

**TOWN COUNCIL**  
**Committee to Review Zoning and Permitting Regulations**  
**Selectmen's Conference Room**  
Thursday July 18, 2019 – 6:00pm

**Councilors:**  
Chair of Committee, Councilor Jennifer Cullum  
Councilor Paul Hebert  
Councilor Paula K. Schnepf  
Councilor Britt Beedenbender  
John G. Flores, Vice President, Town Council

**MEETING MINUTES**

**PRESENT:** Chair of Committee, Councilor Jennifer Cullum; Councilor Paul Hebert; Councilor Paula K. Schnepf; Councilor Britt Beedenbender **ALSO IN ATTENDANCE:** James H. Crocker, President, Town Council; Elizabeth Jenkins, Planning and Development Director; Arden Cadrin, Housing Coordinator, Town of Barnstable; Ruth Weil, Town Attorney; Consultant Courtney Starling **ABSENT:** Councilor John G. Flores;

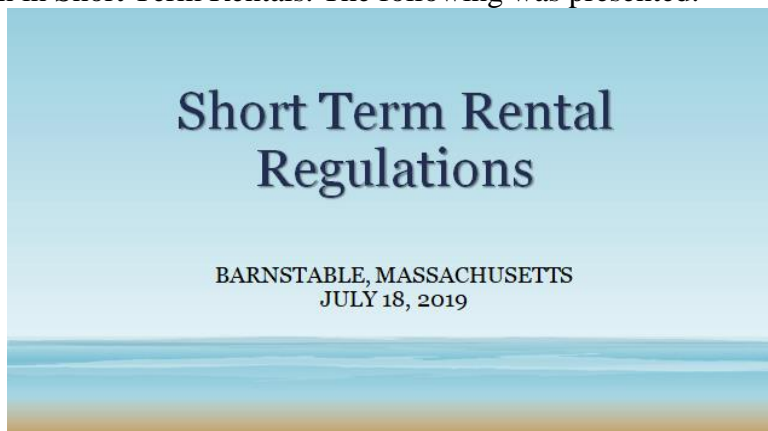
Town Council Administrator opened the meeting up at 6:05pm. Making the announcement that this is the newly formed Zoning and Regulatory Committee with the following members present at roll call

Councilor Jennifer Cullum  
Councilor Paul Hebert  
Councilor Paula K Schnepf  
Councilor Britt Beedenbender

Having quorum the Administrator asked for nominations from the Committee members present for Chair of the Committee.

1. Councilor Paul Hebert nominated Councilor Jennifer Cullum; hearing no other nominations, all members present voted unanimously for Councilor Cullum as Chair.

Town Council Administrator turned the meeting over to the Chair at 6:30pm. Chair of the Committee introduced Courtney Starling; a Consultant from Cogin Corporation hired by the Town of Barnstable to assist the Town in Short Term Rentals. The following was presented:

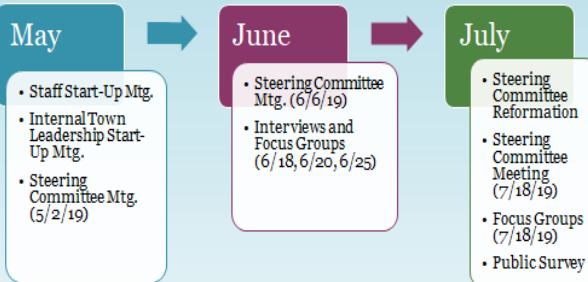


# Agenda

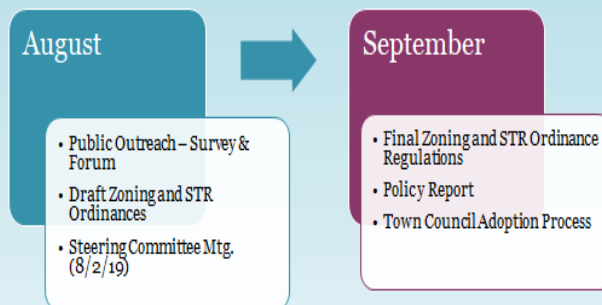
1. Process to Date
2. Regulatory Issues
3. Housing Issues
4. Findings to Date
5. Next Steps



## Process to Date



## Project Conclusion



# Project Goals:

- Address conflicts between regulatory codes
- Assess and respond to impacts to year-round neighborhoods & supply of year-round rental housing
- Identify fair procedures to address nuisance rentals
- Create clear, enforceable regulations for Barnstable to administer and for property owners to follow

# What is a Short-Term Rental?

- Any residential property or portion of a residential property that is rented out with advance reservations for a period of less than 31 days. This includes:
  - Managed Vacation Rentals (leasing/real estate agents);
  - AirBnb/Vrbo and other Online Rentals; and/or
  - Independently Operated Vacation Rentals
- As of 7/1/19, all Short-Term Rental Operators must pay Room Occupancy Taxes to the **Massachusetts Department of Revenue** for any property that is rented for more than 14 cumulative days a year.
  - Operators must register with MassTaxConnect
  - Operators must carry \$1m liability insurance policy covering Short-Term Rentals

# Regulatory Issues

## State Regulations

- Massachusetts State Building Code
- Department of Revenue Room Occupancy Excise Tax Regulations
- Cape Cod Regional Planning Commission –Districts of Critical Planning Concern
- Massachusetts Department of Environmental Protection (Septic + Wetlands)

## Local Regulations

- Zoning Ordinance & Historic District Regulations
- Affordable Apartment Program
- Comprehensive Occupancy Ordinance
- Rental Properties Ordinance & Registration
- Lodging, Bed & Breakfast, and Guesthouse Licenses
- Board of Health Regulations
- Local Meals & Room Tax Option

# Housing Issues



- Long term vacation rentals and “new” opportunities
- Neighborhood Quality of Life
- Nuisance Mitigation
- Shortage of year-round rental housing/affordable home ownership opportunities

Housing Units	26,480
Total Households	18,919
Estimated Seasonal Units	8,000 (30%)
Year-Round Renter Households	25%
Cost-Burdened Renter Households	56%
Single-Family Housing Units	82%
Tax Levy – Residential Property	88%

Data Sources: ACS (2012-2017) & MassDOR (2019)

# Online STR Unit Rentals



# Interviews and Focus Groups

## Key Findings:

- Online rental platforms have not replaced leasing agents in Barnstable – local management is still needed and leasing agents are moving clients online
- Online rental platforms have not resulted in significant “off-Cape” speculative investment in STRs
- Housing units appropriate for STR tend to be beyond the purchasing power of year-round Cape residents. Year-round housing units, including rentals, are not being converted to STR in Barnstable.
- Local police reported that they have not experienced an uptick in nuisance complaints at STR properties
- “Events” such as weddings, parties, corporate retreats, etc. at STRs are generally banned by most operators and/or leasing agents.
- There are more perceived issues with STR than actual operational issues. Where ongoing issues are occurring, there has been minimal enforcement leading to frustrated residents.

# Next Steps

- **Online Survey**
- **Website & FAQ**
- **Draft Regulations**
  1. Minimum Night Stay Requirements
  2. Licensing Requirements
  3. Occupancy Restrictions
  4. Zoning Authorizations (Location/Parking)
- **Public Forum**
- **Steering Committee Meetings**

Ms. Starling stated that information will be posted on the Town's website for the public to view when information is gathered, the Town may need to invest in a software for tracking this information as rentals come up you will need some sort of device or software that can gather the data you will be receiving to analyze the results.

The Committee Chair instructed the members of the public to attend the next meeting they will have in August, when Ms. Starling has had the opportunity to present more information on her findings from the stakeholders interviewed, and if the public would like to formulate questions regarding tonight's presentation to forward to the Town Council Administrator so that answers could be supplied at the August meeting.

Councilor Paul Hebert made a motion to Adjourn; this was seconded by Councilor Beedenbender, all members voted in favor of adjournment.

**ADJOURN: 6:57PM**