

Lafayette Short-term Rental Ad-Hoc Task Force

Report #1
August 4, 2023

Organized by:



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Report #1 - August 4, 2023

In lieu of a City Council endorsed work group, LTLA assembled this task force to pull together information on the current state of Short-term Rentals and STR issues in Lafayette, LA.

The purpose of this research is to identify community concerns about short-term rentals and short-term rental regulation, list and weigh the concerns, and analyze how proposed regulations seek to address them. The task force sought to identify publicly available data, consider stated policy positions by LCG and the City Council, and use the gathered information to analyze various regulation options and propose an alternative ordinance.

Rather than producing a comprehensive final report, we are releasing weekly updates of our progress.

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1. Establishment of Concerns and Supporting Data

For this analysis, we reviewed four city council meetings, four Lafayette Zoning Commission meetings, the Lafayette Neighborhood Strong anti-STR website, informal surveys of STR owners and Realtors, a January 2022 “Brainstorming Session” regarding short-term rentals, and public media comments made by pro and anti-STR advocates. Neither the city nor city council has listed the specific concerns they are attempting to address in proposed STR regulation. From these sources we identified and attempted to weight the various concerns.

City Council Meetings: July 2020; February 2023; July 11, 2023; July 25, 2023

City Zoning Meetings: June 2020; December 2021; January 2022; April 2023

STR Brainstorming Session: January 2022

<https://www.lafayetteneighborhoodstrong.org>

Comments to local media: KADN, KLFY, The Advocate, The Current

Anti-STR Concerns

- Unwelcome visitors/strangers are in the neighborhood
- Taxpayers are forced to absorb cost of police and fire response
- Additional traffic related to STRs
- Parking issues related to STRs
- Additional noise, trash and nuisance
- STR owners do not pay their taxes, or should pay more tax
- Child molesters, criminals and other undesirables might stay at STRs
- STRs might exacerbate shortages of affordable housing
- STRs decrease property values
- STRs contribute to higher rental pricing
- STRs are businesses operating in residential neighborhoods, which shouldn't be allowed
- STRs do not follow fire or safety codes
- STRs change the character of quiet, traditional, family-oriented neighborhoods
- STR owners are mostly money grubbing out-of-state investment groups
- Brothels or other illegal activity

Pro-STR Concerns

- Regulations unfairly target STR operators over home owners and traditional landlords
- Regulations are “solutions” looking for problems
- Regulations diminish property-rights unnecessarily
- Regulations are overly complicated and over-bearing, requiring expensive real estate lawyers
- Data does not exist to warrant some or all of the regulations proposed
- Restrictions are an over-reaction to years of inaction
- Regulations discourage investment in neglected homes and neighborhoods
- Restrictions are not nuanced enough for the variety of rental scenarios possible
- Regulations seek to protect more affluent neighborhoods at the expense of transitional neighborhoods
- Restrictions are not consistent with existing zoning rules
- Desire for strict restrictions is motivated by fear, entitlement, racism, or other personal prejudices
- Regulations overlook the positives of home hosting and contributions to local tourism
- Regulations exhibit poor understanding of STRs and the local real estate market
- Regulations downplay or ignore consequences to the real estate market, especially an RS-1 ban

Establishment of Concerns and Supporting Data

Data

No STR-related data has been made available by LCG, the City Council, or anti-STR groups such as Lafayette Neighborhood Strong in part, it is believed, because it does not exist. If economic or policy studies have been done regarding STRs, the results have not been made public. Because the city does not track STRs, no data is available regarding the number of active STRs within the city limits or their locations. Crime data can not be correlated with active STRs. This analysis used the third-party services AirDNA and media reporting by The Current to estimate some local data. Other data has been taken from local STR owners and extrapolated from national studies and trends.

Listing of Concerns - Methodology

Our listing criteria was expansive because we wanted to be as inclusive and wide-open in scope as possible in our analysis. While it is problematic to categorize concerns as “pro and anti” a particular issue, the reality of the current political polarization of this issue does make this helpful and more understandable. We know that some concerns may be invalid, but the purpose of listing them is to give them all room in the analysis, to prioritize them and then seek regulations that properly address them.

Scoring of Concerns - Methodology

Concerns were evaluated for validity and scored on a simple scale of High/Medium/Low/None. The None designation was used as sparingly as possible because while some concerns may be logically invalid, the perception of that concern is valid to the public. This scoring process is not final.

Scoring Anti-STR Concerns

Unwelcome visitors/strangers are in the neighborhood - **Invalid/Low**

We started our analysis with the biggest and thorniest concern as this one is based on perception and emotion. We understand the human element to this concern, but where to place it as addressable policy is difficult.

LTLA Position: The idea of welcoming people to our community is central to our beliefs and mission. The act of hospitality is based on welcoming people into your space and tourism is predicated on showing visitors the aspects of your community you're proudest of. We're proud of our beautiful neighborhoods and love to show them off.

A stranger is just a friend I haven't met yet.
Will Rogers.

Taxpayers are forced to absorb cost of police and fire response - **Invalid/None**

This concern, listed on the Neighborhood Strong website, has no merit. There is no proof or data that Short-term rentals contribute to higher police or fire costs. In addition, because STR owners pay both property and occupancy taxes and guest pay sales tax, STR owners contribute a higher-per-capita tax load than long-term landlords.

Additional traffic related to STRs - **Invalid/Low**

An analysis by LTLA found no data to support this concern. Vehicle traffic of residents to and from their homes was compared to STR guest traffic. Observed traffic patterns show that residents and STR guests drive back and forth to a property at similar rates. In many cases, residents exhibited a higher road usage than STR guests. The number of cars per bedroom is the same for both groups. The average STR occupancy in Lafayette is currently 50%, meaning short-term rentals are empty half the time. This fact alone means that Short-term rental properties **reduce** the amount of traffic in a neighborhood.

(Continued)

*Parking issues related to STRs - **Valid/Medium***

An analysis of STR owner parking withing the LTLA Alliance shows that the majority of owners have adequate on property parking in addition to street parking. We did find historical instances of visitors parking in yards and blocking neighbor driveways and there was some correlation with STRs and higher incidents, although minimal. The biggest issue we measured was perception. Although most Lafayette neighborhoods provide ample legal street parking, many neighborhoods are not accustomed to it. When new cars show up on the road, neighbors notice.

*Additional noise, trash and nuisance - **Valid/Low***

While this is a valid concern, we could find no data that instances of excessive noise, trash and nuisance are more prevalent at Short-term rentals than Long-term rentals, owner-occupied homes or any other dwelling type. **This is an instance when permitting can provide more actionable data.**

*STR owners do not pay their taxes, or should pay more tax - **Valid/Low***

Another valid concern with no data. AirBnB automatically remits occupancy taxes so owners that only use that platform should be in compliance. Other platforms such as VRBO do not automatically remit but do issue end-of-year tax obligation reports. As part of our best practices, the LTLA tells all STR owners to register and pay all applicable taxes. However, we don't know if owners pay their taxes, including property taxes just as we don't know if anyone is paying their taxes. **This is an instance when permitting requirements will ensure taxes are being paid.**

By all accounts, the amount of taxes being paid by STR owners in both property and occupancy taxes is appropriate.

We are continuing to analyze these issues:

- Child molesters, criminals and other undesirables might stay at STRs
- STRs might exacerbate shortages of affordable housing
- STRs decrease property values
- STRs contribute to higher rental pricing
- STRs are businesses operating in residential neighborhoods, which shouldn't be allowed
- STRs do not follow fire or safety codes
- STRs change the character of quiet, traditional, family-oriented neighborhoods
- STR owners are mostly money grubbing out-of-state investment groups
- Brothels or other illegal activity

Scoring Pro-STR Concerns

Because we believe amendments are coming to the currently proposed ordinance, we have not completed our analysis of Pro-STR concerns.

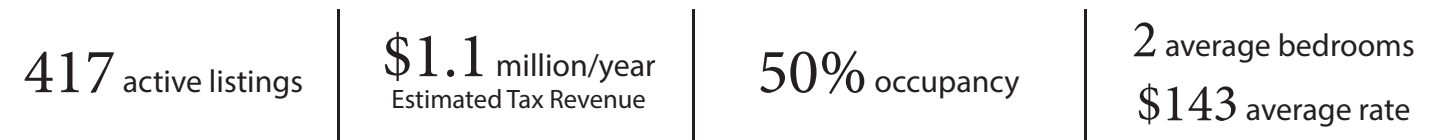
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| • Regulations unfairly target STR operators over home owners and traditional landlords | • Regulations seek to protect more affluent neighborhoods at the expense of transitional neighborhoods |
| • Regulations are "solutions" looking for problems | • Restrictions are not consistent with existing zoning rules |
| • Regulations diminish property-rights unnecessarily | • Desire for strict restrictions is motivated by fear, entitlement, racism, or other personal prejudices |
| • Regulations are overly complicated and over-bearing, requiring expensive real estate lawyers | • Regulations overlook the positives of home hosting and contributions to local tourism |
| • Data does not exist to warrant some or all of the regulations proposed | • Regulations exhibit poor understanding of STRs and the local real estate market |
| • Restrictions are an over-reaction to years of inaction | • Regulations downplay or ignore consequences to the real estate market, especially an RS-1 ban |
| • Regulations discourage investment in neglected homes and neighborhoods | |
| • Restrictions are not nuanced enough for the variety of rental scenarios possible | |

2. State-of-the-STR-Community Report and Local Numbers

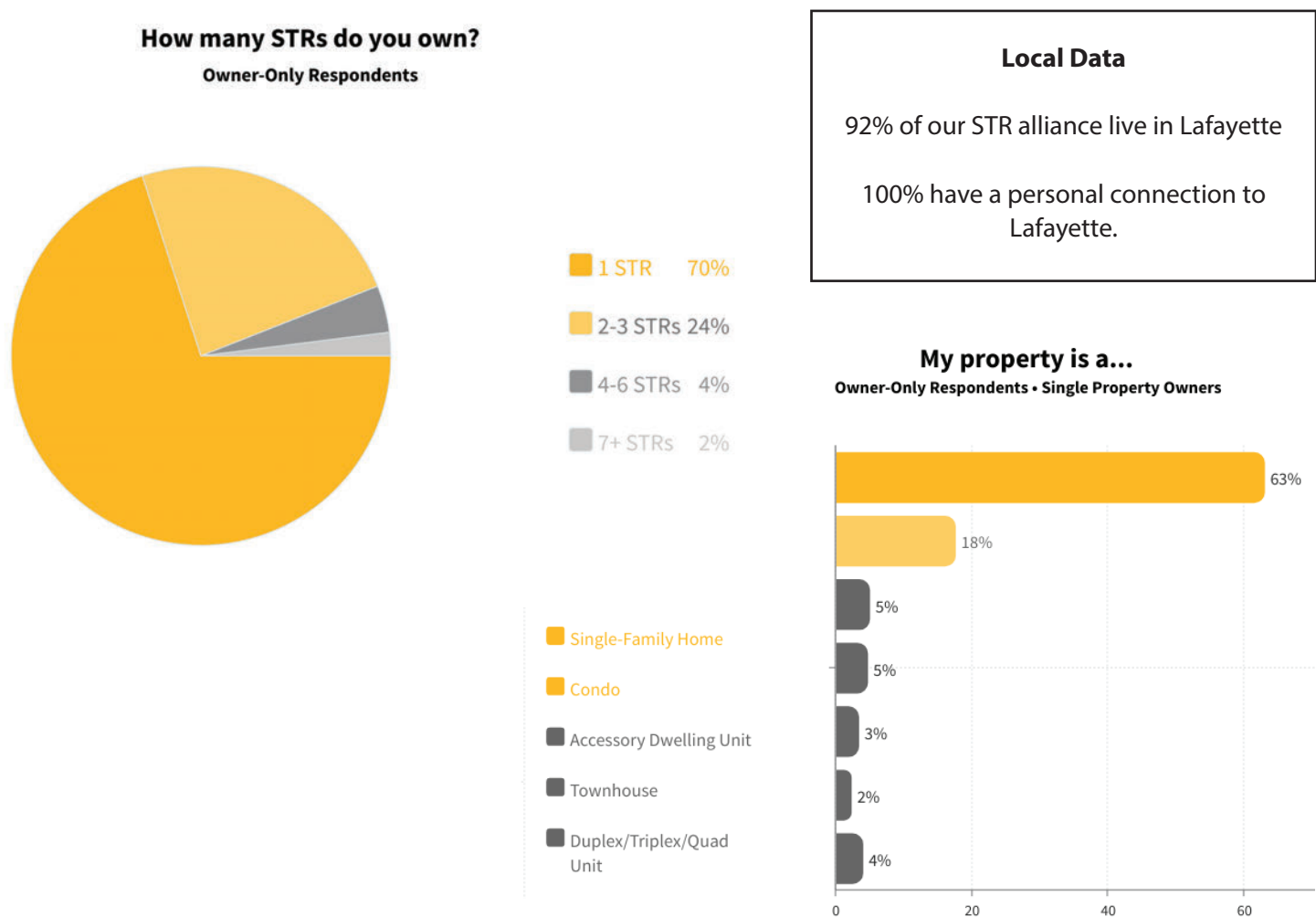
In addition to identifying community concerns, finding data and establishing facts are important when prioritizing and addressing concerns. Our first data sources are (1) A 2022 State-of-the-STR Community Report commissioned by Rent Responsibly, (2) A survey of the 72 owners in our STR alliance, (3) AirDNA analysis of the Lafayette market, and (4) Research done by The Current and published on July 19, 2023.

For the STR Community Report, Rent Responsibly engaged with Riley Center for Livable Communities at the College of Charleston to design and conduct a qualitative research study with non-elected leadership in local governments and quasi-governmental agencies from three leading lifestyle communities. The research was led by Dr. Brumby McLeod, Riley Center Research Fellow, Associate Professor and Chair of the Department of Hospitality & Tourism Management in the School of Business at the College of Charleston.

We continue to seek out other studies and data points for our analysis.



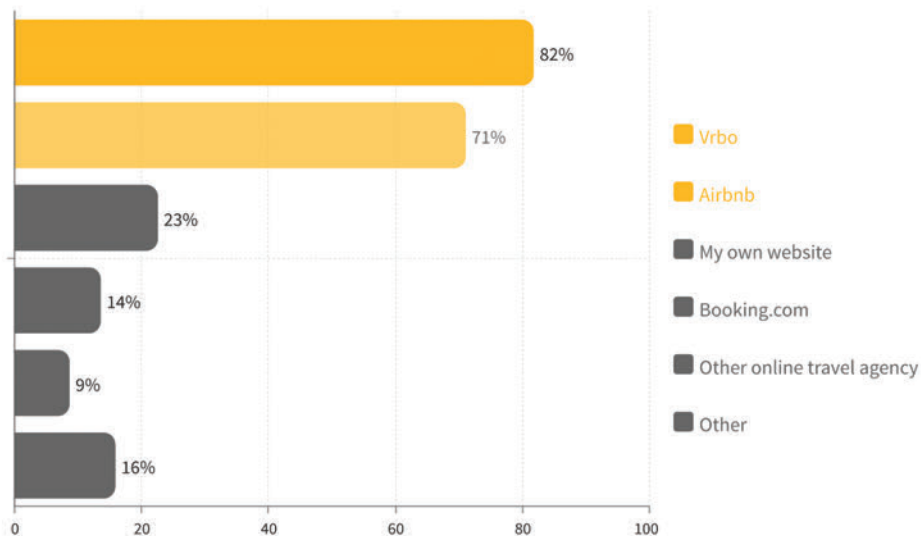
In the Lafayette there are 380 actual STR dwellings. 200 are in or around Downtown Lafayette. 40% are in RS-1.



2. State-of-the-STR-Community Report and Local Numbers

Where do you currently list your properties?

All Respondents



In the past 12 months, how many total employees have you employed?

	Percent of Respondents
0	35.2%
1-2	32.1%
3-5	24.1%
6-10	6.7%
11 or more	1.9%

In the past 12 months, approximately how much have you paid to your employees?

	Percent of Respondents
Up to \$25,000	83.5%
\$25,001-\$75,000	12.5%
\$75,001-\$125,000	2.3%
Over \$125,000	1.7%

In the past 12 months, approximately how much have spent locally on improvements, maintenance and services for your rental property?

	Percent of Respondents
Up to \$25,000	7.8%
\$1,000-\$2,500	13.2%
\$2,501-\$5,000	17.0%
\$5,001-\$10,000	19.4%
\$10,001-\$15,000	11.3%
\$15,001-\$20,000	8.9%
\$20,001-\$25,000	7.8%
\$25,001-\$50,000	7.1%
\$50,001-\$75,000	3.0%
\$75,001-\$100,000	1.7%
Over \$100,000	2.7%

2. State-of-the-STR-Community Report and Local Numbers

Regulators frequently cite the desire for more long-term housing as a reason to regulate short-term rentals. This assumes that short-term rentals would make acceptable cost-effective housing or that owners would be interested in converting their properties. Studies have consistently shown that is not often the case.

In Telluride, CO short-term rental operators were able to show the town council that many of the vacation rentals that their local STR Ordinance would shut down were used at least part of the time by their owners as vacation homes, indicating that the homes would likely never be converted into long-term housing for the workforce.

More expansive study data mirrors those findings.

Table 21. Would any of the properties you own/manage be considered affordable long-term options for residents?

	Owned Properties	Managed Properties
Yes	23.2%	21.3%
No	53.8%	50.4%
Some would, some wouldn't	16.3%	24.6%
I am not sure	6.7%	3.7%

Table 22. If I could not operate STRs in the properties I own, I would... (Select all that apply)

	Owner Only	Owner-Manager
Leave it empty	24.7%	11.9%
Sell it	34.4%	47.2%
Move into it	10.9%	8.7%
Mid-term rent it (leases of 30 days to 6 months)	31.2%	32.5%
Long-term rent it (leases of longer than 6 months)	22.3%	25.5%

80% of STR owners report 0 complaints with their neighbors.

3. RS-1 - The Largest Zone in Lafayette

Far from an exclusive residential zone, RS-1 is the largest in the city, comprising over 75% of Lafayette. Some cities do have smaller, more restrictive residential zones, but that's not the case in Lafayette. The LDC states that Non-residential uses in the RS district are subject to the same standards as residential uses. This ensures non-residential buildings adhere to the character of the surrounding buildings. Short-term rentals all meet these standards. Nothing in the LDC states that businesses are not allowed in RS-1.

Residential Buildings: Single-family detached dwellings, accessory apartments, cottage courts and community homes are allowed by right in RS-1. Duplexes, townhouses, row houses, manufactured housing communities and bed & breakfasts are all allowed with a permit.

Cottage Courts are multiple detached structures or duplexes arranged on a single lot around a courtyard. Townhouses are large dwellings that contain multiple single-family units that are clearly separated.

Not all RS-1 neighborhoods are alike. One thing that gives different neighborhoods their unique character is the mixture of different housing types. Not every RS-1 is 100% single homes on separate lots.

Businesses and other non-residences DO exist in RS-1 neighborhoods. The LDC specifically allows by right child care facilities, churches, public safety facilities, schools (public or private), civic spaces, and various agricultural uses. This is in addition to the many home businesses and rental properties, both long and short-term that make money for their owners. Clearly, RS-1 neighborhoods as they exist today includes many businesses and non-residences.

A business - an activity performed in exchange for money - is different from a commercial property. Short-term rentals do not meet the standards of a commercial property as they are not open to the public, have business hours or phone numbers, or house workers as they perform an occupation. They are rental properties that can also be personally used by the owners and their families.

Every form of rental activity is different. Short-term rentals are not exactly the same as long-term rentals, but they are certainly not the same as an office building or hotel.



Apartment Complex in RS-1. St. Joseph Street, Saint Streets

Business and Non-residential Properties in RS-1

There are many non-residences located in RS-1 zones throughout Lafayette. Here are a few we located after searching for approximately one hour:

Champagnes Grocery, 716 Souvenir Gate, Lafayette, LA 70506



Crawfish Aquatics, 107 Susan St, Lafayette, LA 70506



Business and Non-residential Properties in RS-1

There are many non-residences located in RS-1 zones throughout Lafayette. Here are a few we located.

Former Butterflies Youth Center, 809 W. Saint Mary Blvd., Lafayette, LA 70506



BCM at UL, 1226 Johnston St, Lafayette, LA 70503



Business and Non-residential Properties in RS-1

There are many non-residences located in RS-1 zones throughout Lafayette. Here are a few we located.

Fatima School, Church, Athletic Fields, 2319 Johnston St, Lafayette, LA 70503



Kid City Daycare, 420 Foreman Dr, Lafayette, LA 70506



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Business and Non-residential Properties in RS-1

There are many non-residences located in RS-1 zones throughout Lafayette. Here are a few we located.

Boys & Girls Club of Acadiana, 1000 Marie Antoinette St, Lafayette, LA 70506



Hubbard's Creative Art & Signs, 204 Rendon Dr., Lafayette, LA



Business and Non-residential Properties in RS-1

There are many non-residences located in RS-1 zones throughout Lafayette. Here are a few we located.

Snow Grocery, 520 Tenth St., Lafayette, LA 70506



PJ's Art and Dance Studio, 527 Mudd Ave., Lafayette, LA



Home Businesses

There are many home businesses listed on Google Maps in RS-1 neighborhoods. Some of these businesses are even listed on the LDC zoning maps! Go see for yourself.

Questionably Zoned Properties

RS-1 covers a huge area and encompasses many properties that should logically be RM-1, MN-1 (Mixed-Use Neighborhood) or CM-1 (Commercial Mixed) based on other, similar properties. These properties can be described as incorrectly or questionably zoned.

Lafayette Zoning as it exists today does not work the way opponents of STRs have described. There is no exclusive single-family residential zone, nor are all RS-1 zones completely reserved solely for non-business use. Until Lafayette is completely re-zoned, a ban of short-term rentals in RS-1 is wholly inappropriate.

Short-Term Rentals in Residential Zones

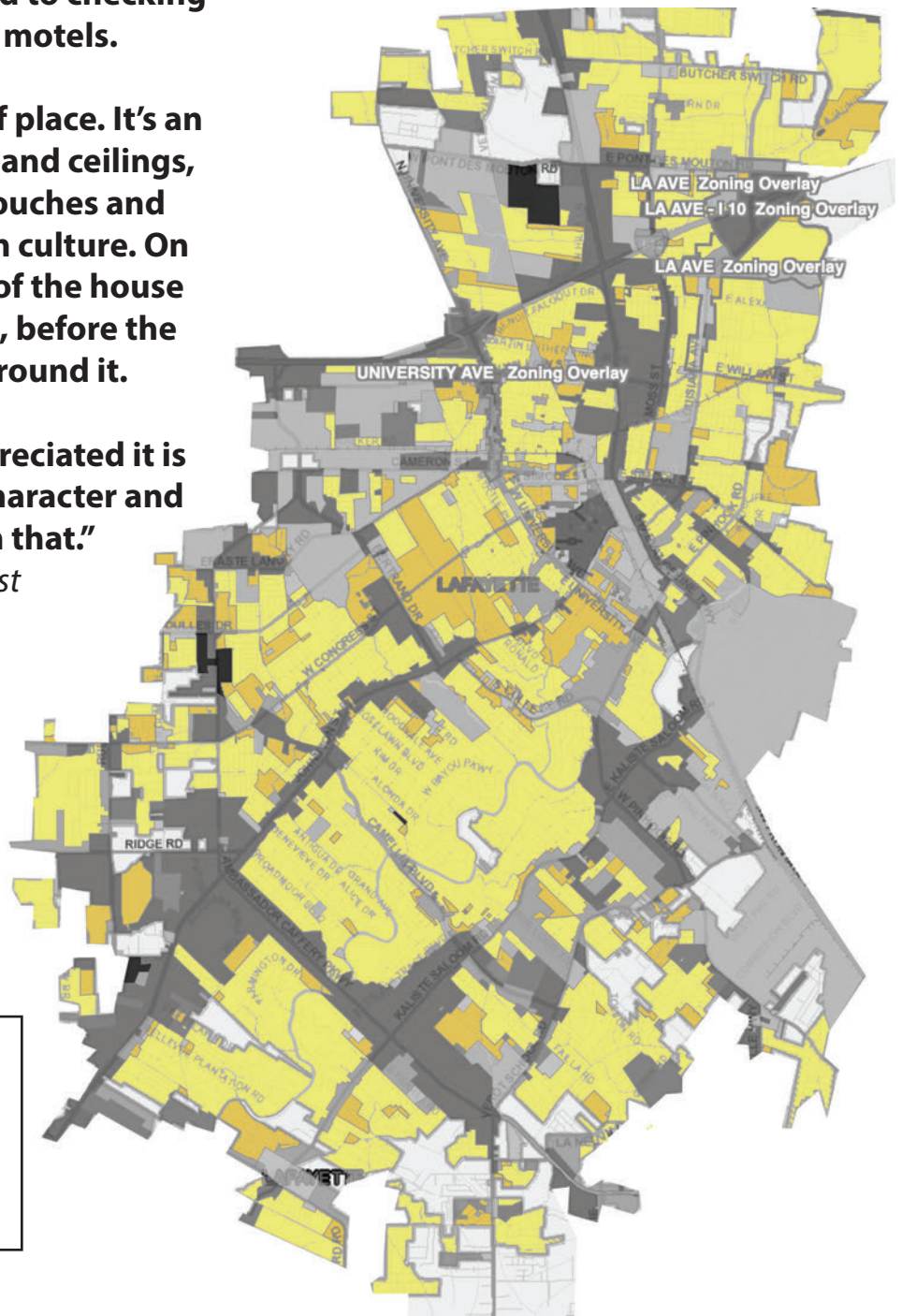
By their very nature, STRs are garage and backyard apartments, small homes and other spaces that have been traditional rental properties. In areas like the Saint Streets and Freetown, these were once filled with UL students, but as off-campus student apartment complexes were built in Lafayette, rental owners were forced to adapt. Short-term renting has cushioned the negative impact of these large developments.

“One reason we book with Airbnb is to gain perspective on the way people live in the places we travel to. As opposed to checking into cookie-cutter chain motels.

This cottage exudes a sense of place. It’s an older home with wood floors and ceilings, decorated with Louisiana touches and shelves of books on Southern culture. On the breakfast bar is a photo of the house taken probably in the 1940s, before the neighborhood built up around it.

We enjoyed our stay. We appreciated it is an older home with all the character and patina that comes with that.”

Colleen, AirBnB Guest



City of Lafayette Zones

RS and RM zones highlighted.
We estimate that over 70% of
STRs are located in RS-1 and
RM-1 Zones

4. Analysis of Current City Council Ordinance

As we understanding this ordinance is being amended, this analysis is ongoing.

Name: CO-094-2023

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT FOR RS, PI-L, AND PI-H ZONING DISTRICTS, AND ESTABLISHING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY AMENDING ARTICLE 2, "TABLE 89-21-2 USE TABLE", SECTION 89-21(d), AND ARTICLE 8, SECTION 89-151-1 "GENERAL DEFINITIONS", ALL REGARDING SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE (PROHIBIT IN RS)

Council Sponsor: Andy Naquin, District #2

Details: 11 pages. Creates new 8 page chapter of LCG Code of Ordinances. Amends 3 pages of UDC zoning code.

Summary:

- Applies only in the City of Lafayette (See Sec. 73-2).
- Regulations do not supersede or affect private covenants/neighborhood restrictions (See Sec. 73-2).
- Regulations apply to existing and new STRs (See Sec. 73-2).
- Regulations identify the type of structure within which an STR can operate in a permitted zone (See Sec. 73-3).
- No vested right in STR license and the license is not transferrable (See Sec. 73-4 & 73-5)
- Short-Term Rental means the provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation (See Sec. 73-7).
- Unlawful to operate a STR without a license (See Sec. 73-15).
- STR license is obtained through an application process with CD&P and requires the payment of a \$100.00 non-refundable, non-transferable license fee (See Sec. 73-16).
- STR license is valid for one year (on a calendar year basis), with annual renewals requiring application for renewal (See Sec. 73-17).
- CD&P Director is vested with the authority to issue fines and/or suspend or revoke a STR license due to any non-compliance with STR regulations or any other federal, state, or local law (See Sec. 73-27).
- Appeal of any decision of the CD&P Director is to be filed with the 15th JDC (See Sec. 73-27).
- Any STR license revoked by CD&P Director results in prohibition on reissuance of STR license for that revoked Licensee (includes interposed persons and direct/indirect economic interest relationship) for that property for two (2) years from date of revocation (See Sec. 73-18).
- Operation of STR requires a Short-Term Rental Agent who is required to be available 24/7 to address any problems/complaints. STR regulations impose strict requirements on Short-Term Rental Agent regarding, among other things, specific response times and maintenance of complaint logs relative to the operation of the STR (See Sec. 73-25).
- The STR regulations required Licensee to post a sign inside the Short-Term Rental in a conspicuous place where it is readily visible at all times. The sign shall include the Short-Term Rental Agent's 24/7 contact information (including mailing address, mobile phone number with texting capabilities, and email address), the street address of the Short-Term Rental, and a copy of the Short-Term Rental license (See Sec. 73-24).
- Minimum stay for a STR is one (1) night.
- Requires rental of entire structure (Dwelling or Dwelling Unit).
- STRs operating or desiring to operate in a zoning district where STRs are permitted shall apply for STR license on or before December 31, 2023 (See City Ordinance).

(Continued)

4. Analysis of Current City Council Ordinance

Name: CO-094-2023

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT FOR RS, PI-L, AND PI-H ZONING DISTRICTS, AND ESTABLISHING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY AMENDING ARTICLE 2, "TABLE 89-21-2 USE TABLE", SECTION 89-21(d), AND ARTICLE 8, SECTION 89-151-1 "GENERAL DEFINITIONS", ALL REGARDING SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE (PROHIBIT IN RS)

Summary Continued:

- STRs permitted in all zoning districts, except "RS", "PI-L" and "PI-H".
- Operation of STRs is only permitted in zoning districts which contain a "P*" in the Short-Term Rental use category of Table 89-21-2 of the Lafayette Development Code. Within such zoning districts, the operation of a Short-Term Rental is further restricted to being operated within one of the listed types of "Residences" under the use category of "Residential", and "Bed and Breakfast" listed under the use category of "Lodging", in Table 89-21-2 of the Lafayette Development Code that are permitted "by right" ("P") or by a valid Conditional Use Permit ("C"), in that zoning district (See Sec. 73-3).
- However, except in RS (because it is prohibited), and notwithstanding the foregoing, any Short-Term Rental being operated prior to the Effective Date of this City Ordinance may qualify as a nonconformity under the provisions of Article 6 of Chapter 89 of the LCG Code of Ordinances if said Short-Term Rental is being operated within one of the listed types of "Residences" under the use category of "Residential", and "Bed and Breakfast" listed under the use category of "Lodging", in Table 89-21-2. In order to qualify as such nonconformity, in addition to the applicable provisions of Article 6 of Chapter 89 of the LCG Code of Ordinances, any person or entity currently operating a Short-Term Rental shall, on or before December 31, 2023, apply for, obtain, and maintain a valid Short-Term Rental license in accordance with this Chapter. Failure to timely apply for, obtain, and maintain a valid Short-Term Rental license shall result in the loss of the right to operate a Short-Term Rental as a nonconformity. All other nonconformities shall be prohibited from converting to a Short-Term Rental. In an RS zoning district, no Short-Term Rental operating on or before the effective date of this Chapter shall qualify as a nonconformity, and the provisions of this paragraph shall supersede Article 6 of Chapter 89 of the LCG Code of Ordinances (See Sec. 73-3).
- Places "Short-Term Rentals" in the category of "Lodging" in the Lafayette Development Code Use Table 89-21-2.
- In RM Zoning Districts only (because STRs are prohibited in RS):
 - o Receptions or private parties/events for a fee are not allowed; and
 - o Maximum number of four (4) guest rooms can be offered, with maximum occupancy of two (2) person for each guest room (See Sec. 73-26).
- STRs operating in a zoning district where Short-Term Rentals are prohibited by this City Ordinance (PI-L, and PI-H) shall have twelve (12) months from the Effective Date of this City Ordinance to cease operations or, on or before December 31, 2023, apply for and obtain a Short-Term Rental license as a nonconformity. However, STRs operating in RS Zoning Districts shall have twelve (12) months from the Effective Date of this City Ordinance to cease operations, without the ability to continue operating as a non-conformity (See City Ordinance).

ORDINANCE NO. CO-094-2023

**AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL
ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED
GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND
OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT
FOR RS, PL-L, AND PL-H ZONING DISTRICTS, AND ESTABLISHING PENALTIES
FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-
PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY AMENDING
ARTICLE 2, "TABLE 89-21-2 USE TABLE", SECTION 89-21(d), AND ARTICLE 8,
SECTION 89-151-1 "GENERAL DEFINITIONS", ALL REGARDING SHORT-TERM
RENTALS IN THE CITY OF LAFAYETTE (PROHIBIT IN RS)**

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, in recent years, technology and innovation have expanded the use and operation of Short-Term Rentals (defined herein) to allow visitors and tourists to stay in and experience a local community; and

WHEREAS, the Lafayette City Council desires to enact Chapter 73 and amend Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances to enact and establish reasonable regulations associated with the licensing, use, and operation of Short-Term Rentals in the City of Lafayette, the same being necessary to further the health, safety and welfare of the citizens of the City of Lafayette.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: The above "Whereas" clauses are adopted as part of this City Ordinance.

SECTION 2: The Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 73 "SHORT-TERM RENTALS", is hereby enacted and shall read as follows:

CHAPTER 73: SHORT-TERM RENTALS

ARTICLE I. – GENERALLY, LICENSING, AND OPERATION

DIVISION 1. – GENERALLY

Sec. 73-1. Legislative intent and purpose

- (a) The legislative intent and purpose in adopting this Chapter is to promulgate reasonable rules and regulations for the licensing and lawful operation of a Short-Term Rental, as defined herein, within the City of Lafayette.
- (b) The Lafayette City Council finds that the establishment of rationally based, reasonably tailored rules and regulations as hereinafter set forth concerning Short-Term Rentals is necessary to promote, protect and preserve the general welfare, safety, health, peace, good order and economy of Lafayette and the citizens of the City of Lafayette, and to preserve the integrity of Lafayette's neighborhoods.

Sec. 73-2. Territorial applicability and retroactivity.

- (a) Except as otherwise provided in this Chapter, the provisions of this Chapter shall apply only in the City of Lafayette.
- (b) This Chapter shall not supersede or affect any private conditions, covenants or restrictions applicable to a Short-Term Rental property.

- (c) This Chapter applies to all Short-Term Rentals located in the City of Lafayette regardless of whether the Short-Term Rental existed prior to or subsequent to the adoption of this Chapter.

Sec. 73-3. Limited operation in City of Lafayette zoning districts.

The operation of a Short-Term Rental is only permitted in zoning districts which contain a "P*" in the Short-Term Rental use category of Table 89-21-2 of the Lafayette Development Code. Within such zoning districts, the operation of a Short-Term Rental is further restricted to being operated within one of the listed types of "Residences" under the use category of "Residential", and "Bed and Breakfast" listed under the use category of "Lodging", in Table 89-21-2 of the Lafayette Development Code that are permitted "by right" ("P") or by a valid Conditional Use Permit ("C"), in that zoning district.

Except in RS zoning districts, and notwithstanding the foregoing, any Short-Term Rental being operated prior to the Effective Date of this City Ordinance may qualify as a nonconformity under the provisions of Article 6 of Chapter 89 of the LCG Code of Ordinances if said Short-Term Rental is being operated within one of the listed types of "Residences" under the use category of "Residential", and "Bed and Breakfast" listed under the use category of "Lodging", in Table 89-21-2. In order to qualify as such nonconformity, in addition to the applicable provisions of Article 6 of Chapter 89 of the LCG Code of Ordinances, any person or entity currently operating a Short-Term Rental shall, on or before December 31, 2023, apply for, obtain, and maintain a valid Short-Term Rental license in accordance with this Chapter. Failure to timely apply for, obtain, and maintain a valid Short-Term Rental license shall result in the loss of the right to operate a Short-Term Rental as a nonconformity. All other nonconformities shall be prohibited from converting to a Short-Term Rental. In an RS zoning district, no Short-Term Rental operating on or before the effective date of this Chapter shall qualify as a nonconformity, and the provisions of this paragraph shall supersede Article 6 of Chapter 89 of the LCG Code of Ordinances.

Sec. 73-4. No vested rights in license.

The City of Lafayette and/or the Lafayette City-Parish Consolidated Government, as the case may be, reserves the right to amend or repeal this Chapter at any time, and no Operator or Licensee shall have any vested rights to operate hereunder, obtain or retain a license, or have a license renewed. A Short-Term Rental license is a privilege, not a right, and may be denied, revoked, or not renewed based on the provisions of this Chapter and/or the non-compliance with the requirements of this Chapter.

Sec. 73-5. Non-Transferability; Non-Exclusivity.

Licenses issued pursuant to this Chapter shall not be sold, transferred, assigned, leased or subleased to any other Operator, Licensee, person or entity. Any such sale, transfer, assignment, lease or sublease renders the license null and void. Further, with regard to licenses issued in the name of a business entity, the sale, transfer or assignment of a majority of the ownership interest therein shall render the license null and void. Nothing contained herein shall be construed to give an Operator or Licensee the exclusive right to operate within the City of Lafayette.

Sec. 73-6. Limitation of liability.

Neither the City of Lafayette, the Parish of Lafayette, nor the Lafayette City-Parish Consolidated Government, as the case may be, shall be liable to any Licensee, Short-Term Rental Guests or other third parties for any loss, damage or injury to Licensee, its Short-Term Rental, Short-Term Rental Guests, or any other property or third persons as a result of the operation and/or use of a Short-Term Rental.

Operators, Licensees, and its/their Short-Term Rental Guests acknowledge and agree that the City of Lafayette, Parish of Lafayette, and/or the Lafayette City-Parish Consolidated Government are not responsible for providing security at any location where Short-Term Rentals are located or operated.

Sec. 73-7. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Department refers to the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning.

Director refers to the director of the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning or his/her designee.

Dwelling means a building, or individual units within a mixed-use building, designed for or used exclusively for residential purposes. A dwelling includes any use designated as “Residences” in the Use Table 89-21-2 of the Lafayette Development Code.

Dwelling Unit means one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed, or used as living quarters for one family.

Governing Authority refers to the governing authority of the City of Lafayette and/or the Lafayette City-Parish Consolidated Government.

Licensee means an Operator that holds a current and valid license issued pursuant to this Chapter.

Operator means a person, firm or corporation, including its agents and employees, which owns and operates a Short-Term Rental in the City of Lafayette without a current and valid license issued pursuant to this Chapter.

Short-Term Rental means the provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.

Short-Term Rental Agent means a natural person designated by the owner of a Short-Term Rental on the Short-Term Rental license application. A Short-Term Rental owner who is a natural person may serve as the Short-Term Rental Agent.

Short-Term Rental Guests mean guests, tourists, vacationers or any other person who, in exchange for compensation, occupy a Short-Term Rental for a period of time not to exceed 29 consecutive days.

Sec. 73-8. Adherence to existing laws required.

An Operator/Licensee of a Short-Term Rental shall be subject to all federal, state, and local laws and regulations.

Without limiting the generality of the foregoing, the operation of a Short-Term Rental shall not generate noise, vibration, glare, odors, or other effects that unreasonably interfere or adversely affect another’s use and enjoyment of property. To that end, all Operators, Licensees, and all persons who occupy a Short-Term Rental, shall, in addition to the requirements contained herein, abide by all existing state and local laws and ordinances, including but not limited to LCG Code of Ordinances – Chapter 34, Article II “Nuisances”, LCG Code of Ordinances – Chapter 34, Article IV “Noise Control”, LCG Code of Ordinances – Chapter 74, Article III “Solid Waste”, LCG Code of Ordinances – Chapter 86, Article IX “Stopping, Standing, and Parking Regulations”, said Chapters being incorporated herein by reference hereto.

Sec. 73-9. Duty to cooperate.

Operators/Licensees and/or Short-Term Rental Agents shall cooperate and meet with the Director upon request. Failure to comply with the provisions of this Chapter, as well as any federal, state, and local laws and regulations, may subject an Operator or Licensee to a fine, or may result in a denial, suspension or revocation of a Short-Term Rental license or renewal thereof.

Sec. 73-10 – Sec. 73-14. Reserved.

DIVISION 2. – LICENSE REQUIREMENTS

Sec. 73-15. License required.

It shall be unlawful to operate a Short-Term Rental within the City of Lafayette without a valid and current Short-Term Rental license issued by the Lafayette City-Parish Consolidated Government. No license issued under this Chapter shall operate as a valid license for the operation of a Short-Term Rental for any person(s) / entity(ies) other than those listed on the license and for any location other than the specific location for which it is issued.

An Operator/Licensee is not entitled to and has no automatic right to a license. The issuance of a license may be withheld or denied in the discretion of the Director, which decision may be based on the information in the application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-16. License application.

- (a) Operators who desire to operate a Short-Term Rental in the City of Lafayette shall complete and submit an application for a license, in the form provided by LCG, to the Director.
- (b) In addition to the requirements of sub-paragraph (a) of this Section, the Operator shall submit:
 - (1) Payment of a \$100.00 non-refundable, non-transferrable license fee. License fees remitted in connection with a new license issued for less than a calendar year shall be prorated;
 - (2) The specific physical address of the Short-Term Rental to be used by the Operator during the license year and the total number of guest rooms, subject to the Director's approval, to be used for its operation;
 - (3) Documentary evidence of a zero-balance for all imposed fees, fines, assessments, charges, penalties, taxes, levies, owed by the Operator, as well as any ad valorem taxes on the property upon which the Short-Term Rental is located, or any other outstanding amounts whatsoever owed by the Operator to any department and/or division of the Governing Authority;
 - (4) A copy of the organizational documents establishing the Operator's business entity and evidencing the nature of same (e.g. LLC, Corporation, Partnership, etc.), a list of every officer, if applicable, the registered agent, and all shareholders/members/partners/owners and their respective ownership interest in and to the business entity, as well as any amendments or bylaws associated therewith;
 - (5) The name and contact information (including mailing address, mobile phone number with texting capabilities, and email address) of the Operator, and the name and contact information (including mailing address, mobile phone number with texting capabilities, and email address) of the Short-Term Rental Agent, which shall constitute his or her twenty-four hours a day, seven days a week (24/7) contact information;
 - (6) The Operator/Licensee's signed affidavit of ownership of the Short-Term Rental, on a form provided by the Director;
 - (7) The Operator/Licensee's and the Short-Term Rental Agent's signed acknowledgement that he or she has reviewed this Chapter and understands its requirements;
 - (8) The Operator/Licensee's and the Short-Term Rental Agent's signed agreement to use his/her/their best efforts to assure that the use of the premises as a Short-Term Rental will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
 - (9) The number and location of parking spaces legally available on the property upon which the Short-Term Rental is located to be used for its operation;
 - (10) Documentary evidence that the Short-Term Rental Operator/Licensee has provided notification of the intent to secure a Short-Term Rental license, via certified United States mail, to the following:

- i) The physical municipal addresses of the first and second adjacent properties. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first and second adjacent property, if different than the physical municipal addresses; and
- ii) If the Short-Term Rental is located within a Dwelling consisting of one or more Dwelling Units not owned by the Operator/Licensee, the physical municipal addresses of the first and second adjacent Dwelling Units. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first and second adjacent Dwelling Units, if different than the physical municipal addresses.

This notification shall include the address of the Short-Term Rental and the name, address, telephone number, and email address of the Operator/Licensee and the 24/7 contact information of the Short-Term Rental Agent;

- (11) Proof that the Operator/Licensee has a current registered account with the Lafayette Parish School System for remittance of all applicable taxes related to the operation of the Short-Term Rental; and
 - (12) A signed statement that the Operator/Licensee has not had any license or permit of a similar type, issued by any state or political subdivision, suspended, revoked, and/or declared null and void within two (2) years prior to filing said application, which information may be used by the Director in determining whether a license or renewal thereof shall issue pursuant to this Chapter.
- (c) *Abandonment of license application.* An application for a new or renewal license shall be deemed abandoned if:
- 1. The Director has sent written notice to the Operator or Licensee that said application is incomplete or requires supplementation ("Deficiencies"); and
 - 2. More than 45 calendar days have elapsed from the date of the notice of the Deficiencies by the Director explaining the Deficiencies, and the Operator or Licensee has failed to correct the Deficiencies and re-submit a revised license application to the Director.

Any abandonment of a license application will require the Operator or Licensee to submit a new application pursuant to this Chapter. The application fee of the abandoned application shall not be transferred to a new application.

- (d) During the license year, any changes to the information provided by a Licensee in its license application must be reported to the Director, in writing, within ten (10) days of the change. In the event the 24/7 contact information of the Short-Term Rental Agent changes during the license year, the Licensee shall, within five (5) business days, provide the updated 24/7 contact information to the first and second adjacents in the manner required by Sec. 73-16(10)(i)-(ii) and, within ten (10) days of this change, provide documentary evidence of such notice to the Director.
- (e) Licensees may be required to obtain and maintain additional valid licenses, certificates, and/or permits from the Governing Authority.

Sec. 73-17. Duration of license; license renewal.

- (a) Licenses and renewals thereof issued pursuant to this Chapter shall be valid from the date of issuance until December 31 of the calendar year in which the license has been issued, unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first. Each change in ownership of a Short-Term Rental shall require the new owner(s) to apply for and obtain a new license.
- (b) Application for an annual renewal of a license shall be made by the Licensee no later than 60 days before license expiration. Application for license renewal shall require:

- (1) Payment of a \$100.00 non-refundable, non-transferrable application fee;
- (2) Supplementation of Licensee's original license application and supporting documentation to the extent the information contained therein has changed and/or requires renewal or update, including but not limited to updates to those items listed in Section 73-16(b), or a notarized statement by the Licensee attesting that no information has changed, and if changed, has been updated since the original license application.
- (c) Upon renewal, licenses issued pursuant to this Chapter shall be valid for one (1) year (January 1 – December 31) unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first.
- (d) If, through no fault of the Licensee, a renewal license is not issued before January 1 of the license year, the Director may extend the Licensee's license until such time as the Licensee's application for renewal license is granted or denied.
- (e) Licensee is not entitled to and has no automatic right to renewal of its license. Renewal licenses may be withheld or denied in the discretion of the Director, which decision may be based on the information in the renewal application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-18. Prohibition on re-issuance of revoked license.

The Director shall not consider any subsequent application for a Short-Term Rental license by the Licensee(s) listed on a revoked license for the property identified thereon within a period of 2 years beginning on the date the Director's decision to revoke the license becomes final. For the purposes of this prohibition, no license shall be issued to any person who is an interposed person for the Licensee whose license has been revoked. The Director may require a full disclosure, in writing and under oath, of the details of the operation of any person suspected of being interposed for another. Further, no license shall be issued for that property to any Licensee where the revoked Licensee has a direct or indirect economic interest.

Sec. 72-19 – 17-23. Reserved.

DIVISION 3. – SHORT-TERM RENTAL OPERATIONS

Sec. 73-24. Generally.

A Short-Term Rental Licensee shall post a sign inside the Short-Term Rental in a conspicuous place where it is readily visible at all times. The sign shall include the Short-Term Rental Agent's 24/7 contact information (including mailing address, mobile phone number with texting capabilities, and email address), the street address of the Short-Term Rental, and a copy of the Short-Term Rental license.

Sec. 73-25. Short-Term Rental Agent.

Short-Term Rental Agents shall:

- (a) Receive and accept service of any notice related to the use or occupancy of the Short-Term Rental;
- (b) Monitor the Short-Term Rental for compliance with this Chapter;
- (c) Be available 24 hours per day, 7 days per week and have the primary responsibility to handle any problems or complaints arising from the use or operation of the Short-Term Rental. The Short-Term Rental Agent shall address the problem or complaint within sixty (60) minutes, or within thirty (30) minutes if the problem occurs between 11:00 p.m. to 7:00 a.m., including visiting the site if necessary; and

- (d) Maintain a log of each complaint arising from the use or operation of the Short-Term Rental. This log shall include, at a minimum, the address of the Short-Term Rental at issue, the date and time of the complaint, the name of the complainant(s) if available, the nature of the complaint, a summary of the action taken to resolve the complaint, and the date and time the complaint was resolved. A separate log shall be maintained for each permit year and each Short-Term Rental, and shall be kept for at least one (1) year following the expiration of each License year, and shall be made available to the Director upon request.

Sec. 73-26. Prohibitions.

- (a) Minimum Stay.

No Short-Term Rental shall be rented or offered for rent for less than a one (1) night minimum stay.

- (b) Events.

Receptions or private parties/events for a fee are not allowed on the premises of a Short-Term Rental in "RM" zoning districts.

- (c) Rental of Entire Dwelling or Dwelling Unit Required.

Individual rooms within a Dwelling or Dwelling Unit shall not be separately rented or offered for rent; only the entire Dwelling or Dwelling Unit can be rented or offered for rent.

- (d) Maximum Occupancy in "RM" Zoning Districts.

The maximum number of guest rooms that can be rented or offered for rent in a Short-Term Rental in an "RM" zoning district shall be four (4). The maximum occupancy of a guest room within a Short-Term Rental in a "RM" zoning district is limited to two (2) persons. These maximum occupancy restrictions apply per license, irrespective of whether the licensed property contains more than one (1) structure suitable for the operation of a Short-Term Rental.

Sec. 73-27. Violations; suspension and/or revocation of license

- (a) *Authority of Director.* Licensee may be fined and/or licenses may be conditioned, suspended, or revoked by the Director due to any non-compliance with the regulations or requirements of this Chapter, or due to a failure to comply with any and all statutes, ordinances, regulations or policies that are duly and lawfully adopted by the United States, the State of Louisiana, the City of Lafayette, the Parish of Lafayette and/or the Lafayette City-Parish Consolidated Government.
- (b) *Informal hearing before Director.* Before any Licensee is fined and/or any license is conditioned, suspended, or revoked pursuant to this Section, the Licensee shall be entitled to an informal hearing before the Director, as provided herein. The Director shall issue a written notice to the Licensee, at the address provided by Licensee in its/their license application. Written notice may be sent either by regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application and shall include the following:
 - a. The date, time, and place of the informal hearing;
 - b. The relevant provisions of the statutes, ordinances, regulations and/or policies violated; and
 - c. A brief description of the alleged violation(s).

Prior to holding an informal hearing pursuant to this Section, Licensee shall be notified at least fourteen (14) days (inclusive of legal holidays) in advance of the date that such a hearing is scheduled. The date of postmark or e-mail transmission shall be deemed to be the date of delivery.

Within fourteen (14) days of the informal hearing, the Director shall render a written decision. Notice of the Director's written decision shall be provided to the Licensee either by regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application. The date of postmark or e-mail transmission shall be deemed to be the date of delivery. The written decision of the Director shall be final after the expiration of the appeal delays established in this Section.

- (c) *Appeal to District Court.* Within 21 calendar days from the date of the Director's written decision, a Licensee may take an appeal to the 15th Judicial District Court. Concurrent with the filing of an appeal to the 15th Judicial District Court, the Licensee shall provide notice of such filing to the Director.
- (d) Fines levied, and/or any licenses conditioned, suspended, or revoked by the Director shall be effective upon the decision of the Director becoming final.

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SECTION 3: Chapter 89, Article 2, Section 89-21-2 ("Use Table") of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Table 89-21-2 Use Table

Use Category	"A" Agricultural	"RS" Residential Single-Family	"RM" Residential Mixed	"MN" Mixed-Use Neighborhood	"MX" Mixed-Use Center	"D" Downtown	"CM" Commercial Mixed	"CH" Commercial Heavy	"PL-L" Public/Institutional-Light	"PL-H" Public/Institutional-Heavy	"IL" Industrial Light	"IH" Industrial Heavy
Residential												
Residences:												
Dwelling, single-family detached	P	P	P	P								
Accessory apartment	P	P	P	P	P	P	C					
Cottage Courts		C	P	P		C	P					
Dwelling, two-family (duplex)		C	P	P			P					
Multi-family			P	P	P	P	P	P				
Live/Work Dwelling			P	P	P	P	P					
Manufactured home												
Manufactured Housing Land Lease Community	P	<u>C</u>	<u>C</u>									
Apartment House			P	P	P	P	P					
Apartment Hotel				P	P	P	P	P				
Townhouse/ Row House		C	P	P	P	P	P					
Group Living:												
Boarding House			P	P	P	P						
Community living			P	P	P	P	P	P				
Community home	P	P	P	P	P	P	P	P			P	
Life care or continuing care services				P	P	P	P	P				
Lodging												
Bed and breakfast		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>					
Short-Term Rental *See LCG Code, Chapter 73-3	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>			<u>P*</u>	<u>P*</u>
Hotel (small)				P	P	P	P	P			P	P
Hotel / Motel					P	P	P	P			P	P
Recreational vehicle park	C											

SECTION 4: Chapter 89, Article 2, Section 89-21(d) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Lodging	
Bed and breakfast	An owner- or operator-occupied house, or part of a house, that offers no more than 9 guest bedrooms for overnight paid occupancy of up to 30 consecutive nights, and where breakfast is provided to guests.
Short-Term Rental	<u>The provision of a Dwelling or Dwelling Unit, or a portion of either, that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.</u>
Hotel (small)	A Hotel that does not contain more than 50 guest rooms and does not exceed three stories in height.
Hotel / Motel	A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests and transients and where only a general kitchen and dining room are provided within the building or in an accessory building.
Recreational vehicle park	Any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, or mobile trailers for dwelling, lodging, or sleeping purposes and is held out as such to the public. Examples include campgrounds and recreational vehicle/travel trailer parks. This use does not include a Manufactured Housing Land Lease Community.

SECTION 5: Chapter 89, Article 8, Section 89-151-1 (“General Definitions”) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strike through~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Table 89-151-1 General Definitions

Shopping Center	See Integrated Business Center in Article 5 “Signs”. (↔ § 89-90 (a)(2)).
Short-Term Rental	<u>The provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation. (↔ § 73-1) (↔ § 89-21-2 “Use Table”) (↔ § 89-21(d))</u>
Shrub	A low, usually multi-stemmed, self-supporting, woody plant species

SECTION 6: The regulations associated with the operation of a Short-Term Rental in the City of Lafayette as established herein shall be retroactively applied. In that regard:

- (i) Those Operators operating a Short-Term Rental prior to the Effective Date of this City Ordinance located in a zoning district where Short-Term Rentals are prohibited by this City Ordinance shall have twelve (12) months from the Effective Date of this City Ordinance to cease operations or, on or before December 31, 2023, apply for and obtain a Short-Term Rental license as a nonconformity under the provisions of Chapter 73, Section 73-3, of the Lafayette City-Parish Consolidated Government Code of Ordinances; and
- (ii) Those Operators operating a Short-Term Rental prior to the Effective Date of this City Ordinance and/or those Operators desiring to operate a Short-Term Rental prior to December 31, 2023, located in a zoning district where Short-Term Rentals are not prohibited by this City Ordinance shall, on or before December 31, 2023, apply for a Short-Term Rental license in accordance with Chapter 73 of the Lafayette City-Parish Consolidated Government Code of Ordinances.

The issuance of a Short-Term Rental license authorizing the operation of a Short-Term Rental shall be subject to all regulations and requirements of the Lafayette City-Parish Consolidated Government Code of Ordinances.

SECTION 7: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *

5. LTLA Proposed Ordinance and Explainer

For simplicity's sake, we made changes to Ordinance CO-094-2023 to illustrate the changes we believe need to be made. We are continuing to review the existing ordinance and believe some sections should be rethought to incorporate different solutions or rewritten for clarity and transparency.

Key Differences

- Include a level of grandfathering.

Rationale: While it's obvious the council is concerned with the current state of STRs in Lafayette, grandfathered rentals would be subject to restrictions stated later in the ordinance. Properties would be required to obtain permits and all the accompanying requirements and documentation that entails. Further, the Director has the explicit authorization to deny permits for any reason. Problem properties identified by the Lafayette Police Department as nuisances could thereby be prohibited from receiving licenses.

“We’re not gonna put you guys out of business.”

Andy Naquin, 2020 public comment

- Allow some instances of license transferal.

Rationale: We believe there are instances, such as the death of a parent or spouse, when the transferral of a license is appropriate. We are continuing to research the issues surrounding the transfer of licenses.

- Clarification of some license requirements

- Make license one year from issue date, not January to December

Rationale: We believe this will help the department of Community Development & Planning with the processing of licenses. We are continuing to research this issue.

- Make renewals two-years after a one-year initial license

Rationale: Once an operator has undergone their first 1-year license period and proven themselves to be a good operator, we believe a two-year renewal period reduces the load and cost on both CD&P and the licensee

- Removal of single rental room restriction

Rationale: We believe there are circumstances when individual room rentals make sense. We understand the concerns surrounding this type of rental, but believe there may be smarter ways to address them. We are continuing to research this issue.

- Remove complete RS-1 ban and allow permitting and other restrictions to take effect.

Rationale: We favor a more measured approach: issue permits and restrictions. Gather data before making a decision that will negatively effect tourism, personal property rights, the real estate market and the local economy.

- Spell out more areas under the Director's discretion, including penalty fees and reasons for license revocation
This may be more appropriate as a CD&P policy statement, but we believe a lot of the requirements spelled out in this ordinance could also be matters of policy and not law.

- Change of moratorium and license requirement dates as they relate to the readiness of the permitting process

Rationale: The application date for licenses should be linked to the readiness of the permitting system as established by CD&P. Likewise, so should the moratorium date. With more permissive restrictions, we believe a shorter moratorium date would be appropriate for operators and would show more immediate results to concern neighbors.

CITY ORDINANCE NO.

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ENACTING CHAPTER 73 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES REGARDING THE LICENSING AND OPERATION OF SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE, EXCEPT FOR PI-L AND PI-H ZONING DISTRICTS AND ESTABLISHING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 89 OF THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES BY AMENDING ARTICLE 2, “TABLE 89-21-2 USE TABLE,” SECTION 89-21(d) AND ARTICLE 8, SECTION 89-151-1 “GENERAL DEFINITIONS,” ALL REGARDING SHORT-TERM RENTALS IN THE CITY OF LAFAYETTE (ALLOW IN RS)

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, in recent years, technology and innovation have expanded the use and operation of Short-Term Rentals (defined herein) to allow visitors and tourists to stay in and experience a local community; and

WHEREAS, the Lafayette City Council desires to enact Chapter 73 and amend Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances to enact and establish reasonable regulations associated with the licensing, use, and operation of Short-Term Rentals in the City of Lafayette, the same being necessary to further the health, safety and welfare of the citizens of the City of Lafayette.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this city ordinance.

SECTION 2: The Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 73 “SHORT-TERM RENTALS,” is hereby enacted and shall read as follows:

CHAPTER 73: SHORT-TERM RENTALS

ARTICLE I. – GENERALLY, LICENSING, AND OPERATION

DIVISION 1. – GENERALLY

Sec. 73-1. Legislative intent and purpose

- (a) The legislative intent and purpose in adopting this Chapter is to promulgate reasonable rules and regulations for the licensing and lawful operation of a Short-Term Rental, as defined herein, within the City of Lafayette.
- (b) The Lafayette City Council finds that the establishment of rationally based, reasonably tailored rules and regulations as hereinafter set forth concerning Short-Term Rentals is necessary to promote, protect and preserve the general welfare, safety, health, peace, good order and economy of Lafayette and the citizens of the City of Lafayette, and to preserve the integrity of Lafayette’s neighborhoods.

Sec. 73-2. Territorial applicability and retroactivity.

- (a) Except as otherwise provided in this Chapter, the provisions of this Chapter shall apply only in the City of Lafayette.

- (b) In zoning districts wherein Short-Term Rentals are a permitted use, this Chapter shall not supersede or prevent any private conditions, covenants or restrictions which prohibit same.
- (c) This Chapter applies to all Short-Term Rentals located in the City of Lafayette regardless of whether the Short-Term Rental existed prior to or subsequent to the adoption of this Chapter.

Sec. 73-3. Limited operation in City of Lafayette zoning districts.

The operation of a Short-Term Rental is only permitted in zoning districts which contain a “P*” in the Short-Term Rental use category of Table 89-21-2 of the Lafayette Development Code. Within such zoning districts, the operation of a Short-Term Rental is further restricted to being operated within one of the listed types of “Residences” (less and except Short-Term Rental) under the use category of “Residential,” and “Bed and Breakfast” listed under the use category of “Lodging,” in Table 89-21-2 of the Lafayette Development Code that are permitted “by right” (“P”) or by a valid Conditional Use Permit (“C”), in that zoning district.

Notwithstanding the foregoing, any Short-Term Rental being operated prior to the Effective Date of this city ordinance may qualify as a nonconformity under the provisions of Article 6 of Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances if said Short-Term Rental is being operated within one (1) of the listed types of “Residences” (less and except Short-Term Rental) under the use category of “Residential,” and “Bed and Breakfast” listed under the use category of “Lodging,” in Table 89-21-2. In order to qualify as such nonconformity, in addition to the applicable provisions of Article 6 of Chapter 89 of the Lafayette City-Parish Consolidated Government Code of Ordinances, any person or entity currently operating a Short-Term Rental shall, on or before December 31, 2023, apply for, obtain, and maintain a valid Short-Term Rental license in accordance with this Chapter. Failure to timely apply for, obtain, and maintain a valid Short-Term Rental license shall result in the loss of the right to operate a Short-Term Rental as a nonconformity. All other nonconformities shall be prohibited from converting to a Short-Term Rental.

[*Include grandfathering.](#)

Sec. 73-4. No vested rights in license.

The City of Lafayette and/or the Lafayette City-Parish Consolidated Government, as the case may be, reserves the right to amend or repeal this Chapter at any time, and no Operator or Licensee shall have any vested rights to operate hereunder, obtain or retain a license, or have a license renewed. A Short-Term Rental license is a privilege, not a right, and may be denied, revoked, or not renewed based on the provisions of this Chapter and/or the non-compliance with the requirements of this Chapter.

Sec. 73-5. Non-Transferability; Non-Exclusivity.

Licenses issued pursuant to this Chapter shall not be sold, transferred, assigned, leased or subleased to any other Operator, Licensee, person or entity. Any such sale, transfer, assignment, lease or sublease renders the license null and void. Further, with regard to licenses issued in the name of a business entity, the sale, transfer or assignment of a majority of the ownership interest therein shall render the license null and void. Nothing contained herein shall be construed to give an Operator or Licensee the exclusive right to operate within the City of Lafayette.

[Why not transferrable upon death, divorce, etc.?](#)

Sec. 73-6. Limitation of liability.

Neither the City of Lafayette, Parish of Lafayette nor the Lafayette City-Parish Consolidated Government, as the case may be, shall be liable to any Licensee, Short-Term Rental Guests or other third parties for any loss, damage or injury to Licensee, its Short-Term Rental, Short-Term Rental Guests or any other property or third persons as a result of the operation and/or use of a Short-Term Rental.

Operators, Licensees, and its/their Short-Term Rental Guests acknowledge and agree that the City of Lafayette, Parish of Lafayette and/or the Lafayette City-Parish Consolidated Government are not responsible for providing security at any location where Short-Term

Rentals are located or operated.

Sec. 73-7. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Department refers to the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning.

Director refers to the director of the Lafayette City-Parish Consolidated Government, Department of Community Development and Planning or his/her designee.

Dwelling means a building, or individual units within a mixed-use building, designed for or used exclusively for residential purposes. A dwelling includes any use designated as “Residences” in the Use Table 89-21-2 of the Lafayette Development Code.

Dwelling Unit means one (1) or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed, or used as living quarters for one family.

Governing Authority refers to the governing authority of the City of Lafayette and/or the Lafayette City-Parish Consolidated Government.

Licensee means an Operator that holds a current and valid license issued pursuant to this Chapter.

Operator means a person, firm or corporation, including its agents and employees, which owns and/or operates a Short-Term Rental in the City of Lafayette without a current and valid license issued pursuant to this Chapter.

Owner-Occupied Short-Term Rental means a Short-Term Rental with an owner/Licensee who resides in said Short-Term Rental as their primary residence.

Short-Term Rental means the provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.

Short-Term Rental Agent means a natural person designated by the owner of a Short-Term Rental on the Short-Term Rental license application. A Short-Term Rental owner who is a natural person may serve as the Short-Term Rental Agent.

Short-Term Rental Guests mean guests, tourists, vacationers or any other person who, in exchange for compensation, occupy a Short-Term Rental for a period of time not to exceed 29 consecutive days.

Sec. 73-8. Adherence to existing laws required.

An Operator/Licensee of a Short-Term Rental shall be subject to all federal, state, and local laws and regulations.

Without limiting the generality of the foregoing, the operation of a Short-Term Rental shall not generate noise, vibration, glare, odors, or other effects that unreasonably interfere or adversely affect another’s use and enjoyment of property. To that end, all Operators, Licensees, and all persons who occupy a Short-Term Rental, shall, in addition to the requirements contained herein, abide by all existing state and local laws and ordinances, including but not limited to Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 34, Article II “Nuisances,” Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 34, Article IV “Noise Control,” Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 74, Article III “Solid Waste,” Lafayette City-Parish Consolidated Government Code of Ordinances – Chapter 86, Article IX “Stopping, Standing, and Parking Regulations,” said Chapters being incorporated herein by reference hereto.

Sec. 73-9. Duty to cooperate.

Operators/Licensees and/or Short-Term Rental Agents shall cooperate and meet with the Director upon request. Failure to comply with the provisions of this Chapter, as well as any federal, state, and local laws and regulations, may subject an Operator or Licensee to a fine, and/or may result in a denial, conditioning, suspension, or revocation of a Short-Term Rental license or renewal thereof.

Sec. 73-10 – Sec. 73-14. Reserved.

DIVISION 2. – LICENSE REQUIREMENTS

Sec. 73-15. License required.

It shall be unlawful to operate a Short-Term Rental within the City of Lafayette without a valid and current Short-Term Rental license issued by the Lafayette City-Parish Consolidated Government. No license issued under this Chapter shall operate as a valid license for the operation of a Short-Term Rental for any person(s) / entity(ies) other than those listed on the license and for any location other than the specific location for which it is issued.

An Operator/Licensee is not entitled to and has no automatic right to a license. The issuance of a license may be withheld or denied in the discretion of the Director, which decision may be based on the information in the application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-16. License application.

- (a) Operators who desire to operate a Short-Term Rental in the City of Lafayette shall complete and submit an application for a license, in the form provided by LCG, to the Director.
- (b) In addition to the requirements of sub-paragraph (a) of this Section, the Operator shall submit:
 - (1) Payment of a \$50.00 non-refundable, non-transferable license fee. License fees remitted in connection with a new license issued for less than a calendar year shall be prorated;
 - (2) The specific physical address of the Short-Term Rental to be used by the Operator during the license year and the total number of guest rooms, subject to the Director's approval, to be used for its operation;
 - (3) Documentary evidence of a zero-balance for all imposed fees, fines, assessments, charges, penalties, taxes, levies, owed by the Operator, as well as any ad valorem taxes on the property upon which the Short-Term Rental is located, or any other outstanding amounts whatsoever owed by the Operator to any department and/or division of the Governing Authority;
 - (4) A copy of the organizational documents establishing the Operator's business entity and evidencing the nature of same (e.g. LLC, Corporation, Partnership, etc.). ~~a list of every officer, if applicable, the registered agent, and all shareholders/members/partners/owners and their respective ownership interest in and to the business entity, as well as any amendments or bylaws associated therewith;~~
 - (5) The name and contact information (including mailing address, phone number with texting capabilities, and email address) of the Operator, and the name and contact information (including mailing address, phone number with texting capabilities, and email address) of the Short-Term Rental Agent, which shall constitute his or her 24 hours a day, seven (7) days a week (24/7) contact information;
 - (6) The Operator/Licensee's signed affidavit of ownership of the Short-Term Rental, on a form provided by the Director or documentary evidence of legal right of possession of the Short-Term Rental;
 - (7) The Operator/Licensee's and the Short-Term Rental Agent's signed acknowledgement that he or she has reviewed this Chapter and understands its requirements;
 - (8) The Operator/Licensee's and the Short-Term Rental Agent's signed agreement to use his/her/their best efforts to assure that the use of the premises as a Short-Term Rental will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
 - (9) ~~A parking plan including the maximum~~ number and location of parking spaces legally available on ~~or near~~ the property upon which the Short-Term Rental is located to be used for its operation;
 - (10) Documentary evidence that the Short-Term Rental Operator/Licensee has provided notification of the intent to secure a Short-Term Rental license,

via certified United States mail, to the following:

- i) The physical municipal addresses of the first adjacent properties. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first adjacent property, if different than the physical municipal addresses; and
- ii) If the Short-Term Rental is located within a Dwelling consisting of one or more Dwelling Units not owned by the Operator/Licensee, the physical municipal addresses of the first adjacent Dwelling Units. This notification must also be sent to the property mailing addresses listed in the Lafayette Parish Tax Assessor's Office for each first adjacent Dwelling Units, if different than the physical municipal addresses.

This notification shall include the address of the Short-Term Rental and the name, address, telephone number, and email address of the Operator/Licensee and the 24/7 contact information of the Short-Term Rental Agent;

- (11) Proof that the Operator/Licensee has a current registered account with the Lafayette Parish School System for remittance of all applicable taxes related to the operation of the Short-Term Rental; and
 - (12) A signed statement that the Operator/Licensee has not had any license or permit of a similar type, issued by any state or political subdivision, suspended, revoked, and/or declared null and void within two (2) years prior to filing said application, which information may be used by the Director in determining whether a license or renewal thereof shall issue pursuant to this Chapter.
- (c) *Abandonment of license application.* An application for a new or renewal license shall be deemed abandoned if:
- 1. The Director has sent written notice to the Operator or Licensee that said application is incomplete or requires supplementation ("Deficiencies"); and
 - 2. More than 45 calendar days have elapsed from the date of the notice of the Deficiencies by the Director explaining the Deficiencies, and the Operator or Licensee has failed to correct the Deficiencies and re-submit a revised license application to the Director.

Any abandonment of a license application will require the Operator or Licensee to submit a new application pursuant to this Chapter. The application fee of the abandoned application shall not be transferred to a new application.

- (d) During the license year, any changes to the information provided by a Licensee in its license application must be reported to the Director, in writing, within ten (10) days of the change. In the event the 24/7 contact information of the Short-Term Rental Agent changes during the license year, the Licensee shall, within five (5) business days, provide the updated 24/7 contact information to the first adjacents in the manner required by Sec. 73-16(10)(i)-(ii) and, within ten (10) days of this change, provide documentary evidence of such notice to the Director.
- (e) Licensees may be required to obtain and maintain additional valid licenses, certificates, and/or permits from the Governing Authority.

Sec. 73-17. Duration of license; license renewal.

- (a) Licenses and renewals thereof issued pursuant to this Chapter shall be valid from the date of issuance until December 31 of the calendar year in which the license has been issued, unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first. Each change in ownership of a Short-Term Rental shall require the new owner(s) to apply for and obtain a new license.

**Why December 31? Why not one-year from date. What is the reasoning?*

- (b) Application for an annual renewal of a license shall be made by the Licensee no later than 60 days before license expiration. Application for license renewal shall require:
 - (1) Payment of a \$50.00 non-refundable, non-transferrable application fee;
 - (2) Supplementation of Licensee's original license application and supporting documentation to the extent the information contained therein has changed and/or requires renewal or update, including but not limited to updates to those items listed in Section 73-16(b), or a statement by the Licensee certifying that no information has changed, and if changed, has been updated since the original license application.
- (c) Upon renewal, licenses issued pursuant to this Chapter shall be valid for **two (2) years (January 1 – December 31 of the following year)** unless sooner suspended, revoked, and/or declared null and void by the Director, or upon transfer of title of the Short-Term Rental, whichever occurs first.

***Renewals are for two years after initial 1-year license.**

- (d) If, through no fault of the Licensee, a renewal license is not issued before January 1 of the license year, the Director may extend the Licensee's license until such time as the Licensee's application for renewal license is granted or denied.
- (e) Licensee is not entitled to and has no automatic right to renewal of its license. Renewal licenses may be withheld or denied in the discretion of the Director, which decision may be based on the information in the renewal application, as well as any records and/or operational history, of any nature whatsoever, available to the Director.

Sec. 73-18. Prohibition on re-issuance of revoked license.

The Director shall not consider any subsequent application for a Short-Term Rental license by the Licensee(s) listed on a revoked license for the property identified thereon within a period of one (1) year beginning on the date the Director's decision to revoke the license becomes final. For the purposes of this prohibition, no license shall be issued to any person who is an interposed person for the Licensee whose license has been revoked. The Director may require a full disclosure, in writing and under oath, of the details of the operation of any person suspected of being interposed for another. Further, no license shall be issued for that property to any Licensee where the revoked Licensee has a direct or indirect economic interest.

Sec. 72-19 – 17-23. Reserved.

DIVISION 3. – SHORT-TERM RENTAL OPERATIONS

Sec. 73-24. Generally.

A Short-Term Rental Licensee shall post a sign inside the Short-Term Rental in a conspicuous place where it is readily visible at all times. The sign shall include the Short-Term Rentals 24/7 contact information (including phone number with texting capabilities, and email address), the street address of the Short-Term Rental, and a copy of the Short-Term Rental license.

Sec. 73-25. Short-Term Rental Agent.

Short-Term Rental Agents shall:

- (a) Receive and accept service of any notice related to the use or occupancy of the Short-Term Rental;
- (b) Monitor the Short-Term Rental for compliance with this Chapter;
- (c) Be available 24 hours per day, seven (7) days per week and have the primary responsibility to handle any problems or complaints arising from the use or operation of the Short-Term Rental. The Short-Term Rental Agent shall address the problem or complaint within **2 hours**.

- (d) Maintain a log of each complaint arising from the use or operation of the Short-Term Rental. This log shall include, at a minimum, the address of the Short-Term Rental at issue, the date and time of the complaint, the name of the complainant(s) if available, the nature of the complaint, a summary of the action taken to resolve the complaint, and the date and time the complaint was resolved. A separate log shall be maintained for each permit year and each Short-Term Rental, and shall be kept for at least one (1) year following the expiration of each License year, and shall be made available to the Director upon request.

Sec. 73-26. Prohibitions.

- (a) Minimum Stay.

No Short-Term Rental shall be rented or offered for rent for less than a one (1) night minimum stay.

- (b) Events.

Receptions or private parties/events for a fee are not allowed on the premises of a Short-Term Rental in “RS” and “RM” zoning districts.

- (c) Separate Rental of Individual Guest Rooms Prohibited in “RS” and “RM” Zoning Districts.

~~Irrespective of whether a Short Term Rental is Owner Occupied or not, individual guest rooms within a Dwelling or Dwelling Unit in “RS” and “RM” zoning districts shall not be separately rented or offered for rent.~~

- (d) Maximum Occupancy in “RS” and “RM” Zoning Districts.

~~The maximum number of guests rooms that can be rented or offered for rent in a Short-Term Rental in a “RS” or “RM” zoning district shall be equal to the national standard of two (2) per guest room plus two (2). These maximum occupancy restrictions apply per license, irrespective of whether the licensed property contains more than one (1) structure suitable for the operation of a Short-Term Rental.~~

Sec. 73-27. Violations; suspension and/or revocation of license

- (a) *Authority of Director.* Licensee may be fined and/or licenses may be conditioned, suspended, or revoked by the Director due to any non-compliance with the regulations or requirements of this Chapter, or due to a failure to comply with any and all statutes, ordinances, regulations or policies that are duly and lawfully adopted by the United States, the State of Louisiana, the City of Lafayette, the Parish of Lafayette and/or the Lafayette City-Parish Consolidated Government.
- (b) *Informal hearing before Director.* Before any Licensee is fined and/or any license is conditioned, suspended, or revoked pursuant to this Section, the Licensee shall be entitled to an informal hearing before the Director, as provided herein. The Director shall issue a written notice to the Licensee, at the address provided by Licensee in its/their license application. Written notice may be sent either by regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application and shall include the following:
 - a. The date, time, and place of the informal hearing;
 - b. The relevant provisions of the statutes, ordinances, regulations and/or policies violated; and
 - c. A brief description of the alleged violation(s).

Prior to holding an informal hearing pursuant to this Section, Licensee shall be notified at least 14 days (inclusive of legal holidays) in advance of the date that such a hearing is scheduled. The date of postmark or e-mail transmission shall be deemed to be the date of delivery.

Within 14 days of the informal hearing, the Director shall render a written decision. Notice of the Director's written decision shall be provided to the Licensee either by

regular U.S. Mail or by e-mail to the electronic address provided by Licensee in its/their license application. The date of postmark or e-mail transmission shall be deemed to be the date of delivery. The written decision of the Director shall be final after the expiration of the appeal delays established in this Section.

(c) *Appeal to District Court.* Within 21 calendar days from the date of the Director’s written

Table 89-21-2 Use Table

Use Category	" A" Agricultural	" RS" Residential Single-Family	" RM" Residential Mixed	" MN" Mixed-Use Neighborhood	" MX" Mixed-Use Center	" D" Downtown	" CM" Commercial Mixed	" CH" Commercial Heavy	" PL-L" Public/Institutional-Light	" PL-H" Public/Institutional-Heavy	" IL" Industrial Light	" IH" Industrial Heavy
Residential												
Residences:												
Dwelling, single-family detached	P	P	P	P								
Accessory apartment	P	P	P	P	P	P	C					
Cottage Courts		C	P	P		C	P					
Dwelling, two-family (duplex)		C	P	P			P					
Multi-family			P	P	P	P	P	P				
Live/Work Dwelling			P	P	P	P	P					
Manufactured home												
Manufactured Housing Land Lease Community	P	C	C									
Apartment House			P	P	P	P	P					
Apartment Hotel				P	P	P	P	P				
Townhouse/ Row House		C	P	P	P	P	P					
Short-Term Rental	P*	P*	P*	P*	P*	P*	P*	P*			P*	P*
Group Living:												
Boarding House			P	P	P	P						
Community living			P	P	P	P	P	P				
Community home	P	P	P	P	P	P	P				P	
Life care or continuing care services				P	P	P	P	P				
Lodging												
Bed and breakfast		C	C	C	C	C	C					
Hotel (small)				P	P	P	P	P			P	P
Hotel / Motel					P	P	P	P			P	P
Recreational vehicle park	C											

decision, a Licensee may take an appeal to the 15th Judicial District Court. Concurrent with the filing of an appeal to the 15th Judicial District Court, the Licensee shall provide notice of such filing to the Director.

(d) Fines levied, and/or any licenses conditioned, suspended, or revoked by the Director shall be effective upon the decision of the Director becoming final.

SECTION 3: Chapter 89, Article 2, Section 89-21-2 (“Use Table”) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

SECTION 4: Chapter 89, Article 2, Section 89-21(d) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Residential	
Residences	
Dwelling, single-family detached	A detached building designed as a residence for one family.
* * * * *	

Townhouse / Row house	A single-family dwelling forming one of a group or series of two or more attached single-family dwellings, separated from one another by a property line, party walls without doors, windows, or other provisions for human passage or visibility through the walls from basement or cellar to roof, and having roofs which may extend from one of the dwelling units to another.
<u>Short-Term Rental</u>	<u>The provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation.</u>

SECTION 5: Chapter 89, Article 8, Section 89-151-1 (“General Definitions”) of the Lafayette Development Code is hereby amended in the following particulars, with words in ~~strikethrough~~ being deletions from existing law, and words **underscored and boldfaced** being additions:

Table 89-151-1 General Definitions

Shopping Center	See Integrated Business Center in Article 5 “Signs”. (⇔ § 89-90 (a)(2)).
<u>Short-Term Rental</u>	<u>The provision of a Dwelling or Dwelling Unit that offers one or more guest rooms, and that is suitable and utilized solely for temporary residential occupancy for a period of fewer than 30 consecutive days, in exchange for compensation. (⇔ § 73-1) (⇔ § 89-21-2 “Use Table”) (⇔ § 89-21(d))</u>
Shrub	A low, usually multi-stemmed, self-supporting, woody plant species

SECTION 6: The regulations associated with the operation of a Short-Term Rental in the City of Lafayette as established herein shall be retroactively applied. In that regard:

- ~~(i) — Those Operators operating a Short Term Rental prior to the Effective Date of this City Ordinance located in a zoning district where Short Term Rentals are prohibited by this City Ordinance shall have 12 months from the Effective Date of this City Ordinance to cease operations or, on or before December 31, 2023, apply for and obtain a Short Term Rental license as a noneconformity under the provisions of Chapter 73, Section 73-3, of the Lafayette City Parish Consolidated Government Code of Ordinances; and~~
- (ii) Those Operators operating a Short-Term Rental prior to the Effective Date of this City Ordinance ~~and/or those Operators desiring to operate a Short Term Rental prior to December 31, 2023, located in a zoning district where Short Term Rentals are not prohibited by this City Ordinance shall, on or before December 31, 2023,~~ shall have 6 months from the date that Planning & Zoning opens Short-term rental permitting to cease operations or apply for a Short-Term Rental license in accordance with Chapter 73 of the Lafayette City-Parish Consolidated Government Code of Ordinances ~~within 4 months of that same date.~~

The issuance of a Short-Term Rental license authorizing the operation of a Short-Term Rental shall be subject to all regulations and requirements of the Lafayette City-Parish Consolidated

Government Code of Ordinances.

SECTION 7: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

* * * * *



We are a group of local short-term rental and property owners who contribute to the tourism, culture and joie de vivre of hospitality in Lafayette, Louisiana. We establish best practices, help hold hosts accountable and provide support for local hosts and neighbors.

A Community Resource

The LTLA was formed in 2020 to connect Lafayette short-term rental owners. We are connected with over 40 owners and represent nearly 100 properties. We have worked with VRBO, AirBnB and rentresponsibly.org to develop best practices for local operators and be a resource for both city officials and neighbors.

How Can We Help?

- Educate short-term rental owners on best practices and provide other resources

We would like to work with the city to provide first-time short-term rental owners with valuable information to help create safe, well-run properties that can support tourism and local housing markets without disturbing neighbors.

- Mentor new owners

We are working to create a mentoring program for interested owners so they have a direct line for questions about operating a short-term rental in Lafayette.

- Empower neighbors and address concerns

We want to educate concerned neighbors about how they can lodge complaints and have issues resolved, both with the city and with the AirBnB and VRBO platforms. Neighbors should have clear paths to getting answers.

- Field property complaints

We are willing to contact operators and help resolve issues. We are willing to review short-term listings and policies, make suggestions to short-term rental operators and advise them of the expectations we have for local operators and consequences they could face.

2022 REPORT

State of the Short-Term Rental Community

JANUARY 2022

BY

RENT
RESPONSIBLY



COLLEGE of
CHARLESTON



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Executive Summary

The first-of-its-kind research behind the 2022 State of the Short-Term Rental Community Report sought to ask novel questions about short-term rentals (STRs) to two distinct but interdependent audiences. The first was local government staff charged with managing the STR programs in their jurisdictions, interviewed to better understand their unique needs and challenges through questions that had largely not been asked of this audience before. Qualitative interviews were conducted with municipal staff members from local governments and destination marketing organizations across South Carolina, Utah, and Colorado. While each focal region represented one of the top tourist destinations in their state, the issues faced in each region were markedly different.

The second audience was STR owners and managers who are required to comply with municipal STR regulations. Nearly 4,600 respondents participated in the study via a detailed survey.

With a better understanding of the challenges that both cities and operators face as identified through this research and the opportunities for collaboration between the two, communities can design and create informed solutions that improve the experiences of all stakeholders including city personnel, STR operators, and the broader community.

Key Findings

- The industry is largely individual homeowners and small businesses. Of owners, 70% owned one STR, and of property managers, 54% managed 10 or fewer.
- Many STR owners used their properties flexibly for more than short-term stays of 30 days or less. Nearly 40% also rented for mid-term stays of 30-days to five months to host non-leisure guests like traveling nurses, hospital patients, and remote workers.
- On average, STR owners relied on their STR activity for 38.1% of their income. For those who own and manage STRs, that reliance was even higher at an average of 56% of their income.
- STR activity creates a domino effect of economic generation and jobs throughout communities. Of STR homeowners, more than 57% hired up to three contractors or service providers to service their property, and 69% spent up to \$15,000 on those providers while 24% spent between \$15,000 and \$50,000.
- The majority of property managers surveyed employed up to 10 full-time or part-time employees in the last 12 months and paid up to \$250,000 in wages. Additionally, 61.7% of property managers hired one to 10 contractors or service providers and the majority spent up to \$100,000 on these providers in the last 12 months.
- In the past 12 months, approximately 80% reported receiving zero complaints from neighbors or members of their community about their STRs. Additionally, 80% of those with good neighbor practices in place reported positive relationships with all or most of their STRs' neighbors.
- Government staff:
 - want to work with the STR community
 - seek collaboration and compliance
 - need help with enforcement

Part 1: Qualitative Interviews with Municipal Staff

The qualitative interviews conducted with non-elected government staff were designed to create an environment to share their concerns and opinions around short-term rentals. The qualitative interview summary below includes general findings, themes, and insights from all participants, in aggregate; a comparison of the differences and similarities between findings from the municipalities and regions; and a summary of conclusions that can be made based on the focus groups and suggested areas for further exploration.

For the participating communities, short-term rentals were no longer the lightning-rod issue of lifestyle communities; affordable and workforce housing (aka housing) had become one of the most pressing issues in most of these cities and towns that made up these lifestyle communities, just behind climate change, transportation, and community preservation. Where your community sleeps is not a federal or state challenge, but a local and regional challenge.

The influence of the state government was significant in this process. All municipal, regional, and quasi-governmental agencies involved in this study existed at the privilege of the state. And therefore, state-level limitations were at the forefront of their minds.

There were two central research questions. These will be addressed individually.

1. What do cities need to feel they have effective management of short-term rentals?

The participants explained that they did not have full control of the policies related to housing, taxation, real estate, and especially short-term rental regulation. That power was distributed across state, county, local, and neighborhood governance.

“What we don't have is the understanding of what [STRs do] to neighborhoods and to people and residents. And that's a harder one to articulate and quantify. [...] The state makes it awfully hard because we're not allowed to use internet advertising as a means for evidentiary compliance. So we send these kinds of soft, threatening letters and cross our fingers and hope that it works out better.”

- A municipal staff member from Park City, Utah

Trained in public administration, these professionals understood that solutions come from conversations and engagement at the local business, community, and government levels. Most of them were simply looking to utilize local zoning authority to regulate short-term rentals. The state served as that balancing act for those powers. Therefore, this research revealed a collective set of solutions that moved the needle on short-term rentals in multiple communities.

“I work really closely with property managers, owners, applicants, concerned neighbors. And we try to balance regulation for what the city wants, as well as trying to be business-friendly for people trying to earn an income here.”

- A municipal staff member from Park City, Utah

2. How do cities define effective management of short-term rentals?

For owners and managers who are in compliance, local governments felt that they had short-term rentals under control. The limiting powers were the enforcement of those ordinances under their statutory existence at the state level. Examples included zoning, business licensing, and enforcement. Collectively, property owners, property managers, local governments, and the community should be able to determine their desired housing mix and utilization for their jurisdiction. One of the challenges in doing so, however, is having current and complete data on STRs to make informed decisions.

“For us, I think that the people's awareness, residents' awareness, about short-term rentals in their community, that's been the biggest change, in my opinion, for the past five years. Similar to Kiawah, our number of short-term rental licenses haven't really changed in the past 15 years. We're pretty stable. We are actually seeing a reduction; less short-term rentals and more full-time, moving to full-time ownerships, full-time residency. But everybody's talking about short-term rentals. ... For us, this is sort of separating the facts from the emotions of some residents who now have maybe five short-term rentals on their street, whereas years ago they only had three. And this idea, ‘This has happened, this is taking over our community’ – it really isn't. Awareness, I think, has changed.”

- A municipal staff member from the Charleston, SC area

“In terms of data, coming to some understanding of how our economy actually functions is going to ... be instructive for us in terms of how we approach this particular issue. And that's essential.”

- A municipal staff member from Aspen, CO

In addition to our primary qualitative investigation from above, there were areas that researchers wanted to explore during conversations with non-elected local government leadership. These included the following and their emerging themes from the conversations:

a. What are the top three challenges in the enforcement of rules?

- i. Return on investment of staff time and municipal expenditure
- ii. How to get non-compliant operators into compliance
- iii. The verification and management of nuisance complaints

b. What are the challenges you have in getting communication out to STR owners?

- i. None with compliant/licensed operators with which the jurisdiction had an established two-way dialogue. This was particularly true with local property management companies or compliant self-managing homeowners.
- ii. With non-compliant operators, the challenge was in reaching them to communicate compliance requirements.

c. How can STR owners and managers help you reduce the challenges you face?

- i. Conversation, engagement, and participation in the process such as reducing non-compliance around short-term rentals and working to create a fair operating environment for businesses, community, and government to maintain their status as a highly desirable community.

“Cities really do need to partner with property managers because we do both want the same things. We want to have safe, compliant properties. We want to have people come to Park City and have a great time and tell all their friends what a great time they had.”

- A municipal staff member from Park City, Utah

d. What is the most time-consuming part of managing short-term rentals?

- i. Investigating a nuisance or ordinance violation and bringing a resolution within a timely allowable manner.

e. What could owners and managers of short-term rental properties do to make your job easier?

- i. Work with a responsible local contact that helps an owner/operator coordinate with local, regional, and state ordinances and regulations for short-term rentals.

f. How do you communicate with short-term rental owners and managers?

- i. Mostly via email and phone.
- ii. Companies and individual contacts are generated from annual renewals of licenses, permits, etc.

g. What elements of managing your cities' short-term rental program do you think has become more challenging during your tenure?

- i. Enforcement of ordinance provisions within the limitations of their jurisdictional power
- ii. Understanding the impact of STR activity on housing mix and housing availability
- iii. Accountability for compliance and enforcement by operators, owners, and platforms

“The paradigm has shifted, and we haven't caught up yet from a regulatory standpoint, in terms of making the community whole on the impacts from the new activity.”

- A municipal staff member from Aspen, CO

Researchers also observed:

1. Gratitude for the responsible short-term rental operators, owners, and managers was abundant;
2. The democratic process for business, community, and government adjusting to innovation still works and that entrepreneurship was a driving force;
3. Having reliable and current data about STRs in the community, including quantity, location, size, and other figures, is essential to productive conversations and effective solutions;

4. Communities are at the beginning of this circular process of renting responsibly to create, maintain, and preserve highly desirable lifestyle communities for residents, visitors, and their supporting workforce.

“I do think we need to acknowledge that those properties have an obligation, whether you want to call it an ethical or moral or social obligation, to contribute back to the community. And whether that's through how their taxes are paid, the fees they pay to have the privilege to do this, to allow other things to happen ... those are all things we have to sort out.”

- A municipal staff member from Aspen, CO

The conversations with non-elected local government and destination marketing organization representatives also allowed researchers to create an STR operator, owner, and manager attitudinal scale for use in the survey methodology discussed later. The results from this survey are in the sections that follow.

Part 2: STR Operator Survey - Respondent Types and Characteristics

Operator Basics

Respondents were asked to select the type of STR operator they identify as: owner, owner-manager, or property manager. The majority of respondents (84.2%) identified as an owner of at least one STR and did not manage properties for others. An additional 8.9% identified as an owner-manager, someone who owned at least one STR and also managed properties for others. Property managers who do not own any STRs made up the final 6.9% of respondents.

In response to “Why did you first become an STR owner, host, or manager?” 12 themes emerged in respondents’ comments:

1. They started renting short-term out of necessity to supplement income or cover costs.

“I’m a single parent of five. The kids and I rented a back unit at a duplex. The owner decided to sell and through the grace of God I was able to purchase the home. The house has been a rental for 40 years and was neglected. The money I make from [my] STR makes improvements on the property. I also manage and clean STRs on my street. This industry provides for my family and will provide retirement and college funds.”

“I needed a source of income after a divorce. Considering my age and being disabled, there were not many options.”

2. They purchased or inherited a future retirement home and/or began hosting to supplement retirement income.

“Our residence had a 1,500 [square foot] in-law suite which was unused and totally private. Property tax increases made retirement living in our home difficult. We now cover taxes and mortgage with [vacation rental] income.”

3. They inherited a family home or purchased a home for future family generations.

“We needed a larger home to start our family, and we have kept the rental home for a possible home for our children in the future.”

“Built as a second home for family in 2005. The market crashed, lost job and income, so had to convert this property into a full-time STR to prevent it from being taken by the bank. Now I love having it as a necessary and relatively easy investment to manage. Plan to retire in the STR in eight years.”

4. They were asked by someone else for help managing their STR.

5. They had problems with long-term renters.

“Long-term rentals were not working out at the property we owned due to tenants not addressing maintenance items and being a long-term issue to the neighbors.”

6. They needed temporary or seasonal space to house or care for others, such as aging family members, and short-term rented the space when it was vacant.

“To pay for a ministry to veterans with PTSD/TBI who stay in our property free of charge while undergoing treatment.”

“I built an ADU for my parents to move into, but they don’t need it full time yet so we STR when they are not here.”

7. They had to relocate but wanted to keep the property.

“Moved but wanted to keep our house—we put a lot of work/detail into our property, and short-term rental guests take such good care of it. Honestly, wouldn’t feel comfortable with traditional renters. Also love that it allows us to go back and visit whenever we would like to (or whenever we have extra house projects, etc., we want to take care of).”

8. They invested in real estate for wealth generation or financial stability.

9. They wanted or needed to cover the costs of renovations, repairs, or restorations.

“I bought a single-family home on a teacher’s salary. There was an existing studio which I renovated to pay for constant necessary repairs.”

10. They had extra space, such as an ADU or guest cottage, that they wanted to optimize.

11. They traveled often or for extended durations and rented the home when away.

“Stay in it ourselves up to six months a year and use the income for health insurance and health expenses.”

12. They loved and enjoyed hospitality and meeting new people.

“I have always loved the hospitality industry. Once introduced to my first rental, I was hooked. For me, it is all about the experiences that we create for our guests.”

Owners

Those who identified solely as an STR owner were located throughout all 50 U.S. states. A vast majority – 70% – owned one STR property and 94% owned three or fewer (Figure 1).

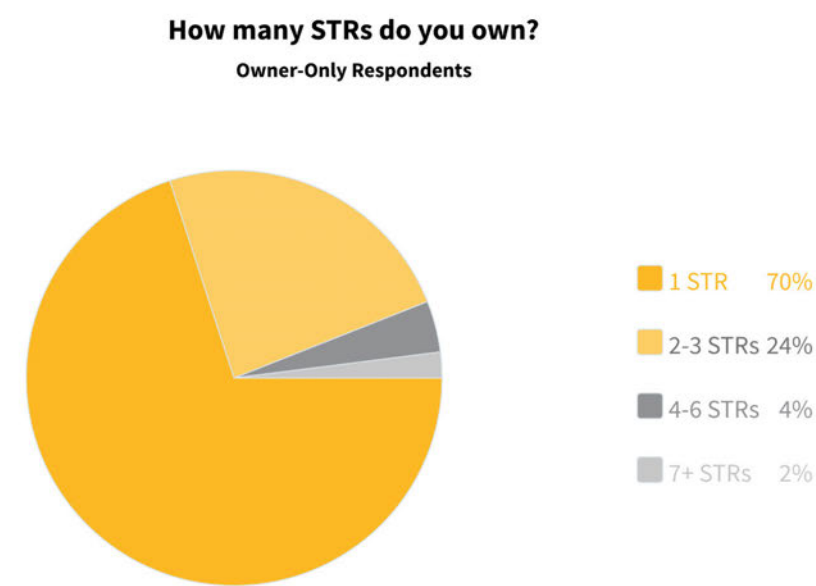


Figure 1. How many STRs do you own? - Owners

Single-Property Owners

The top locations of STR properties for single-property owners were California (14.0%), New Hampshire (8.3%), Colorado (7.7%), Florida (6.7%), Hawaii (5.7%), and Arizona (4.7%). The properties were mostly single-family, whole-home rentals (Figures 2 and 3). In addition to renting as short-term rentals of less than 30 days, 26.8% offered mid-term rental stays (one to six months), 5.3% offered long-term stays (longer than six months), and 3.4% offered their property for special events.

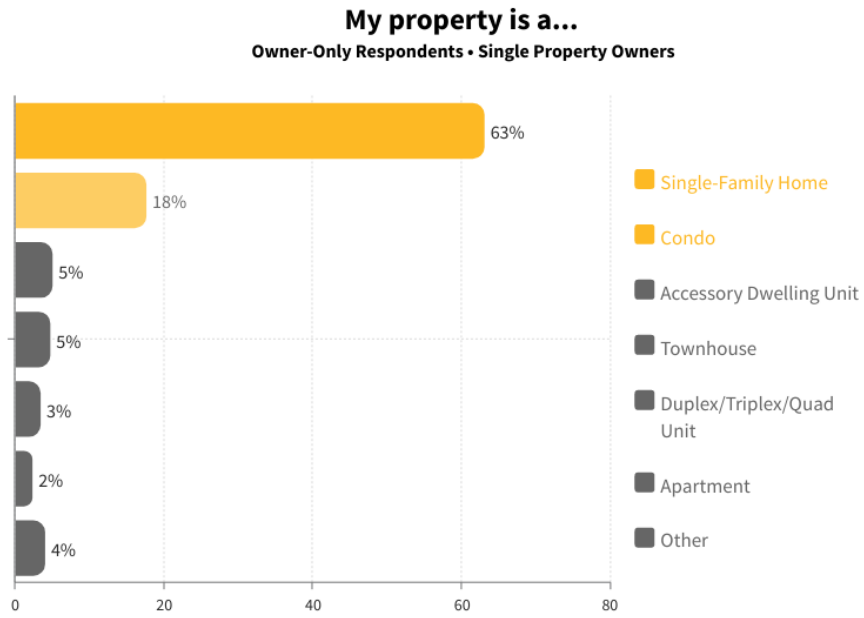


Figure 2. Property Types - Single-Property Owners

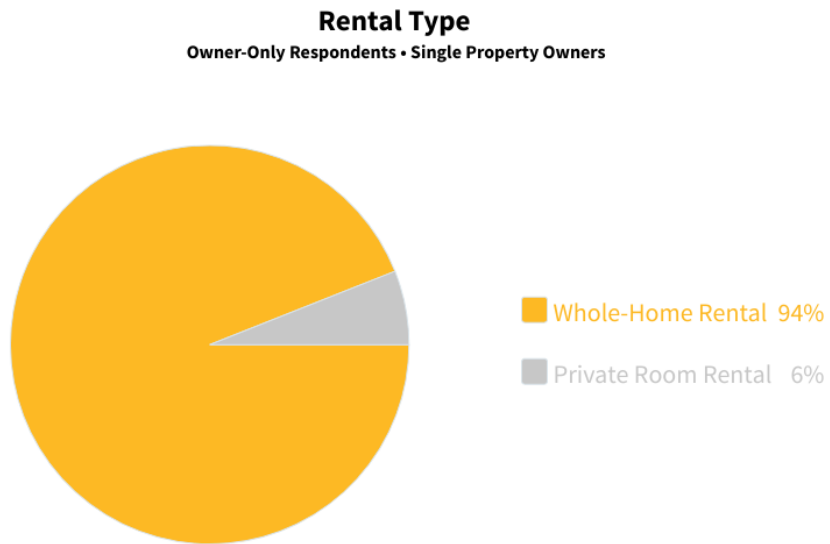


Figure 3. Rental Type - Single-Property Owners

Multiple Property Owners

The top STR locations for multiple property owners were California (27.8%), Florida (14.6%), Colorado (14.1%), Hawaii (13.5%), and Arkansas (11.6%). The properties were mostly single-family, whole-home rentals (Figures 4 and 5). Across most property types, owners most often had two properties. In addition to renting less than 30 days, 35.9% offered mid-term rental stays (one to six months), 12.2% offered long-term stays (longer than six months), and 5.3% offered their properties for special event rental.

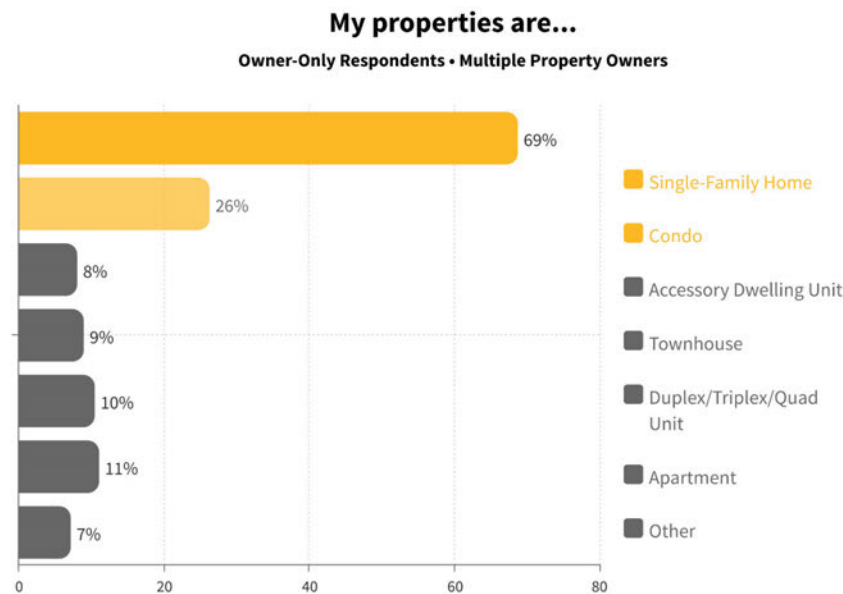


Figure 4. Multiple-Property Owners - Property Types (Enter all that apply)

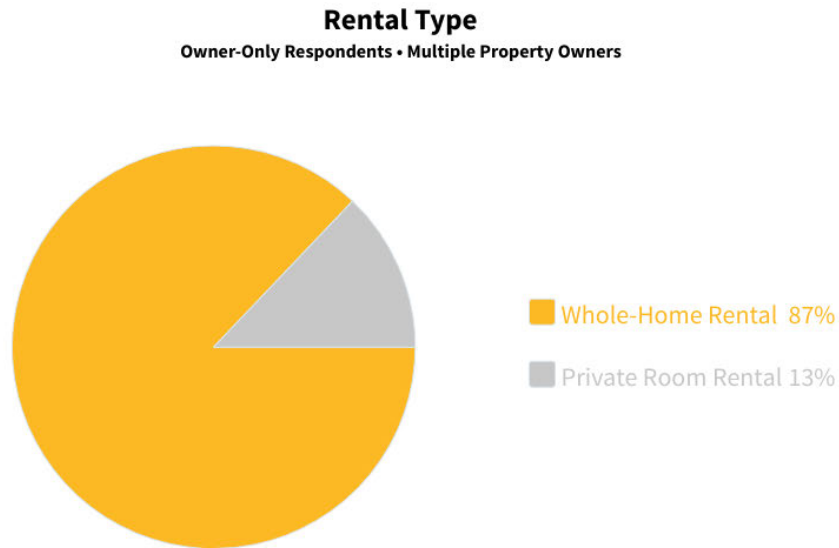


Figure 5. Multiple-Property Owners - Rental Types

Owner-Managers

Of those who owned an STR and managed STRs for others, 76% of respondents owned one to three properties (Figure 6) and 69% managed 10 or fewer properties (Figure 7).

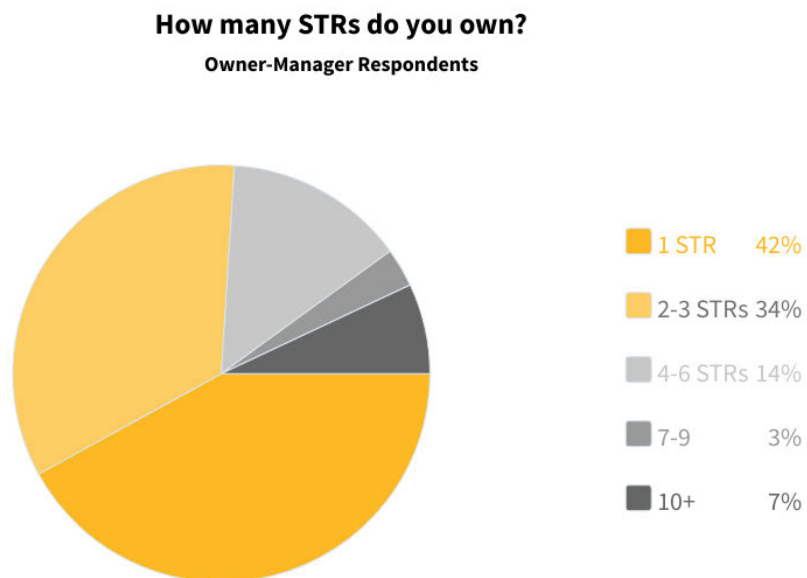


Figure 6. How many STRs do you own?

How many STRs do you manage for others?
Owner-Manager Respondents

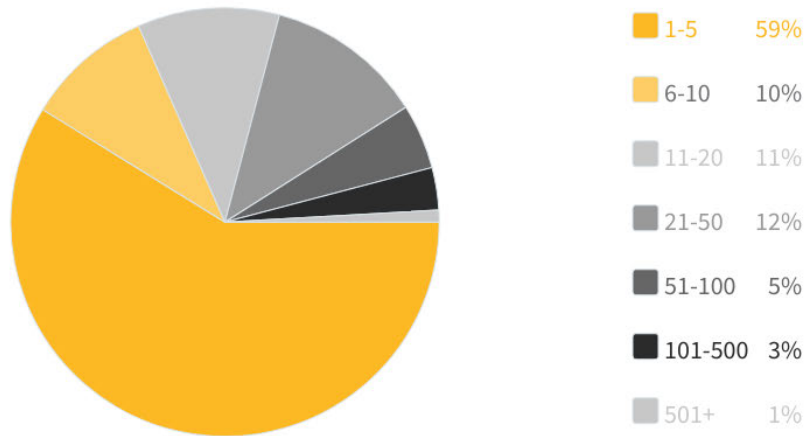


Figure 7. How many STRs do you manage for others?

Owned Properties

Just over 68% of properties owned by owner-managers were located within the same city. Most properties were located in California (19.7%), Florida (13.9%), Arizona (8.4%), Texas (8.1%), and Colorado (6.7%). The properties were mostly single-family, whole-home rentals (Figures 8 and 9). Among the owner-manager respondent group, the average number of properties owned was about 4¹. In addition to renting as short-term rentals of less than 30 days, 37.1% offered mid-term rental stays (one to six months), 11.3% offered long-term stays (longer than six months), and 4.3% offered their properties for special event rental.

¹4.4 not including four outlier responses of 100 or more properties.

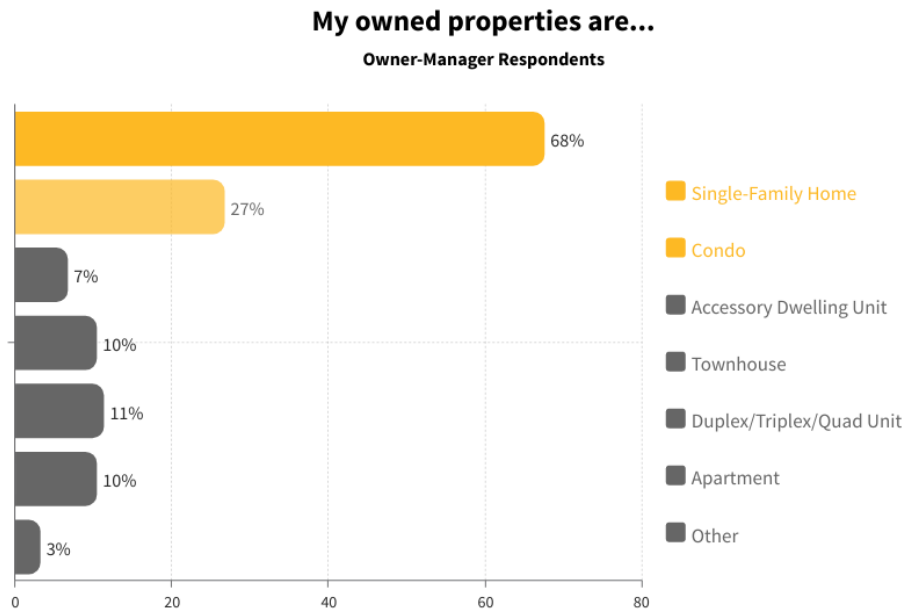


Figure 8. Owner-Manager Owned Properties - Property Types (Enter all that apply)

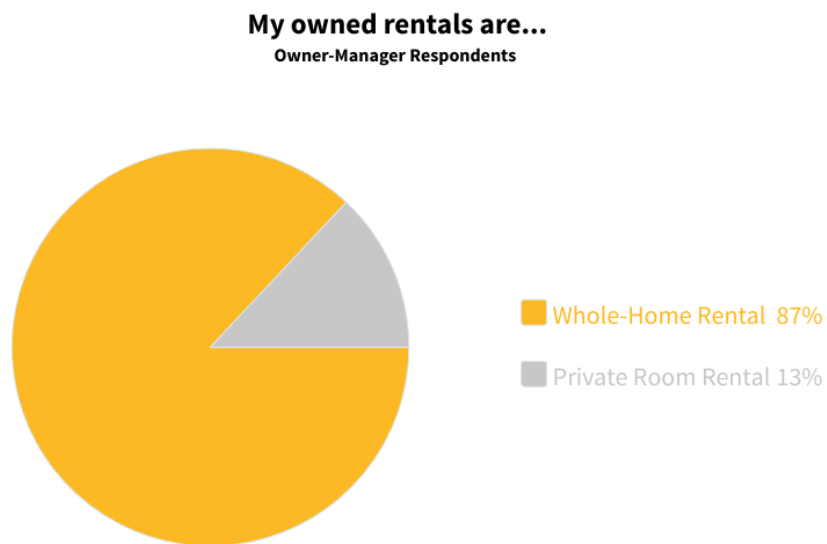


Figure 9. Owner-Manager Owned Properties - Rental Types

Managed Properties

Just over 69% of the properties managed by owner-managers were all located within the same city. Most properties were located in California (13.3%), Colorado (6.7%), Arizona (6.4%), Florida (6.4%), and Texas (5.5%). This respondent group managed on average 21 properties for others², primarily single-family dwellings (74.5%) (Figure 10). In addition to renting as short-term rentals of less than 30 days, 37.7% offered mid-term rental stays (one to six months), 12.2% offered long-term stays (longer than six months), and 4.1% offered their properties for special event rental.

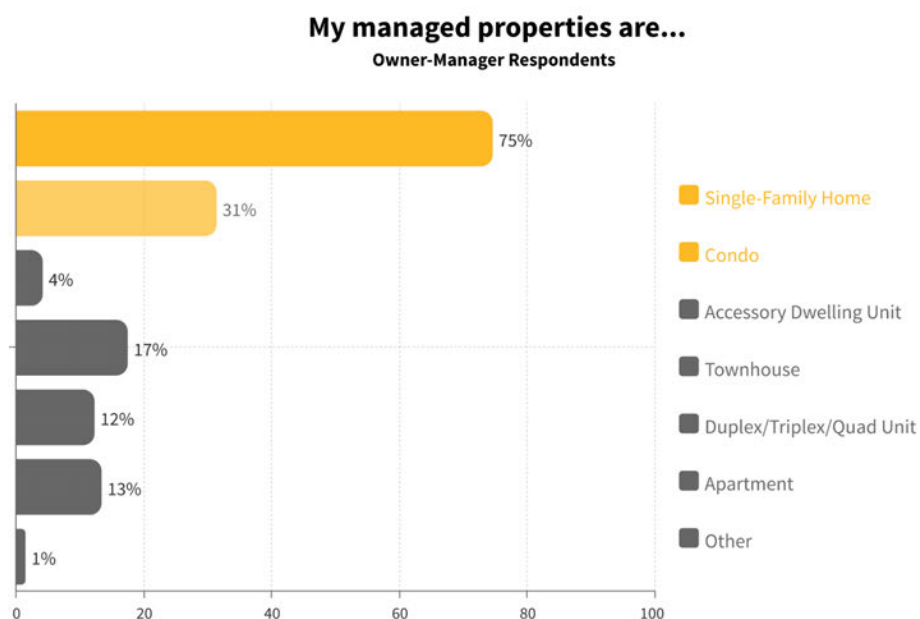


Figure 10. Owner-Manager Managed Properties - Property Type (Enter all that apply)

² 20.5 not including two outlier responses of 1,000 or more properties.

Property Managers

Property managers managed on average 88 properties³, with 70% managing fewer than 100 properties (Figure 11). The headquarters of most of the property managers were located in Florida (14.0%), California (13.6%), Colorado (11.3%), Texas (9.4%), and Hawaii (6.0%). Most survey respondents held either an executive or operations/property care role within the property management company (Table 1).

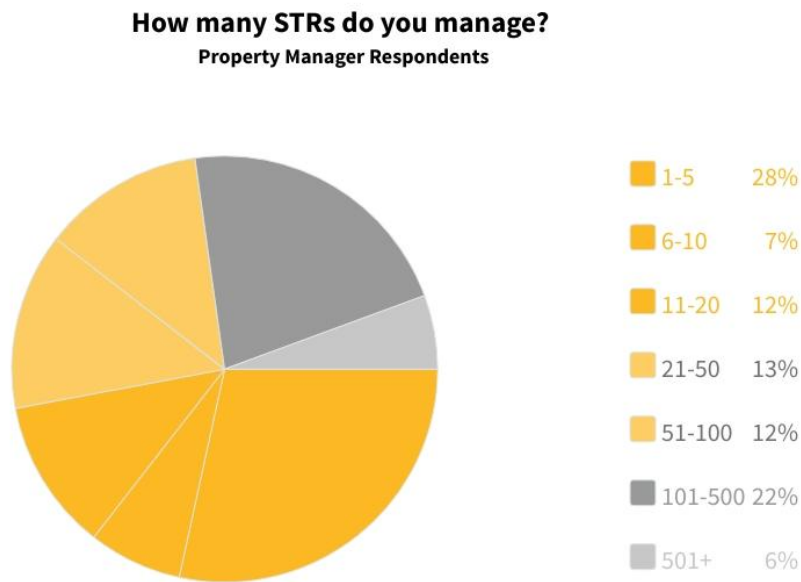


Figure 11. How many STRs do you currently manage?

Table 1. What is your role at this company?

Role	Percent of Respondents
Executive	57.5%
Operations / Property Care	22.0%
Marketing	6.7%
Guest Services	6.0%
Sales	4.1%
Other	3.7%

³ This figure does not include two outlier responses of 3,000 or more properties.

The majority of managed properties were located in Florida (32.1%), California (26.9%), Colorado (22.0%), Texas (13.4%), and Hawaii (11.2%). The properties were mostly single-family homes (Figure 12). In addition to renting as short-term rentals of less than 30 days, 45.9% offered mid-term rental stays (one to six months), 17.2% offered long-term stays (longer than six months), and 8.2% offered their properties for special event rental.

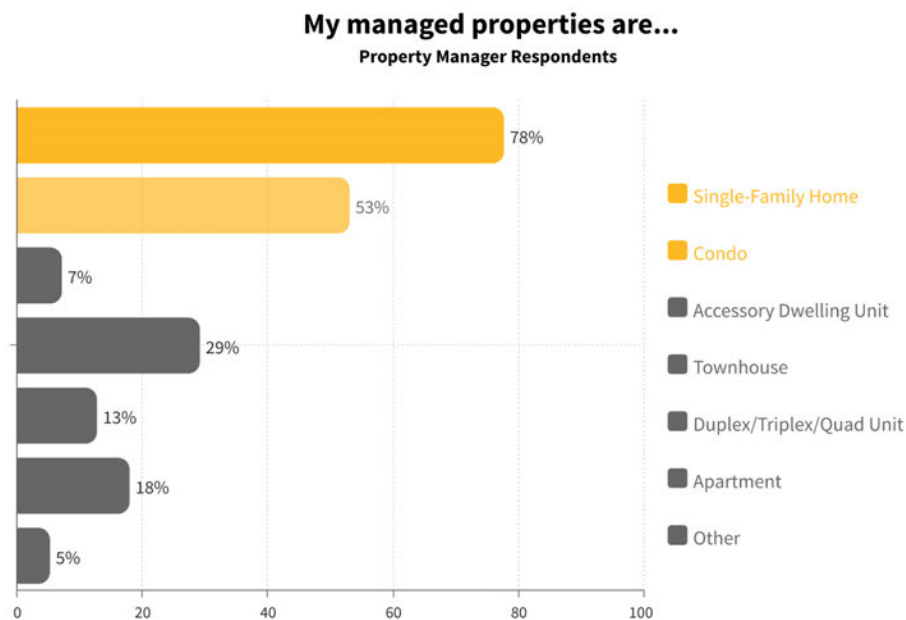


Figure 12. Property Manager - Property Type (enter all that apply)

All Operators

In the past 12 months, the most common reason operators said that guests visited their destination was leisure travel followed by visiting friends or family (Figure 13). Most operators averaged three to five guests per stay in the past 12 months (Table 2).

In the past 12 months, what is the most common reason your guests have visited your destination(s)?

All Respondents

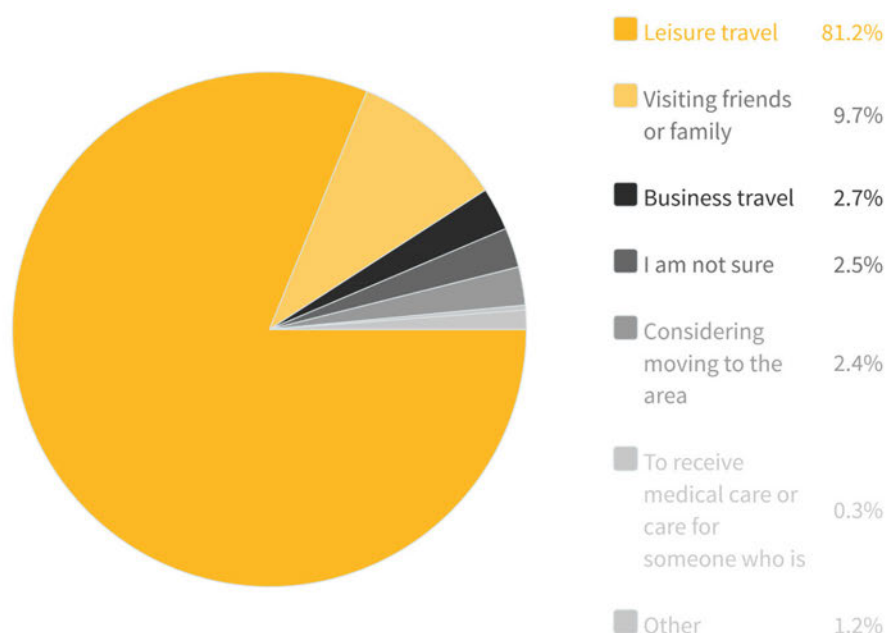


Figure 13. In the past 12 months, what is the most common reason your guests have visited your destination(s)?

Table 2. In the past 12 months, what is the average number of guests you have hosted per stay?

Number of Guests	Percent of Respondents
0	0.9%
1-2	19.9%
3-5	46.6%
6-10	23.5%
11-20	4.9%
21 or more	4.3%

When asked about property technology currently used, 71.3% used keyless locks, 44.1% used smart thermostats, and 42.9% used security cameras (Table 3). The three most popular reservation and guest-communication technologies used by operators were text, email, and phone calls (Table 4).

Table 3. Which property technology do you currently use? (Select all that apply)

Property Technology	Percentage of Respondents
Keyless locks	71.3%
Smart thermostats	44.1%
Security cameras	42.9%
Smart speakers	12.4%
Noise monitoring	11.7%
Virtual safety inspection	6.0%
Other	3.3%

Table 4. Which reservation and guest-communication technology do you currently use? (Select all that apply)

Communication Technology	Percent of Respondents
Text communications	69.9%
Email communications	66.7%
Phone	57.3%
All-in-one property management software	33.7%
Printed guidebooks	33.4%
Guest messaging tools	25.6%
Digital guidebooks	24.7%
Chat communications	21.7%
Guest app	18.8%
Property operations software	11.7%
Guest verification software	8.7%
Other*	12.2%

Most operators listed Vrbo and Airbnb as their top listing sites in addition to their own websites* (Figure 14). Vrbo’s and Airbnb’s collection and remittance of lodging-related taxes were cited as the most frequent methods for collecting and remitting lodging-related taxes* (Figure 15).

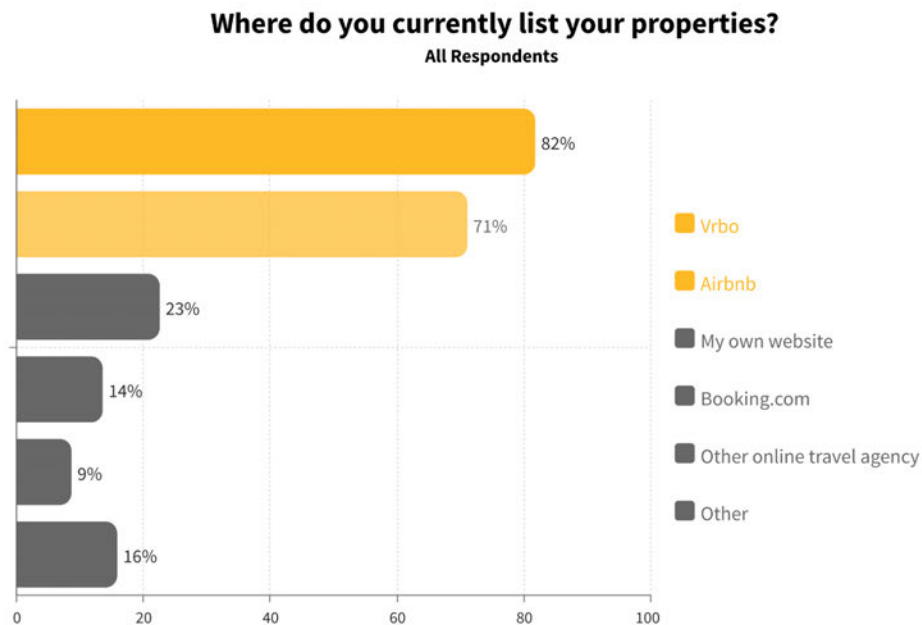


Figure 14. Where do you currently list your properties?* (Select all that apply)

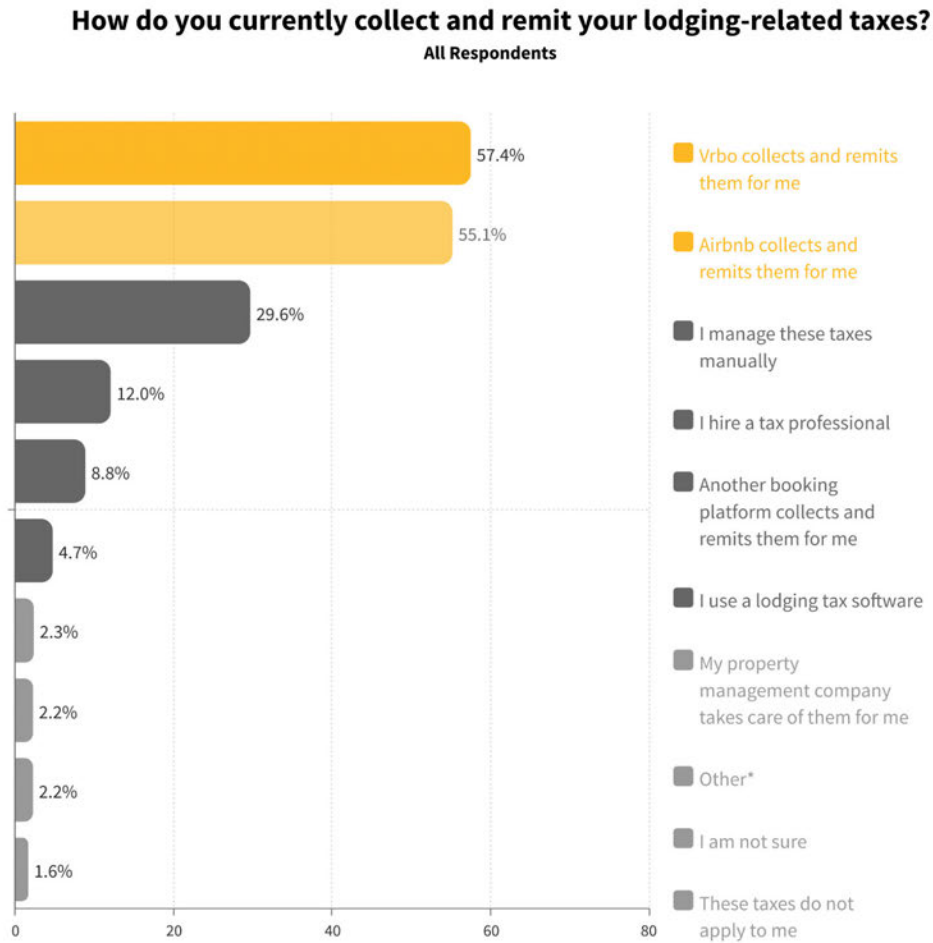


Figure 15. How do you currently collect and remit your lodging-related taxes? (Select all that apply)

*It should be noted that Vrbo was a distribution partner for this survey, therefore the frequency at which Vrbo was used as a listing site and tax collection method may not be representative.

Economic Impact

The economic impact of short-term rentals varied based on how they were managed.

Owners

Among STR owners who manage only their own properties, 50.7% managed everything themselves, 39.1% managed some tasks while hiring people for other tasks, and 10.1% hired others to take care of everything. Of those that hired others for either some or all management tasks, 68.3% hired contractors or employees directly and 31.7% hired full-service property management companies. About one-third (32.1%) of owners hired one or two employees and 24.1% hired three to five (Table 5). Of those who hired employees, 83.5% paid up to \$25,000 in wages (Table 6).

Table 5. In the past 12 months, how many total employees have you employed?

	Percent of Respondents
0	35.2%
1-2	32.1%
3-5	24.1%
6-10	6.7%
11 or more	1.9%

Table 6. In the past 12 months, approximately how much have you paid to your employee(s)?

	Percent of Respondents
Up to \$25,000	83.5%
\$25,001-\$75,000	12.5%
\$75,001-\$125,000	2.3%
Over \$125,000	1.7%

About 57.2% of owners hired one to three contractors or service providers to service their STRs. In the preceding year, 69% spent up to \$15,000 on contractors or service providers while 24% spent between \$15,000 and \$50,000 (Tables 7 and 8).

Table 7. How many contractors or service providers service your STR?

	Percent of Respondents
0	3.8%
1-3	57.2%
4-6	27.9%
7 or more	11.1%

Table 8. In the past 12 months, approximately how much in total have you paid to contractors or service providers for the STR?

	Percent of Respondents
Up to \$25,000	7.8%
\$1,000-\$2,500	13.2%
\$2,501-\$5,000	17.0%
\$5,001-\$10,000	19.4%
\$10,001-\$15,000	11.3%
\$15,001-\$20,000	8.9%
\$20,001-\$25,000	7.8%
\$25,001-\$50,000	7.1%
\$50,001-\$75,000	3.0%
\$75,001-\$100,000	1.7%
Over \$100,000	2.7%

On average, 38.1% of owner-only respondents' household income came from their STRs.

Owner-Managers

Most STR owner-managers employed up to five full-time or part-time employees in the last 12 months and paid up to \$50,000 in wages (Tables 9 and 10).

Table 9. In the past 12 months, how many total employees have you employed?

	Full Time	Part Time
0	45.0%	36.7%
1-5	42.1%	47.3%
6-10	6.8%	9.6%
11-20	2.3%	3.2%
21-30	1.6%	1.6%
31-50	0.6%	1.0%
51-99	1.3%	0.3%
100 or more	0.3%	0.3%

Table 10. In the past 12 months, approximately how much have you paid to your employee(s)?

	Percent of Respondents
Less than \$5,000	13.5%
\$5,000-\$10,000	10.8%
\$10,001-\$25,000	20.3%
\$25,001-\$50,000	13.5%
\$50,001-\$100,000	16.2%
\$100,001-\$250,000	10.8%
\$250,001-\$500,000	8.1%
\$500,001-\$1,000,000	5.0%
Over \$1,000,000	1.9%

More than 50% hired one to five contractors or service providers to service their STRs and spent up to \$50,000 on these providers in the last 12 months (Tables 11 and 12).

Table 11. In the past 12 months, how many contractors or service providers have you hired?

	Percent of Respondents
0	8.4%
1-5	51.0%
6-10	23.2%
11-25	14.2%
26-50	2.3%
51-99	0.6%
100 or more	0.3%

Table 12. In the past 12 months, approximately how much in total have you paid to contractors or service providers?

	Percent of Respondents
Less than \$5,000	14.7%
\$5,000 - \$10,000	17.9%
\$10,001 - \$25,000	14.7%
\$25,001 - \$50,000	16.1%
\$50,001 - \$100,000	13.3%
\$100,001 - \$250,000	12.5%
\$250,001 - \$500,000	4.3%
\$500,001 - \$1,000,000	2.9%
Over \$1,000,000	1.5%
I don't know	2.2%

On average, 56% of owner-managers' household income came from their STRs.

Property Managers

The majority of property managers surveyed employed fewer than 10 full-time or part-time employees in the last 12 months and paid up to \$250,000 in wages (Tables 13 and 14).

Table 13. In the past 12 months, how many total employees have you employed?

	Full Time	Part Time
0	25.2%	32.1%
1-5	35.0%	39.4%
6-10	12.6%	12.2%
11-20	10.2%	6.9%
21-30	3.7%	1.6%
31-50	4.1%	3.7%
51-99	5.3%	2.8%
100 or more	4.1%	1.2%

Table 14. In the past 12 months, approximately how much have you paid to your employee(s)?

	Percent of Respondents
Less than \$5,000	7.0%
\$5,000-\$10,000	7.0%
\$10,001-\$25,000	4.4%
\$25,001-\$50,000	8.9%
\$50,001-\$100,000	5.7%
\$100,001-\$250,000	16.5%
\$250,001-\$500,000	10.8%
\$500,001-\$1,000,000	8.2%
\$1,000,001-\$2,000,000	5.7%
\$2,000,001-\$5,000,000	4.4%
Over \$5,000,000	0.6%
I don't know / I don't have access to this information	20.9%

About 61.7% hired one to 10 contractors or service providers to service their STRs and the majority had spent up to \$100,000 on these providers in the last 12 months (Tables 15 and 16).

Table 15. In the past 12 months, how many contractors or service providers have you hired?

	Percent of Respondents
0	8.2%
1-5	38.0%
6-10	23.7%
11-25	18.0%
26-50	6.9%
51-99	1.6%
100 or more	3.7%

Table 16. In the past 12 months, approximately how much in total have you paid to contractors or service providers?

	Percent of Respondents
Less than \$5,000	10.6%
\$5,000 - \$10,000	12.0%
\$10,001 - \$25,000	11.5%
\$25,001 - \$50,000	8.3%
\$50,001 - \$100,000	9.2%
\$100,001 - \$250,000	7.8%
\$250,001 - \$500,000	8.3%
\$500,001 - \$1,000,000	7.4%
Over \$1,000,000	3.7%
I don't know	21.2%

Part 3: STR Operator Survey - Regulations & Livability

Local Government, Rules, and Regulations

Our findings showed that the survey sample population was aware that operating an STR required engagement with local government. Survey respondents were asked several questions about the role of government in the operation of their STRs. Table 17 shows the respective governmental or quasi-governmental agency of obligation.

More than 86% stated that they knew of at least one level of community or government jurisdiction that had requirements that must be met to operate. The most common jurisdiction with requirements was the town or city level with 56.4%. However, 11.9% stated that they were unsure if there were jurisdictional requirements for operating STRs.

Table 17. Which community or government jurisdiction has requirements you must meet to operate STR(s)? (Select all that apply)

Jurisdiction	Percentage of Respondents
HOA or COA	29.7%
Town or City	56.4%
County	40.7%
State/Province	36.7%
Other	0.7%
I am not sure	11.9%
None	2.0%

Tables 18 and 19 show the ways in which respondents source information and news from authorities about short-term rentals. Regarding communication with their local government, 69.5% of respondents stated they got information from their government's website, 42% got it via email, and 26.6% received information in the mail (Table 18).

More than 56% had contacted their local government about STR regulations while 7.1% responded that they had hired a service provider to take care of communications for them. The most popular sources for news about local regulations that impact their STRs were government websites (48.9%), social media (32.1%), online travel agencies (31.6%), and emails from the government (30.1%) (Table 19).

Table 18. How do you currently get information from your local government? (Select all that apply)

Information Source	Percentage of Respondents
On its website	69.5%
Via email	42.0%
Mail	26.6%
On social media	23.6%
I attend government meetings	18.7%
Other	12.5%

Table 19. How have you gotten news about local regulations that impact your STR(s)? (Select all that apply)

News Source	Percentage of Respondents
On government website(s)	48.9%
Social media	32.1%
Online travel agencies, such as Vrbo or Airbnb	31.6%
Emails from government	30.1%
News outlets	27.6%
From an STR alliance or association	24.5%
Letters in the mail from government	21.4%
I attend local government meetings	20.3%
I have never received news about local regulations	9.9%
Professional compliance specialist/company	4.8%
Other	6.5%

Through a series of Likert scale questions, respondents were asked their thoughts on their primary jurisdiction and its relationship with the operation of short-term rentals (Table 20).

The overall sentiment was positive on statements related to the clarity of jurisdictional ordinances, permitting processes, and tax collection. These questions were developed from the themes discovered in the in-depth interviews with local government officials and tested for the first time as an instrument to gauge STR owner, operator, and manager attitudes toward government.

Table 20. Likert Scale Questions

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree	I am not sure
My local jurisdiction's ordinance(s) are clearly defined and easy to understand.	9.8%	30.5%	17.8%	18.2%	15.8%	7.9%
My jurisdiction makes it easy to comply with local, regional, and state regulations regarding short-term rentals.	11.2%	31.3%	20.1%	14.5%	14.5%	8.5%
My jurisdiction has streamlined the process for STR licensing/permitting/registration.	7.9%	26.1%	20.5%	15.7%	17.7%	12.1%
My jurisdiction has streamlined the process for collecting, recording, and submitting STR-related taxes.	11.2%	31.8%	18.9%	13.0%	10.0%	15.1%
My jurisdiction has a convenient renewal process for things such as business licensing, taxes, and permits related to short-term rentals.	11.5%	31.3%	17.6%	12.9%	12.3%	14.3%
My jurisdiction provides resources for answering any questions I have about operating short-term rentals.	6.3%	27.3%	20.1%	18.6%	13.5%	14.1%
My jurisdiction has a good program for maintaining compliance and identifying bad operators.	3.2%	12.6%	19.9%	21.9%	18.4%	23.8%
My jurisdiction has successfully addressed short-term rental concerns in our community.	5.5%	19.6%	21.0%	18.9%	20.3%	14.7%
My jurisdiction provides a way for community members to report bad actors involved in short-term rentals, such as a hotline.	5.6%	19.7%	16.5%	17.1%	12.6%	28.5%
I think that government should get out of our way regarding short-term rentals and let the free market prevail.	29.0%	23.1%	19.9%	18.4%	6.3%	3.3%

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree	I am not sure
I have contacts in my local, regional, and/or state government to assist me with questions regarding compliance, regulation, and ordinances.	7.3%	26.5%	18.3%	24.0%	15.6%	8.3%
My jurisdiction wants to shut down short-term rentals.	17.7%	17.3%	16.0%	22.2%	13.7%	13.0%
I work hard to maintain a professional, accountable STR business.	78.1%	13.7%	2.0%	0.7%	4.3%	1.2%
My jurisdiction's rules and requirements for hosts, owners, managers, and online platforms are consistent and fair.	5.4%	25.0%	22.7%	16.8%	17.2%	12.9%
STR owners, operators, and hosts are perceived as good business operators within my community.	11.0%	31.4%	21.2%	18.3%	8.6%	9.6%
I frequently interact/work with my local government's staff.	4.2%	17.4%	22.8%	36.0%	17.3%	2.4%
My jurisdiction seeks to provide a balanced environment between business, community, and government regarding short-term rentals.	5.6%	27.2%	21.3%	16.7%	14.9%	14.3%
I believe that all properties listed on online platforms should meet the local ordinance requirements.	35.5%	44.1%	10.1%	2.9%	3.3%	4.1%

Housing & Quality of Life

A series of questions were asked about affordability and property use. Our research discovered flexibility in how STR operators rent their properties. Among both owners of short-term rentals and property managers, the majority stated that the properties they owned or managed would not be considered affordable long-term housing options for residents, with at least one-fifth of the sample responding that yes, they would be an option (Table 21). Most owners of STRs also stated that if they could not operate STRs in their properties, they would either sell them or mid-term rent them (Table 22).

Table 21. Would any of the properties you own/manage be considered affordable long-term options for residents?

	Owned Properties	Managed Properties
Yes	23.2%	21.3%
No	53.8%	50.4%
Some would, some wouldn't	16.3%	24.6%
I am not sure	6.7%	3.7%

Table 22. If I could not operate STRs in the properties I own, I would... (Select all that apply)

	Owner Only	Owner-Manager
Leave it empty	24.7%	11.9%
Sell it	34.4%	47.2%
Move into it	10.9%	8.7%
Mid-term rent it (leases of 30 days to 6 months)	31.2%	32.5%
Long-term rent it (leases of longer than 6 months)	22.3%	25.5%

The majority of operators stated that they had a positive relationship with the neighbors of their STRs (Figure 16). Most stated that they had policies or practices in place to deal with issues: 85.7% had noise policies, 69.8% had parking policies, and 72.7% had trash policies. Just under 92% of operators had an appointed contact available to respond to potential complaints from community members within two hours.

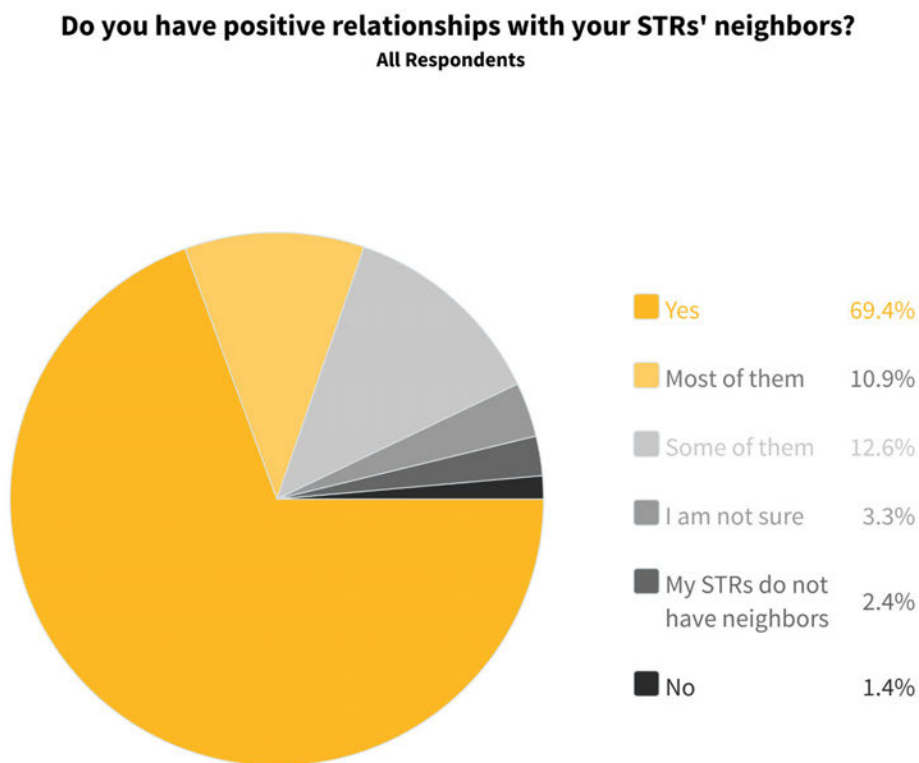


Figure 16. Do you have a positive relationship with your STRs' neighbors?

In the past 12 months, 79.9% reported receiving zero complaints from neighbors or members of their community about their STRs. Of those who had received complaints, noise was the most frequent cause for complaint (Table 23). To resolve complaints, most operators called or messaged the guest or addressed the issue on-site (Table 24).

Table 23. What were the complaints about? (Select all that apply)

	Percentage of Respondents
Noise	60.0%
Parking	27.2%
Party	21.8%
Trash	13.2%
Strangers	8.5%
Pets	8.5%
Criminal Activity	2.0%
Other	20.3%

Table 24. What did you do to resolve the complaint? (Select all that apply)

	Percentage of Respondents
Called the guest	52.2%
Messed the guest	51.5%
Addressed the issues on-site	33.7%
There was no substantiated problem	16.7%
Involved law enforcement	12.0%
Other	18.0%
Nothing	1.2%

The chart below shows the comparison of those with a positive relationship with neighbors and the number of complaints received. Of those, 86.6% of operators who had positive relationships with neighbors had received zero complaints in the last 12 months compared with only 60.8% of those who did not (Table 25).

Table 25. Comparison of Positive Relationship and Number of Complaints Received

Positive Relationship with Neighbors	Number of Complaints Received				
	0	1	2	3 or more	I am not sure
Yes	86.6%	8.0%	2.5%	0.7%	2.2%
Most of them	55.9%	20.9%	10.7%	6.6%	5.9%
Some of them	64.3%	16.1%	6.6%	7.7%	5.3%
No	60.8%	7.8%	5.9%	19.6%	5.9%
I am not sure	78.8%	7.6%	2.5%	0.0%	11.0%
My STRs do not have neighbors.	91.9%	3.5%	0.0%	0.0%	4.7%

Conclusion

These two separate threads of data from the operator survey and interviews with local regulators show the ongoing potential for local governments and property owners and managers to work together in enhancing the effectiveness of community governance of STRs. STR operators' responses reflect prevailing economic and logistical realities of the STR industry. Chiefly, these responses indicate that income from STRs directly supports households and creates jobs in the community. Greater awareness of regulations translates into fewer nuisance complaints. Not all STRs have the potential to become long-term housing. Through existing communication channels, property managers, owners, local government, and constituents can collaborate to design a local housing mix and STR compliance program that balances the needs and interests of their community.

Appendix

Methodology

In a national research initiative on short-term rentals, Rent Responsibly engaged the Riley Center for Livable Communities at the College of Charleston to design and conduct a qualitative research study with non-elected leadership in local governments and quasi-governmental agencies from three leading lifestyle communities. The research was led by Dr. Brumby McLeod, Riley Center Research Fellow, Associate Professor and Chair of the Department of Hospitality & Tourism Management in the School of Business at the College of Charleston. The study was funded by Rent Responsibly and partner companies.

Phase I qualitative interviews were conducted with municipal staff members from local governments across three states.

- Charleston County, SC, municipalities: Chosen for its mix of traditional beach tourism communities and urban hub
- The Roaring Fork Valley, CO, including Aspen and Snowmass Village: Chosen for their communities' need for a balance between a tourism-driven economy and the availability of workforce housing
- Park City, Utah, and destination marketing organizations from around the state: Chosen to include both the municipal perspective and those of tourism bureaus

While each focal region represented one of the top tourist destinations in their state, the issues faced in each region were markedly different. (1) These communities operate at the will of their state constitution; (2) Thus, the state in which these regions operate influenced the regulatory environment for short-term rental regulation in the region; (3) While the three regions fell on different parts of the political spectrum, all faced challenges that are common to popular destination markets: housing, transportation, regional cooperation between municipalities, impacts of climate change, and residential workforce housing.

Researchers additionally chose non-elected local government staff as opposed to elected officials to eliminate political biases from the study and focus on those who manage their jurisdiction's short-term rental and tourism programs. Interviewees were asked a set of questions designed to identify their unique needs and challenges. The insights from Phase I

provided a basis for topics, questions, and a qualitative scale for Phase II, the countrywide STR operator survey.

In Phase II, short-term rental owners and operators took a detailed survey with questions about their operator profile, economic impact, and relationship with their local governments. They were invited to access the online survey by email, social media, and member list invitations from short-term rental organizations and companies across the United States. In addition, an intercept invitation was administered on Vrbo, a short-term rental marketplace, that appeared in users' dashboards upon login. The survey period was November 8-14, 2021.

Respondent Profile

The average age of survey respondents was 53.8. Twenty-one to 30-year-olds made up 2.7% of respondents, while 12.4% were 31-40, 22% were 41-50, 30.3% were 51-60, 23.1% were 61-70 and 8.4% were 71 or older. About 79.6% of respondents identified as white, 2.9% as Asian, 2.5% as Black or African American, 2.1% as multiracial, 0.5% as American Indian or Alaska Native, 0.3% as Native Hawaiian or Pacific Islander, 1.1% as other, and 11% opted not to answer. About 57.9% identified as female, 39% as male, 0.1% as nonbinary, and 3% opted not to answer.

Table 26. Why did you first become an STR owner, host, or manager?

	Percent of Respondents
I purchased a vacation home / second home	31.2%
I purchased my short-term rental as an investment property	24.3%
I wanted or needed to maximize my primary home	11.1%
I wanted to host guests and travelers	7.7%
My short-term rental is my future retirement home	7.6%
I got a job in the short-term rental industry	4.2%
I inherited a property	3.7%
Other	10.3%

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