



Department of Planning and Development
723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501)371-4790 Fax: (501) 371-4546

**Planning
Development
Building Codes**

PUBLIC MEETING | SHORT TERM RENTALS (STR'S)

Comment Card

Date: June 2nd, 2021

Name: Arthur B Sabbitt

Organization/Affiliation (if applicable): None

Email Address: absabb@yahoo.com

USPS Zip code: 72215

Please print clearly, use other side of from if needed.

What is the process when multi family unit rents
some units as long term and some units as
short term?



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Date: 6/2/2021

Name: Gray Grisham

Organization/Affiliation (if applicable): None

Email Address: cloudemail878@protonmail.com

USPS Zip code: 72205

Please print clearly, use other side of from if needed.

Owner occupied STR are good. A large number of airbnb owner occupied STR are 65 year old women. That demographic is also prone to be on government support or family support, therefore it is far better for them to STR out a room or 2 rooms of their home and be self-reliant.

I think a statistical review will show 95% of the problems will be found in STR 2. Statistics should be considered before making ordinances.

The 4% tax on STR 1's is high. Airbnb host of their personal homes should have every tax deduction/incentive possible, because they can use the money to improve their home. Also a person completely gov't dependent cost 30,000 a year which is far more than the 4% tax on \$12,000 which is \$480 positive for gov't vs minus 30,000 for social security, section 8, & food stamps.



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PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date: 6-21-21

Name: Antoinette Johnson

Organization/Affiliation (if applicable): Hillcrest Residents Assoc.

Email Address: ajohnsonconsultant@yahoo.com

USPS Zip code: 72205

Please print clearly, use other side of from if needed.

Please reconsider the parking requirement of 1 ~~on~~ off street parking for the residence - and - 1 off street parking for the STR in owner occupied units. Especially in Hillcrest, many of us only have 1 thin driveway. We are always ~~cautious~~ cautious of neighbors parking. This will kill most Hillcrest STRs. Guests choose STRs over hotels because they want to partake in local amenities. This helps our neighborhood commercial district. If you have a way for people to complain if there is a problem, this should be enough.

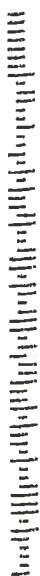
Johnson
216 Linwood Court
Little Rock, AR 72205

LITTLE ROCK AR 720
23 JUN 2021 PM 3 1



Dept of Planning & Dev.
723 W. Markham
LE, AR 72201-1334

72201-133499





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PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date: 06/07/2021
Name: Yelena Petrouklina
Organization/Affiliation (if applicable): _____
Email Address: elenapetrouklina@gmail.com
USPS Zip code: 72202

Please print clearly, use other side of form if needed.

Please, make the application process clear. The ~~ordinance~~ draft did not provide clear steps for the application or all criteria ~~th~~ considered for a successful application

\$500 fee is excessive for a small business. STR's generate tax revenue, there should not be a fee for the inspection.
- this sum of money is undue hardship for a small business owner

Having an STR should not be a zoning issue. If someone can have a rental, without

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a special permit. One should be able
to have STR-1 or STR-2. Building use
changes and rezoning seems excessive.
LR should be supporting small business,
not creating obstacles.

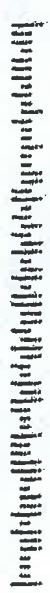
From: Helena Petreulichina
1323 W 12th St
Little Rock, AR 72202

LITTLE ROCK AR 720
14 JUN 2021 PM 4 L



To: Department of Planning and
Development
723 West Markham Street
Little Rock AR 72201

72201-133495



719 N. Van Buren
is an AirB&B - listed

Last month - 3 def. out
of renters
Today MD & CA
owners live in NLR

Sandy Moore
715 N. Van Buren
sx moore @ sbeglobal.net
501 - 786 - 6223

ll have the
called the
city twice -
code enforcement
& planning



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Building Codes**

PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date: 6-20-21

Name: MIKE ORNDORFF

Organization/Affiliation (if applicable): _____

Email Address: MOULCAR@GMAIL.COM

USPS Zip code: 72202

Please print clearly, use other side of form if needed.

- I CANT OFFER OFF STREET PARKING, BUT IVE
OPERATED AND SERVED OVER 2000 GUESTS AND
RECEIVED 5 STAR REVIEWS W/ OUT IT.

- MY SPACE IS JUST OVER 50' FROM
MY PERMANENT RESIDENCE. I DONT THINK I
SHOULD BE CONSIDERED STR 2

Dear Kathy,

The draft ordinance on short term rentals (STRs) will hurt neighborhoods, hurt small owner livelihoods, and hurt Little Rock as a tourist destination. It does so for unclear reasons, based on inadequate study. This is far less “party house”, neighborhood or tenant protection ordinance, than an attack on new STRs, and attempt to shut existing ones. Especially worrisome are its specious use of public health excuses, and unfettered delegations of authority.

This draft ignores the many benefits that well-run STRs bring to the City. Unlike standard hotels, STRs offer comforting places for our many health care guests to cook meals that meet their dietary needs, and to recover from the pain of surgery, the nausea of chemotherapy and the sadness of visiting sick children. Many STRs offer COVID-safe housing with fully separated HVAC systems and opening windows, which hotels cannot. They pay taxes to the City, while providing guests a local experience, where families can stay together affordably. STRs attract the creative young people that Little Rock needs to prosper. They introduce visitors to places outside of the River Market, especially overlooked neighborhoods that need increased visibility. For hosts, STRs offer young homeowners a chance to defray some costs by showing visitors a warm Little Rock welcome. They offer retirees supplemental income by using space that would otherwise be wasted. They encourage investment in historic neighborhoods south of I-630, where decades of sprawl have led to hundreds of vacant homes, many needing renovations in excess of market value.

Most STRs are neither hotels nor rooming houses, and should not be regulated like them. They are stand-alone homes and apartments that individual hosts, usually living nearby, have lovingly curated to showcase the best our city has to offer. These STRs typically do not increase the occupancy, the number of cars, or the demands on city services over traditional leases. Hosts only succeed if they win 5-star reviews from guests. The apps punish hosts quickly and publicly for problems, holding them to higher standards than traditional landlords. Hosts provide authentic local experiences, resulting in more visits to our locally-owned restaurants, increased visitors to our local museums, and expanded awareness of Little Rock’s charms -- like hiking or biking, local musicians, and farmers markets. If this is commerce, which is debatable, it is cottage scale and merits gentle treatment.

The current draft ordinance would impose huge administrative burdens on all STRs. Most current and future STR owners will have to go through the same complicated, expensive Planned Zone Development process as proposed large apartment complexes, despite nothing new being built. Even owner occupiers have to apply for a special use permit, which is also expensive, difficult and entirely discretionary. Regulators set no time frames on themselves to take needed actions. They should. All unlicensed STRs will be shut down. Once eventually received, privilege licenses will be hard to maintain. Owners must, for example, be available 24/7 to respond within sixty minutes to any concerns, reasonable or not. This enables anyone (including competitors) to destroy owner livelihoods for minor infractions such as a guest parking on a public street (which the ordinance could make impermissible). The penalties are harsh, standards vague and broad, and licenses easily revoked.

Regulation of STRs should be precisely targeted. Clearly, sales and occupancy taxes should be paid. Many are already collected through the hosting platforms. A modest license fee may be scaled to size of the STR. Most other issues can be addressed by enforcement of current local ordinances governing noise, trash, housing safety, parking and permitted occupancy levels. Little Rock is not New Orleans, where some neighborhoods have such intense concentrations of STRs, often owned by large corporate investors, that both the neighborhood feeling and housing affordability is threatened. If the City’s concern is larger

investors, then the City could require the host (or for LLC's, one of its owners) to live within five miles of the STR. The city could limit concentration of STRs in defined neighborhoods, where issues arise. This draft fails to target specific neighborhood concerns, opting instead to discourage all STRs everywhere.

I live and invest near Central High, in an historic district where about 30% of houses are vacant, most of these dilapidated. I have completely renovated 17 historic houses, and received a Preserve Arkansas award for neighborhood preservation. All were vacant and many them unsafe when bought. I own and personally manage 28 moderately priced rental units and one Airbnb. For seventeen years, I have persisted in this labor of love as a one-man community development corporation, making modest profit. STRs offer a tool to make marginal rehabilitations more economically feasible. My brief STR experience gave me courage recently to purchase an unsafe and vacant 1905 duplex to renovate for Airbnb. Had I known of this draft, I should have let it decay, rather than planning a \$200,000 expense to save it. I am 66-years old, and concerned about retirement income. This hurts.

The ordinance is especially frustrating given the City's many failures to enforce its existing regulations south of I- 630, failures that have long been my greatest investment risk. Drug dealing, violence and prostitution continue at Community Market on Wright Ave. for years despite hundreds of calls. Under this rule, a few calls from a disgruntled neighbor could shut down immaculate STRs. Slumlords and absentee owners violate housing codes for decades while their buildings decay. The City would now subject pristine STRs to regular inspections by the same understaffed department that conducts no inspections on collapsing commercial properties. Where are the priorities? Sadly, in addition to the usual neglect, I must add threatened over-regulation as a major risk.

Please shelve this draft. Work with local STR owners and neighbors on a different concept. Help STR owners thrive here, under fair, clear and balanced regulation that uses data to target real concerns and preserve the benefits that good STRs provide.

Thank you very much for any assistance you can provide.

Yours truly,

Paul Dodds
Managing Director
Urban Frontier LLC
<http://www.urbanfrontier.org>

June 21, 2021

Submitted by email prior to Hillcrest Hall hearing to City Director Kathy Webb



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PUBLIC MEETING | SHORT TERM RENTALS (STR'S)

Comment Card

Date: _____

Name: Delana Chance

Organization/Affiliation (if applicable): _____

Email Address: delana00@yahoo.com

USPS Zip code: 72205

Please print clearly, use other side of form if needed.

- #1 - The major problem I have w/ the new ordinance is the parking requirements. For STR-1 where the homeowner lives on the property it is near impossible to have off street parking for guests due to the owner using the driveway. It causes issues where the guest/homeowner gets blocked in. Hillcrest does not have double driveways! This new ordinance would promote people destroying historic frontage to accommodate more parking. Hillcrest is designed for people to park on the street.
- #2 - The ordinance draft states there will be a 4% tax on gross receipts. Airbnb already collects tax as they agreed to w/ the city of LR. An additional 4% on top of what Airbnb already collects is crazy!

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- #3 Can the ordinance be amended to require parking for STR w/ 2 or more bedrooms? I don't believe the STR that accommodate 1-3 guests (who always drive together) should be required to provide off-street parking.
- #4 This new ordinance is not good for neighborhoods or the economy of LR. I believe you can register the STR + simply keep a cap on the amount in LR.
- #5 This ordinance gives way to much power to virtual strangers to shut my business down. I keep a 5 star rating on airbnb + take pride in my ~~best~~ STR. ~~But~~ This opens the door to petty complaints w/ the intent to shut the STR down. Also, take out the 60 min requirement to answer any complaint. This is micro-managing by the city. I always respond to my guest + if I didn't my review + business would suffer. I don't need the City to give me time limits + micro manage my hospitality services



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PUBLIC MEETING | SHORT TERM RENTALS (STR'S)

Comment Card

Date:

6/21/2021

Name:

Bob Keltner

Organization/Affiliation (if applicable):

Hillcrest Res. Assoc. (Reservation & Planning Committee)

Email Address:

r.keltner@att.net

USPS Zip code:

72205

Please print clearly, use other side of from if needed.

From a neighborhood standpoint, we would prefer that the changes to zoning that would occur be tied to the person rather than the property for STRs.

The concern is that over time the overall zoning profile of the neighborhood would be permanently changed. We would prefer that zoning revert back to residential when property changes hands.



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PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date:

6.21.2021

Name:

Sandy Moore

Organization/Affiliation (if applicable):

Hillcrest Residents Assn

Email Address:

sxmoore @ spcglobal.net

USPS Zip code:

72205

Please print clearly, use other side of from if needed.

I support the ordinance
& am opposed to people ^{short-term}
making an living off of rental
property in my neighborhood.

People who are not residents
should not be allowed @ a meeting
for residents.

The City of Little Rock's Planning Department has proposed new regulations to govern the permitting and operation of short-term rentals. In response, I offer the following revisions to the current proposal from the Planning Department.

Planning proposed definition: E. "Owner-occupied shall mean owner of the property resides in the STR or in the principal residential unit with which the STR is associated on the same lot"

My proposed revision: Owner-occupied shall mean owner of the property resides in the STR or ~~in the principal residential unit with which the STR is associated on the same lot.~~ within one-thousand (1000) feet of the STR.

Example 1: In Little Rock's old neighborhoods, many lots have been split; however, ownership of a split lot may have been reunited in one owner. For example, my home is located on the south 75 feet of a 140-foot deep lot. The remaining 65 feet is owned separately. The proposed language does not make clear whether, if held in common ownership, one of the homes would qualify as Type-1, because they are on two separate tax parcels, recognized by the city as lots of record, but on the same platted lot. My proximity is the same as that of a primary home to an Accessory Dwelling Unit, but the other home is not an ADU.

Example 2: In Little Rock's old neighborhoods, many lots have been split; however, the owner of a small lot single family home or duplex may live within just a few blocks of their rental. While not on the same parcel or contiguous parcels, the proximity of the owner ensures that if problems arise, neighbors know who to turn to. This nearby owner is outside the planning proposed definition of owner-occupied, but provides all the same benefits of proximity. These benefits should drive the definition "owner-occupied" to be more inclusive to allow for an owner in close proximity to qualify for an STR.

Example 3: Little Rock's old neighborhood contain a variety of building types, including duplexes, triplexes and quadplexes. If one unit is owner-occupied, buildings like these may be financed using typical residential mortgages; however, most often there is no "principal residential unit" within the building. Would an owner occupied quadplex qualify as Type-1?

My proposal would resolve the questions raised in examples 1 and 3 and would acknowledge the benefit of proximity by allowing the owner in Example 2 the simplified processes associated with Type-1. The distance of 1000' feet was chosen because it represents the approximate distance of three (3) city blocks.

Planning proposed definitions:

B. "Bed and breakfast house / short-term rental type 1 (STR-1) shall mean an owner occupied single family or multifamily property which contains not more than five (5) guest rooms, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than thirty one (29) consecutive days."

C. “Bed and breakfast house / short-term rental type 2 (STR-2) shall mean a non-owner occupied single family or multifamily property which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than twenty nine one (29) consecutive days.”

My proposed revisions:

B. “Bed and breakfast house / short-term rental type 1 (STR-1) shall mean an owner occupied ~~single family or multifamily property~~ Residence which contains not more than five (5) ~~guest rooms~~ rentable areas, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than ~~thirty one~~ twenty-nine (29) consecutive days.”

C. “Bed and breakfast house / short-term rental type 2 (STR-2) shall mean a non-owner occupied ~~single family or multifamily property~~ Residence which contains not more than five (5) ~~guest rooms~~ rentable areas, which for a fee may be occupied by a guest for no longer than twenty nine ~~one~~ (29) consecutive days.”

Why? The planning proposed definition contains defined terms “single family” and “multi family.” Single-family dwellings contain a dwelling unit for one family, while a multi-family dwelling contains dwelling units for more than two families. It appears that two-family dwellings were inadvertently omitted. Instead of adding “two-family” to the list, another defined term, “Residence” encompasses all of the above.

“Guest room” is not a defined term; however, a room is a room, not a suite of rooms or a whole house. By replacing “guest room” with “rentable area”, the owner/operator is left to designate the space that is available for rent, whether it is a single room, a suite of rooms or a whole dwelling unit.

I would replace these terms anywhere they occur in the draft.

Drafting errors are corrected regarding the rental period.

Article XIII – revision to Sec. 36-601 and Article XIII – Sec. 36.604

Unnecessary Distribution of Authority

Section 601 requires the issuance of a Special Use Permit by the Planning Commission for Type 1 properties. For Type 2 properties, it requires the adoption of a PZD by the Board. Sec. 604 places compliance hearings in the Board of Adjustments.

Distributing authority like this means that no one body will obtain a full scope of experience on STRs. When a body only does one thing, it becomes more difficult for that body to have the depth of knowledge and experience necessary to propose revisions and refinements over time. Ideally, the planning commission would be the body to see the ins and out and tweak the code as its strengths and weaknesses are revealed.

I would recommend that the Planning Commission handle all Special Use Permits, and that Special Use Permits be the exclusive mode of consideration (no PZD required). I would also recommend that the Planning Commission hear administrative appeals of decisions made by Planning Staff. This would/should not close the door on a person pursuing a PZD from obtaining permission through that process to have STRs on site.

Also in Article XIII – revision to Sec. 36-601. Limiting Type-1 to ownership by natural persons.

I must assume that this is a limitation on Type 1 STRs aimed at ensuring that the owner is in close proximity to the STR. Proximity of a responsible person has tremendous value in ensuring accountability and proper operation; however, this ignores that some owners transfer title to their primary residence to LLCs or Trusts for various reasons. Proximity for properties owned by business entitles owning Type 1 properties can be ensured by requiring that a Responsible Person is identified and for Type 1 properties, the Responsible Person must be an active member or principal officer of the entity-owner.

Also in Article XIII – revision to Sec. 36-601. No entitlement to operate STRs in any zone by right.

Little Rock's use based zoning code acknowledges distinctions in intensity of use. There are three zoning classifications that are exclusionary and generally limit land use to single-family dwellings, while many other classifications are designed, in theory, to allow for higher and more gradually more intense uses of property. STRs are not necessarily a more intense use of property than a single-family dwelling; however, unlike many other home-based occupations and enterprises, the proposal requires a Special Use Permit.

My proposed revision would permit Type-1 properties (up to five rentable areas w/in 1000' of a person's residence) by right in Residential Zones R-4 and more intense (MF-6, MF-12, MF-18, MF-24, R-5, R-6, and UU). If the owner resided further than 1000' from the STR, then it would be a Type-2 and require a Special Use Permit. Any STR in R-1, R-2, R-3 or any C or I zone would require an STR or PZD.

Article XIII, Sec. 36-603(b)(5).

There is no rational reason to require off-street parking, if parking is not prohibited on-street. Street/right of way design should determine whether parking is required off-street.

Planning's proposed language: For an STR-1 and STR-2, the owner must provide one (1) paved off-street parking space, per guest room, for STR-1's one (1) additional parking space is required for the residence use is required. Private off-street parking must be fully utilized at the site of the STR prior to guest parking on the streets.

My proposed revision: For an STR-1 ~~and STR-2~~, parking, on-street or off-street, must be available for guest use within three-hundred and thirty (330) feet of the STR. If on-street parking is not permitted within three-hundred and thirty (330) feet of the STR, the owner must provide one (1) ~~paved~~ off-street parking space, per rentable area ~~guest room, for STR-1's one (1)~~

~~additional parking space is required for the residence use is required. Private off street parking must be fully utilized at the site of the STR prior to guest parking on the streets.~~

For an STR-2, the applicant must demonstrate that on-street parking within three-hundred and thirty (330) feet of the STR is adequate to meet the needs of the STR, or provide one (1) off-street parking space per rentable area.

Why? Three-hundred and thirty feet is used because that is the length of a standard historic block (1/16 of a mile). The “paved” requirement is deleted because this appears to exclude pervious ground covers, which are more suitable to reduce surface water runoff.

Malone, Walter

From: Adam B Fogleman <fogleman1@gmail.com>
Sent: Monday, June 14, 2021 5:30 PM
To: Malone, Walter
Subject: Re: Notice of Rescheduled Short Term Rental meeting
Attachments: Fogleman comment - revisions to Planning Proposal.pdf;
april_working_draft_str_ordinance [markup].pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Malone,

I am providing this email and the attached PDFs as a comment in response to the proposed Short Term Rental land use controls. I believe that two things must guide the design of these controls: neighborhood resilience, and owner accountability.

Neighborhood resilience requires that we encourage subsidiarity and return agency to citizens to exercise decision making responsibility regarding their own place. It also requires that a neighborhood contains all of the elements necessary for a person to live and work within a short distance. A resilient neighborhood is not merely a place where people live; it is also a place where they can worship, work, and shop. A neighbor-owner is better suited to respond to the concerns of their neighbors, so a light touch from the city is better than exercising dominion.

Owner accountability requires an examination of the relationship of the owner to the short-term rental. Planning's current proposal appropriately acknowledges that the proximity of an owner to their short-term rental best ensures accountability of the owner to their neighbors.

Against this backdrop, I believe that the definition of "owner-occupied" and the allowance of STR Type-1 is drafted too narrowly. The benefit of owner-proximity does not diminish for an STR next door or even a few blocks over. A broadened definition of "owner-occupied" and allowance of STR Typ-1 will also better accommodate the development patterns found in many of Little Rock's historic (pre-WW2) neighborhoods. Many lots are, or were at one time, split. Some parcels now encompass two or more lots. The rigidity of the current draft leaves more questions than it does provide answers to owners operating STRs on nearby, or even contiguous parcels. The attached PDFs offer alternative language that broadens eligibility for STR Type-1.

Next, the processes employed to permit and governing authority over STRs should be placed with one body. In the proposed draft the Planning Commission has authority over STR Type-1s; the City Board over STR Type-2's, and violations are appealable to the Board of Adjustments. Distribution of authority ensures that no one body accumulates experience of the full scope of operations of STRs in the city. A breadth of experience is necessary to ensure that appropriate revisions and refinements to code may be recommended by a body tasked with making such recommendations. For this reason, I would suggest that the Planning Commission address all matters relating to STRs, except those applications that may be Administratively Approved, such as by-right entitlement in zoning districts designed for a residential use intensity that can accommodate STRs and the owner is sufficiently close to qualify for Type-1.

The proposed draft also uses the undefined term "guest room." While it is not defined, a room is a room (singular). STRs and Bed and Breakfasts often rent a suite of rooms. STRs also rent whole dwelling units.

Replacing "guest room" with "rentable area" would allow sufficient breadth to permit the array of rental options that exist and leave the owner/operator to identify what areas in a dwelling unit are subject to be rented as an STR.

Not every development pattern that has been used in Little Rock can accommodate off-street parking, nor should availability of off-street parking automatically disqualify a property from use as an STR, especially where abundant on-street parking exists within one block and the STR is owned by a neighbor.

Finally, the draft contains a few drafting errors. In the definitions section, part B sets a time limit of "thirty one" days, but the parenthetical lists "(29); " and part C sets a time limit of "twenty nine one" days, but the parenthetical lists "(29)." Two-family dwellings are also omitted from qualification as any type of STR since the definitions allow for single family or multi family properties to qualify. Both single family dwellings and multi family dwellings are existing defined terms in the zoning code. Two-family dwellings are separately defined and that definition is not co-extensive with multi family dwellings. I expect that it was the intent of the author to include two-family dwellings. Another defined term, "Residence", encompasses all buildings containing a dwelling unit. Replacing "single family or multi family property" with "Residence" throughout would accomplish the purpose and is easier to read. "Residence," however, as currently defined excludes "transient accommodations." A simple revision to that definition to include Bed and breakfast house / short term rental would ensure consistency and avoid a conflict between the proposed ordinance and the existing definition.

I have attached a marked-up version of the working draft ordinance, containing the revisions that I propose here, as well as further comment, and a second PDF that includes my recommended revisions in the style of legislative drafting with additional explanation.

Kindest regard,

Adam Fogleman
Pettaway resident
Common Ground Properties, member
Downtown Little Rock Community Development Corp., Pres.

"There are no unsacred places; there are only sacred places and desecrated places." -Wendell Berry

On Wed, Jun 9, 2021 at 11:35 AM Malone, Walter <WMalone@littlerock.gov> wrote:

The City of Little Rock is actively working to develop Short Term Rental (STR) land use controls. The Planning Department invites interested parties to attend a re-scheduled public meeting (June 21, 2021). This an opportunity to ask questions and provide feedback on the City's first draft of the Short Term Rental Ordinance. See attached flier for location and link to draft ordinance.

Thanks

Walter Malone, AICP

Planning Manager

1 **ORDINANCE NO. 2X,XXX SHORT TERM RENTALS**

2 **AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF**
3 **LITTLE ROCK, ARKANSAS, TO PROVIDE FOR THE MODIFICATION OF VARIOUS**
4 **PROCEDURES, DEFINITIONS, AND FOR OTHER PURPOSES.**

5 **WHEREAS**, the use of homes for short-term rentals is occurring throughout the City without clear
6 allowances for this land use; and

7 **WHEREAS**, a regulatory framework is needed to provide for life-safety standards for both hosts
8 and visitors of short term rentals; and

9 **WHEREAS**, use of residential homes for short-term rentals grants owners opportunities for
10 housing to be used for the purpose of safe temporary rental accommodations throughout the City's
11 collective of neighborhoods; and

12 **WHEREAS**, the City has developed an equitable system for permitting short-term rentals,
13 incorporating mechanisms to preserve neighborhood character while allowing reasonable latitude for the
14 use of private residences to generate income; and

15 **WHEREAS**, the City divided meaning of Bed and breakfast house into two land use categories,
16 being owner occupied (Type 1) and non-owner occupied (Type 2), given the difference in tone and nature
17 of the two types of land use, and crafted an entitlement process; and

18 **WHEREAS**, this regulatory framework for operation of short-term rentals helps establish equity
19 in municipal tax collection; hotel taxes from short-term rentals will be collected and used in City's efforts
20 to promote travel and tourism.

21 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE**
22 **CITY OF LITTLE ROCK, ARKANSAS.**

23 ***NOTE: FOR PREVIEW ORDINANCE, PROPOSED NEW TEXT IS SHOWN UNDERLINED***

24 **SECTION 01. Little Rock, Arkansas Rev. Code Chapter 17. Licenses, Taxation, and**
25 **Miscellaneous Business Regulations, Article IV. Hotel and Restaurant Tax, Code of Ordinances of**
26 **the City of Little Rock, Section 17-96 Levied, sub-Section (a), as follows:**

27 *There is hereby levied a tax of four (4) percent upon the gross receipts or gross proceeds*
28 *derived and received from the renting, leasing or otherwise furnishing of hotel, motel,*
29 *house, cabin, bed and breakfast, campground, condominium, or apartment*
30 *accommodations, or other similar rental accommodations for sleeping, meeting, or party*
31 *or banquet use for profit in the city, provided that such levy shall not apply to the rental*
32 *or leasing of such accommodations for a period of thirty (30) days or more; and*

33 **Be amended to read as follows:**

34 *There is hereby levied a tax of four (4) percent upon the gross receipts or gross proceeds*
35 *derived and received from the renting, leasing or otherwise furnishing of hotel, motel,*

house, cabin, bed and breakfast, short term rental, campground, condominium, or apartment accommodations, or other similar rental accommodations for sleeping, meeting, or party or banquet use for profit in the city, provided that such levy shall not apply to the rental or leasing of such accommodations for a period of thirty (30) days or more; and

SECTION 02. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article I. In General, Section 36-3. Same – Uses, as follows:

Bed and breakfast house means an owner occupied single-family residence which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than fourteen 14 consecutive days.

Be amended to read as follows:

Bed and breakfast house / short term rental type 1 (STR-1) means an owner occupied single or multi-family dwelling unit which contains not more than five (5) guest rooms, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than twenty nine (29) consecutive days. Bed and breakfast house / short term rental type 1 (STR- 1) are a land use allowed only where the Planning Commission has granted a Special Use Permit in accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

Bed and breakfast house / short term rental type 2 (STR- 2) means a non-owner occupied single-family or multi-family dwelling unit which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than twenty nine (29) consecutive days. Bed and breakfast house / short term rental type 2 (STR- 2) are a land use allowed only where a Planned Zoning District has been approved in accordance with Chapter 36. Article VII. Planned Zoning District.

SECTION 03. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article II. Administration and Enforcement, Section 36-54. Special Use Permits, sub-Section (e.) Development Criteria, as follows:

(1) Bed and breakfast hotels

- a. The occupancy fee may include a continental breakfast (coffee, juice and pastry) to be served to paying guests with no full meals.*
- b. The owner must provide one (1) paved off-street parking space per guest room and one (1) additional for the residence use.*
- c. Allowable signage is that permitted by the single-family residential standard.*
- d. No receptions, private parties or tours for a fee are allowed.*

Be amended to read as follows:

(1) Bed and breakfast house / short term rental type 1 (STR-1)

a. See Article XIII. Bed and breakfast house / short term rentals for development standards and submittal requirement

SECTION 04. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article V. District Regulations, Section. 36-253. R-1 Single-family district. Sub-Section (b) Use Regulations. (5) Special uses, as follows.

a. *Bed and breakfast house*

Be amended to read as follows:

a. *Bed and breakfast house/short term rental (Type 1)*

SECTION 04. That Little Rock, Arkansas Rev. Code be amended to include a new Article for incorporation into Chapter 36. Zoning, providing land use controls for bed and breakfast house/ short term rentals (Type 1 & 2).

ARTICLE XIII. BED AND BREAKFAST HOUSE/SHORT TERM RENTALS

ARTICLE XIII. SEC. 36-599 SHORT TITLE

This chapter may be cited as the “Short Term Rental Ordinance.”

ARTICLE XIII. SEC. 36-600 PURPOSE

Purpose of this Article is to establish regulations for use of ^{residences} ~~residential dwellings~~ as bed and breakfast house/ short term rentals, establish a system to track the short-term rental inventory in the City, ensure compliance with local performance standards, provide a means of contact for the Responsible Party of bed and breakfast house/ short term rentals, and allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

DEFINITIONS.

A. Administrative Approval shall mean formal acceptance of approval by the Director of Planning and Development or their designee.

^{residence}

B. Bed and breakfast house / short-term rental type 1 (STR-1) shall mean an owner occupied ~~single-family or multi-family property~~ which contains not more than five (5) ~~guest rooms~~, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than thirty one (29) consecutive days.

^{rentable areas}

^{or a dwelling unit, or rentable area within 1000' of the primary residence of the owner, see E.}

C. Bed and breakfast house / short-term rental type 2 (STR-2) shall mean a non-owner occupied ~~single-family or multi-family property~~ which contains not more than five (5) ~~guest rooms~~, which for a fee may be occupied by a guest for no longer than twenty nine one (29) consecutive days.

^{rentable areas}

^{or more than 1000' from the primary residence of the owner, see E.}

D. Occupant shall mean the person or persons who contracts with the Responsible Party for use of the Short-Term Rental (STR).

replace with "within 1000' of the owner's primary residence or Responsible Party's primary residence or principal address."

- 1 E. Owner-occupied shall mean owner of the property permanently resides in the STR
2 or in the principal residential unit with which the STR is associated on the same lot.
- 3 F. Responsible Party shall mean the owner of a Residential dwelling being used as a
4 short-term rental Type 1 or Type 2, as well as any person designated by the owner
5 who is responsible for compliance with this Article by an Occupant and any guests
6 utilizing the Short-Term Rental. The Responsible Party shall provide for the
7 maintenance of the property and ensure compliance by the Occupant and any guests
8 with the provisions of this Article, or any other applicable law, rule, or regulation
9 pertaining to the use and occupancy of a Short-Term Rental. The owner of the
10 property shall not be relieved of responsibility or liability for noncompliance with
11 the provisions

12 **ARTICLE XIII. SEC. 36-601 BED AND BREAKFAST HOUSE / SHORT-TERM RENTALS**
13 **(TYPE 1 & 2) ENTITLEMENT**

- 14 (a) Bed and breakfast house / short term rental type 1 (STR-1) is an owner occupied single or
15 multi-family dwelling unit which contains not more than five (5) guest rooms, no more
16 than one (1) of which may be located in an approved accessory dwelling, which for a fee
17 may be occupied by a guest for no longer than twenty nine (29) consecutive days.

- 18 1. Bed and breakfast house / short term rental type 1 (STR- 1) are a land use allowed
19 only where the Planning Commission has granted a Special Use Permit in
20 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

for all zones except R4, MF-6,
MF-12, MF-18, MF-24, R-5, R-6,
UU, where it shall be permitted by
right.

21 a. Privilege License required.

- 22 1. Upon Planning Commission approval of a Special Use Permit, the
23 owner can submit application for a Privilege License, to be
24 renewed annually (every 365 days).

- 25 2. Inspection fee for STR-1 Privilege License is \$100.

or within 1000' of the STR

- 26 b. To qualify for an owner-occupied permit, the owner of the property must
27 permanently reside at the property and be a natural person or persons.
28 LLCs, corporations, partnerships, joint ventures and other entities are
29 ineligible for STR-1 status.

must designate a Responsible Person who resides within 1000' of the
STR and who is identified on the exterior of the STR, along with a
phone number for the Responsible person, preceded by "This property

- 30 1. Owner-occupied status shall be confirmed by at least two (2)
31 documents demonstrating primary residence. Documentation of
32 primary residence address must match the deed as recorded with
33 the Pulaski County Clerk's office. Acceptable documents include:
34 Arkansas driver's license, State of Arkansas ID card, Pulaski
35 County voter registration card, IRS W2 form, utility bill (dated
36 within 60 days), Bank statement (dated within 60 days).

- 37 (b) Bed and breakfast house / short term rental type 2 (STR- 2) means a non-owner occupied
38 single-family or multi-family dwelling unit which contains not more than five (5) guest
39 rooms, which for a fee may be occupied by a guest for no longer than twenty nine (29)

rentable areas

consecutive days. Bed and breakfast house / short term rental type 2 (STR- 2) are a land use allowed only where a ~~Planned Zoning District has been approved in accordance with Chapter 36, Article VII, Planned Zoning District.~~ **the Planning Commission has granted a Special Use Permit in accordance with Chapter 36, Art. II, S. 36-54 Special Use Permits.**

1. No person or entity shall advertise or operate a property for use as a bed and breakfast home / short term rental type 2 (STR-2) without having first obtained ~~Board of Director's approval of a Planned Zone Development (PZD).~~ **a special use permit.**

a. Privilege License required.

1. Upon the Board's adoption of an ordinance for a PZD, the owner can submit application for a Privilege License, to be renewed annually (every 365 days).

2. Inspection fee for STR-2 Privilege License is \$500.

- (c) Pre-existing Bed and breakfast house / short term rental type 1 (STR-1). Administrative approval for pre-existing bed and breakfast house / short term rental type 1 (STR-1) can be granted. Within six (6) months of the passage of this ordinance, the owner must register the STR-1 with the City, demonstrate the STR-1 was in operation six (6) months prior to passage of this ordinance, demonstrate compliance with all Bed and breakfast house / STR-1 development standards, and pay a one hundred fifty (\$150) dollar administrative review fee. Upon administrative approval, the operator shall obtain a Privilege Permit, to be renewed annually (every 365 days) to remain in compliance.

- (d) Pre-existing Bed and breakfast house / short term rental type 2 (STR-2). Non owner-occupied short-term rentals (STR-2's), which have not secured entitlement through a PZD and in operation prior to six (6) months of passage of this ordinance may ~~potentially~~ continue operations as a non-conforming use, provided owner/operators of a pre-existing STR-2 applies for a ~~PZD~~ with the City of Little Rock Planning and Development Department within six (6) months following passage of this ordinance, if no application is received, and/or if the ~~PZD~~ application is not approved, the property shall revert to its former use status.

Special
use permit

- (e) All Bed and breakfast house / STR-1 & 2 permit holders are responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or City Code.

ARTICLE XIII. SEC. 36-602 RESPONSIBLE PARTY

- (a) A Responsible Party must be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within sixty (60) minutes to complaints regarding the condition of the short-term rental or the conduct of the Occupant of the short-term rental and/or their guests.
- (b) A Responsible Party, upon notification that any Occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of a Short-Term Rental, shall promptly respond in an appropriate manner within sixty (60) minutes

1 and require an immediate halt to the conduct, and take such steps as may be necessary to
2 prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls
3 or complaints regarding the condition, operation, or conduct of an Occupant or guest in a
4 short-term rental in an appropriate manner within sixty (60) minutes shall constitute a
5 violation of this Article.

6 (c) A Responsible Party shall provide their contact number and information to all residents
7 adjacent to the Residential Dwelling being used, or will be used, as short-term rental (Type
8 1 or 2).

9 (d) A Responsible Party shall post on or near the front door of the short-term rental a notice
10 which includes the address of the Rental, emergency contact numbers (including the
11 Responsible Party contact number), maximum occupancy, and a diagram showing
12 emergency exit route(s) approved by the Fire Department.

13 **ARTICLE XIII. SEC. 36-603 DEVELOPMENT STANDARDS.**

14 (a.) Purpose and intent of this Section is to establish development standards for Bed and
15 breakfast house / short term rentals. Compliance with these development standards shall
16 be demonstrated by applicants requesting entitlements for both STR Type 1 & 2.

Type 1 & 2.

17 1. For STR-1 applications, compliance with these development standards shall be
18 demonstrated and submitted as a supplement to a Special Use Permit application.

19 2. ~~For STR-2 applications, compliance with these development standards shall be~~
20 ~~demonstrated and submitted as a supplement to the minimum criteria required for~~
21 ~~the submittal of a Planned Zoning District Application.~~

22 (b.) Development Standards.

23 1. Hosting of private parties and special events such as weddings, receptions, and
24 other similar gatherings is not allowed in short term rentals.

25 2. No tours for a fee are allowed.

26 3. The occupancy fee may include a continental breakfast (e.g. coffee, juice, pastries)
27 to be served to paying guests; no full meals.

28 4. Allowable signage is that as permitted by the single-family residential standard.

29 5. For an STR-1 and STR-2, the owner must provide one (1) ~~paved~~ off-street parking
30 space per guest room, for STR-1's one (1) additional parking space for the
31 residence use is required. ~~Private off-street parking must be fully utilized at the~~
32 ~~site of the STR prior to guest parking on the streets.~~

33 6. Applicants shall provide a scaled floor plan that includes all of the ~~rooms~~ available
34 for rent with location of windows, doors, and smoke detectors identified. Smoke
35 detectors (certified) are required in all sleeping areas, in every room in the path of

1 the means of egress from the sleeping area to the exit, and in each story with
2 sleeping unit, including basements.

3 7. All sleeping areas must have two ways of egress, one of which can be an operable
4 window.

5 8. Proof of homeowner's fire, hazard, and liability insurance. Liability coverage shall
6 have limits of not less than \$1,000,000 per occurrence.

7 9. All persons operating a bed and breakfast home / STR (Type 1 and Type 2) shall
8 meet all applicable requirements of the City of Little Rock's Municipal Code,
9 Chapter 12, Fire Prevention and Protection, Article II. Arkansas Fire Prevention
10 Code. Prior to use as a Bed and breakfast house/Short term rental (Type 1 and
11 Type 2), inspection from the City of Little Rock, Building Code Office and the
12 Fire Marshal required prior to initial approval and renewal of annual Privilege
13 License.

14 10. Smoke alarms shall be installed, all smoke alarms shall meet local and state
15 standards (current Fire Code). Smoke alarms shall be installed in all sleeping areas
16 and every room in the path of the means of egress from the sleeping area to the
17 door leading from the sleeping unit.

18 11. Carbon monoxide detectors shall be installed as directed by City staff if there are
19 fuel fired appliances in the unit or the unit has an attached garage.

20 12. Five-pound ABC type extinguisher shall be mounted where readily accessible.

21 13. No recreational vehicles, buses, or trailers shall be visible on the street or property
22 in conjunction with the bed and breakfast home and/or STR use.

What is the intent?
Obviously, these vehicles
aren't invisible. Can
occupants driving these
vehicles-types park on the
street? Or is this intended
to preclude these vehicle
types from being used as
rentable areas?

23 14. Principal renter shall be at least eighteen (18) years of age.

24 15. Maximum occupancy. Every bedroom shall have a maximum two (2) guest
25 capacity.

of each rentable area

26 16. Simultaneous rental to more than one party under separate contracts shall not be
27 allowed.

28 17. The owner shall not receive any compensation or remuneration to permit
29 occupancy of a STR for a period of less than twenty-four (24) hours.

Add: This provision does not
preclude a responsible party from
terminating a contract for a violation
of the terms of the rental or
occupancy agreement, if permitted
by the agreement.

30 18. The name and telephone number of the local responsible party shall be
31 conspicuously posted within the STR unit. The responsible party shall answer
32 calls twenty-four (24) hours a day, seven (7) days a week for the duration of each
33 short term rental period to address problems associated with the STR.

34 **ARTICLE XIII. SECTION 36.604 COMPLIANCE**

1 (a.) It is unlawful for any Responsible Party to offer for rent a bed and breakfast house / short
2 term rental or to operate a bed and breakfast house / short term rental without a Privilege
3 License. Owners shall not list a property or units online until they have received a Privilege
4 License, operation of an STR without a Privilege License could make the owner ineligible
5 to apply for a Privilege License for up to one (1) year.

6 (b.) It is the intent of the City of Little Rock that complaints regarding bed and breakfast house
7 / short term rental properties be resolved according to existing State law and City of Little
8 Rock Ordinances pertaining to public nuisances, vehicles and traffic, health and safety, and
9 public peace, morals, and welfare.

10 (c.) Sanctions:

11 1. In addition to any other remedy or procedure authorized by law, for three (3) or
12 more violations of or failure to comply with any of the standards of this Article in
13 a calendar year, the Director of the Planning and Development or his/her designee
14 may revoke a Privilege License and, in addition, may order that no new Privilege
15 License be issued for up to three (3) years pursuant to the following procedures.

16 a. Prior to the revocation of any Privilege License or the denial of a Privilege
17 License for repeated violation of the provisions of this Article, written
18 notice of the reasons for such action shall be served on the Owner and/or
19 Responsible Party in person or by certified mail at the address on the
20 permit application.

21 b. Revocation shall become final within ten (10) days of service unless the
22 Owner and/or Responsible Party appeals the action. The Owner and/or
23 Responsible Party shall provide the appeal in writing to the Director of
24 Planning and Development or his/her designee within ten (10) days of
25 receipt of the notice. The written notice of appeal must state the reasons
26 for the appeal and the relief requested.

27 c. Should the owner and/or Responsible Party request an appeal within the
28 ten (10) day period, the Director of the Planning and Development
29 Department or his/her designee shall notify the owner and/or Responsible
30 Party in writing of the time and place of the hearing.

31 d. Appeals shall be heard by the Board of Adjustment as an administrative
32 appeal pursuant to Chapter 36, Division 4. Section 36-109 of the Little
33 Rock Zoning Code. For good cause shown, the Board may affirm or
34 reverse the decision to revoke a Privilege License.

35 e. Once a Privilege License for an STR has been revoked, no new Privilege
36 License shall be issued to the applicant for the same property for a period
37 of one year.

Why not keep the authority with the body that issues permits, so that body may have the most available information regarding the topic. If problems exist with the process, uniformity will provide the body better opportunity to recognize the issues and recommend revisions.

38 **SECTION 05. SEVERABILITY.** In the event any title, section, paragraph, item, sentence, clause,
39 phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration
40 or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and

1 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
2 ordinance.

3 **SECTION 06. REPEALER.** All laws, ordinances, resolutions, or parts of the same that are
4 inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

DRAFT

Malone, Walter

From: Antoinette Johnson <ajohnsonconsultant@yahoo.com>
Sent: Sunday, June 13, 2021 8:15 PM
To: Malone, Walter
Subject: STR comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Malone:

I have some big concerns about the parking requirement in the proposed STR draft. It is possible that this will kill a lot of STRs in Hillcrest. Most homes have driveways only wide enough for one car because the neighborhood was built when families only owned one car. The (usually) two spaces on the street in front of homes are used as extra parking by the home's residents. Wouldn't it be best to allow parking in these spaces instead of requiring more paved parking? You have a way for neighbors who take advantage of others' parking to make complaints to the city, no?

STRs not only provide a way for residents to gain extra income but they have also spurred rehabilitation of the little cottages and outbuildings behind the Hillcrest homes. In many cases, these buildings are underutilized as storage or neglected. We want our historic buildings to be put into use and saved! Also, these little buildings were built as part-time housing when they were built from 1890-1940. Isn't the STR use more in keeping with the original plan than vacant buildings or use of storage?

Furthermore, guests who choose STRs over hotels are looking for ways to engage in the local community and are wanting to partake in local amenities. This brings business--especially pedestrian--to the Hillcrest merchants. Some of the best qualities of our neighborhood are a walkable community and our neighborhood commercial corridor. We want to promote and support it.

Also, because there are sometimes poor hosts of STRs, I'd ask that you consider that the permit stay with an owner, not a structure. Each owner should have to apply on their own merit, not purchase a property with an approved STR permit. This could be a dangerous precedent.

Lastly, I'd ask that you allow permits in residential neighborhoods to only be allowed on properties where the owners are living. This will cut down on party houses, keep the sense of community in residential areas, and make sure the rental is looked after and considerate of neighbors.

Thank you for working on a plan for STRs for the city,

Antoinette Johnson, PhD
Johnson Consulting: Historic Preservation & Interior Design
501-350-5931
www.johnsondesignconsulting.com

Malone, Walter

From: MaryJulia Hill <maryjulia.h@gmail.com>
Sent: Monday, July 19, 2021 10:51 AM
To: Malone, Walter
Cc: Kathy Webb
Subject: Fwd: Ordinance No. 2X,XXX Short Term Rentals

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Please see attached response to the proposed STR ordinance from BANA Board Brookpark Subdivision Representative.

Thank you.

Take care of yourself and take care of each other!

Mary-Julia Hill
President, Briarwood Area Neighborhood Association
President@BriarwoodLR.org
[501.658.1473](tel:501.658.1473)



<https://www.briarwoodlr.org>

<https://www.facebook.com/groups/BANALr/>

<https://nextdoor.com/invite/gztbvwxujyjsdghcapxq>

----- Forwarded message -----

From: Dianna Noe <diannanoe13@gmail.com>
Date: Thu, Jul 15, 2021 at 12:33 PM
Subject: Ordinance No. 2X,XXX Short Term Rentals
To: Mary-Julia Hill <President@briarwoodlr.org>

I have read The above named proposed ordinance and I am against it, as I feel like it is unenforceable and will destroy the peace and security of neighborhoods and possibly put renters and guests in danger. Hospitality is a complicated industry and requires dedication, training and investment. Let's please leave that expertise and commitment to professionals. If we look at history and the Wild West, we will see why this industry became regulated.

Sincerely,

Dianna Noe
Resident of Little Rock, BANA
Board member of BANA

Dear Mr. Malone:

The draft fails to identify the specific problems and concerns with Short Term Rentals (STRs) and fails to specifically address these problems and concerns. Instead, it seeks to make STR zoning so onerous and discretionary that it discourages STR existence, which is a disservice to tourists and visitors who prefer an alternative to corporate hotels and wish to experience Little Rock's diverse and vibrant neighborhoods. Not only do STRs provide much needed income to homeowners and help finance costly historic rehabilitations, but they expose visitors to commonly overlooked neighborhoods south of I-630 which have long been neglected. STRs have facilitated the rehabilitation of historic houses that might have otherwise been left to decay.

STRs have enabled me to afford a costly rehabilitation of the house next door in the Central High Neighborhood. In order to address major structural issues, we invested far more than the completed value of the house knowing that we could utilize one unit of the duplex for a STR. The goal of this project was to provide a place where my 90-year-old grandmother could visit since she cannot navigate the stairs in our home. While she is currently living independently, she will likely move into the space permanently when she requires more assistance. Due to these circumstances, we cannot lease this space long-term. The Airbnb platform enables us to rent this unit when my grandmother is not visiting without us having to commit to a long-term lease. The income from our STR also subsidizes the rent paid by our long-term tenant in the other unit of the duplex, a nurse at Arkansas Children's Hospital. We had such success with our STR that we have purchased another duplex two blocks away with plans to utilize one side as a STR and the other as a long-term rental. This duplex is currently unsafe and vacant and is suffering from major structural issues. Without a STR to help offset the rehabilitation costs, this project may not be financially feasible.

My husband and I both work full time, but we enjoy hosting guests in our STR. We host tourists, newly relocated residents that are looking for more permanent housing, and patients looking for a comfortable place to recover from medical procedures. We take great pride in our role as ambassadors for both our Central High Neighborhood and for the City of Little Rock. We are not running a bed and breakfast or a boarding house. We provide suggestions and a comfortable place to stay, but we are not a full-service hospitality business. In fact, the IRS treats our Airbnb income exactly the same way as long-term rental income because we do not provide the same services as a hotel or bed and breakfast. However, this draft proposal is trying to force a modern housing model into an antiquated zoning code, causing our small 600 square foot 1 bedroom STR to be lumped into the same zoning classification as a 200 unit apartment complex. Instead of supporting our small business and embracing a new rental model that enables us to afford a place for my aging grandmother, the City is trying to regulate us out of business.

The draft is overly broad and fails to account for the varying needs of Little Rock neighborhoods. Our neighborhood has abundance of on street parking and an abundance of unsafe and vacant homes in need of restoration. Our neighborhood was built for on street parking. This draft requires STR host to provide off street parking although this would not be required of long-term rentals with the same occupancy. Not only will the creation of off-street parking detract from the neighborhood's character, but it also creates more impermeable surfaces which will further hamper our strained stormwater

infrastructure. Different neighborhoods have different needs, and the STR rules should be narrowly targeted to ensure that our neighborhood character is preserved.

As a STR owner, I am familiar with the STR platform and ways to prevent certain problems. Below are some possible options:

If the goal is to...	The rules could...
Prevent Party Houses	Limit the number of bedrooms, beds, and/or square footage Enforce existing occupancy limits and noise ordinances Require noise monitoring device, such as Minut
Restrict STR Density	Provide density limits such as “no more than 2 lots containing STRs on any city block.”
Prevent Out of State Investment Companies from Driving Up Market Rents	Require the STR owner (or one member for LLCs) to live within 5 miles of the STR. You will have to exclude co-hosts on Airbnb to avoid having a loophole.
Ensure that STRs owners are accountable	Require the STR owner (or one member for LLCs) to live within 1 mile of the STR so they will be in the neighborhood.

As a starting framework, I recommend that the City broaden the STR1 classification to include STRs where:

- The owner (or one member for LLCs) resides within 2 miles of the STR, excluding co-hosts;
- There is a maximum of 1 bedroom and 1 bed, excluding 1 sofa bed;
- There is a maximum occupancy of 3 people; and
- The square footage is less than 1000 square feet.

STR1s should be allowed as a Conditional Use on R-3 or higher zoning with staff approval once staff determines that the STR meets the criteria above.

Privilege Licenses should be granted to all STR applicants upon application and payment of a fee appropriate to the size of the STR. Privilege Licenses should be subject to revocation for code and nuisance violations, including excessive noise and occupancy, after notice and an opportunity for hearing. (The current draft language is too vague and could be used as a weapon by competitors or disgruntled neighbors with unreasonable complaints.)

Inspection and Responsible Party requirements should be eliminated. STRs are consistently reviewed by guests and maintain high standards. In addition to holding hosts to high standards, STR platforms also track response rates to ensure hosts are responsive to their guests and these communications are primarily through the chat feature on the platforms to ensure proper documentation. Neighbor complaints can be addressed to either the STR platforms or make complaints to the applicable City department, such as code enforcement or LRPD. City resources are already limited, and should be devoted to addressing our existing neighborhood issues, such as unsafe housing and long-term rental inspections. Revenue from privilege licenses should be directed to existing programs and staff to benefit the City’s residents.

Most STR hosts are neighbors that genuinely care about the City and the neighborhoods they are in. I strongly encourage you to develop a working group of local STR hosts from varying neighborhoods and concerned neighbors. The working group needs to identify specific concerns and then develop a revised draft to address those concerns. STR hosts have familiarity with the platforms and are in the best position to help craft rules that will protect our neighborhoods while supporting small business. I would gladly volunteer to serve on a working group, and I hope you will allow me to be of service.

Sincerely,

Angela Boyd Mathews
AB Property Holdings, LLC
abpropertiesark@gmail.com
(501) 352-7386

Malone, Walter

From: Betty Green <bgreen619@gmail.com>
Sent: Wednesday, June 23, 2021 5:48 PM
To: Malone, Walter
Subject: Short term rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Will the short term rentals be
allowed in all residential neighborhoods in the city? If so, this would destroy peaceful neighborhoods.

Sent from my iPhone

Mr. Malone – Please accept this as my contribution for “request for public comments” from attending the Little Rock Public meeting regarding Short Term Rentals (STR) in the Hillcrest Neighborhood this past week. I would like to address that I attended on my own behalf as a STR owner, not as a representative of the Central High Neighborhood Board which I serve currently as Past President.

My main points to contribute:

- (1) The current ordinance lacks input from stakeholders. As such this ordinance needs representation from STR owners from several neighborhoods. To be clear, multiple neighborhood representation because what will work in one neighborhood will not work in all neighborhoods.
- (2) Accountability is paramount for STR to fit into a responsible framework that helps Little Rock’s growth. Limiting STR ownership to Little Rock citizens who can prove their permanent address is within a 1-2-mile boundary of the STR would keep in the original spirit of Airbnb. Large investor groups have little-to-no interest or concern for local neighborhoods they are affecting.
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Out-of-town owners/investors lack the crucial connection with neighbors. It’s in the best interest of this ordinance that the City discourage large corporate ownerships and out-of-town investors of local STR. By not limiting STR in this way will cause irreparable harm. Aside from the positives of the tax base and cleaning crew employment, the majority of generated revenue will leave the City.

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become vacant for years and/or demolished (due to lack of code enforcement), some neighborhoods would benefit from having additional means of growth. STR encourages entrepreneurship with a small barrier to entry in some cases. By incentivizing STR to thrive in some neighborhoods, this could be one positive resource to combat blight. Some properties are so far deteriorated, near the point of no return, that having the option of STR could convince local investors to fix-up these properties in their own neighborhood. At the same time keep affordable housing in lower/middle income neighborhoods by subsidizing LTR using STR revenue.

In summary:

There are many benefits of STR being overlooked by this current ordinance draft. And by requiring STR ownership to someone local in the neighborhood would reduce a lot of issues being cited. By not having stakeholders at the table is a big mistake in addressing this relatively new space-sharing concept. Again, stakeholders should be invited to the table. If asked, I would be more than willing to serve my City.

Best regards,
-Bobby Mathews
1422 S Summit St.
Little Rock, AR 72202

Malone, Walter

From: Bobby Mathews <bcmathews84@gmail.com>
Sent: Friday, June 25, 2021 12:16 PM
To: Malone, Walter
Cc: Minyard, Brian; aphillips@wlj.com
Subject: Public Meeting: STR (Request for comments from public)
Attachments: Public Meeting_STR Comments.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Malone – Please accept this as my contribution for “request for public comments” from attending the Little Rock Public meeting regarding Short Term Rentals (STR) in the Hillcrest Neighborhood this past week. I would like to address that I attended on my own behalf as a STR owner, not as a representative of the Central High Neighborhood Board which I serve currently as Past President.

My main points to contribute:

- (1) The current ordinance lacks input from stakeholders. As such this ordinance needs representation from STR owners from several neighborhoods. To be clear, multiple neighborhood representation because what will work in one neighborhood will not work in all neighborhoods.
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depleting housing stock in our City. As properties become vacant for years and/or demolished (due to lack of code enforcement), some neighborhoods would benefit from having additional means of growth. STR encourages entrepreneurship with a small barrier to entry in some cases. By incentivizing STR to thrive in some neighborhoods, this could be one positive resource to combat blight. Some properties are so far deteriorated, near the point of no return, that having the option of STR could convince local investors to fix-up these properties in their own neighborhood. At the same time keep affordable housing in lower/middle income neighborhoods by subsidizing LTR using STR revenue.

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Best regards,

-Bobby Mathews

1422 S Summit St.

Little Rock, AR 72202

Malone, Walter

From: Minyard, Brian
Sent: Tuesday, June 22, 2021 4:24 PM
To: Malone, Walter; McHendry, James T
Subject: STR draft ordinance

Some suggestions from me personally:

1. Non Owner Occupied There are different versions of this term in the document. Non-owner occupied and non owner-occupied are the two ways it is shown. We need to be consistent. But in general the term non-owner occupied is odd to me and I would recommend that we change it to not owner occupied or a property not occupied by the owner.
2. I would remove the word entitlement. This is a politically charged word which may be misconstrued. It could be deleted in some cases. First time, change to approval process. 2nd time, delete. 3rd time, change to appropriate zoning. And 4th time, delete.
3. Some people got hung up on the inclusion of the old text for the Section 17-96 and the new text. Consider... That Little Rock, Arkansas Rev. Code Chapter 17. Licenses, Taxation, and Miscellaneous Business Regulations, Article IV. Hotel and Restaurant Tax, Code of Ordinances of the City of Little Rock, Section 17-96 Levied, sub-Section (a), be amended to add the text "short term rentals" and to read as follows: This could be done on the others as well.
4. In Ordinance 21,168 or 2016, we revised the definition of bed and breakfast to remove the requirement of a special use permit. I think this is odd to show where the remedy is in the definition. These should be as shown in 36-603 (a) 1 and 2.
5. Discrepancies between posting of notices in Sec 36-602 (d) and 36-603(b)18. This may not be exactly the same thing, but it is will be confusing to some.
6. Amend all instances of "bed and breakfast" in code. Sec 17-96, Sec 36-54, Sec 36-253, Sec 36-3, and 17-52. Some have already been covered above. This is from a search of the words in the municode.
7. We state the there is a business license. In 17-52, there is a listing and cost of each. What are we calling these STRs and how much do we charge. Hotel Motel and Motor lodges are charged 135 per year plus 4.00 per room. Are we using this rate? Do we need to change it to Hotel Motel Motor lodges and STRs? This is different than the inspection fee.

Brian Minyard, AICP
Urban Designer
City of Little Rock
723 West Markham
Little Rock, AR 72201
bminyard@littlerock.gov
Phone 501-371-4789
Fax 501-399-3435

Malone, Walter

From: MaryJulia Hill <maryjulia.h@gmail.com>
Sent: Monday, June 21, 2021 12:29 PM
To: Malone, Walter
Cc: Kathy Webb
Subject: Fwd: About short-term rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see attached email from BANA neighbor regarding the proposed Short Term Rental Ordinance.

Thank you.

Take care of yourself and take care of each other!

Mary-Julia Hill
President, Briarwood Area Neighborhood Association
President@BriarwoodLR.org
[501.658.1473](tel:501.658.1473)



<https://www.briarwoodlr.org>

<https://www.facebook.com/groups/BANALr/>

<https://nextdoor.com/invite/gztbvwxujyjsdghcapxq>

----- Forwarded message -----

From: **Lupita Chavarria** <chavarrialupita@gmail.com>
Date: Tue, Jun 8, 2021 at 9:41 PM
Subject: About short-term rentals
To: Maryjulia.h <maryjulia.h@gmail.com>, Mary-Julia Hill <orlamj@sbcglobal.net>

Dear Mary-Julia, I have reviewed the document on short-term rentals.

I am concerned that in our neighborhood there are these types of concessions, I understand that the city wants to increase its rents and that people do business to increase their income ... but none of this should be at the cost of our peace the peace, and harmony we have in our neighborhood.

Living in a neighborhood like Briarwood is still a blessing, we have great neighbors and we have chosen to buy our house in an established neighborhood, where the neighbors own their home.

We do not want to see an increase in our problems of insecurity, excessive noise, garbage, and other inconveniences in our neighborhood that cause the houses that are for rent. An example of disorder is the townhouses and apartments on Chickadee St.

Allowing short-term rentals would increase this scenario 4 or 5 times.

In addition, changing the current regulations in our neighborhood would allow other inconvenient businesses to start in

our neighborhood in the future.

Remember that the city does NOT give us any guarantee or support when we have complaints about the disorder from neighbors, a bar, an illegal cantina that is operating in a house, it costs all the neighbors a lot of work and time, to be reporting and taking care of putting it in evidence and that the authority is present to sanction and put it down.

I can't imagine how difficult it would be to complain about clutter in a home once we were given permission to operate as a business.

No family home wants to have a place next to where they enter and leave unknown ... even strangers who come from other states.

They are problems that we DO NOT want to have in our neighborhood.

The tranquility and peace in which we live in Briarwood is something that all of us who live here take care of.

The areas of the city destined to businesses must be separated from the areas destined to residences.

Thank you!

Lupita Chavarria

6509 Sandpiper Dr. Little Rock, AR 72205

chavarrialupita@gmail.com

Malone, Walter

From: Chris Ellis <cellis@2bclr.com>
Sent: Tuesday, June 15, 2021 3:36 PM
To: Malone, Walter
Subject: RV - Aribnb Rental

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Malone,

I'm emailing in regards to the proposed STR changes. Many people are commenting on the proposed street parking, business license, taxes, etc...In principle, I agree that we want to encourage STR's and not try to restrict them, though I'm okay with certain standards that must be met.

One part of the ordinance not being addressed in this conversation says, "no recreational vehicles, busses, or trailers shall be visible on the street or property in conjunction with the bed and breakfast home and/or STR use." I imagine it's not being addressed, because I don't know anybody using an RV for an STR in Little Rock other than me. It's mostly a solution in search of a problem.

I run an RV Airbnb called the Urban Campground. My neighbors know about it and have been nothing but supportive. I believe I've had over 75 reviews with a 4.96/5 rating. The RV is only accessible via the alley behind my house and has its own dedicated and gated parking pad. Unless you know it's back there, one would have no idea that it's an STR. I see no reason to single out "RV's" or "trailers" in and of themselves. It would be much better to have general safety or other standards (smoke detectors, carbon monoxide detectors, heat/air, etc..) than worry about if a vehicle has wheels. Many RV's are quite luxurious and many tiny homes in the popular fad are technically speaking RV's. If a Bed and Breakfast or STR isn't nice, people aren't going to stay in it - regardless if it has wheels.

We love using our RV. We also love renting out a perfectly good STR to people when we're not using it. I agree that safety and other standards are necessary, but whether it has wheels shouldn't be part of that criteria.

Thanks,
Chris Ellis
1919 Cumberland St

Malone, Walter

From: Collins, Gilbert
Sent: Monday, June 28, 2021 9:05 AM
To: 'Antwan Phillips'; Bobby Mathews; Malone, Walter; Phillips, Antwan D.
Cc: Minyard, Brian
Subject: RE: Public Meeting: STR (Request for comments from public)

Director Phillips,

We have received their comments in an earlier email and they have been placed with all that we have received and will be distributed to the short term rental committee set up by the Planning Commission. We are setting up a meeting with the committee and will address all comments after that meeting.

Sincerely,

Jamie Collins, PE | Director
City of Little Rock | Planning and Development
723 W. Markham | Little Rock, AR 72201-1334
Phone: 501-371-6818 | Fax: 501-399-3435
<https://www.littlerock.gov/>

From: Antwan Phillips
Sent: Saturday, June 26, 2021 9:34 PM
To: Bobby Mathews ; Malone, Walter ; Phillips, Antwan D. ; Collins, Gilbert
Cc: Minyard, Brian
Subject: RE: Public Meeting: STR (Request for comments from public)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bobby:

This was sent to my work email. I'm forwarding it to my city email address and I'm copying Planning Director Jamie Collins.

Director Collins:

Please respond, as best you can, to the Bobby's comments below.

From: Bobby Mathews <bcmathews84@gmail.com>
Sent: Friday, June 25, 2021 12:16 PM
To: Malone, Walter <WMalone@littlerock.gov>
Cc: Minyard, Brian <BMinyard@littlerock.gov>; Antwan Phillips <APhillips@wlj.com>
Subject: Public Meeting: STR (Request for comments from public)

Mr. Malone – Please accept this as my contribution for “request for public comments” from attending the Little Rock Public meeting regarding Short Term Rentals (STR) in the Hillcrest Neighborhood this past week. I would like to address that I attended on my own behalf as a STR owner, not as a representative of the Central High Neighborhood Board which I serve currently as Past President.

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Driving up real estate costs:

One issue that is cited is that Airbnb drives up real estate prices. While that is true elsewhere, we do not have that occurring in Little Rock. The City of Little Rock suffers from urban sprawl with many working in town but living elsewhere. This has been referred to as “white-flight” and has had a negative impact on the City of Little Rock. White-flight can be seen first-hand south of I-630 with many vacant, unsafe-vacant properties. In my opinion, this is the largest factor in depleting housing stock in our City. As properties become vacant for years and/or demolished (due to lack of code enforcement), some neighborhoods would benefit from having additional means of growth. STR encourages entrepreneurship with a small barrier to entry in some cases. By incentivizing STR to thrive in some neighborhoods, this could be one positive resource to combat blight. Some properties are so far deteriorated, near the point of no return, that

having the option of STR could convince local investors to fix-up these properties in their own neighborhood. At the same time keep affordable housing in lower/middle income neighborhoods by subsidizing LTR using STR revenue.

In summary:

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Best regards,
-Bobby Mathews
1422 S Summit St.
Little Rock, AR 72202

Malone, Walter

From: David Lewis <dlewis33@att.net>
Sent: Wednesday, June 2, 2021 9:09 AM
To: Malone, Walter
Subject: STR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding short-term-rentals, as a periodic guest in AirBnBs around the world, I love the concept of STMs and would be in favor of continuing to allow them in Little Rock. I understand sometimes a property is rented for the purpose of throwing a disruptive party, and if there were a way to prevent that, I'd support that. Most AirBnBs I look at include a house rule of "no parties." But I'm sure following house rules and following city laws are entirely different things.

Also, though I've never been an AirBnB host myself, as a single person in a four-bedroom home in west Little Rock, I'd like to keep the option open to accept paying guests in my home.

Thanks,

David Lewis
12 Palmetto Court
Little Rock
501-351-3456

Malone, Walter

From: Greg Steinbeck <gsteinbeck@att.net>
Sent: Wednesday, June 2, 2021 12:38 PM
To: Malone, Walter
Subject: STR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I currently live in St. Charles in West Little Rock. I've owned my home for 30 years. I am all for STR's. I personally have used STR's over the last few years when I travel and vacation. Florida, Colorado, California and even NW Arkansas. I think it offers a place that is in the main stream of activities I want to participate in.
Thank you for consideration.



Greg Steinbeck

Greg Steinbeck, AIA
Architect

(501) 519-2400 Mobile
gsteinbeck@att.net
23 Saint Thomas Court
Little Rock, AR 72211

Malone, Walter

From: Collins, Gilbert
Sent: Monday, June 21, 2021 11:32 AM
To: Malone, Walter
Subject: FW: Constituent Input on Proposed Short-Term Rental Ordinance

From: Kathy Webb
Sent: Monday, June 21, 2021 11:14 AM
To: John Bonaminio ; Collins, Gilbert ; Mary-Julia Hill
Subject: Re: Constituent Input on Proposed Short-Term Rental Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jamie-good morning. I want to add these comments from my constituent in Briarwood about STDs.
I expect we will have a good crowd this evening as well. Thank you all.
Kathy

Kathy Webb

501-258-1949
kwebb@littlerock.gov.
Little Rock Board of Directors, Ward 3
Twitter @KathyLWebb
Facebook Kathy Webb 4 City Director
Instagram kathylwebb
Sent from my iPhone

On Jun 21, 2021, at 10:20 AM, John Bonaminio <johnbonaminio@gmail.com> wrote:

Morning Kathy,
Hope you had a great weekend and thank you again for your time. We are incredibly lucky to have Mary Julia as a resource and confidant.
Yes, please feel free to share with your colleagues. I'm also happy to help provide more details if anything is left unclear.
Thanks again,
John

On Jun 21, 2021, at 8:48 AM, Kathy Webb <kathywebb14@gmail.com> wrote:

John-thank you. Folks in Briarwood are fortunate to have Mary-Julia advocating for them!
May I share this with the Planning Department? Thanks.

Kathy Webb

501-258-1949

kwebb@littlerock.gov.

Little Rock Board of Directors, Ward 3

Twitter @KathyLWebb

Facebook Kathy Webb 4 City Director

Instagram kathylwebb

Sent from my iPhone

On Jun 16, 2021, at 2:50 PM, John <johnbonaminio@gmail.com> wrote:

Good Afternoon Kathy,

Hope you are doing well and enjoying summer so far. I'm emailing to share my input regarding the proposed changes in short-term rental ordinance in Little Rock. I was not able to attend the public meetings that were held to discuss short-term rentals, but I am glad to see City leaders attempting to maintain some level of transparency with these decisions. I have read the proposed ordinance and many of our concerns are covered. I am however worried that the ordinances underestimate the negative impact short-term rental will have on the City. I'm also concerned the ordinances will fall to the wayside, as many things do, and eventually go unenforced. Especially as the number of short-term rentals increases. I know you are busy, so thank you in advance for reading my lengthy email.

My family and I have personal experience with AirBnB, having had the displeasure of living next to an AirbnB "Superhost". We were given no input or warning when our neighbors chose to operate a full-time business out of the upstairs of their single-family home. For over a year we were tormented by living next to a cheap motel: late night check-ins, early morning check-outs, constant noise, parties and traffic jams. At the end of our rope, we reached out to Mary Julia (copied on this email) for help.

We specifically chose to purchase in Briarwood because we wanted a residential neighborhood to raise our family. We do not want to live on a street zoned for mixed-use development. Had the illegal motel been allowed to stay open, we would have been forced to sell our house and move. In researching our options, our Realtor actually suggested we long term rent the Airbnb ourselves while she was showing our house to avoid any negative impact to the listing. Only because of Mary Julia's help in shutting down the illegal motel next to us, we were able to continue living in our house.

We are not looking to stifle innovation or progressive changes to the City. We do not however think Little Rock should prioritize transient visitors and a corporation's profits over its own residents. I am not alone in understanding the negative impact short-term rentals have on neighborhoods or families either. A quick Google search will produce thousands of stories illustrating the negative impacts. Even more

frightening is the multi-million-dollar budget AirBnB employees to cover up bad press. AirBnB is a public, for profit business after all- what else are the hiding from elected City officials?

<https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away>

You and I both know choosing to live inside the Little Rock City limits comes with a slew of unique challenges. The threat of a short-term rental popping up next to your house does not need to be an added burden. If our neighbors are allowed to operate a motel out of their single-family residence, we will have no choice but to sell our house and move. As a lifelong resident of Little Rock, it pains me to say we would choose not to remain in Little Rock.

I'm not sure if my input will change how short-term rentals are governed, but I felt obligated to share our firsthand experiences with you. Thank you again for your time and consideration.

All the best,

John Bonaminio
6908 Briarwood Drive 72205
johnbonaminio@gmail.com
501-231-0275

Increased Cost of Managing Short-term Rental Enforcement

- How can the City scale enforcement to match new short-term rentals? Are there written plans in place for incrementally hiring new employees to monitor each additional room?
- How many staff members will initially be dedicated to maintaining the appropriate administrative and enforcement duties?
- What initial and ongoing training will be required for these positions? Specific knowledge of diversity, inclusion and the hospitality industry should be required for these new positions.

Revenue Cannibalization

- The proposed regulation specifically mentions boosting City revenue by collecting taxes from short-term rentals. Short-term rentals are generally lower priced than hotels, especially when compared to specific neighborhoods with no hotel options. Will these proposed regulations not cannibalize the existing hospitality tax revenue?
- Hotels generate more income through jobs, on site restaurant/bar services, incidental charges, valet parking, banquet and conference facilities, etc. I attached a copy of my hotel receipt from a recent business trip I took to Memphis. Had I stayed in a short-term rental (which I should note is not allowed under company policy due to liability issues), I would

not have incurred these incidental charges. How does the City plan to make up for the lost revenue from incidental charges?

- Short-term rental websites often structure prices as low per night fees but add booking and service fees to sustain the website's profit margin. Is the City going to see tax revenue from these booking fees or just the nightly cost and cleaning fees? How can the City be sure it is receiving its fair share of tax revenue?

Parking/Traffic Concerns

- Our neighborhood is not designed for or conducive to commercial street parking. Having a constant flow of cars parked on the street created a huge traffic issue in front of our house. How are the proposed parking restrictions going to be enforced?
- What is going to prevent hosts from throwing gravel down on the front yard to create the required number of parking spaces?
- People moving cross country often parked full size U-Haul box trucks, trailers and even full-size tractor trailers in front of our house and often, in our lawn. How are residential lots supposed to support these large vehicles?
- Because the motel next to us operated out of a residential home, it was not listed on any GPS or map service as a destination. This created many issues with people getting lost in the neighborhood looking for the motel. Travelers were constantly turning around in our driveway and circling the neighborhood. How is the City going to coordinate with online mapping and GPS services to make sure only regulated short-term rentals are included in search results?
- New commercial building permits are required to maintain certain parking and landscaping requirements. Because these short-term rentals are businesses, should new short-term rentals not also be required to follow the same landscaping guidelines? How will this be enforced?

Discrimination/Accessibility Enforcement

- How is the City going to ensure short-term lessors are preventing discrimination when booking rooms? How is the City going to ensure short-term rental properties are suitable for persons of all abilities?
- Even if short-term rentals are exempt from federal regulation, I do not think responsible municipalities can solely rely on a corporation's promise to ensure its platform actively prevents discrimination of any kind. The City needs to have proper vendor due diligence plans in place and ongoing monitoring processes to prevent discrimination of any kind.
- Does the city plan on created a position solely responsible for ensuring the regulated short-term rentals are actively following anti-discrimination and inclusion practices?

Public Safety

- Short-term rental companies paint a picture that their customers are families spending a relaxing vacation together. This is simply untrue. Our experience was cross country travelers looking to stay in a cheap roadside motel.
- Each night, new strangers came through our residential neighborhood at all hours of the day and night.
- A couple houses down from the AirBnB next to us, a similar looking house frequently had strangers attempting to enter their front door and ringing their doorbell looking for the AirBnB property. The problem got so bad, they had to make a public post on social media asking the AirBnB host to change the listing to better identify the correct house to enter.
- How does the LRPD plan to respond to safety and security issues of neighbors living near short-term rentals?

Malone, Walter

From: Judy Robinson <jlrobinson114@gmail.com>
Sent: Sunday, June 6, 2021 7:30 AM
To: Malone, Walter
Subject: RE: STR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings:

It is my understanding that we email you in regard of this proposed ordinance.

I received this information from the St. Charles Community Group. I'm not part of this group but I live in a nearby neighborhood. I oppose this ordinance because of the mobility in a neighborhood. I live in Walnut Valley and we have several rent houses. My experience is the depression of the property. Since the renters do not own the property, the property is not well maintained; i.e.: I experience unmowed yards.

Please do not allow the STC.

Sincerely,

Judy Robinson
614 Mimi Ln
Little Rock, 72211

Malone, Walter

From: James Walden <James.Walden@conwayarkansas.gov>
Sent: Wednesday, June 16, 2021 9:10 AM
To: Malone, Walter
Subject: RE: AirBNB

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That's consistent with what I thought.

James P. Walden, AICP
Director of Planning and Development
501.450.6105

[City of Conway](#)
1111 Main St.
Conway, AR 72032

From: Malone, Walter
Sent: Wednesday, June 16, 2021 8:48 AM
To: James Walden
Subject: RE: AirBNB

This message was sent from outside the organization. If you were not expecting this email, please be cautious when opening attachments or clicking on links.

The issue currently is that a RV is not a structure. So, we would not allow someone to live in an RV on residential land today – according to Monte (Development Administrator). For specifics you would have to talk to someone in the Development Division. The current draft is based on what we do today as to residences being structures.
Walter

From: James Walden <James.Walden@conwayarkansas.gov>
Sent: Tuesday, June 15, 2021 4:49 PM
To: Malone, Walter <WMalone@littlerock.gov>
Subject: AirBNB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Someone I know is wanting to operate an RV as an airBnb. Told him that is illegal. He is asking what the actual regulation is. You have that info?

Get [Outlook for iOS](#)

Malone, Walter

From: Collins, Gilbert
Sent: Monday, June 21, 2021 8:45 AM
To: Adcock, Joan; Lindsey Morgan
Cc: Board; Phillips, Antwan D.; Webb, Kathy; Director Hendrix; Malone, Walter
Subject: RE: Short Term Rental Ordinance - Thank You

Director Adcock,

The short term rental study/ordinance is currently going through the Planning Commission process. The Planning Commission is in the preliminary stage of drafting the ordinance. There has been one meeting outside of the commission public meeting and one more is schedule for tonight. The next step is the working committee on short term rentals of the Planning Commission assigned by the commission chair will meet several times to go over the comments and questions provided. At that time modifications will be made at the request of the committee. Prior to the anticipated two Planning Commission public hearings on the draft ordinance, it will be submitted to legal and city administration for review. The commission will adopt and certify the recommended ordinance to the board for its adoption. We anticipate the total process should be completed around August/September.

Since we are in the draft stage, please keep in mind that answers provided may change through the process.

1. Please describe the approval processes for permits and licenses. One of the issues with the CZDC was their desire to use staff approvals. It is my understanding that staff approvals shortcut the steps that make neighbors aware of proposed changes. Are there any notifications and comment periods when the Director of Planning and Development (or their designee) completes an administrative approval? Is there an appeal process? What about for Planning Commission approval of a Special Use Permit/Privilege License?

Currently the proposal is to have owner occupied short term rentals go through a special use permit with the Planning Commission. Currently appeals of special use permits go to the Board of Directors. Proposed short term rental that is not owner occupied goes through a planned development which goes to the Planning Commission for approval and recommendation to the Board of Directors for ordinance adoption. Appeals from that process goes to circuit court.

2. What is the plan to prevent someone from advertising a property for use as a bed and breakfast home/STR without the proper credentials? In the Governor's Mansion Area, carriage houses are routinely touted as a possible income source via STRs by realtors. I witnessed the CZDC ignore their own rule regarding the operation of a paid parking lot on South Main Street because it had been purchased and the owner installed paid parking. The owner of the parking lot was not even in attendance to make his case. Would the CZDC have the ability to do ignore this ordinance, if adopted, if someone was sold a home with "STR potential?" (The exact relationship between the CZDC and the City of Little Rock is unclear to me.)

If an ordinance is passed, we will engage outside services to monitor the internet and other media for advertisement of short term rentals within the city limits. City staff will enforce accordingly. Any area within Capitol Zoning District Commission is outside of zoning enforcement by the city. Capitol Zoning is a state entity and has separate zoning criteria and enforcement. The city does not control zoning within that area.

3. Under ARTICLE XIII. SEC. 36-603 DEVELOPMENT STANDARDS (b), is #16 stating that if a house has 5 guest rooms, all 5 would need to be rented by the same group? For example, a Responsible Party could not rent out their 5 guest rooms to 5 groups of strangers?

Simultaneous rental to more than one party under separate contracts shall not be allowed.

The draft ordinance can be found at:

https://www.littlerock.gov/media/8382/april_working_draft_str_ordinance.pdf

We are receiving comments and passing them to the commission for review.

Sincerely,

Jamie Collins, PE | Director
City of Little Rock | Planning and Development
723 W. Markham | Little Rock, AR 72201-1334
Phone: 501-371-6818 | Fax: 501-399-3435
<https://www.littlerock.gov/>

From: Adcock, Joan
Sent: Sunday, June 20, 2021 1:40 PM
To: Lindsey Morgan ; Collins, Gilbert
Cc: Board ; Phillips, Antwan D. ; Webb, Kathy ; Director Hendrix
Subject: Re: Short Term Rental Ordinance - Thank You

Please send the answers to Mr. Morgan and the Board so we will all have the correct answers. Thank you.

Sent from my iPad

On Jun 20, 2021, at 1:21 PM, Lindsey Morgan <mslindseyamorgan@gmail.com> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

I am writing in response to Ordinance No. 2X,XXX Short Term Rentals. Thank you for drafting a detailed, safety- and community-minded ordinance. I have dealt with a short term rental next door in years past and spent considerable time engaging with the Capitol Zoning District Commission when they were regularly discussing the issue.

The proposed ordinance addresses many of the issues I had encountered with my neighbor, including: uncertainty if a STR was next door, repeated trespassing, excessive noise, and an inability to be at peace in my own home.

After reviewing comments on social media, I wanted to share my perspective on some of the details being discussed.

1. SECTION 03 (1) (b): Thank you for noting these parking requirements. As someone who has lived with a broken ankle and continues to struggle with pain, having a short and accessible path to my home is very important. This is often overlooked by more 'able-bodied' individuals.

When my ankle began to heal, I called the City of Little Rock to see if I could get a disabled parking space in front of my home to keep my path accessible and short - I progressed from a scooter, to a walker, to a cane. I was told that disability spaces are only available near intersections. I live in the middle of the block and the closest intersection has a missing chunk of sidewalk between my home and it - a definite challenge. I gave up on getting a disabled space and continued to struggle.

2. Individuals have been taking a wildly libertarian stance on home use. I support keeping residential areas residential which, to me, means not having a hotel of any size in an area where they are not zoned for. Increased and improved housing stock in my neighborhood has been a labor of love for many. Watching the hardwon gains get eroded from modern day boarding houses simply hurts. The economic arguments for STRs simply do not outweigh the value of community that results from long-term, neighborly relationships.

After a detailed review of the proposed ordinance, I have the following questions:

1. Please describe the approval processes for permits and licenses. One of the issues with the CZDC was their desire to use staff approvals. It is my understanding that staff approvals shortcut the steps that make neighbors aware of proposed changes. Are there any notifications and comment periods when the Director of Planning and Development (or their designee) completes an administrative approval? Is there an appeal process? What about for Planning Commission approval of a Special Use Permit/Privilege License?

2. What is the plan to prevent someone from advertising a property for use as a bed and breakfast home/STR without the proper credentials? In the Governor's Mansion Area, carriage houses are routinely touted as a possible income source via STRs by realtors. I witnessed the CZDC ignore their own rule regarding the operation of a paid parking lot on South Main Street because it had been purchased and the owner installed paid parking. The owner of the parking lot was not even in attendance to make his case. Would the CZDC have the ability to do ignore this ordinance, if adopted, if someone was sold a home with "STR potential?" (The exact relationship between the CZDC and the City of Little Rock is unclear to me.)

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If you would like any additional information on my experience living next door to a STR, please do not hesitate to reach out.

With gratitude,
Lindsey Morgan
Governor's Mansion District

Malone, Walter

From: Paul Dodds <paul@dodds.us>
Sent: Thursday, August 12, 2021 10:09 AM
To: Collins, Gilbert; Malone, Walter
Cc: Kathy Webb; Antwan Phillips; Director Peck; City Manager; Erma Hendrix; Minyard, Brian
Subject: Comments on Draft Ordinance
Attachments: Whereas Outline.docx; ATT00001.txt; Ordinance draft comments - AEO.docx; ATT00002.txt

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jamie and Walter,

Attached please find some ideas about revised “whereas” clauses that strive to reframe the discussion of regulating STRs, and lay out an alternate vision for a temporary ordinance. The vision is of an ordinance that would help the City ensure tax collections, improve data capture, provide an investment environment that would support STRs as a driver of growth, and establish a solid basis for a neighborhood oriented strategy to incorporate internet based STRs into a balanced range of housing offerings for Little Rock's visitors. This is just my work, and has not been yet discussed with others.

Attached please also find a commented version of the draft of the ordinance presented at the meeting convened by Director Webb in June. The annotations were prepared by me and Attorney Anne Orsi, based on our detailed read of the draft. I hope that you find this line by line, legally focused review of use in your deliberations.

Thank you for the opportunity to provide this input and I look forward to our continued discussions.

Yours truly,

Paul Dodds
Managing Director
Urban Frontier LLC

Malone, Walter

From: Paul Dodds <paul@dodds.us>
Sent: Monday, June 21, 2021 4:49 AM
To: Kathy Webb
Cc: paul@dodds.us
Subject: Concerns about Draft Short Term Rental Ordinance

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kathy,

The draft ordinance on short term rentals (STRs) will hurt neighborhoods, hurt small owners and hurt Little Rock as a tourist destination. It does so for unclear reasons, based on inadequate study. This is less “party house”, neighborhood or tenant protection ordinance, than an attack on new STRs, and attempt to shut existing ones. Especially worrisome are its specious use of public health excuses, and unfettered delegations of authority.

This draft ignores the many benefits that our hundreds of well-run, unregulated STRs bring to the City. Unlike standard hotels, STRs offer comforting homes for our many health care guests to cook meals that meet their dietary needs, and to recover from the pain of surgery, the nausea of chemotherapy and the sadness of visiting sick children. Many STRs offer COVID-safe housing with fully separated HVAC systems and opening windows, which hotels cannot. They pay taxes to the City, while providing guests a local experience, where families can stay together affordably. STRs attract the creative young people that Little Rock needs to prosper. They introduce visitors to places outside of the River Market, especially overlooked neighborhoods that need increased visibility. For hosts, STRs offer young homeowners a chance to defray some costs by showing visitors a warm Little Rock welcome. They offer retirees supplemental income by using space that would otherwise be wasted. They encourage investment in historic neighborhoods south of I-630, where decades of sprawl have led to hundreds of vacant homes, many needing renovations in excess of market value.

Most STRs are neither hotels nor rooming houses, and should not be regulated like them. They are stand-alone homes and apartments that individual hosts, usually living nearby, have lovingly curated to showcase the best our city has to offer. These STRs typically do not increase the occupancy, the number of cars, or the demands on city services over traditional leases. Hosts only succeed if they win 5-star reviews from guests. The apps punish hosts quickly and publicly for problems, holding them to higher standards than traditional landlords. Hosts provide authentic experiences, resulting in more visits to our locally-owned restaurants, increased visitors to our local museums, and expanded awareness of Little Rock’s charms - like hiking or biking, local musicians, and farmers markets. If this is commerce, which is debatable, it is cottage scale and merits gentle treatment.

The current draft ordinance would impose huge administrative burdens on all STRs. Most current and future STR owners will have to go through the same complicated, expensive Planned Zone Development process as proposed large apartment complexes, despite nothing new being built. Even owner occupiers have to apply for a special use permit, which is also expensive, difficult and entirely discretionary. Regulators set no time frames on themselves to take needed actions, and set no decision guidelines. They should. After years of allowing their growth, all unlicensed STRs will now be shut down. Once eventually received, privilege licenses will be hard to maintain. Owners must, for example, be available 24/7 to respond within sixty minutes to any concerns, reasonable or not. This enables anyone (including competitors) to destroy owner livelihoods for minor infractions such as a guest parking on a public street (which the ordinance could make impermissible). The penalties are harsh, standards vague and broad, and licenses easily revoked.

Regulation of STRs should be precisely targeted. Clearly, sales and occupancy taxes should be paid. Many are already collected through the hosting platforms. A modest license fee may be scaled to size of the STR. Most other issues can be addressed by enforcement of current local ordinances governing noise, trash, housing safety, parking and permitted occupancy levels. Little Rock is not New Orleans, where some neighborhoods have such intense concentrations of STRs, often owned by large corporate investors, that both the neighborhood feeling and housing affordability is threatened. If the City's concern is larger investors, then the City could require the host (or for LLC's, one of its owners) to live within five miles of the STR. The city could limit concentration of STRs in defined neighborhoods, where issues arise. This draft fails to target specific neighborhood or POA concerns, opting instead to discourage all STRs everywhere.

I live and invest near Central High, in an historic district where about 30% of houses are vacant, most of these dilapidated. I have completely renovated 17 historic houses, and received a Preserve Arkansas award for neighborhood preservation. All were vacant and many them unsafe when bought. I own and personally manage 28 moderately priced rental units and one Airbnb. For seventeen years, I have persisted in this labor of love as a one-man community development corporation, making modest profit. STRs offer a tool to make marginal rehabilitations more economically feasible. My brief STR experience gave me courage recently to purchase an unsafe and vacant 1905 duplex to renovate for Airbnb. Had I known of this draft, I should have let it decay, rather than planning a \$200,000 expense to save it. I am 66-years old, and concerned about retirement income. This hurts.

The ordinance is especially frustrating given the City's many failures to enforce its existing regulations south of I- 630, failures that have long been my greatest investment risk. Drug dealing, violence and prostitution continue at Community Market on Wright Ave. for years despite hundreds of calls. Under this rule, a few calls from a disgruntled neighbor could shut down immaculate STRs. Slumlords and absentee owners violate housing codes for decades while their buildings decay. The City would now subject pristine STRs to regular inspections by the same understaffed department that conducts no inspections on collapsing commercial properties. Where are the priorities? Sadly, in addition to the usual neglect, I must add threatened over-regulation as a major risk.

Please shelve this draft. Work with local STR owners and neighbors on a different concept. Help STR owners thrive here, under fair, clear and balanced regulation that uses data to target real concerns and preserve the benefits that good STRs provide.

Thank you very much for any assistance you can provide.

Yours truly,

Paul Dodds

Managing Director

Urban Frontier LLC

<http://www.urbanfrontier.org>

Malone, Walter

From: Paul Dodds <paul@dodds.us>
Sent: Wednesday, June 30, 2021 10:51 AM
To: Malone, Walter
Subject: Re: Report from Private Company and Others

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

First, I really did not mean to call you "Waterlines" in my last letter - what was auto-correct thinking? My apologies.

Thanks very much. This is useful. If the City can develop an ordinance that gets the platforms to report, it should be possible for you to have continuous updates at a far more granular level of detail than zip codes. You could in theory get reports on every platform-supported property individually, with number of occupants, days rented (broken down by date), where the guests come from and who the hosts are. This could then be linked pretty easily to police and fire incident calls to highlight what properties are most problematic and where - and what are causing no problems.

The whole I-STR (internet based STR) phenomenon is a new, disruptive one, that needs regulation built around it, rather than an ill-fitting model borrowed from pre-internet (and maybe pre-automobile?) days. The draft ordinance only refers to online in the context of prohibiting online advertising for non-licensed STRs. A redraft could be much more effective if it were specifically oriented towards I-STRs, only governs them and is based on, and then keeps updating a data driven context for licensing, community reporting and enforcement.

My sense is that the ordinance is trying to build on the old concept of boarding houses and traditional B&B's, while the offering of properties on the platforms are fundamentally different. It does not surprise me that 75% are stand alone units being offered. These are no rooming houses. There are no spittoons behind potted palms. They are regular residential rental units, mostly pretty spiffy, being offered furnished and under a different contract model - but are otherwise unchanged from their normal allowed use. Under the draft, every single one of these which is not an accessory to an owner occupier's house would be illegal, unless they manage to squeeze through PZD and special use permit rules - which were designed for an entirely different purpose.

We seem to be in a situation of "If the only tool you have is a hammer, everything looks like a nail." Planning needs new tools, crafted for this new phenomenon. The hammer proposed risks destroying what is a pretty good thing for the city, our visitors and hundreds of owners.

Paul Dodds

.

On Jun 30, 2021, at 09:50, Malone, Walter <WMalone@littlerock.gov> wrote:

This what Jamie sent our staff person to work with in March 2020.
Walter

From: Paul Dodds <paul@dodds.us>
Sent: Wednesday, June 30, 2021 8:29 AM

To: Malone, Walter <WMalone@littlerock.gov>

Subject: Re: Report from Private Company and Others

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Waterlines,

Thanks, I will speak with Jamie. You mentioned in your response that the department had received a private report about STRs. Even if the City did not hire them or produce the report, would it be possible to share it or at least let me know the source of the report?

Can you provide the summary report of STRs by zip code that you have received? Or should I ask Jamie about this instead?

Thanks very much.

Paul

On Jun 29, 2021, at 09:09, Malone, Walter <WMalone@littlerock.gov> wrote:

Paul,

The Planning Department is only working on development of an ordinance for STRs. If you want information on what the LRCVB or others have I can not help with that. You should talk with Jamie Collins, he may have contacts outside our Department on this. We did receive a summary of the number of STRs by zip code (that is the report). Two of the Staff people who started working on this project no longer work for the City. But this Department has not hired private groups to do any analyses nor produced any written reports.

Walter

From: Paul Dodds <paul@dodds.us>

Sent: Monday, June 28, 2021 11:20 AM

To: Malone, Walter <WMalone@littlerock.gov>

Cc: Collins, Gilbert <gcollins@littlerock.gov>

Subject: Report from Private Company and Others

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Walter,

Can you please provide a copy of the report on STRs, received by the City from the private company, that you referred to in your letter in response to my fifth question, paragraph b?

Can I infer from your limited response, that other than this private study, the City and LRCVB have not conducted and are not planning to conduct other research into STRs in Little Rock, along the lines outlined in Question 5, paragraph b?

Can you also identify which "others" did the study of other ordinances you referred to in response to Question 5, paragraph a, if they were different than the private company? Can you please provide a copy of any written record of that study?

Thanks very much.

Paul Dodds

On Jun 25, 2021, at 12:24, Malone, Walter <WMalone@littlerock.gov> wrote:

See below and attachments.

Walter

From: Paul Dodds <paul@dodds.us>

Sent: Friday, June 25, 2021 11:56 AM

To: Malone, Walter <WMalone@littlerock.gov>

Subject: Follow up on STR Meeting

Importance: High

Dear Walter,

Thank you for taking the time to organize the meeting at Hillcrest Hall this week. I wanted to follow up with some questions and requests.

First, you said that I should ask you directly for a Word version of the latest draft of the STR ordinance. I will be working with other concerned citizens to put comments and suggested revisions directly into the draft, and it would be convenient to have your editable, formatted draft for marking up and sharing.

Second, I am not familiar with how Little Rock prepares and passes ordinances, so have a number of procedural questions. Is there a timetable of steps to passage of the ordinance? **There is no timetable that I am aware of.** What is your deadline for submission of citizen comments? **Sooner than later.** Does the draft ordinance go to the Planning Commission for approval, before going to the full City Board, or will it go right to the Board? **Yes** I heard that Planning hopes to take the ordinance to the full Board by August or September, which is very soon. Is that correct? **Nothing has been set.** Will there be a formal hearing, with a record kept? When? **That would be the public hearings when they happen.** Will there be another listening session, like the one we just had? **Nothing has been setup currently** I understand that there have been discussions about STRs in different wards for 18 months, but many people, including me, first heard about possible STR regulation when you sent out the email blast with the draft ordinance last week. Was your email blast the first, formal sharing from Planning to a broader public of the draft? **This was the second from the City.** Will you post revisions to the draft, if you decide to make any before seeking a Commission or Board approval? **Yes** What happens to our comments after they are submitted? Are they public record? If so, are they posted on the City web site? Will Planning respond to them, or are they just received for review? **The are being collected now, some may be responded to in the future. They will become part of the file.**

Third, I wanted to confirm that the letter that I send to Kathy Webb before the meeting and circulated there is now in your record as part of the comments submitted. A copy is attached, just in case. **Yes we have**

Fourth, can you please share a picture of the sign up sheet that the department asked people to complete when entering the meeting, including names and contact information?

Fifth, I am trying to understand better the legal, factual, data and political economy background to the draft ordinance. This will take time, but I wanted to start with a couple of comparatively simple requests.

a. I understand from the meeting that Planning Staff conducted a study of STR ordinances in Fayetteville, Nashville and San Francisco and used this comparative study for the draft. Is this correct? Do you have results of this study that you can share? **That was done by others and as web searches**

b. Has Planning or any other agency of City government, including the tax funded Little Rock Convention and Visitors Bureau, conducted a study of how many licensed and unlicensed STRs there are in Little Rock; where they are distributed; who owns and operates them; what kind of real or claimed public safety and health issues they have presented; and what sort of benefits they may be generating? If so, can you share them? If not, are any contemplated? If there are no studies and none are planned, what is the factual basis on which the City is relying for both regulating and planning implementation? Online STR hosts are very easy to find on the various platforms, as are guest reviews. Has the City conducted an inventory or analysis of online offerings? Will it? If so, what is the time frame for that work, what is its scope and will the results of this review be available publicly? Has the City linked this inventory to police calls, public safety complaints, parking violations, taxes paid or guest reviews? If so, over what time frame? **The City did get a report from a private company on STRs in Little Rock**

Sixth, can you share the names of any attorneys who have provided Planning help to date preparing this draft, whether on the City staff, LRCVB or outside? There are quite a few attorneys now engaged in reviewing this draft from the citizen and STR owner side, and it would be helpful to know our counterparts. **I am not aware of any attorneys involvement**

Again, thank you for your time and effort. I believe that a data and fact based ordinance can make Little Rock a competitive tourist destination, by offering our visitors the range of 21st century options they want for housing, while protecting both neighborhood integrity, safety and the property rights of hosts. This draft does not do that yet, but in time, I hope that it can be revised to achieve our shared goal of having Little Rock be a thriving, attractive and welcoming city.

Paul Dodds

Managing Director

Urban Frontier LLC

501 791 4135

Recipient 2015 Preserve Arkansas Neighborhood Preservation Award

Malone, Walter

From: Malone, Walter
Sent: Friday, June 25, 2021 12:24 PM
To: 'Paul Dodds'
Subject: RE: Follow up on STR Meeting
Attachments: 20210603_meeting_sign_in.pdf; 20210621_meeting_sign_in.pdf; April_working_draft_STR_ordinance.docx

See below and attachments.
Walter

From: Paul Dodds
Sent: Friday, June 25, 2021 11:56 AM
To: Malone, Walter
Subject: Follow up on STR Meeting
Importance: High

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Paul Dodds
Managing Director
Urban Frontier LLC

501 791 4135

Recipient 2015 Preserve Arkansas Neighborhood Preservation Award

ORDINANCE NO. 2X,XXX SHORT TERM RENTALS

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LITTLE ROCK, ARKANSAS, TO PROVIDE FOR THE MODIFICATION OF VARIOUS PROCEDURES, DEFINITIONS, AND FOR OTHER PURPOSES.

WHEREAS, the use of homes for short-term rentals is occurring throughout the City without clear allowances for this land use; and

WHEREAS, a regulatory framework is needed to provide for life-safety standards for both hosts and visitors of short term rentals; and

WHEREAS, use of residential homes for short-term rentals grants owners opportunities for housing to be used for the purpose of safe temporary rental accommodations throughout the City's collective of neighborhoods; and

WHEREAS, the City has developed an equitable system for permitting short-term rentals, incorporating mechanisms to preserve neighborhood character while allowing reasonable latitude for the use of private residences to generate income; and

WHEREAS, the City divided meaning of Bed and breakfast house into two land use categories, being owner occupied (Type 1) and non-owner occupied (Type 2), given the difference in tone and nature of the two types of land use, and crafted an entitlement process; and

WHEREAS, this regulatory framework for operation of short-term rentals helps establish equity in municipal tax collection; hotel taxes from short-term rentals will be collected and used in City's efforts to promote travel and tourism.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS.

NOTE: FOR PREVIEW ORDINANCE, PROPOSED NEW TEXT IS SHOWN UNDERLINED

SECTION 01. Little Rock, Arkansas Rev. Code Chapter 17. Licenses, Taxation, and Miscellaneous Business Regulations, Article IV. Hotel and Restaurant Tax, Code of Ordinances of the City of Little Rock, Section 17-96 Levied, sub-Section (a), as follows:

There is hereby levied a tax of four (4) percent upon the gross receipts or gross proceeds derived and received from the renting, leasing or otherwise furnishing of hotel, motel, house, cabin, bed and breakfast, campground, condominium, or apartment accommodations, or other similar rental accommodations for sleeping, meeting, or party or banquet use for profit in the city, provided that such levy shall not apply to the rental or leasing of such accommodations for a period of thirty (30) days or more; and

Be amended to read as follows:

Commented [PD1]: What is the factual basis for finding that this use is occurring "throughout the City"? This City wide regulation treats all areas the same – while it seems likely that there are great differences among areas regarding intensity of STR use and related issues.

Commented [PD2]: Is it really appropriate to categorize this as a different kind of "land use" with all that implies? Nothing changes in the physical use of the land, other than term of tenancy.

Commented [AO3R2]: I think not, since these units can include someone's sleeper sofa, spare room, carriage house, apartment, or separate residential structure. AirBnB offers all of these except sofas, according to my quick search in LR.

Commented [PD4]: Is couch surfing included under the ordinance? If not, where is it excluded?

Commented [AO5R4]: I share this concern. Couch surfing might fall under ST1, since it might be owner-occupied.

Commented [PD6]: What is the basis for asserting stricter life safety standards for STRs if there is no increase ...

Commented [AO7R6]: Agreed

Commented [PD8]: What if a neighborhood is subject to a POA, an overlay district or Capitol Zoning? The Ordinance ...

Commented [AO9R8]: Good question.

Commented [PD10]: Again, the concern is city wide. No recognition is made of any need to study possible ...

Commented [PD11]: The morass of City recognized "neighborhoods" has created lots of little fiefdoms. If the ...

Commented [PD12]: Equitable for whom? Not for STR owners and operators.

Commented [PD13]: What does it mean to preserve "neighborhood character" in this context? What are the k ...

Commented [PD14]: This ordinance would drastically undermine the ability of homeowners or landlords to ...

Commented [PD15]: This "bed and breakfast" house concept is outmoded and could cause trouble, especially f ...

Commented [AO16R15]: Not only this, but does using a spare bedroom or two as an STR suddenly turn a single- ...

Commented [PD17]: The difference in "tone and nature" is such a vague concept it provides no meaningful guidance ...

Commented [PD18]: It should be specified that the "equity" sought is to put STRs on the same base as hotels ...

Commented [PD19]: What will the City do to promote STRs as it collects taxes from them? What is the vehicle f ...

Commented [AO20R19]: Valid points.

There is hereby levied a tax of four (4) percent upon the gross receipts or gross proceeds derived and received from the renting, leasing or otherwise furnishing of hotel, motel, house, cabin, bed and breakfast, short term rental, campground, condominium, or apartment accommodations, or other similar rental accommodations for sleeping, meeting, or party or banquet use for profit in the city, provided that such levy shall not apply to the rental or leasing of such accommodations for a period of thirty (30) days or more; and

SECTION 02. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article I. In General, Section 36-3. Same – Uses, as follows:

Bed and breakfast house means an owner occupied single-family residence which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than fourteen 14 consecutive days.

Be amended to read as follows:

Bed and breakfast house / short term rental type 1 (STR-1) means an owner occupied single or multi-family dwelling unit which contains not more than five (5) guest rooms, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than twenty nine (29) consecutive days. Bed and breakfast house / short term rental type 1 (STR- 1) are a land use allowed only where the Planning Commission has granted a Special Use Permit in accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

Bed and breakfast house / short term rental type 2 (STR- 2) means a non-owner occupied single-family or multi-family dwelling unit which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than twenty nine (29) consecutive days. Bed and breakfast house / short term rental type 2 (STR- 2) are a land use allowed only where a Planned Zoning District has been approved in accordance with Chapter 36. Article VII. Planned Zoning District.

SECTION 03. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article II. Administration and Enforcement, Section 36-54. Special Use Permits, sub-Section (c). Development Criteria, as follows:

(1) Bed and breakfast hotels

- a. The occupancy fee may include a continental breakfast (coffee, juice and pastry) to be served to paying guests with no full meals.*
- b. The owner must provide one (1) paved off-street parking space per guest room and one (1) additional for the residence use.*
- c. Allowable signage is that permitted by the single-family residential standard.*
- d. No receptions, private parties or tours for a fee are allowed.*

Commented [PD21]: Both the special use permit and the PZD requirements are unduly intrusive and burdensome. One combined and far simpler procedure should be followed, much better tied to more clearly stated and achievable regulatory goals. The current procedures will effectively kill almost all STRs, in a broad based taking based on inadequate research and incorrect assumptions.

Commented [PD22]: These licensing requirements apply even if NO change in occupancy, density, parking needs is contemplated between and STR and a regular rental, and if NOTHING new is built. They apply with equal burden to ALL STRs, both existing and any future ones. They do not offer any framework for the City to target STR regulation to reflect the needs of particular neighborhoods. The ordinance creates fails to balance STR and other uses in any coherent model to guide implementation decisions.

Commented [AO23R22]: Excellent points

Commented [PD24]: The distinction between owner-occupied and non-owner occupied units may have emotional appeal on some basis, but other than vague feeling, what is the reason for it, and for the massively different regulatory framework required? What concern is meant to be addressed by the difference, and does the draft address it adequately?

Is the fear that non-owner occupiers will be less responsive to possible complaints regarding guest disturbances, and thus must go through a stricter review process? Is this fear based on any data or experience? If so, what? Or is the fear entirely different, and based in worry that large investor owners will harm hotels and displace renters, and the hope that a highly burdensome licensing procedure such as the one proposed will dissuade them?

Commented [PD25]: Tying this to the old B&B ordinance and basing regulation around a number of "guest rooms" reflects a fundamental failure to understand what STRs are and offer. While some hosts may offer extra bedrooms in their homes, for which the concept of "guest room" is appropriate, many STRs are full, standalone homes or

Commented [PD26]: What if an STR owner wants to rent for longer than 29 days. Is this prohibited? Why? What happens then? Is occupancy tax then not payable? How is this demonstrated?

Commented [AO27]: Why is there a distinction between owner-occupied units and non-owner-occupied units?

It would make more sense to differentiate between local owners and owners operating from outside the Metro area who are more likely to be absentee landlords. But since Lf

Commented [PD28]: Will the few existing B&B's either non-owner occupied or LLC owned now be required to go through the entire PZD process? If so, why? This seems tremendously burdensome and could pose an existential threat to them.

1 Be amended to read as follows:

2 (1) *Bed and breakfast house / short term rental type 1 (STR-1)*

3 a. *See Article XIII. Bed and breakfast house / short term rentals for development*
4 *standards and submittal requirement*

5 SECTION 04. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article V. District
6 Regulations, Section. 36-253. R-1 Single-family district. Sub-Section (b) Use Regulations. (5) Special
7 uses, as follows.

8 a. *Bed and breakfast house*

9 Be amended to read as follows:

10 a. *Bed and breakfast house/short term rental (Type 1)*

11 SECTION 04. That Little Rock, Arkansas Rev. Code be amended to include a new Article
12 for incorporation into Chapter 36. Zoning, providing land use controls for bed and breakfast house/
13 short term rentals (Type 1 & 2).

14 **ARTICLE XIII. BED AND BREAKFAST HOUSE/SHORT TERM RENTALS**

15 **ARTICLE XIII. SEC. 36-599 SHORT TITLE**

16 This chapter may be cited as the "Short Term Rental Ordinance."

17 **ARTICLE XIII. SEC. 36-600 PURPOSE**

18 Purpose of this Article is to establish regulations for use of residential dwellings as bed and
19 breakfast house/ short term rentals, establish a system to track the short-term rental inventory in the
20 City, ensure compliance with local performance standards, provide a means of contact for the
21 Responsible Party of bed and breakfast house/ short term rentals, and allow private property owners
22 the right to fully and efficiently utilize their property without undue regulation or interference.

23 **DEFINITIONS.**

24 A. Administrative Approval shall mean formal acceptance of approval by the Director
25 of Planning and Development or their designee.

26 B. Bed and breakfast house / short-term rental type 1 (STR-1) shall mean an owner
27 occupied single-family or multi-family property which contains not more than five
28 (5) guest rooms, no more than one (1) of which may be located in an approved
29 accessory dwelling, which for a fee may be occupied by a guest for no longer than
30 twenty-nine (29) consecutive days.

Commented [PD29]: Why impose these additional parking requirements, if there is no increase in already permissible occupancy of an existing structure, as will be the case for most STRs? This is both unnecessary and unduly burdensome. In many areas, there is no shortage of on street parking. This would just lead to gardens being destroyed for asphalt – not a good direction for the city to take when not necessary. If an owner is proposing a new STR for a location where is not an existing residential use, parking requirements should be in line with usual requirements for housing, and not exceed them.

Commented [PD30]: Unless the STR increases the occupancy above normal rental, it should not be considered a special use subject to special use regulation. It is a residential use, just short term.

Commented [AO31R30]: As Paul said, "Unless the STR increases the occupancy above normal rental, it should not be considered a special use subject to special use regulation. It is a residential use, just short term."

Commented [AO32]: Presumably the existing Article XIII will be renumbered XIV?

Commented [AO33]: If the city adopted even some of these standards for residential rentals of longer than 29 days, we would go far to improve the lives of many of our residents and the reputation of our city. Just saying.

Commented [AO34]: Is this a joke?! Short term rentals will be kept up better than long-term rentals just because of the online ratings that generate income through them – long term rentals are notoriously tenant-oppressive in this

Commented [AO35]: Why? There is no general means to contact of the owners of other rental properties. Why single out STRs? And who is going to do the contacting?

Commented [AO36]: This proposed ordinance fails spectacularly to meet this purpose.

Commented [PD37]: Standards should be set both for the time frames for issuing administrative approval decision and for the basis for decisions. The current procedures would revoke STR owners current right to rent with a

Commented [AO38]: Again, why is there a distinction between owner-occupied units and non-owner-occupied units?

Commented [PD39]: Again, the problem of what if the owner wants to rent for longer. If a couch-surfer turns into a long term roommate, will this be illegal? Why?

Commented [AO40R39]: This 29-day requirement also concerns me. Traveling nurses, students, medical residents, and people in LR on temporary work assignments or for medical treatment of a family member all may want to re

1 C. Bed and breakfast house / short-term rental type 2 (STR-2) shall mean a non-owner
2 occupied single-family or multi-family property which contains not more than five
3 (5) guest rooms, which for a fee may be occupied by a guest for no longer than
4 twenty-nine one (29) consecutive days.

5 D. Occupant shall mean the person or persons who contracts with the Responsible
6 Party for use of the Short-Term Rental (STR).

7 E. Owner-occupied shall mean owner of the property permanently resides in the STR
8 or in the principal residential unit with which the STR is associated on the same lot.

9 F. Responsible Party shall mean the owner of a Residential dwelling being used as a
10 short-term rental Type 1 or Type 2, as well as any person designated by the owner
11 who is responsible for compliance with this Article by an Occupant and any guests
12 utilizing the Short-Term Rental. The Responsible Party shall provide for the
13 maintenance of the property and ensure compliance by the Occupant and any guests
14 with the provisions of this Article, or any other applicable law, rule, or regulation
15 pertaining to the use and occupancy of a Short-Term Rental. The owner of the
16 property shall not be relieved of responsibility or liability for noncompliance with
17 the provisions

18 **ARTICLE XIII. SEC. 36-601 BED AND BREAKFAST HOUSE / SHORT-TERM RENTALS**
19 **(TYPE 1 & 2) ENTITLEMENT**

20 (a) Bed and breakfast house / short term rental type 1 (STR-1) is an owner occupied single or
21 multi-family dwelling unit which contains not more than five (5) guest rooms, no more
22 than one (1) of which may be located in an approved accessory dwelling, which for a fee
23 may be occupied by a guest for no longer than twenty nine (29) consecutive days.

24 1. Bed and breakfast house / short term rental type 1 (STR- 1) are a land use allowed
25 only where the Planning Commission has granted a Special Use Permit in
26 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

27 a. Privilege License required.

28 1. Upon Planning Commission approval of a Special Use Permit, the
29 owner can submit application for a Privilege License, to be
30 renewed annually (every 365 days).

31 2. Inspection fee for STR-1 Privilege License is \$100.

32 b. To qualify for an owner-occupied permit, the owner of the property must
33 permanently reside at the property and be a natural person or persons.
34 LLCs, corporations, partnerships, joint ventures and other entities are
35 ineligible for STR-1 status.

36 1. Owner-occupied status shall be confirmed by at least two (2)
37 documents demonstrating primary residence. Documentation of

Commented [PD41]: The ordinance does not contain any references to the various platforms for STRs. These should be incorporated into the definition of contracting, and the role of platforms recognized as a strong self-regulating (and tax collection) mechanism for STR owners who advertise and contract through them. Many owners specify quite clear house rules regarding quiet hours, noise, visitors, pets, smoking and other things to help ensure that STRs do not create any problems for neighbors. Some will block potential guests who come from within 50 miles of Little Rock, unless they get special permission. This can decrease the parties, loud groups of gamers and "love nest" use that may concern neighbors. The ordinance could perhaps condition licensing on the owner specifying house rules meeting certain minimum requirements, and getting prior, explicit guest acknowledgement of and acceptance of the rules.

Commented [AO42R41]: The platforms will change over time – new ones will pop up and old ones will stop doing business, and names will change. Perhaps the platforms ...

Commented [PD43]: Far too narrow a definition of owner occupier, if this distinction is retained. The purpose of the owner-occupier special treatment is not clear in the ...

Commented [AO44R43]: Agreed

Commented [PD45]: The concept of Responsible Party needs further clarification and definition. If the owner-occupier special treatment is based in a theory that the ...

Commented [PD46]: The ordinance explicitly recognizes these are residential dwellings. Why treat them as commercial? What is the City's current legal basis for ...

Commented [AO47]: Making a landlord responsible for the conduct of temporary, short-term tenants creates as many problems as it "solves." If a neighbor observes ...

Commented [AO48]: No matter how many regulations there are, no one can "ensure" the behavior of any other person. Did the person who wrote this never have kids? ...

Commented [AO49]: Draconian threats against someone without policing authority to curb a stranger's behavior seem designed to discourage STRs, especially when the ...

Commented [PD50]: How does this regulation relate the process of approval of accessory dwellings? Are they linked, or totally separate?

Commented [PD51]: The Special Use Process is slow, expensive, complicated and the grant of a permit is entirely within the discretion of the Planning Commission, which is ...

Commented [AO52]: IF this is required annually, and hundreds of STRs operate in the city, how does the City pl ...

Commented [AO53]: Again, what is the purpose of the distinction between owner-occupied STRs and those not owner-occupied?

primary residence address must match the deed as recorded with the Pulaski County Clerk's office. Acceptable documents include: Arkansas driver's license, State of Arkansas ID card, Pulaski County voter registration card, IRS W2 form, utility bill (dated within 60 days), Bank statement (dated within 60 days).

(b) Bed and breakfast house / short term rental type 2 (STR- 2) means a non-owner occupied single-family or multi-family dwelling unit which contains not more than five (5) guest rooms, which for a fee may be occupied by a guest for no longer than twenty nine (29) consecutive days. Bed and breakfast house / short term rental type 2 (STR- 2) are a land use allowed only where a Planned Zoning District has been approved in accordance with Chapter 36, Article VII, Planned Zoning District.

1. No person or entity shall advertise or operate a property for use as a bed and breakfast home / short term rental type 2 (STR-2) without having first obtained Board of Director's approval of a Planned Zone Development (PZD).

a. Privilege License required.

1. Upon the Board's adoption of an ordinance for a PZD, the owner can submit application for a Privilege License, to be renewed annually (every 365 days).

2. Inspection fee for STR-2 Privilege License is \$500.

(c) Pre-existing Bed and breakfast house / short term rental type 1 (STR-1). Administrative approval for pre-existing bed and breakfast house / short term rental type 1 (STR-1) can be granted. Within six (6) months of the passage of this ordinance, the owner must register the STR-1 with the City, demonstrate the STR-1 was in operation six (6) months prior to passage of this ordinance, demonstrate compliance with all Bed and breakfast house / STR-1 development standards, and pay a one hundred fifty (\$150) dollar administrative review fee. Upon administrative approval, the operator shall obtain a Privilege Permit, to that may be renewed annually (every 365 days) to remain in compliance.

(d) Pre-existing Bed and breakfast house / short term rental type 2 (STR-2). Non owner-occupied short-term rentals (STR-2's), which have not secured entitlement through a PZD and in operation prior to six (6) months of passage of this ordinance may potentially continue operations as a non-conforming use, provided owner/operators of a pre-existing STR-2 applies for a PZD with the City of Little Rock Planning and Development Department within six (6) months following passage of this ordinance, if no application is received, and/or if the PZD application is not approved, the property shall revert to its former use status.

(e) All Bed and breakfast house / STR-1 & 2 permit holders are responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or City Code.

ARTICLE XIII. SEC. 36-602 RESPONSIBLE PARTY

Commented [PD54]: For smaller STR owners and projects this approach is unnecessary, burdensome, confiscatory and unrealistic. It is based on a distinction between "owner occupied" and all other forms of STRs that fails to address either the regulatory goals or the business environment. The draft would subject a neighbor wanting to renovate a nearby unsafe and vacant duplex as an Airbnb to the same procedures as a national REIT that wants to evict 50 tenants to convert a West Little Rock apartment complex to STRs. This makes no sense, and serves no one well.

Simplified approval of new STRs can help develop tourism and revitalize neighborhoods, especially in Little Rock's historic core. The current draft provides no framework to use STRs to foster investment, or to target it where needed. Instead, it will stop all but a very few potential market entrants. Instead of imposing blanket administrative burdens and uncertainty, the City should encourage quality STRs, especially in areas with many vacant lots, and vacant and substandard houses, that merit and need redevelopment, and might attract potential visitors. Areas for expedited approvals should include, among others, ...

Commented [AO55R54]: Amen!

Commented [PD56]: The amount of the privilege license fee should be scaled to the size of the property, or the ...

Commented [AO57R56]: A fee 5x the amount of an owner-occupied unit of the same size seems to have no ...

Commented [PD58]: What are the time frames for administrative approval and what standards will be used f ...

Commented [AO59R58]: If the City fails to inspect within the necessary time frame, the privilege license should be ...

Commented [PD60]: Grandfathering in should be expanded to include STR2s. The procedures described ...

Commented [AO61R60]: Grandfathering should include all units of whatever type operating as of the effective dat ...

Commented [AO62]: This phrasing doesn't make sense to me. The landlords are in compliance if they get a permit ...

Commented [PD63]: Incorrect grammar.

Commented [PD64]: "Potentially" is an inappropriately vague word for an ordinance. The draft is not clear on wh ...

Commented [AO65R64]: Agreed, completely.

Commented [AO66]: How is this not a taking?

Commented [PD67]: The same problems identified above for new STRs apply to pre-existing STRs that are ...

Commented [PD68]: The City is currently collecting occupancy and sales taxes from currently unregulated STR ...

Commented [AO69R68]: If the platforms collect the taxes and pay them to the city, some mechanism needs to ...

(a) A Responsible Party must be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within sixty (60) minutes to complaints regarding the condition of the short-term rental or the conduct of the Occupant of the short-term rental and/or their guests.

(b) A Responsible Party, upon notification that any Occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of a Short-Term Rental, shall promptly respond in an appropriate manner within sixty (60) minutes and require an immediate halt to the conduct, and take such steps as may be necessary to prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls or complaints regarding the condition, operation, or conduct of an Occupant or guest in a short-term rental in an appropriate manner within sixty (60) minutes shall constitute a violation of this Article.

(c) A Responsible Party shall provide their contact number and information to all residents adjacent to the Residential Dwelling being used, or will be used, as short-term rental (Type 1 or 2).

(d) A Responsible Party shall post on or near the front door of the short-term rental a notice which includes the address of the Rental, emergency contact numbers (including the Responsible Party contact number), maximum occupancy, and a diagram showing emergency exit route(s) approved by the Fire Department.

ARTICLE XIII. SEC. 36-603 DEVELOPMENT STANDARDS.

(a) Purpose and intent of this Section is to establish development standards for Bed and breakfast house / short term rentals. Compliance with these development standards shall be demonstrated by applicants requesting entitlements for both STR Type 1 & 2.

1. For STR-1 applications, compliance with these development standards shall be demonstrated and submitted as a supplement to a Special Use Permit application.
2. For STR-2 applications, compliance with these development standards shall be demonstrated and submitted as a supplement to the minimum criteria required for the submittal of a Planned Zoning District Application.

(b) Development Standards.

1. Hosting of private parties and special events such as weddings, receptions, and other similar gatherings is not allowed in short term rentals.
2. No tours for a fee are allowed.
3. The occupancy fee may include a continental breakfast (e.g. coffee, juice, pastries) to be served to paying guests; no full meals.
4. Allowable signage is that as permitted by the single-family residential standard.

Commented [PD70]: This imposes an impossible burden on Responsible Parties, for no clear reason. It does not identify who can complain, or on what basis. It opens the door as wide as possible for anyone who dislikes an STR (neighbor, competitor – anyone), even a well-run one, to oppress them out of existence for no reason that has anything to do with public safety and health. What other business in Arkansas is subject to this kind of potential for meddling 24/7 and this kind of response obligation? This overreach is especially astonishing in light of the deplorable condition of many rental properties in the city, and its long-standing failure to conduct rental inspections as required

Commented [AO71]: What kind of complaints? Does it

Commented [PD72]: Who has standing to provide

Commented [AO73]: Is the landlord going to be

Commented [AO74]: This requirement is prima facie

Commented [AO75]: If the expectation is that the

Commented [AO76]: This provision leaves landlords

Commented [AO77]: In a criminal context, private

Commented [AO78]: How will violations be tracked? If

Commented [AO79]: Personally, I have no problem with

Commented [PD80]: How is adjacent determined?

Commented [AO81]: Inside or outside? This is not a

Commented [PD82]: Why does the fire department ha

Commented [AO83]: Are we talking about evacuation

Commented [PD84]: What demonstration is required

Commented [PD85]: Are "entitlements" the same as

Commented [AO86R85]: Good question.

Commented [AO87]: This is bad drafting. Of course

Commented [AO88]: There should be no difference

Commented [AO89]: This is not a "developmental"

Commented [AO90]: Weddings don't necessarily draw

Commented [AO91]: Prohibiting even quiet guests and

Commented [PD92]: Paragraphs 1-3 and 13 -17 and th

Commented [AO93R92]: There needs to be a section f

Commented [AO94]: I have no idea why this is even

Commented [PD95]: Again, this is the old B&B model.

Commented [AO96R95]: STR kitchens (and refrigerato

Commented [PD97]: Does this mean no signage other

Commented [AO98R97]: For STRs in multi-family

- 1 5. For an STR-1 and STR-2, the owner must provide one (1) paved off-street parking
2 space per guest room, for STR-1's one (1) additional parking space for the
3 residence use is required. Private off-street parking must be fully utilized at the
4 site of the STR prior to guest parking on the streets.
- 5 6. Applicants shall provide a scaled floor plan that includes all of the rooms available
6 for rent with location of windows, doors, and smoke detectors identified. Smoke
7 detectors (certified) are required in all sleeping areas, in every room in the path of
8 the means of egress from the sleeping area to the exit, and in each story with
9 sleeping unit, including basements.
- 10 7. All sleeping areas must have two ways of egress, one of which can be an operable
11 window.
- 12 8. Proof of homeowner's fire, hazard, and liability insurance. Liability coverage shall
13 have limits of not less than \$1,000,000 per occurrence.
- 14 9. All persons operating a bed and breakfast home / STR (Type 1 and Type 2) shall
15 meet all applicable requirements of the City of Little Rock's Municipal Code,
16 Chapter 12, Fire Prevention and Protection, Article II, Arkansas Fire Prevention
17 Code. Prior to use as a Bed and breakfast house/Short term rental (Type 1 and
18 Type 2), inspection from the City of Little Rock, Building Code Office and the
19 Fire Marshal required prior to initial approval and renewal of annual Privilege
20 License.
- 21 10. Smoke alarms shall be installed, all smoke alarms shall meet local and state
22 standards (current Fire Code). Smoke alarms shall be installed in all sleeping areas
23 and every room in the path of the means of egress from the sleeping area to the
24 door leading from the sleeping unit.
- 25 11. Carbon monoxide detectors shall be installed as directed by City staff if there are
26 fuel fired appliances in the unit or the unit has an attached garage.
- 27 12. Five-pound ABC type extinguisher shall be mounted where readily accessible.
- 28 13. No recreational vehicles, buses, or trailers shall be visible on the street or property
29 in conjunction with the bed and breakfast home and/or STR use.
- 30 14. Principal renter shall be at least eighteen (18) years of age.
- 31 15. Maximum occupancy. Every bedroom shall have a maximum two (2) guest
32 capacity.
- 33 16. Simultaneous rental to more than one party under separate contracts shall not be
34 allowed.
- 35 17. The owner shall not receive any compensation or remuneration to permit
36 occupancy of a STR for a period of less than twenty-four (24) hours.

Commented [AO99]: The residential parking ordinance limits off-street parking to a paved surface or unpaved designated driveway area and parking pad not to exceed 20' in width. §36-513(d). For some STRs, this means paving over a significant portion of the existing landscape, which will be both unsightly and unnecessary given the fact that there is no increase in existing traffic or increase in parking need than if the property were single-family residential and solely occupied by that family.

Example: I have a neighbor with five cars, a three-bedroom house, and a single-lane driveway that can only accommodate two of those cars. The garage was enclosed years ago. Can I demand they pave over their yard for parking all those vehicles? Can I demand that they have of ...

Commented [AO100]: While this might be feasible for ...

Commented [PD101]: This is unduly burdensome and f ...

Commented [AO102R101]: Agreed.

Commented [AO103]: Enforcement of this provision is ...

Commented [PD104]: Who will police this, and what ...

Commented [PD105]: Who certifies smoke detectors, ...

Commented [PD106]: What if a kitchen is in the path?

Commented [PD107]: Must the window meet certain ...

Commented [AO108R107]: Good question.

Commented [PD109]: Can liability insurance provided ...

Commented [PD110]: This refers back to a list of ...

Commented [PD111]: Is the Fire Department funded a ...

Commented [AO112]: Why is this sentence included in ...

Commented [PD113]: Please provide access to require ...

Commented [PD114]: Is this requirement in addition to ...

Commented [PD115]: Why should this be discretionary ...

Commented [AO116R115]: Agreed

Commented [PD117]: One per unit? How many?

Commented [AO118R117]: How often must these fire ...

Commented [PD119]: Is this an additional parking ban ...

Commented [AO120R119]: The drafters of this ...

Commented [AO121]: This is not a "development" ...

Commented [AO122]: This requirement prevents a ...

Commented [AO123]: This is not a "developmental" ...

Commented [PD124]: For online hosts, the contract ...

Commented [AO125]: This is not a "developmental," ...

1 18. The name and telephone number of the local responsible party shall be
2 conspicuously posted within the STR unit. The responsible party shall answer
3 calls twenty-four (24) hours a day, seven (7) days a week for the duration of each
4 short term rental period to address problems associated with the STR.

5 **ARTICLE XIII. SECTION 36.604 COMPLIANCE**

6 (a.) It is unlawful for any Responsible Party to offer for rent a bed and breakfast house / short
7 term rental or to operate a bed and breakfast house / short term rental without a Privilege
8 License. Owners shall not list a property or units online until they have received a Privilege
9 License. operation of an STR without a Privilege License could make the owner ineligible
10 to apply for a Privilege License for up to one (1) year.

11 (b.) It is the intent of the City of Little Rock that complaints regarding bed and breakfast house
12 / short term rental properties be resolved according to existing State law and City of Little
13 Rock Ordinances pertaining to public nuisances, vehicles and traffic, health and safety, and
14 public peace, morals, and welfare.

15 (c.) Sanctions:

16 1. In addition to any other remedy or procedure authorized by law, for three (3) or
17 more violations of or failure to comply with any of the standards of this Article in
18 a calendar year, the Director of the Planning and Development or his/her designee
19 may revoke a Privilege License and, in addition, may order that no new Privilege
20 License be issued for up to three (3) years pursuant to the following procedures.

21 a. Prior to the revocation of any Privilege License or the denial of a Privilege
22 License for repeated violation of the provisions of this Article, written
23 notice of the reasons for such action shall be served on the Owner and/or
24 Responsible Party in person or by certified mail at the address on the
25 permit application.

26 b. Revocation shall become final within ten (10) days of service unless the
27 Owner and/or Responsible Party appeals the action. The Owner and/or
28 Responsible Party shall provide the appeal in writing to the Director of
29 Planning and Development or his/her designee within ten (10) days of
30 receipt of the notice. The written notice of appeal must state the reasons
31 for the appeal and the relief requested.

32 c. Should the owner and/or Responsible Party request an appeal within the
33 ten (10) day period, the Director of the Planning and Development
34 Department or his/her designee shall notify the owner and/or Responsible
35 Party in writing of the time and place of the hearing.

36 d. Appeals shall be heard by the Board of Adjustment as an administrative
37 appeal pursuant to Chapter 36, Division 4, Section 36-109 of the Little
38 Rock Zoning Code. For good cause shown, the Board may affirm or
39 reverse the decision to revoke a Privilege License.

Commented [PD126]: This is OK, but all guests of online STR places receive the names and phone numbers of their hosts.

Commented [PD127]: Duplicative and oppressive.

Commented [AO128R127]: Agreed. This absurdly burdensome requirement is discussed elsewhere in detail.

Commented [PD129]: The penalties for unlawful operation need to be clearly defined, and limited to those in the ordinance. There need to be carefully defined transition provisions and safe harbors so that STR owners do not fall ...

Commented [AO130R129]: Agreed – especially with respect to transfers of property and the city’s lax inspectio ...

Commented [PD131]: Could? Who decides this, when and how? How much discretion is being delegated to staff ...

Commented [AO132R131]: The vagueness of when the penalty will apply means this provision will be easily abuse ...

Commented [PD133]: If that is the intent, then why empower neighborhood vigilantes with such discretion to ...

Commented [AO134R133]: EXACTLY!

Commented [PD135]: This is lazy drafting, and should be specified. What books will be thrown at STR owners and ...

Commented [PD136]: The way this is written, if a guest parks in the street three times in the year and a neighbor ...

Commented [AO137]: At the meeting at Hillcrest Hall, the City’s representative (Walter, maybe?) said that despit ...

Commented [PD138]: Who decides how long the STR owner must be punished, and on what grounds? A trivial ...

Commented [PD139]: No new Privileges Licenses city wide for three years because of three complaints for one ...

Commented [AO140]:

Commented [AO141]: How much detail will be included? Will there be proof attached? The 10-day appeal window ...

Commented [PD142]: Courtesy service by regular mail and Email should also be specified. No revocation should ...

Commented [AO143]: That’s very fast. We can’t even evict tenants that quickly.

Commented [AO144]: Obviously the relief requested would be “don’t revoke my privilege license.” Would ...

Commented [PD145]: The appeals process is undefined and inadequate.

Commented [PD146]: Section 36-109 does not provide for administrative appeal to the Board of Adjustment.

Commented [AO147]: Privilege licenses are governed by Chapter 17, Article II. §17-53 addresses revocation of ...

e. Once a Privilege License for an STR has been revoked, no new Privilege License shall be issued to the applicant for the same property for a period of one year.

SECTION 05. SEVERABILITY. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

SECTION 06. REPEALER. All laws, ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Further thoughts on Accessory Dwelling Units (e.g., garage apartments, “servants’ quarters,” pool houses, guest houses, etc):

Accessory dwelling units are already allowed in all residential zones of the City of Little Rock. (LR Muni Code § 36-251 et seq.) In R-1 they are limited to “servants’ quarters.” § 36-253(b)(2)(a). This is an archaic limitation. Using an accessory dwelling use for an employee’s home is no different than a houseguest, relative, or student staying there (whether long term or short term). These uses and their occupants are effectively no different than STRs in the amount of traffic generated and burden on the property. Any arguably “commercial” nature of the occupation doesn’t change that. Accessory dwellings not occupied by servants should be permitted in R-1 just as in the other residential zones. Requiring a Conditional Use Permit in R-1 for these accessory units would not be burdensome.

In R-2, R-3, and R-4, Conditional Use Permits can be granted for accessory dwellings, and accessory structures are permitted by right. Whether these accessory units are rented or occupied by guests or relatives of the main dwelling’s occupants would seem to be irrelevant as far as the burden on traffic and the land itself is concerned.

Further thoughts on parking requirements:

Residential off-street parking demands one space per single family dwelling unit plus one space per accessory dwelling, 1.5 spaces for each unit of a duplex, half a space for each sleeping accommodation in boarding houses and the like, and one space per guest room in hotels. (§36-502). STRs are not hotels in which each guest might have their own private transportation. People utilizing STRs are not staying in hotels. They are renting residences, even if for just a few days. Even when multiple guests occupy a single STR with multiple sleeping accommodations, they tend to share one vehicle or take advantage of ridesharing services like Uber and Lyft.

When new units are built, reasonable parking accommodations can be built into the site development plan. This is not the case when existing dwellings are used as STRs, especially in neighborhoods where alleys have been closed, residential lots are narrow or small, and extra off-street parking is not feasible. Requiring additional parking simply because the occupants of an STR will be there for less than 30 days has no rational basis.

Commented [PD148]: How does this relate to the “up to three year” provision above? What is the penalty, and who decides?

Commented [AO149R148]: Three years, one year...what’s the difference? This ordinance is full of terrible drafting.

Commented [PD150]: Declared by whom? A court of competent jurisdiction? The City Board of Directors?

Commented [PD151]: The drafter should be required to conform this with all laws, ordinances and resolutions of record, one by one, revising and resolving conflicts as needed. Doing this homework is a fundamental task of good legislative drafting, and should be undertaken here. The catch-all repealer should only be used after that exercise is done.

Further thoughts on the meeting at Hillcrest Hall:

One of the city representatives (Walter, maybe?) stated that the special use permits would be transferred with the property, so that if (for example) one person was using an accessory dwelling as an STR or renting a house as an STR, the permit would carry over to the new owner when the property sold. This is exactly opposite of what §36-54(d) says: "Transfer of permits and initiation of permits. Special use permits shall not be transferable in any manner. Permits cannot be passed from owner to owner, location to location or use to use." Neither can accessory use permits be transferred. §36-55(d). This is problematic, because it delays the ability and security of a new owner buying a property with the purpose of continuing to use it as an STR.

Overall impression:

This proposed ordinance seems to be blind to how property owners actually use their residential property, and what short-term tenants actually expect in a short-term rental.

It makes no sense to put revocation of a privilege license under Zoning. STRs are not conditional uses – they are a residential use of residential property.

The rationale for the distinction between owner-occupied and non-owner-occupied STRs is completely absent from this proposed ordinance, and without some significant purpose, it is arbitrary and capricious. If any sort of distinction is to be made among types of owners, it should be made based on whether the owners live in the Metro area or have a representative here (in the case of corporate/LLC owners).

There is a practical limit to what sorts of problems owners can address and how quickly they can be addressed. Punishing owners for things beyond their control is definitely not a hallmark of good governance. Urgent response to problems with tenants not abiding by rules should not be laid at the feet of STR landlords. No person can assume responsibility for the behavior of another. If conduct by tenants is criminal, then the police should be involved. If the behavior of the tenants is annoying, then the landlord can be notified and can attempt to correct it but should not ultimately be held responsible for it. Because of the nature of the transaction, landlords can respond to these non-criminal rule infractions with negative reviews, which hamper the ability of the tenant to rent on these platforms in the future.

Urgent problems with the physical property (e.g., lack of hot water, ant invasion, stubborn locks) should be addressed promptly by the STR landlords. If problems like these are not promptly addressed, the nature of the rental transaction means that the landlord and property will bear repercussions in the form of a negative review. Because the negative review impacts the viability of the property as an STR, these matters will either be addressed adequately by the landlords or the STR will cease to operate as one. It is a self-healing problem.

Neighbor complaints alone cannot be a determining factor as to whether an STR may operate. Vindictive neighbors may be more of a problem than the STR or its tenants. Most of us are painfully aware

1 of the hell a neighbor can put us through if they decide they don't like us/our garden aesthetic/the color we
2 paint our house/our old cars/our guests/the laughter of our children playing in the yard.

3 Both we and the city need to investigate how the various platforms collect and remit the 4% tax. It
4 would seem that landlords using these platforms are not the ones ever touching the money, yet somehow it
5 must be accounted for by the platforms and by the City. I doubt seriously that the city receives money from
6 Airbnb without knowing why, who it should be credited to, or into what account it should be deposited.

7 My mind keeps coming back to those weekend or week-long rentals of houses, apartments, or
8 cabins on the Little Red River, Lake Hamilton, Branson, the Florida coast, the Colorado ski slopes, etc.
9 There seems to be absolutely no understanding at all by the drafters of this ordinance that those are exactly
10 the residential STRs they are over-regulating here. These types of rentals have existed forever – they're just
11 more popular – and therefore more visible - in urban areas. They've always existed in urban areas, too.

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ORDINANCE NO. 2X,XXX SHORT TERM ON-LINE PLATFORM RENTALS

A TEMPORARY ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LITTLE ROCK, ARKANSAS TO PROVIDE A BALANCED, PREDICTABLE, DATA BASED AND STRATEGIC REGULATORY FRAMEWORK, SO THAT SHORT TERM RENTALS FACILITATED BY ONLINE PLATFORMS OPERATE AS NEIGHBORHOOD-FRIENDLY, SAFE, TAX PAYING CONTRIBUTORS TO LITTLE ROCK'S LONG TERM ATTRACTIVENESS AS A DESTINATION FOR BOTH OUT OF TOWN VISITORS AND LOCAL VISITORS NEEDING SHORT TERM HOUSING.

WHEREAS, the use of homes and apartments for short-term rentals (STR) has grown greatly recently in some parts of the City, as elsewhere globally, thanks to on-line platforms that can efficiently bring guests from everywhere and local hosts together to rent STRs here in Little Rock;

WHEREAS, this disruptively fast, internet-driven growth has taken place here, as in many places, without an established local legal and licensing framework to govern it;

WHEREAS, the rapid, largely unregulated growth of internet based STRs has left the City without access to an integrated, coherent and properly funded means to collect and analyze data about the benefits and risks of these STRs, which can, in turn, guide well-grounded, long term strategic planning and regulation;

WHEREAS, internet based STRs provide benefits to visitors, by offering them a range of affordable housing options not previously possible, thus making Little Rock a more attractive destination, especially for younger travelers, families and medical visitors, than if the City could only offer more traditional short-term housing alternatives, such as hotels, motels (including extended stay facilities) and bed and breakfast inns;

WHEREAS, the possibility of offering online bookings of STRs helps many individual owners and local companies to earn needed additional income and to fund small-scale, quality investments in neighborhood scale homes, cottages and new or renovated apartments;

WHEREAS, encouraging STRs could be an engine to drive more renovation of vacant homes in Little Rock's older neighborhoods with substantial numbers of vacant and often unsafe homes, without removing traditional rental properties from the market;

WHEREAS, despite their benefits, the presence of unregulated internet based STRs has raised a range of legitimate concerns among neighbors and City officials, especially about "party houses", noise, parking, public safety, crowding and morals;

WHEREAS, especially in some areas of the City with larger concentrations of internet based STRs, longer term residents may have legitimate cause for concern about the impact on neighborhood character from an increase in unknown, transient visitors, even if the STRs are otherwise managed in compliance with rules applicable to longer term rentals, and guests comply with applicable law.

WHEREAS, the lack of adequate data about internet based STRs has made it difficult for City leadership to develop a means to provide an integrated, informed basis for citizens, STR investors,

traditional short-term housing providers and other concerned parties to elaborate balanced approaches to a modern regulatory framework for these still new ways to host visitors.

WHEREAS, the lack of a regulatory framework has led some online platforms and/or hosts to avoid paying the 9% State sales tax and 4% local occupancy tax that they owe to the State and Advertisement and Promotion (A&P) Board, thus placing traditional, fully licensed and regulated short-term housing at an unfair competitive disadvantage vis-à-vis internet based STR offerings.

WHEREAS, particular concerns have been noted with guests coming from within 50 miles of Little Rock, who may be more inclined than travelers coming from afar to use internet based STRs for parties, gaming or gambling events, immoral or illegal behavior and other uses that can negatively impact on neighborhood quality of life.

WHEREAS, the newness, lack of regulation of internet based STRs and lack of organization of STR owners has led to their not being represented on the A&P Board or served by the Little Rock Convention and Visitors Board (LRCVB), though many are in fact paying their occupancy taxes and merit representation and service.

WHEREAS, the online platforms that bring hosts and guests together for internet based STRs capture and maintain information about occupancy, length of stay, where guests come from, guest reviews and other data of potential use for the City, both to improve its ability to attract visitors, and to protect public safety from guests who may break laws and otherwise cause disturbance, but lack of regulation makes the City unable to access this information easily if needed, or to build effective enforcement mechanisms drawing on it.

WHEREAS, the existing planning framework for zoning and licensing B&Bs and boarding houses predates the internet is not well designed to regulate smaller owner-occupied homes where owners rent space to guests via online platforms, and is even less well designed to regulate short term rentals of fully separate, individual furnished homes or apartments; this leaves the City with outmoded tools unable to provide a business environment that both supports responsible internet based STR hosts, especially locally resident ones, and or to support a strategic balance of interests among the many parties affected by STRs.

WHEREAS, the rapidly evolving and still inadequately studied nature of internet-based STRs in Little Rock makes it desirable to pass a temporary ordinance, to establish clear, basic guidelines to regulate internet-based STR use and development, while deeper work is funded to understand better the actual risks and benefits of this new kind of short term housing, to work with concerned neighborhoods and other parties affected by internet-based STRs, to develop a long term strategy and to prepare a balanced, research-grounded, data driven permanent regulatory framework for them.

Internet Based STR Proposed Regulatory Outline

Malone, Walter

From: Pamela Whitaker <pamela@ecawake.com>
Sent: Wednesday, June 23, 2021 10:13 AM
To: Malone, Walter
Subject: Public comment for Short Term Rental proposal

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Malone (Walter),

I was made aware of the Short Term rental proposal out for comment. As a registered voter within Pulaski County and the city of Little Rock for 8+ years I wanted to provide a comment. I am an advocate of Short term rentals, it can really help me out when getting to know an area, and can bring folks into the city. Also having lived in a metropolitan area with limited parking, I do understand some folks have a concern, so I am submitting the following;

1. Could you please clarify. The proposed change would allow up to 29 days per guest?
2. As per parking (see below), I would recommend that you include some sort of City of LR "guest pass" program. The owner would give the guest pass to the guest that would be good for up to 29 days. They could put it on the dash of their car and park within their particular zone (i.e. Hillcrest zone...Downtown zone...) this would lessen the confusion on whose cars are actually in front of the home, and give the owners added incentive to be a registered rental.

STR-1 and STR-2, the owner must provide one (1) paved off-street parking space per guest room, for STR-1's one (1) additional parking space for the residence use is required. Private off-street parking must be fully utilized at the site of the STR prior to guest parking on the streets.

Thank you for your work to help the Growth and Sustainability of Little Rock,
cheers,
Pam

Pamela Whitaker,
FAA Part 107, CISA, CSX Cyber Security, SOX, PMP, ITIL, Agile-CSM
Security Level 1, CAT1 (v2018), FAIM1 (v2018)
Cell: 202-368-9599
www.linkedin.com/in/pamelawhitaker



[CyberFlyGirls](#), Founder & Sponsor



www.ecawake.com EDWOSB, WOSB, HUBZone, MWBE certified

Malone, Walter

From: Collins, Gilbert
Sent: Monday, August 2, 2021 8:52 AM
To: Malone, Walter
Subject: FW: statement proposed short term rental ordinance

-----Original Message-----

From: rfbell@aristotle.net <rfbell@aristotle.net>
Sent: Friday, July 30, 2021 9:31 AM
To: Collins, Gilbert <gcollins@littlerock.gov>
Subject: statement proposed short term rental ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Little Rock Planning Commission: The following are my comments, as League of Women Voters representative on the proposed short term rental ordinance being considered by that committee of the LR Planning Commission.

We are supportive of the proposed ordinance because it assures the health of safety of individuals using these facilities, and by requiring their registration with the City, enables the City to identify and appropriately zone them. We do strongly recommend that the City include a provision in the ordinance limiting the density of such a use in the City's residential neighborhoods. This use is a commercial use, and its presence in large numbers in a residential area would serious impact the home owners use of their property as residences. and discourage uses generally found in residential areas. We suggest locating a short term rental within 1,000 feet of another short term rental be prohibited by the ordinance. Ruth Bell League of Women Voters.

Ruth Bell – LWV comments on STR

Ms. Bell called June 1 to express some comments. The primary concern was a need to add something about 'density' – the number of units in an area or spacing requirement. Others was generally favorable on safety issue and requirement for local contact.

Malone, Walter

From: SHERRY CURRY <sherry.curry@comcast.net>
Sent: Monday, June 21, 2021 2:22 PM
To: Malone, Walter
Subject: 31 day requirement for short term rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Malone,

Thank you for visiting with me regarding the draft of the short term rental ordinance this morning. I want to bring to your attention a standard clause in most rental leases whereby at the conclusion of the lease (unless the lessor or lessee gives proper notice to vacate) the lease then becomes month to month and can be terminated with 30 day notice by either party. The thirty-one day term as specified on Page 3, Article 13, paragraph B may negatively impact the status of month to month leases thereby reducing the flexibility of landlords and tenants in transitional rental situations. I urge you to amend the draft so as not to have unintended consequences that may prove detrimental to both landlords and renters.

Sincerely,
Sherry Curry



Sherry Curry
REALTOR
The Charlotte John Company
Cell- 501.351.5646
Office: 501.664.5646
Fax- 501.664.1021

Malone, Walter

From: Malone, Walter
Sent: Thursday, June 3, 2021 3:15 PM
To: 'Susan McCauley'
Subject: RE: Short term rental question

Covenants and restrictions are a 'private matter'. The City does not enforce them. So, anyone who is a party to the agreement (Covenant or restriction) could sue the person not following them. Then a judge would have to determine if the person would have to stop the activity.

Walter Malone, AICP
Planning Manager

-----Original Message-----

From: Susan McCauley <scmccauley@sbcglobal.net>
Sent: Thursday, June 3, 2021 2:55 PM
To: Malone, Walter <WMalone@littlerock.gov>
Subject: Short term rental question

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Would someone be able to operate a STR in a neighborhood zoned R1 that has a Property Owners Association with covenants & restrictions?

Sent from my iPhone

Malone, Walter

From: MaryJulia Hill <maryjulia.h@gmail.com>
Sent: Monday, June 21, 2021 2:16 PM
To: Malone, Walter
Cc: Kathy Webb
Subject: Fwd: SHORT TERM RENTAL THOUGHTS AND CONCERNS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see attached email from BANA neighbor regarding the proposed Short Term Rental Ordinance.

Thank you.

Take care of yourself and take care of each other!

Mary-Julia Hill
President, Briarwood Area Neighborhood Association
President@BriarwoodLR.org
[501.658.1473](tel:501.658.1473)



<https://www.briarwoodlr.org>

<https://www.facebook.com/groups/BANAlr/>

<https://nextdoor.com/invite/gztbvwxujyjsdghcapxq>

----- Forwarded message -----

From: **Victoria Vela** <cvictoriavela@gmail.com>
Date: Mon, Jun 21, 2021 at 1:18 PM
Subject: SHORT TERM RENTAL THOUGHTS AND CONCERNS
To: Maryjulia.h <maryjulia.h@gmail.com>

I personally don't want short term rentals in my neighborhood or community. I can break it down succinctly into three main topics.

1. Short term rentals create less long term housing issues. What does this mean? Longevity within a housing market creates stability for the neighborhood, city, and state. By creating a stable long term housing environment, you are creating a long term community foundation. The basis for community continues outward into every aspect of life.
2. Short term rentals create a deficit of stability within the community. The usual neighborhood routines, the normal people you see day in and day out are suddenly disrupted. People that reside within the community would become wary of the strangers that are popping in and out at all times of the day. We want to maintain the peace and safety that is in our neighborhood.

3. Property values would go down all around the community. Sellers would have to disclose any and all commercial rentals within the area. A new homeowner with a family wouldn't want to live next door to a short term rental that is constantly overturning renters.

Our neighborhood is the jewel within Little Rock and we want to continue to keep it that way by taking care of and protecting what we have.

COMMENTS SECOND SET OF MEETINGS

Malone, Walter

From: Moore, Monte
Sent: Thursday, May 12, 2022 1:39 PM
To: Collins, Gilbert; Malone, Walter
Subject: FW: Request to Revise Proposed STR Ordinance

FYI

From: Adam B Fogleman
Sent: Thursday, May 12, 2022 1:31 PM
To: Moore, Monte
Subject: Request to Revise Proposed STR Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners and Planning Staff:

I regret that I will not be able to join you at the Commission meeting this evening, but it is being held at a time that conflicts with the Targeted Community Development Initiative Committee on which I serve. Instead, I am emailing my comments on the STR ordinance.

The goal of STR regulation should provide 2 things: 1) a mechanism to ensure the health, safety and welfare of occupants and neighbors, and 2) regulatory certainty.

The limitation of STR1 to owner occupants on the same lot fails the certainty test. The use of the "lot" as the defining characteristic does not account for the various development patterns and regulatory schemes that have existed over the last 150 years. It is particularly mismatched with neighborhoods developed prior to WWII. Here's my example: I live in Pettaway on a 50'x75' parcel. It is a legal lot of record, however, replat has ever occurred and so the house to my north is on the same platted lot. That house is on a distinct, separate lot of record, but the same platted lot. Can I buy that house and operate it as an STR1? It is on the same platted lot, but the answer is subjective and left entirely up to the planning director's interpretation. It could go either way.

The same uncertainty can be said to exist for condos, too. Typically they are structured, legally as horizontal property regimes. On one common lot there are distinct units that may be sold as individual homes. The unit next door is located on the same common lot, but each unit may be conveyed separately. Can I buy the unit next door and operate it as an STR1? That is entirely up to the interpretation of staff.

My first request is to draw a bright line for eligibility for STR1s that contemplates the complexity of LRs history of development. I would recommend that the code identify a radius distance from the operator's primary residence. This will continue the opportunity for local operators to invest in their neighborhood, provide reasonable certainty via a bright line test that anyone can understand, and reinforces that owner proximity has a recognized operational benefit, which is unique to STR1s.

My next request is to amend the process used to qualify a property for STR2. The draft ordinance should be amended to identify in which zones STR2s are permitted, and permissions should be obtained via a conditional use permit. The CUP process is designed to identify the injurious nature of a proposed use and to condition

approval on meeting certain requirements designed to mitigate or eliminate the potential for harm. Saturation of STR2s in an area is one element that may be considered in determining eligibility for CUP approval.

To the contrary, the PZD process is designed to rezone properties using custom zoning rules for each site. While a PZD may include STR permissions, it should not be the exclusive mode of obtaining authorization. Additionally, the exclusion of STR2s from all zones, except PZD raises the risk of arbitrary zoning decisions, particularly since no guidance exists on what areas are suitable and not. The addition of authorization to particular zoning areas, coupled with the CUP process will provide a higher degree of regulatory certainty and will simultaneously ensure that the health, safety, and welfare of occupants and area residents, alike, are protected.

Thank you for your consideration.

Sincerely,

Adam Fogleman
Resident of Pettaway
Targeted Community Development Initiative, Vice Chair
Downtown Little Rock Community Development Corp., Pres.

"There are no unsacred places; there are only sacred places and desecrated places. My belief is that the world and our life in it are conditional gifts." -Wendell Berry



Department of Planning and Development
723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501)371-4790 Fax: (501) 371-4546

Planning
Development
Building Codes

PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date: 4/18/22
Name: Amy Huie
Organization/Affiliation (if applicable): _____
Email Address: amydarcey@me.com
USPS Zip code: 72227

Please print clearly, use other side of form if needed.

- ① Inspection fee for STR2s seem exponentially higher than a STR1 and could be detrimental for those that might not be able to afford it. I think both fees could be \$100.
- ② 2 people / bedroom seem tight especially if parking is not a problem for the property. Hotels can have up to 6 / room considering kids and fold out couches. 4 / room seems more in align.
- ③ Sec 36-600 - "utilize their property w/o undue regulation..." but then in Sec. 36-603 (b) 1. "hosting of private parties," etc why?? if parking is not an issue and property is suited then why regulate or even state or word it like that. Need to be more specific than casting such a huge net.

Department of Planning and Development

723 West Markham Street

Little Rock, Arkansas 72201-1334

Phone: (501)371-4790 Fax: (501) 371-4546

Planning

Development

Building Codes

④ Sec. 02 see 36-3

"Guest no longer than 29 days"
after 29 days is, taxes no longer
needed to collect? and also
sounds as if you might read it
as tho you could lose ~~lose~~
your STR status

⑤ legal age should be 21

Article XIV se 36-603

(B) 5. parking vs line item (#)13

why can't you have a RV on
site ?? missing potential
air stream and progressive
rentals

Malone, Walter

From: Johnston, Audrie A <JohnstonAA@archildrens.org>
Sent: Monday, April 11, 2022 7:53 AM
To: Malone, Walter
Subject: opinion AGAINST draft STR Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

As a St. Charles resident for over 5 years, this is a very close-knit community with many children and long-term families. The short term rental proposal would be a disruption to our community. We already have a high amount of traffic through the area and this would be an increased burden on our streets. Most importantly, though, is the number of children living in the neighborhood. Brining in strangers is a risk that the families of St. Charles are not willing to take when it comes to our children. I have a 5 and 7 year old, and could not imagine feeling safe while they play outside, if a stranger (at any given time) is staying across the street from me. Also, we pay a good amount of money to share our community resources offered here (the pond, the pool, and playground). We already have an issue with other neighboring communities coming in to occupy these spaces, leaving it challenging to find a quiet time when it is not crowded, to take our own children there. I am very much against allowing any of the houses in our neighborhood to be offered out on a "rental" or "weekend" basis and I feel certain the rest of the St. Charles residents will feel the same.

Thank you for your time,

Audrie Johnston, BSN, RN, CPN, CRCR

**Epic Application Coordinator – Research, Cadence, Prelude, Referrals, Welcome
Arkansas Children's**

1010 S Battery • Slot 310 • Little Rock, AR 72202

(501) 364-3798 office • (501) 364-4401 fax

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Malone, Walter

From: Brenda CarlLee <bcarllee@gmail.com>
Sent: Monday, April 11, 2022 9:54 AM
To: Malone, Walter
Subject: 14212 Chesnay

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are not able to attend the hearing today regarding proposal for rental of 14212 Chesnay. As a resident of St. Charles, we oppose the rental of this property. It will decrease everyone's property value and quality of living in the neighborhood.

Please rule against the proposal.

Brenda and Lewis CarlLee

Malone, Walter

From: Charles Anderson <chasanderson@msn.com>
Sent: Sunday, April 10, 2022 9:03 PM
To: Malone, Walter
Subject: Str and vrbo

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We live in Saint Charles and believe these type of rentals are not conducive to promoting a family atmosphere. The hoa would have no authority over who could/would rent a home in our neighborhood. The potential renter could be setting a drug pickup point, prostitution house, or other illegal activity. Please promote a city opinion that would deny this type of situation in any residential community.

Thank you

Charles and Barbara Anderson

Sent from my iPad

Malone, Walter

From: Elisa Kibbey <elisa.kibbey@gmail.com>
Sent: Sunday, April 10, 2022 10:36 PM
To: Malone, Walter
Subject: Opposed to short term rentals in St Charles neighborhood

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I live in St Charles and strongly prefer to disallow short term rentals in our neighborhood. They are disruptive, noisy, and the renters don't have a stake in keeping the area nice.

Malone, Walter

From: Lindsey Morgan <lindsey@deptoflindsey.com>
Sent: Sunday, April 24, 2022 7:14 PM
To: Malone, Walter; Collins, Gilbert
Subject: RE: Notice of 'Drop in' STR sessions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Walter Malone:

I was unable to attend the two comment sessions but would like to submit my feedback in writing.

I have reviewed the draft "ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LITTLE ROCK, ARKANSAS, TO PROVIDE FOR THE MODIFICATION OF VARIOUS PROCEDURES, DEFINITIONS, AND FOR OTHER PURPOSES."

I am a resident of the Governor's Mansion District. I purchased my home in February 2016. Since purchasing my home, new next-door neighbors moved in and started to operate an owner-occupied Airbnb and I want to share my experience with you all. I've shared my experience with the Capitol Zoning District Commission multiple times as they've discussed short-term rentals repeatedly.

Over the course of a year, I had **at least 48 different groups stay next door** to my home. This number is based solely on publicly accessible reviews so there were probably more guests than what was listed online.

These groups have **trespassed onto my property** and used the private parking pad in the back of my home. They have also used on-the-street parking spots for multiple days in front of homeowner residences. Cleaning contractors also take up parking spaces in front of other residences.

Having so many random groups coming and going at all hours has made me **feel unsafe**. If I wanted to live in an area with this level of foot traffic, I would've purchased a home near a commercial area. I purchased a home in a residential area because **I want to live in a residential area**.

Eventually, the owner/operator of the Airbnb next door to me was arrested on her property for assaulting a police officer while intoxicated – this is following earlier visits by the police for other disturbances and quality of life checks.

Since then, the neighbors that operated an Airbnb have moved away and the new homeowners operate their carriage house as a long-term rental. There have been absolutely no issues with the couple that resides in their carriage house. They are familiar faces that contribute to the character of the tightknit neighborhood.

With this first-hand experience of owner-occupied short-term rentals, I submit the following questions and comments in response to the draft ordinance:

- Owner-occupied does not guarantee a well-run or considerate STR.
- Will neighbors be made aware of STR Special Use Permit requests and applications for business licensure? How will parking be documented and enforced? Will applications be reviewed annually to confirm that STR remains owned by approved party?
- How will the City of Little Rock work with the real estate community to communicate and enforce these new regulations.
- Responsible Party: Will responsible party be identified on application? Will responsible party have a background check if the City of Little Rock expects Responsible Party and others to work through complaints together?

- I strongly recommend the City of Little Rock take on responsibility to communicate responsible party AND owner information to “adjacent residents” as part of application process along with explanation of expectations/regulations/violations.
- Please provide an example of the supplement that will be provided for Special Use Permits (STR1) and Planned Zoning District Application (STR2).
- Development Standards:
 - If a STR is compliant with the development standards at application but later falls out of compliance, will that constitute a violation?
 - Recommend clarification on #15 – does a living room couch count as a “bedroom?”
 - Recommend clarification on #16 – If I have a 5 bedroom STR, can I rent it out as 2, 3, 4, 5 separate contracts? Regardless of square footage, if I have a 5 bedroom mansion, I can only rent it out under a single contract, to two sleepers, who are not allowed to hold an event?
- I strongly recommend the following updates for ARTICLE XIV. SECTION 36.604 COMPLIANCE:
 - That any occurrence of *could* and *may* be updated to reflect WILL and SHALL.
 - Using a rolling 12 month period. Otherwise, an STR could behave badly in December and have a clean slate in January.
 - The City of Little Rock provide public notice of revocation including an additional notice adjacent residents.

I look forward to your correspondence.

Best,

Lindsey Morgan

-----Original Message-----

From: Malone, Walter

Sent: Monday, March 28, 2022 12:17 PM

To: Collins, Gilbert

Subject: Notice of 'Drop in' STR sessions

?As a previous contact on the Short Term Rental review, we are providing notice of two more two 'Drop-in' meetings on the draft Short Term Rental Ordinance.

Walter Malone, AICP
Planning Manager



Department of Planning and Development
723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501)371-4790 Fax: (501) 371-4546

Planning
Development
Building Codes

PUBLIC MEETING | SHORT TERM RENTALS (STR'S) Comment Card

Date: 4-18-22

Name: MIKE ORNDORFF

Organization/Affiliation (if applicable): _____

Email Address: MOCLLCAR@GMAIL.COM

USPS Zip code: 72202

Please print clearly, use other side of from if needed.

- ① PLEASE CONSIDER EASING PARKING REQ.
ON BOTH BED AND BREAKFASTS AND STRS.
- ② ALL FEES SHOULD BE THE SAME
PLEASE.
- ③



PRESERVING THE PAST. SHAPING THE FUTURE.

TO: Jamie Collins, Director, City of Little Rock Office of Planning and Development
Members of the Little Rock Planning Commission
FROM: Patricia Blick, Executive Director, QQA
RE: STR Ordinance
DATE: May 11, 2022

The QQA, founded in 1968, advocates to preserve greater Little Rock's historic places. We appreciate this opportunity to provide comments and recommendations on the proposed revisions to the city code to address STRs. The QQA believes regulations are appropriate as long as they are reasonable and evenly enforced.

The QQA Advocacy committee reviewed the proposed ordinance and would like to submit the following comments to be submitted to the record and shared with the City of Little Rock Planning Commission.

Please accept these comments and recommendations to the proposed code modifications, which we believe will ensure the preservation and use of threatened historic properties throughout Little Rock.

- If an STR is proposed for a property that is listed in the National Register of Historic Places, either individually or as a contributing resource in a National Register listed historic district, has been vacant more than 5 years or is on the city's unsafe/vacant list and in jeopardy of demolition, the owner and STR developer is allowed by right to operate a STR in the property since they are saving it from further deterioration and possible demolition provided that the property continues to remain a contributing resource.
 - This use would be allowed, by right, as long as the ownership of the property is maintained by the STR developer and the permit would be good for 5 years (the length of time a property must be owned by a developer seeking use of the federal historic rehabilitation tax credit).
 - The STR developer is entitled to an extension of the permit provided the STR developer is in good standing with the City. In addition, the STR developer may elect to discontinue STRs in the property at any time.
 - If the property is subsequently conveyed to a new owner, the new owner, if electing to have an STR in the property, would apply for a permit through the regular STR process.
- If the STR is not owner occupied, but the owner lives adjacent to or within 5 miles of the STR, the property would be treated as an STR-1 and eligible for a Special Use Permit.

Quapaw Quarter Association
Curran Hall
615 E. Capitol Avenue
P.O. Box 165023
Little Rock, Arkansas 72216
501-371-0075

RE: Item 14 May 12, 2022 Little Rock Planning Commission Agenda

I am Ruth Bell of the League of Women Voters. We in the League of Women Voters have a concern about the proposed zoning ordinance amendment on Short Term rentals.

We support the ordinance changes as presented but ask that there be a density limit on short term rentals in neighborhoods. Short term rental houses can negatively impact communities in the same way vacant lots and/or unmaintained housing can. These houses are used “off and on” by people who are not interested in the area or acting as neighbors. Think about how having 3 or 4 abandoned houses in a block can impact a neighborhood’s identity.

We ask you to add to the proposed zoning changes a requirement that no short term rental site be approved within 700 feet of another short term rental.

Thank you.

Malone, Walter

From: Robert Houston <rhouston63@gmail.com>
Sent: Monday, April 11, 2022 3:32 PM
To: Malone, Walter
Subject: Absolutely AGAINST such a thing!!!!!!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sandra Houston
Residence of St. Charles

Malone, Walter

From: Susan Parks <susanparks@fastmail.fm>
Sent: Sunday, April 10, 2022 6:26 PM
To: Malone, Walter
Subject: Short term rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

St. Charles is a single family residential community and we want our subdivision to remain as such.
We do not want short term rentals, Airbnb or VRBO in our family community.
Please deny any requests or
changes to our community.
Thank you.
Cary and Susan Parks

Sent from my iPhone

COMMENTS FOR PLANNING COMMISSION



PRESERVING THE PAST. SHAPING THE FUTURE.

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