CB 2021-299

Case 074-21: Joplin Zoning Regulations Text Amendment – A request to review a text amendment to the City of Joplin's zoning regulations that addresses the time, place, and manner for short-term rental uses – City of Joplin.

Keegan Stanton, 602 S. Main Street, Joplin, MO. He stated that everyone should have received a copy of the ordinance along with the Staff Report. He stated he had a short presentation for the Commissioners, and it will also be presented to the City Council. We welcome your feedback and any comments you have.

Current State of STRs is as follows:

- Required to attain SUP through P+Z Commission and City Council. 2 public hearings.
- Approx. 3-4 months.
- Not required to attain business license or be inspected.
- Zoning Code:
- No defined 'short-term rental' use.
- No unified, codified standards
- Classified as 'Bed & Breakfast'

- Within the City:
  - Unknown number of STRs currently operating but estimated to be around 70-100 via popular listing websites like Airbnb or VRBO. AIRDNA estimates 62 active rentals and 85 total rentals.
  - Only enforcing current requirement on complaint basis. Year-to-date, we have received complaints on 3 properties; 1 case has been closed, and 2 are ongoing.

Definition

A residential unit in which lodging is provided for time-limited durations for periods of time less than twenty-eight (28) consecutive days and may or may not be occupied by the proprietor.

Differentiated from Bed & Breakfasts and by-right leasing.

Permitted Districts:

Residential:
R-1 (Single-family Residential)
R-S (Residential Suburban)
R-2 (Two-family Residential)
R-3 (Apartment House)
R-4 (Townhouse)

Commercial:
C-O (Non-retail Commercial)
C-1 (Neighborhood Commercial)
C-2 (Central Business)
C-3 (Commercial)
M-1 (Restricted Industrial)

Use Standards

- Occupancy Limitation:
  - 3-bed or fewer – 2 per bedroom
  - 4+ bed – 1.5 per bedroom

- Business license required
- Parking:

  1 space per bedroom
- No exterior changes
- No events

- Posting of materials
  - Contact info
  - Certificate of Occupancy
  - Business License
  - Trash collection schedule
  - Noise Ordinance
  - Statement on events

Application

- $550 application fee – in line with other fees.
- Must provide information to ensure compliance as well as legal description.
- 30-day turnaround to approve or deny applications by staff.

Administration
- Mimic protest model of other public hearing cases:
  - Send letter to those within 185 feet.
  - 15 days to return protest petition.
  - 30%+ protest occurrence results in automatic denial.
- Appeals may be made to Board of Adjustment.
- Director has discretion to revoke approved permits for violations.

Implementation
- Density limitations are waived for first 30 days following passage.
- Application fee waived for applicants with existing valid and approved SUPs for Short-term Rentals within the first year following passage.

Mr. Eastman asked the Commissioners if they had any other questions?

Ms. Warren wanted to know what happens if a neighbor wants to apply, do they have to wait until the year is up and if so if the person wants to reapply to, they get priority over the neighbor?

Mr. Stanton stated that you would apply for the short-term rental permit one time. Each year, the operator will need to apply for their annual business license and be inspected. If the operator fails to

renew the business license, they would be removed from the list of STRs currently operating, and a neighbor within that 200-foot radius may apply.

Mr. Eastman asked about collection of sales tax.

Mr. Stanton stated that there has been discussion on that, but that would at the discretion of the City Council.

Mr. Bolander stated that Legal and Finance is checking into the sales tax plus the lodging tax.

Ms. Steele asked who was responsible for ensuring that the posting of the material, the parking, the restrictions of the property use are being followed?

Mr. Stanton stated that would be our department.

Ms. Phillips asked what the other cities around us doing on this subject?

Mr. Stanton stated that was a lot of research that was completed. We model a lot of this after the City of Springfield's ordinance. We did make one major change that they were considering but didn't make. That was implementing a protest model to allow for neighborhood interaction to the process.

Ms. Steele stated that we have had a lot of these applications within the last several months. Now we have this regulation are they grandfathered in because they got in before this ordinance was done.

Mr. Stanton stated that they would continue to operate under their special use permit until it expires. Then they would have to cease operations or apply under the new system. We have waived the fee for them within the first year since they have paid for the Special Use Permit.

Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

MR. MCCULLOUGH MOVED, SECONDED BY MS. PHILLIPS THAT CASE 074-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MR. EASTMAN, MR. MCCULLOUGH, MS. STEELE, MS. PHILLIPS, AND MS. WARREN "AYE". (5 IN FAVOR, 2 ABSENT)