, curved road and lack of adequate sidewalks. Closing a section of that road to create a walking mall would alleviate that problem and create a common area.
- Be aware of and regulate the trailering of kayaks by rental companies bringing in large numbers of kayakers "putting in" in Peninsula, adding to the congestion in an already overly congested area. The railroad is currently working on a "Kayak Aboard" program similar to the Bike Aboard program.

Research: Short-term Rentals

May, 2018

Short Term Rentals

- Short-term rentals can have an impact on a community and are worth examining when considering long-range planning for a community.
- Short-term rentals are not a new concept, they were common in America beginning in the 1800's with boarding houses. With the recent arrival of companies such as AirBNB in 2008, short-term rentals have found a new footing in communities across the nation.
- They prove to be a viable option for tourists, and guests who need a local place to stay for a few days, weeks or even months.
- There is much written about the impact, both good and bad, regarding this industry and it is important to take an objective look and see how short-term rentals factor into Peninsula's long-range plan.

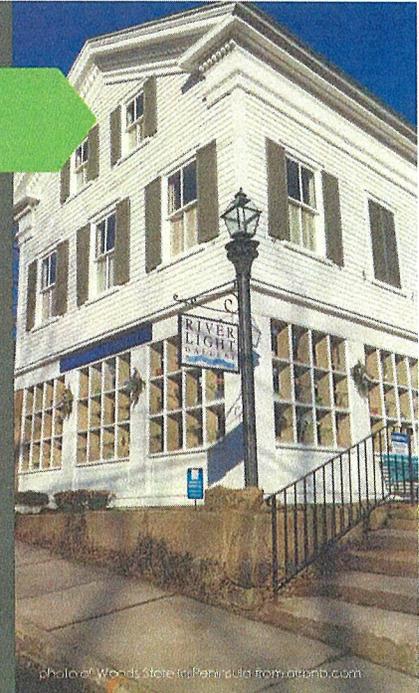


photo of Woods Store in Peninsula from airbnb.com

Short Term Rentals

- A search of airbnb.com and vrbo.com, two popular listing sites for short-term rentals resulted in over 100 results for rentals near Peninsula with about six locations in the Village, and about another ten very near by (as of 9/17).
- Most started operating between 2014 and 2017.
- Pricing ranges from \$120 low end to \$425 high end per night

Air BNB

Name	Approximate Location	Host	Price per night from	# of guests	# of Rooms	Rating	# of reviews	weekly rentals*	monthly rentals*	Operating Since
1 Cuyahoga Country Home	east bank of river, downtown	Carol & Edward KEJ	\$140.00	4	2	5 star	12	yes	no	6/17
2 Winding River Farm	Riverview road north of 303	Properties	\$375.00	10	3	5 star	5	yes	yes	7/16
3 Cassidy Cottage	south of 303 downtown	Mary	\$250.00	6	3	5 star	25	yes	yes	11/15
4 Designer's Barn	303 and Riverview	Leticia	\$427.00	10	4	5 star	6	yes	no	6/16
5 The Woods Store	route 303 downtown	Karen	\$250.00	6	2	5 star	12	no	no	6/15
6 Home in CVNP	Stine / Riverview road area	Fritz	\$280.00	5	3	5 star	15	yes	no	7/13

VRBO

Name	Approximate Location	Host	Price per night from	# of guests	# of Rooms	Rating	# of reviews	weekly rentals*	monthly rentals*	Operating Since
1 Home Cuyahoga Valley Natl Park	303 and Riverview	Lola Unger	\$422.00	10	4	4.9	39			2014
2 Minimalist House in CVNP	303 west of Riverview	Matthew Stuebaker	\$170.00	6	3	4.5	6			2017
3 (Woods Store)	303 downtown	Karen Walters	\$250.00	6	2	4.5	8			2014
4 (Heritage Farm)	Riverview Rd S of 303	Carol Haramis	\$171.00	4	1	4.8	17			2015
5 Silver Fern B&B	303 west of Riverview	Gary Beckley	\$121.00	2	1	--	0			2017

Short Term Rental pros & cons...

- Research indicates that short-term rentals (STRs) can benefit home owners by helping the middle class combat stagnant income. (Spelling 2015)
- Short-term rental may be "on brand" for the historical nature of Peninsula as a travel hub dating back to canal days
- STRs appeal to those who are young and single or lower on the economic ladder; a way to introduce the community to a wider audience.
- STRs can also result in illegal conversions, may not pay taxes, residents who didn't sign up to live next to a hotel, and erode residential character as well as affordable housing stock as investors buy houses to use as STRs
- Noise, disturbance, nuisance, security and parking issues
- Possible tax and licensing fees to generate revenue and cover expenses, rental tax up to 3%
- Supports tourism industry, which supports community
- Positive effect on property values (prospective buyers may like that they have option for added income)

Do Airbnb-style short-term rentals destroy neighborhoods — or save them? – January 2015
<http://uplowmessenager.com/2015/01/taking-billie-hosts-the-biz-issue-debate-on-short-term-rentals-in-new-orleans-live-coverage/>

-That view, supporters of the industry counter, gets the entire picture backwards. Airbnb actually allows residents to keep their homes amid rising prices by providing them with a small but significant supplementary source of income. Meanwhile, because the residents remain at the house, they have more money to spend at their favorite neighborhood establishments — and their guests often choose to spend money at the same places, strengthening the business community.

How Airbnb Combats Middle Class Income Stagnation - 2015
https://www.statecapitaljournal.com/wp-content/uploads/2015/07/Middle-Class-Report-MI-061915_r1.pdf

Rooming Houses: History's affordable quarters – November 2012
<http://www.sqjline.com/2012/11/14/rooming-houses-historys-affordable-quarters/>
 -Rooming houses have fresh relevance today, especially for those who are young, single, or on the bottom rungs of our increasingly unequal society.
 -The legitimate purpose of building and land-use codes, after all, is not to further favor the already-fortunate but to correct market failures.

Will the Trend With Short-Term Leases Last? – April 2017
<https://www.ezandlandforms.com/articles/news/678/will-the-trend-with-short-term-leases-last/>

4 Real Estate Market Trends in 2016 You Haven't Read About – September 2016
<https://www.mashvisor.com/blog/real-estate-market-trends-2016-you-havent-read-about/>

Field Guide to Short-Term Rental Restrictions – April 2017
<https://www.noracallor/field-guides/field-guide-to-short-term-rental-restrictions>

Rental sites like Airbnb aren't as innocuous as they pretend – July 2015
<http://www.kaltimes.com/business/bill28/ka-fi-bill28-20150719-column.html>

Q&A: How new Santa Monica law affects rentals, Airbnb – May 2015
<http://www.kaltimes.com/business/ka-fi-santa-monica-airbnb-rental-law-20150513-story.html>

What Other Communities Are Doing:

Northfield Village, Ohio—Rental Certificate and Exterior Inspection Ordinance. Short term rentals are not an issue in that community. This ordinance was introduced to maintain property values and make absentee landlords keep their properties in good condition.

City of Fairlawn, Ohio—Licensing and Exterior Inspection Ordinance for long term residential rental properties. Complete ban on rentals of 14 days or less in all residential zoning districts.

Cleveland, Ohio—Cleveland is considering, but has not passed, an ordinance regulating short term rentals. The proposed legislation would require the property owner to collect and remit the City's 3% transient occupant tax and cap a host's ability to rent at 91 days per year, with each stay being limited to 30 days. The ability to rent single family properties on a short term basis would be limited to residents only. Businesses and non-residents would not be able to purchase properties to rent them out on a short-term basis.

Cuyahoga County, Ohio—Cuyahoga County reached an agreement with Airbnb requiring Airbnb to collect and remit the County's 5.5% occupancy tax.

Philadelphia, PA—Limits hosts to no more than 180 days of short term rentals in any calendar year.

San Francisco, CA—Short term rentals permitted for single family owner occupied properties. Owner must live in the unit for at least 275 days per year to be eligible and cannot rent on a short term basis for more than 90 days per year. Significant per day fines for violators. Annual registration/licensing/insurance requirements. Requirement to pay 14% City Hotel Tax. Booking agencies have to notify their hosts of the law.

Austin, TX—Defines short term rentals as rental periods of 30 days or less and imposes annual licensing requirements. Different licenses are needed for owner occupied properties and non-owner occupied properties. Inspection/proof of insurance requirement and requirement to pay 3% hotel occupancy tax. Owner occupied rentals are limited to no more than 90 days per year. Non-owner occupied property short term rental licenses are limited to no more than 3% of the number of single-family detached residential units within a census tract. License suspension and appeal procedures for licenses that do not comply with short term rental ordinance, property maintenance code, or other City ordinances.

Clatsop County, Oregon—Bans short term rentals in just one out of the County's 12 residential districts.

Kauai County, Hawaii—Bans short term rentals in all residential districts except for certain designated Visitor Destination Areas. Grandfathers single-family properties outside of the designated areas that prove they were engaged in transient vacation rentals prior to the adoption of the ordinance that obtain a non-conforming use certificate. Proof necessary to obtain the certificate includes reservation lists, records of occupancy, records of payment, tax returns claiming rental income, and payment of the County transient accommodations tax.

Monterey County, CA—Bans short-term rentals in single-family residential districts, but grandfathered short term rental units that were in operation prior to the ordinance that applied for non-conforming use permits within 90 days of the date of the ordinance.

Mendocino County, CA—Permit/licensing ordinance that limits the amount of vacation rental permits to no more than a ratio of 1 vacation home for every 13 long term residential dwelling units. Grandfather clause for prior nonconforming properties, but no new permits issued unless the ratio is below 13 to 1.

San Luis Obispo County, CA—Ordinance requires spreading these properties out. Single-family vacation rental units cannot be located within 200 linear feet of another vacation rental unit on the same block.

Palm Springs, CA—Requires these properties to register and pay an application fee that is meant to cover the administrative costs of processing the application. The applications are then presumably passed on to the tax authorities. There is no inspection requirement.

City of Big Bear Lake, CA—Annual inspection requirement to ensure the homes are safe for visitors.

City of Cannon Beach, OR—Inspections required every 5 years.

State of Florida—The State of Florida enacted a statute that prohibits municipalities from imposing bans on short term vacation rentals.

(5/16 Bryan)

Ideas & thoughts...

- Create a licensing program
- Allow only in certain zoning districts or areas
- Cap on total number of licenses (13?)
- Proximity restrictions
- Limit on number of STR days per year per location
- Grandfather clause
- Craft safety regulations and inspections
- Required maintenance
- License fee and / or per night tax
- Owner occupied requirements
- Nuisance ordinances applicable to short-term rentals (owner occupied non-rental likely result in less incidences)
- Do property tax increases actually pose a greater threat to resident retention than short term rentals?

Solving the Problem of the Unchecked Rise of Short-Term Rentals – March 2017

<http://www.ksl.com/story/news/solving-the-problem-of-the-unchecked-rise-of-short-term-rentals/357197>

"Municipalities do have tools to combat the problems created by short-term rentals. Cities and counties should examine their local codes to make sure they provide the necessary provisions to regulate short-term vacation rentals and the problems they create. In some cases, zoning codes, including traditional definitions for hotels and motels, will need to be modified to encompass this new model of vacation lodging. Likewise, local nuisance definitions and enforcement provisions will likely need to be expanded with short-term rentals in mind. Communities that wish to permit these rentals must consider how best to regulate them and must ensure that they are paying transient occupancy tax and other assessments. Some cities and counties may also have to enact new ordinances to identify, control and mitigate the use and location of short-term rentals with carefully tailored reporting, permitting, and enforcement procedures."

Where appropriate local ordinances are in place to control short-term rentals, but owners ignore the law, or simply treat the consequences of non-compliance as a cost of doing business, municipalities must be prepared to pursue enforcement. In such instances, nuisance abatement and receivership actions can be effective tools against recalcitrant owners."

A Grander Vision for Short-Term Rentals – March 2017

<http://realcommagregator.org/commercial/feature/article/2017/03/a-grander-vision-for-short-term-rentals>

Airbnb Is Crashing the Neighborhood – December 2015

<http://realcommagregator.org/news-and-commentary/commentary/article/2015/12/airbnb-crashing-neighborhood>

Concerns in Regulating

- Fairness to all property owners
- Clear rationale regarding regulations, tailor to address stated concerns
- Consistency and equal enforcement
- Ability to implement and manage regulations
- Manage objections from property owners who don't want to be restricted
- Legal challenges to selected method of regulation
- Determine whether to include Grandfather Clause

(5/16 Bryan)



Photos from Airbnb.com of local STR's & B&B's