

# Oxford-Miami Short Term Rental Partnership

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Miami University

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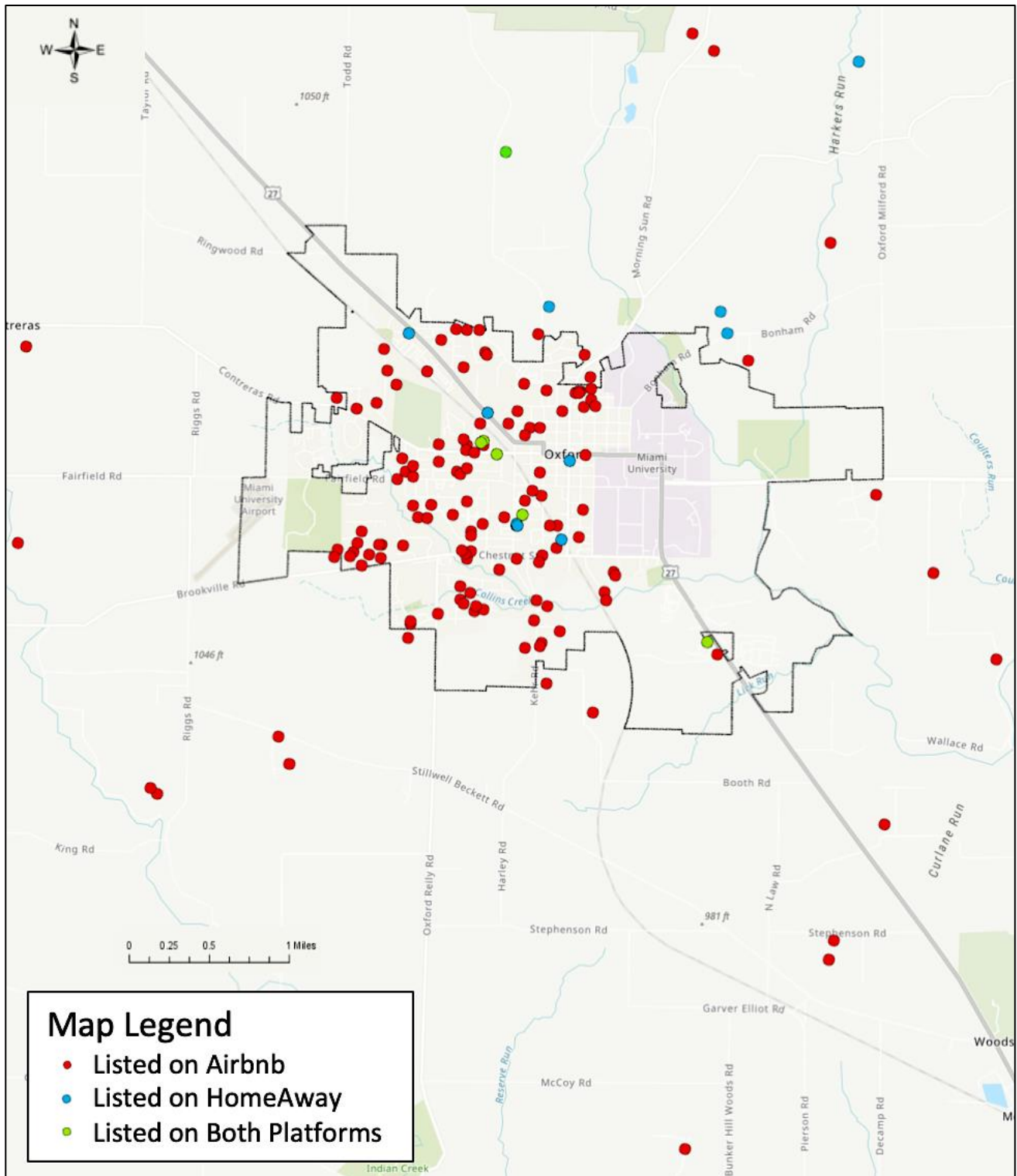
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- 2) [Listings Within Oxford City Limits](#)
  - [GIS Imagery](#)
  - [Graphical Analysis](#)
  - [Summary Statistics](#)

The following analysis deals with all Short-Term  
Rental listings both within and outside of  
Oxford city limits.

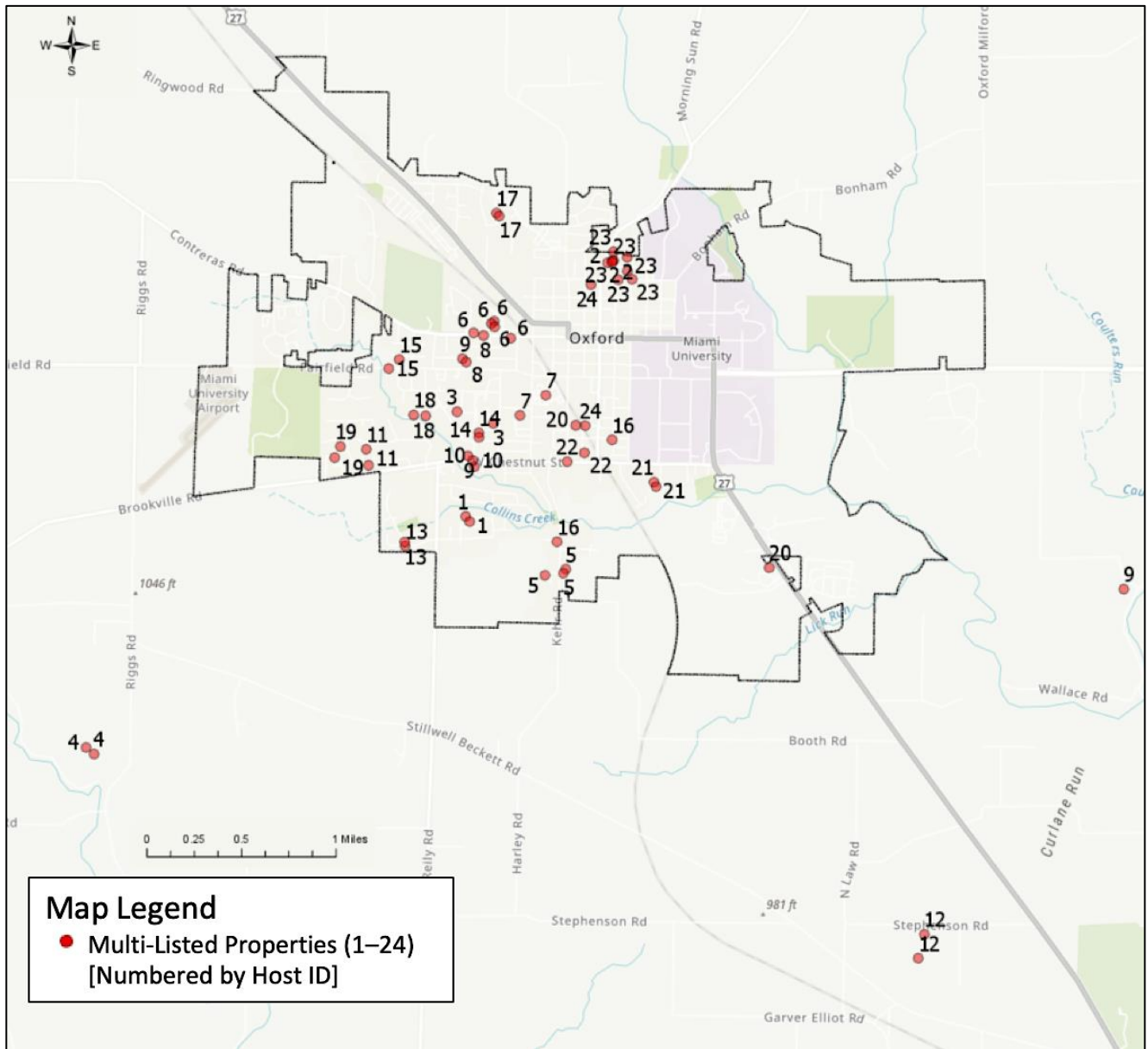
Any listings with Oxford as the registered city fall within this category.

# All Active Short-Term Rental Locations in the Oxford Area in 2019



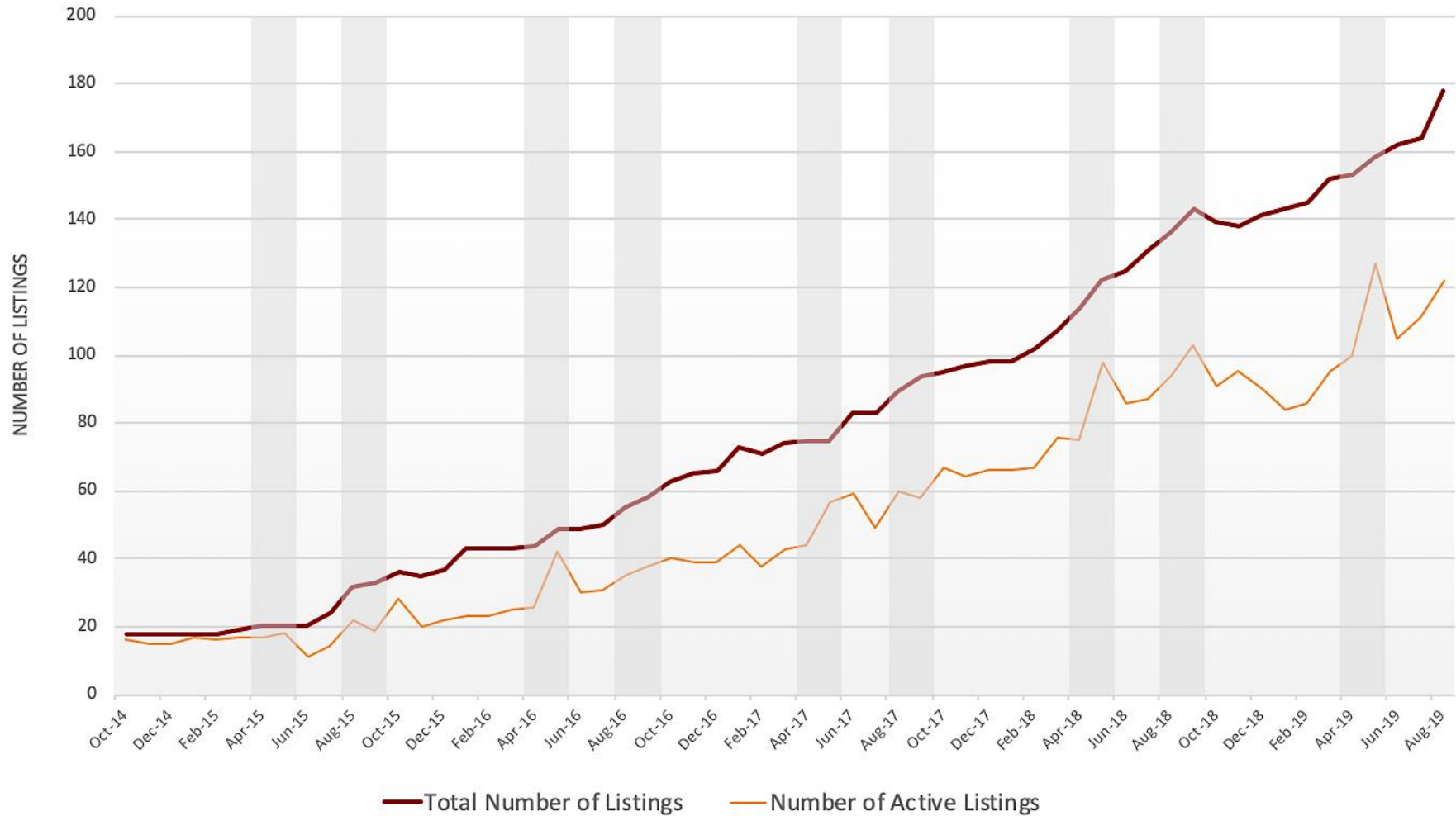
*These listings were actively listed at some point in 2019.*

# All Active Multi-Listed Properties in the Oxford Area in 2019

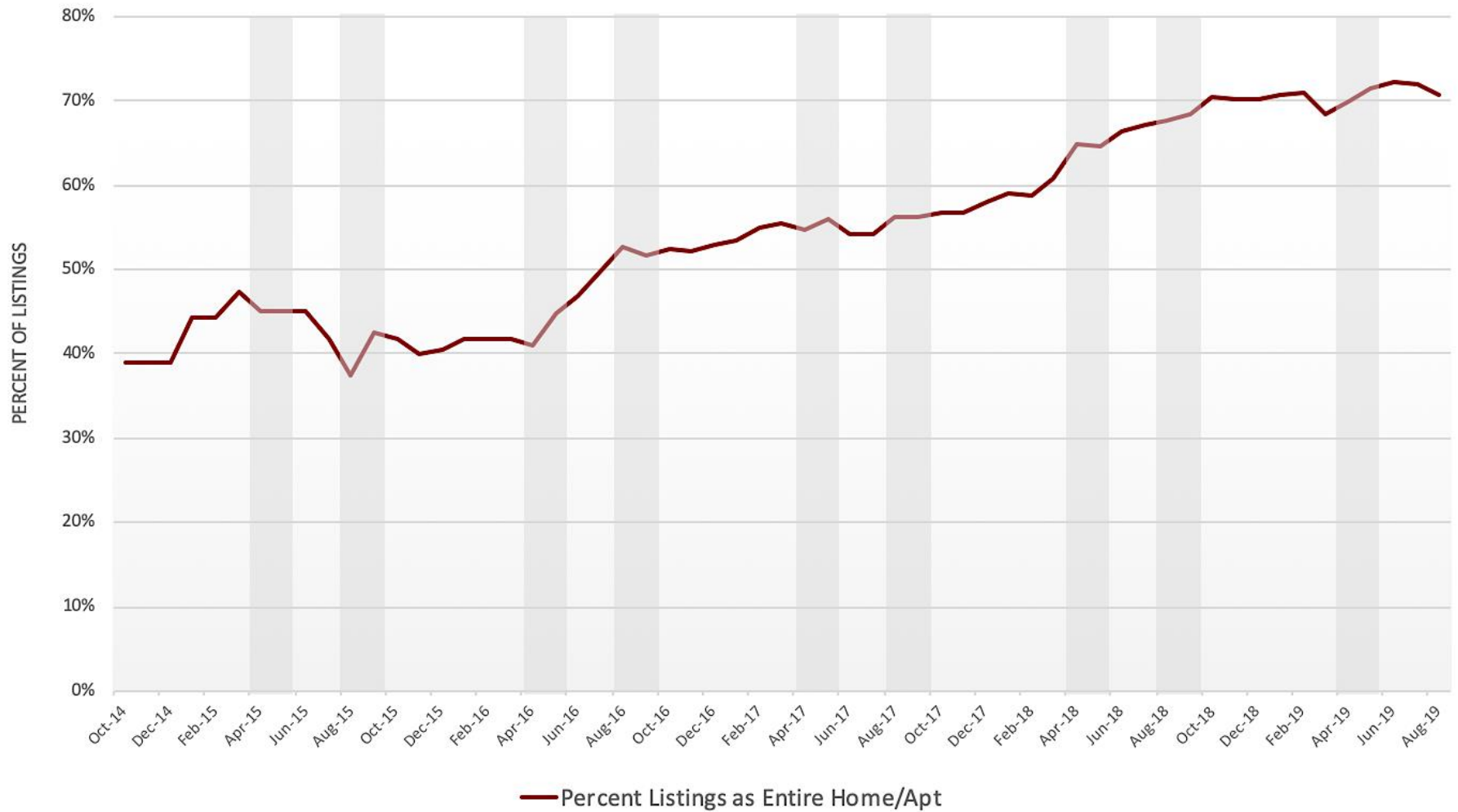


*The labels (1-24) represent Host Identification Numbers. Duplicates show different properties that are listed by the same STR host.*

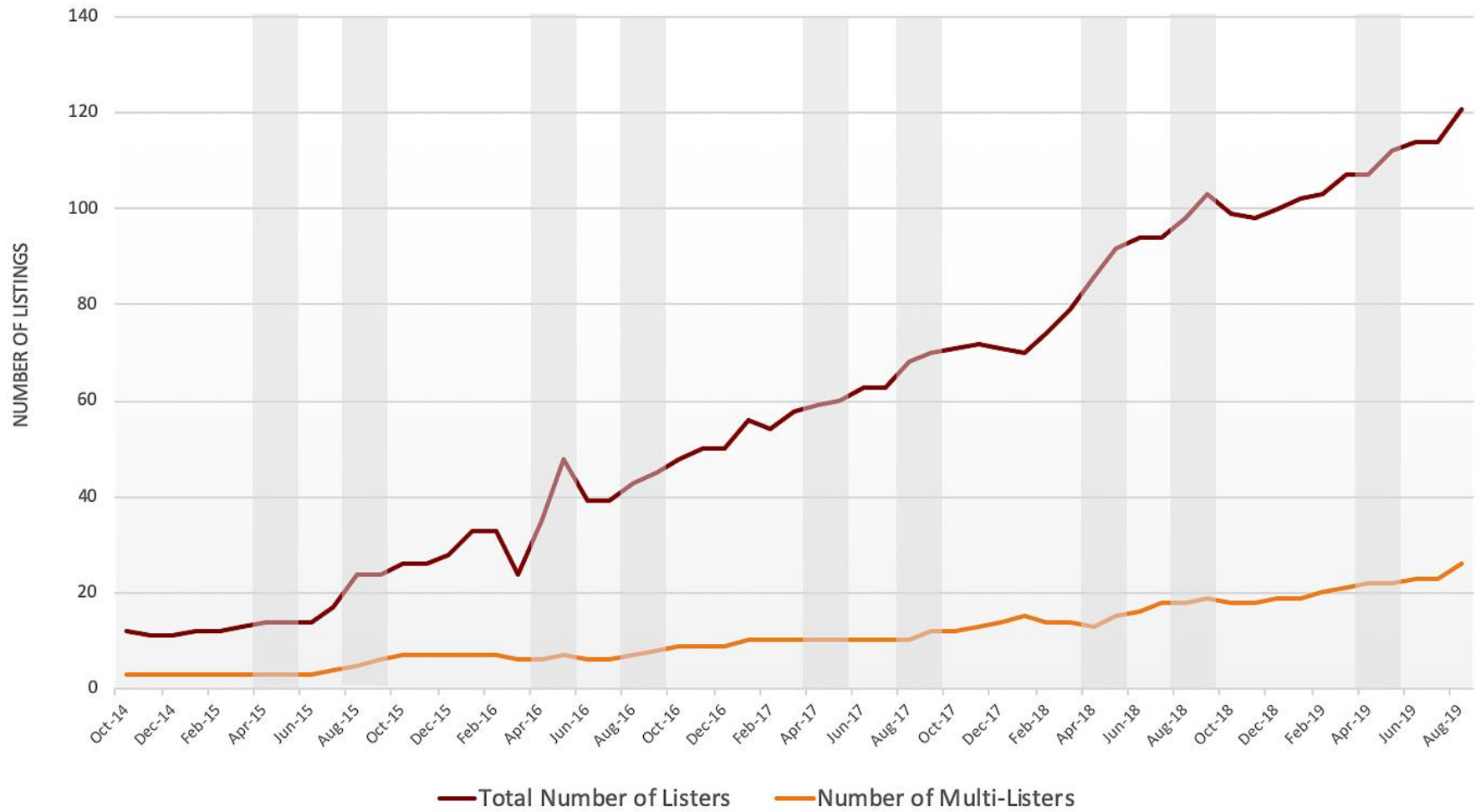
## Number of Short-Term Rental Listings (By Month-Year)



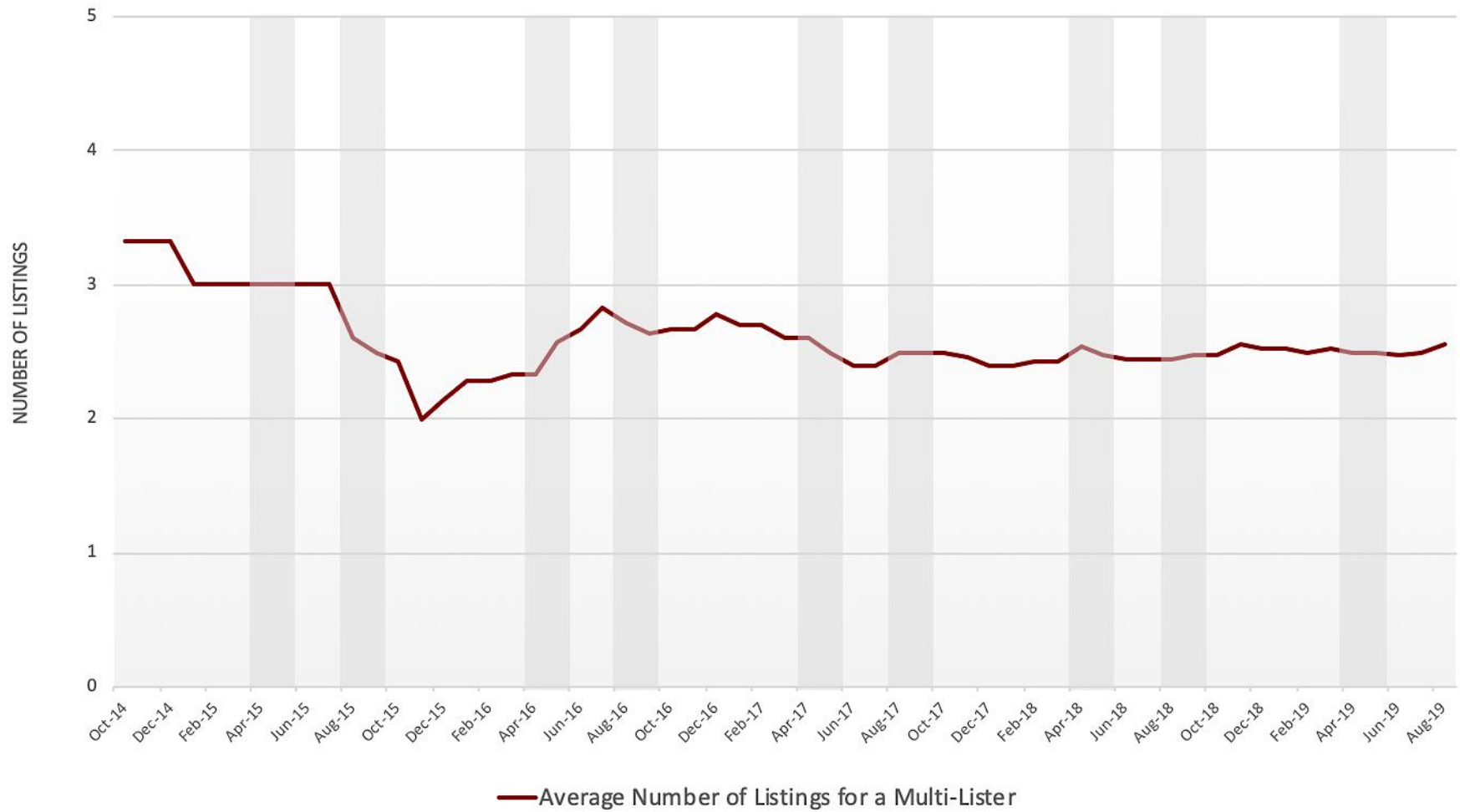
## Percent of “Entire Home/Apartment” Listings (By Month-Year)



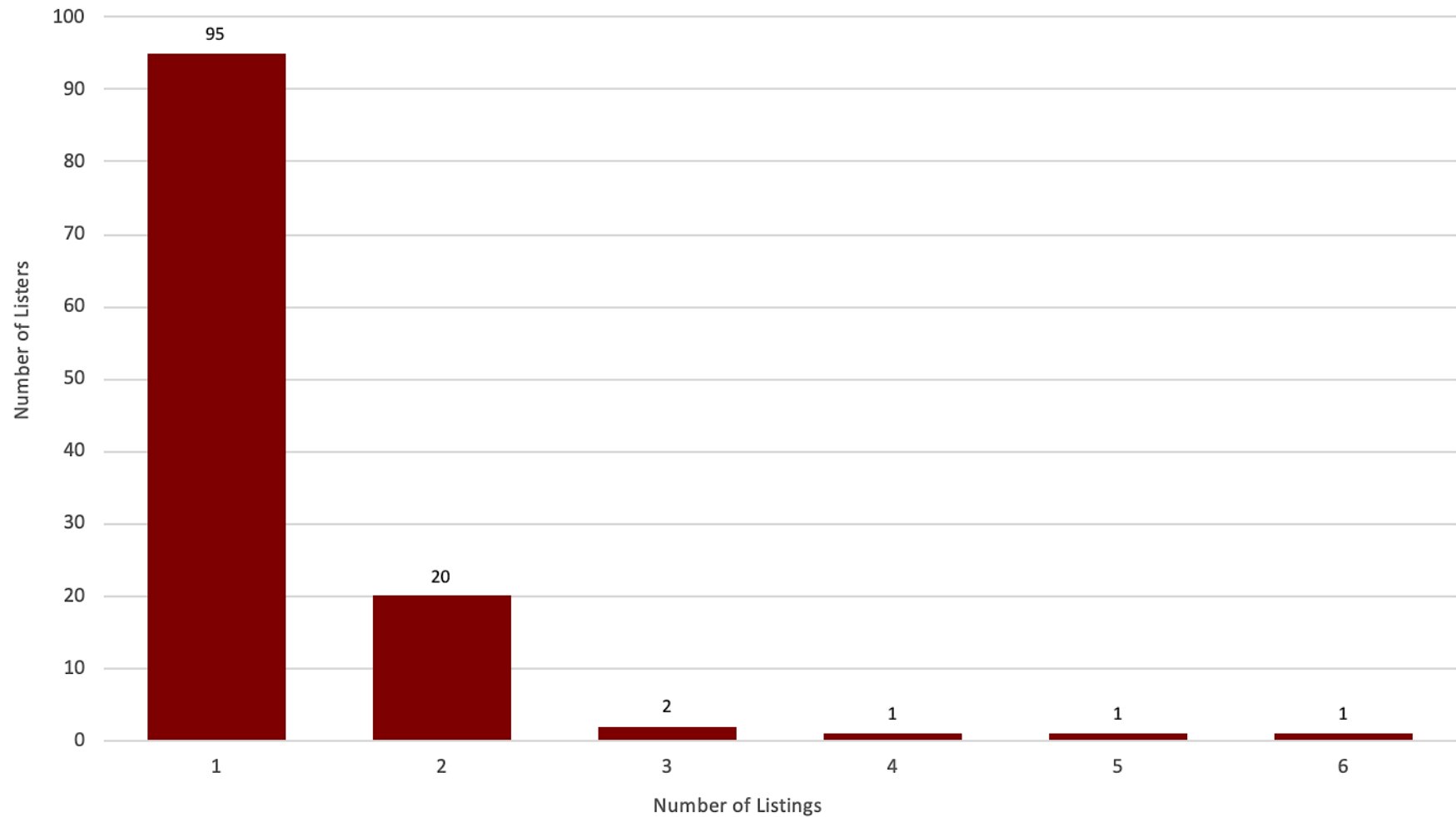
# Total Number of Active STR Listers and Multi-Listers (By Month-Year)



Average Number of Listings for a Multi-Lister (By Month-Year)

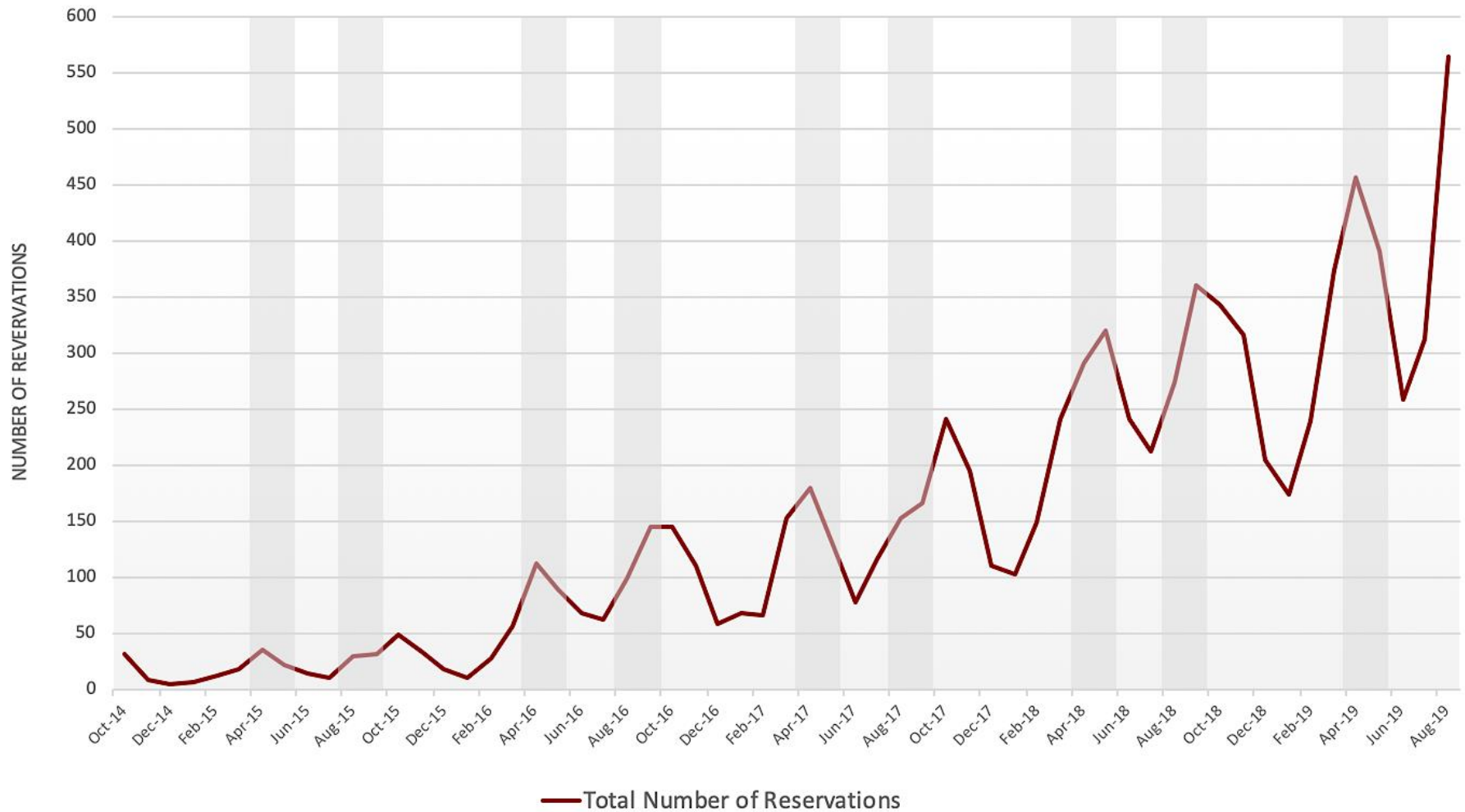


## Frequency of Listers in 2019 (By Number of Listings)

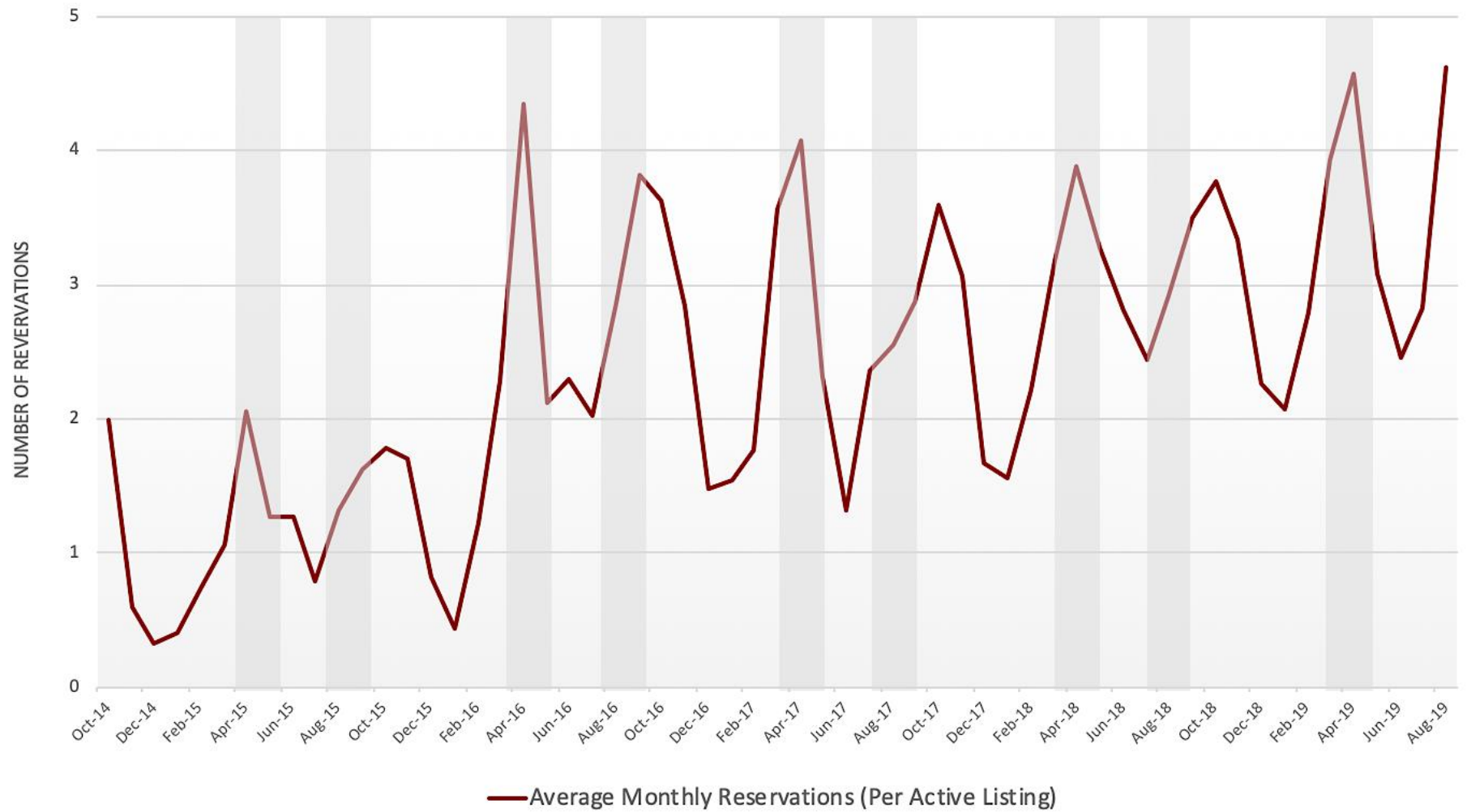


*The y-axis represents the number of Oxford listers that own either, 1, 2, 3, 4, 5, or 6 listings.*

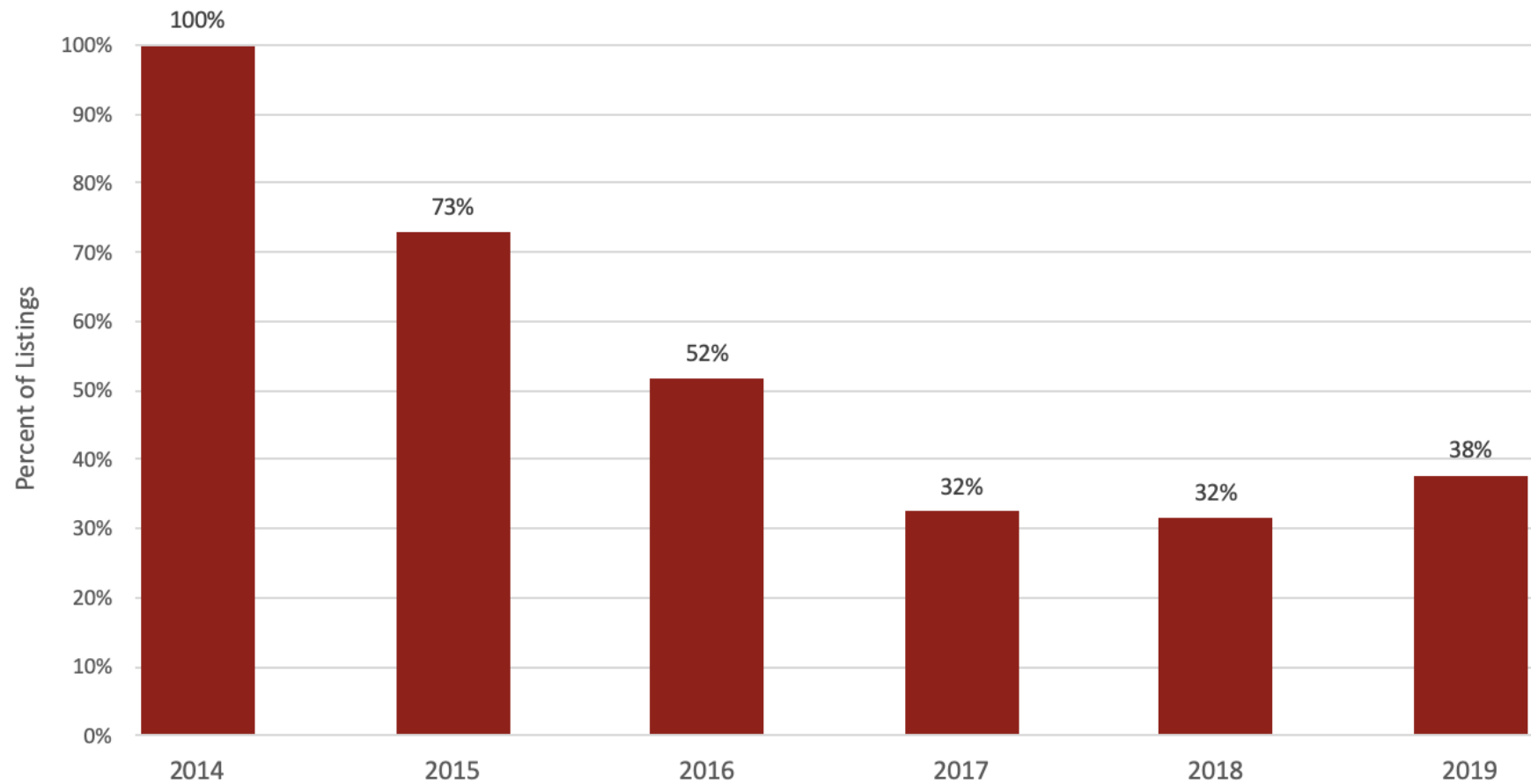
## Total Number of STR Reservations (By Month-Year)



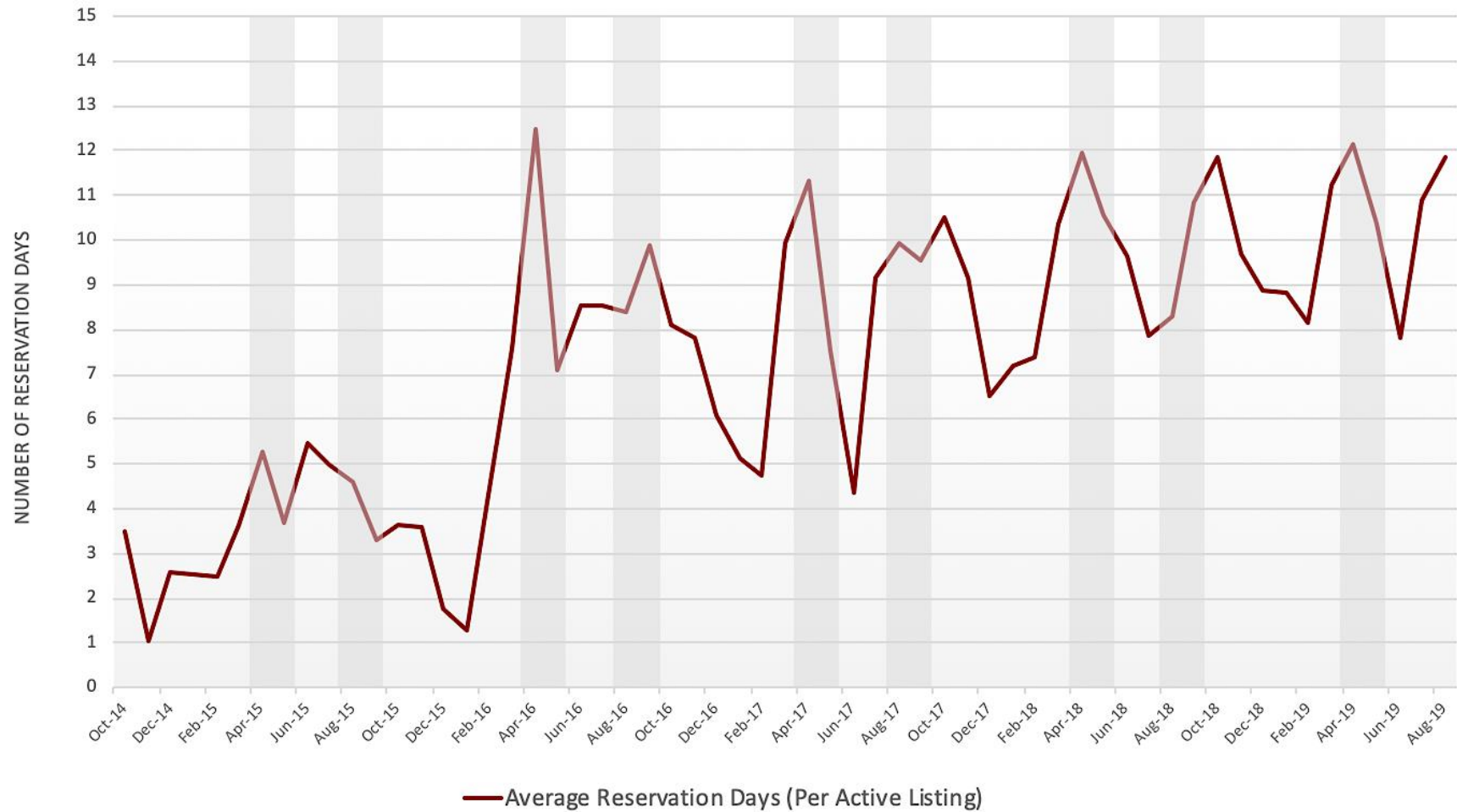
## Average Number of STR Reservations (By Month-Year)



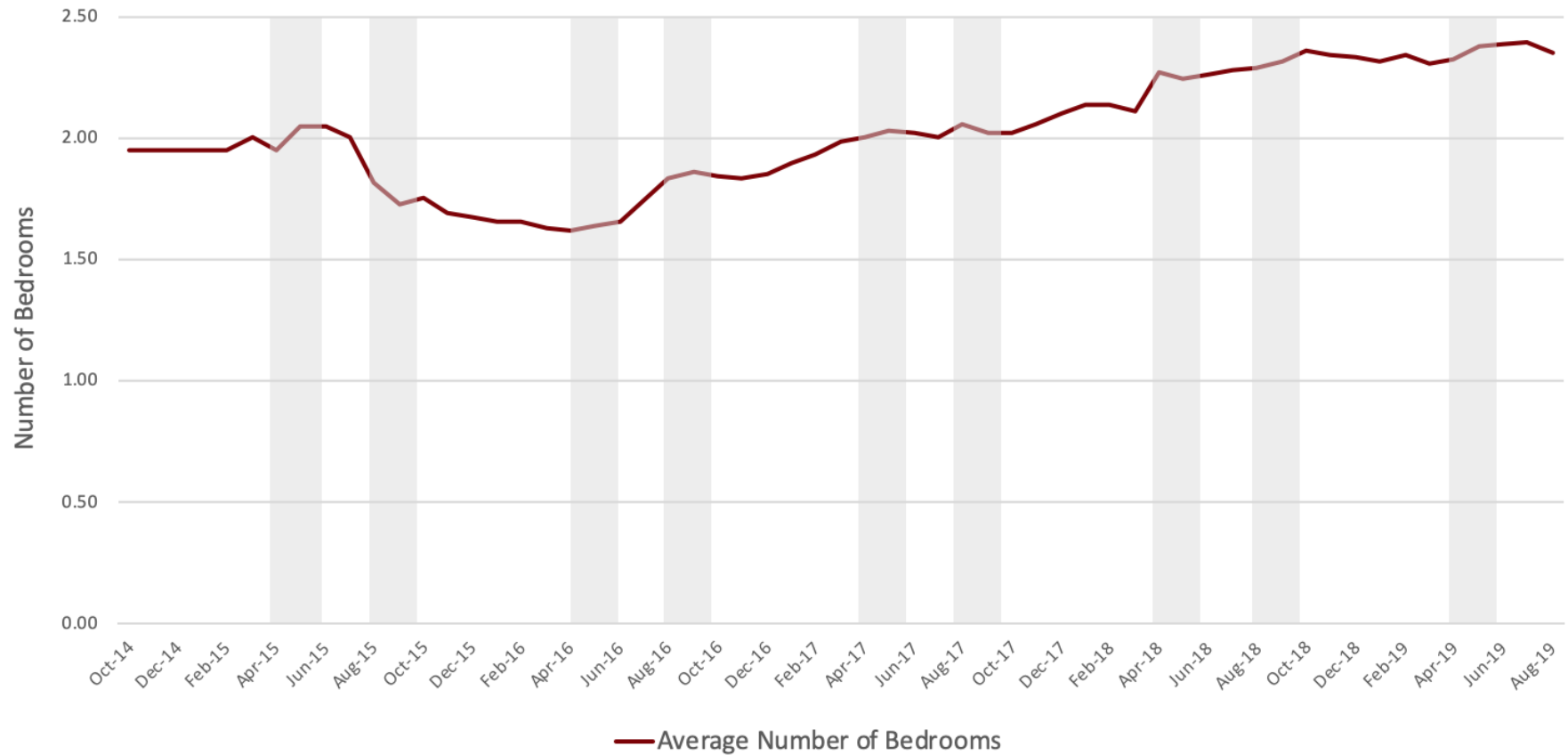
## Percent of Listings with Fewer Than 29 Days Booked in a Given Year



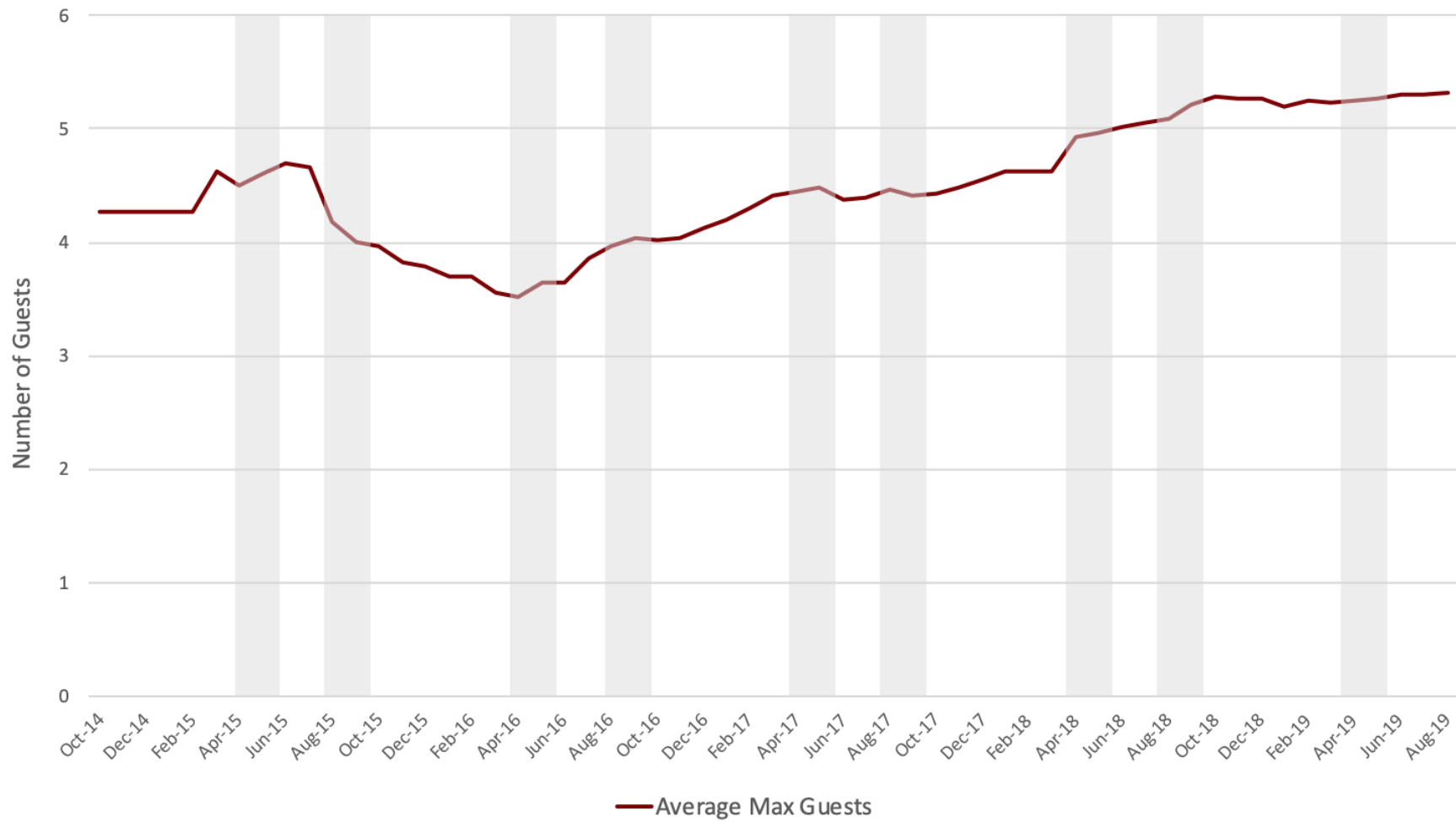
## Average Number of Reservation Days (By Month-Year)



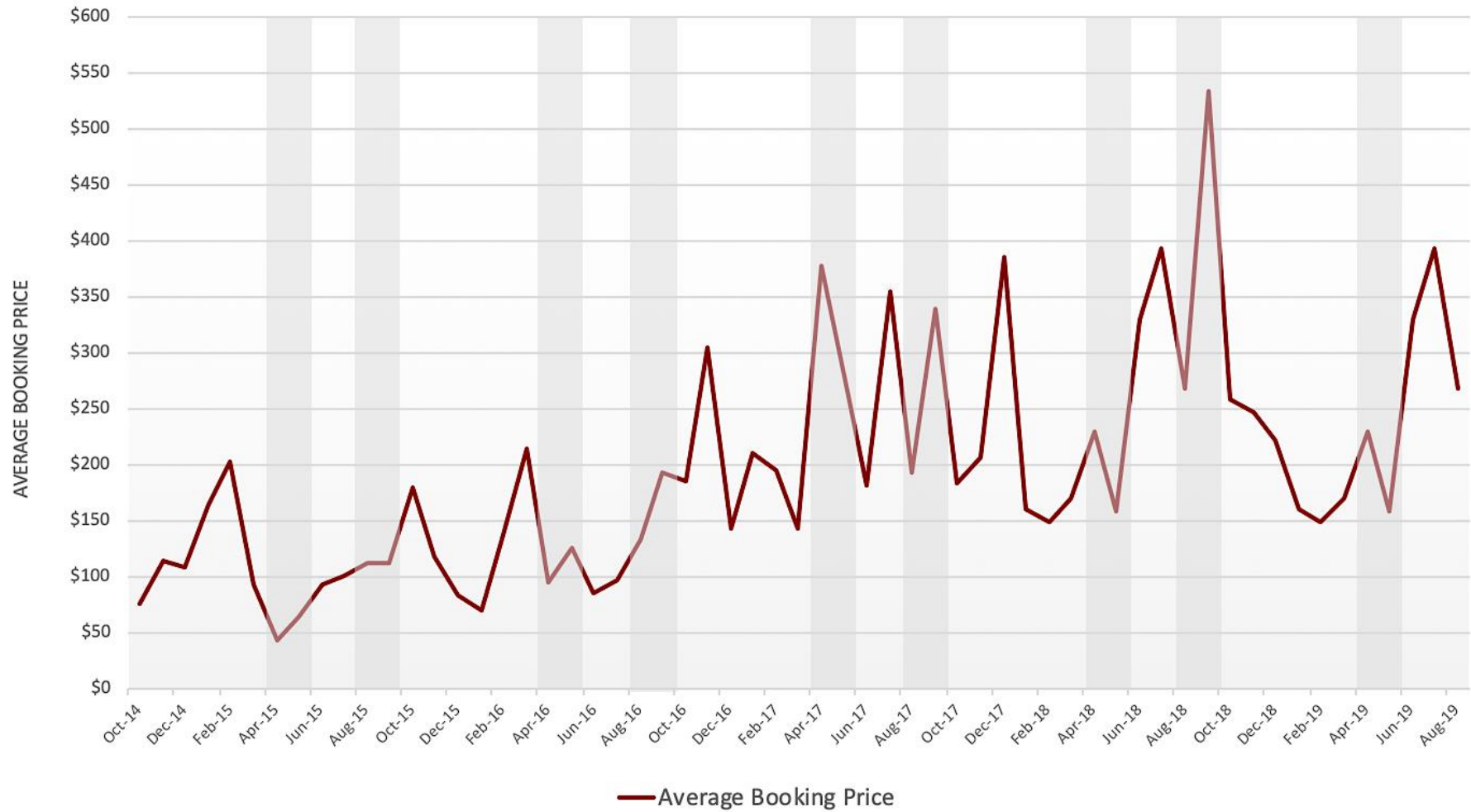
Average Number of Booked Bedrooms for a STR ( By Month-Year)



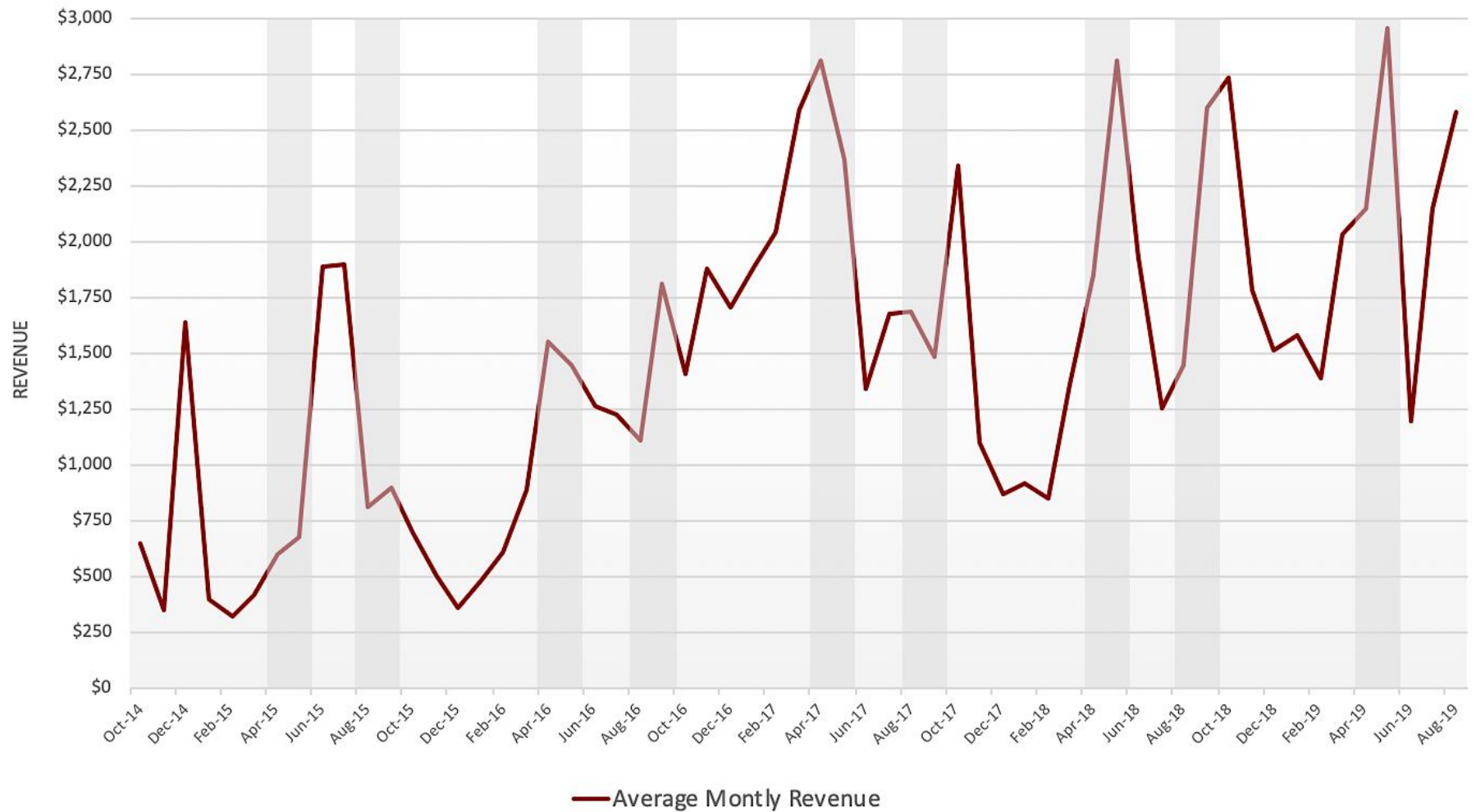
Average Max Guests for a STR (By Month-Year)



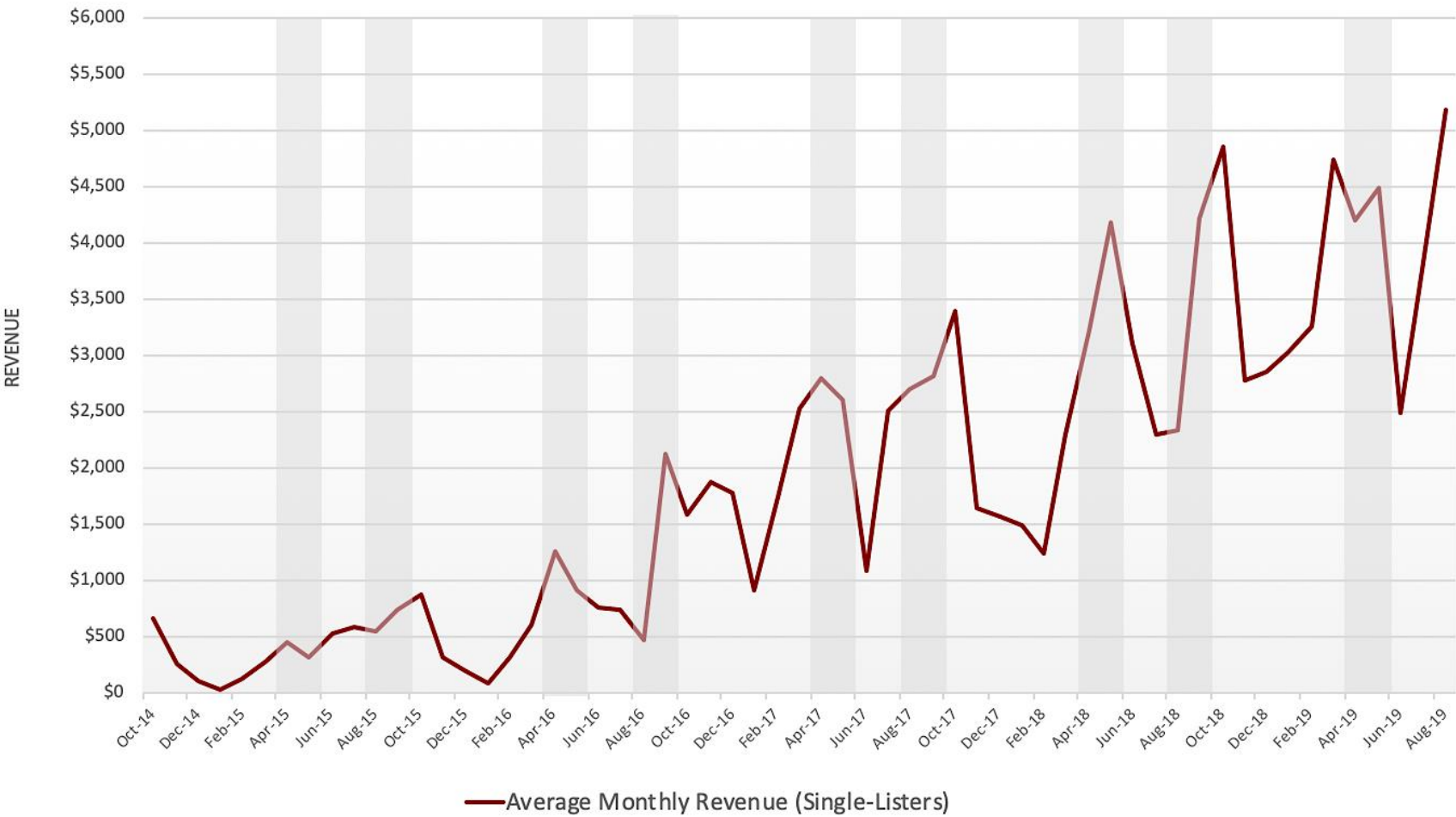
Average Booking Price for a STR (By Month-Year)



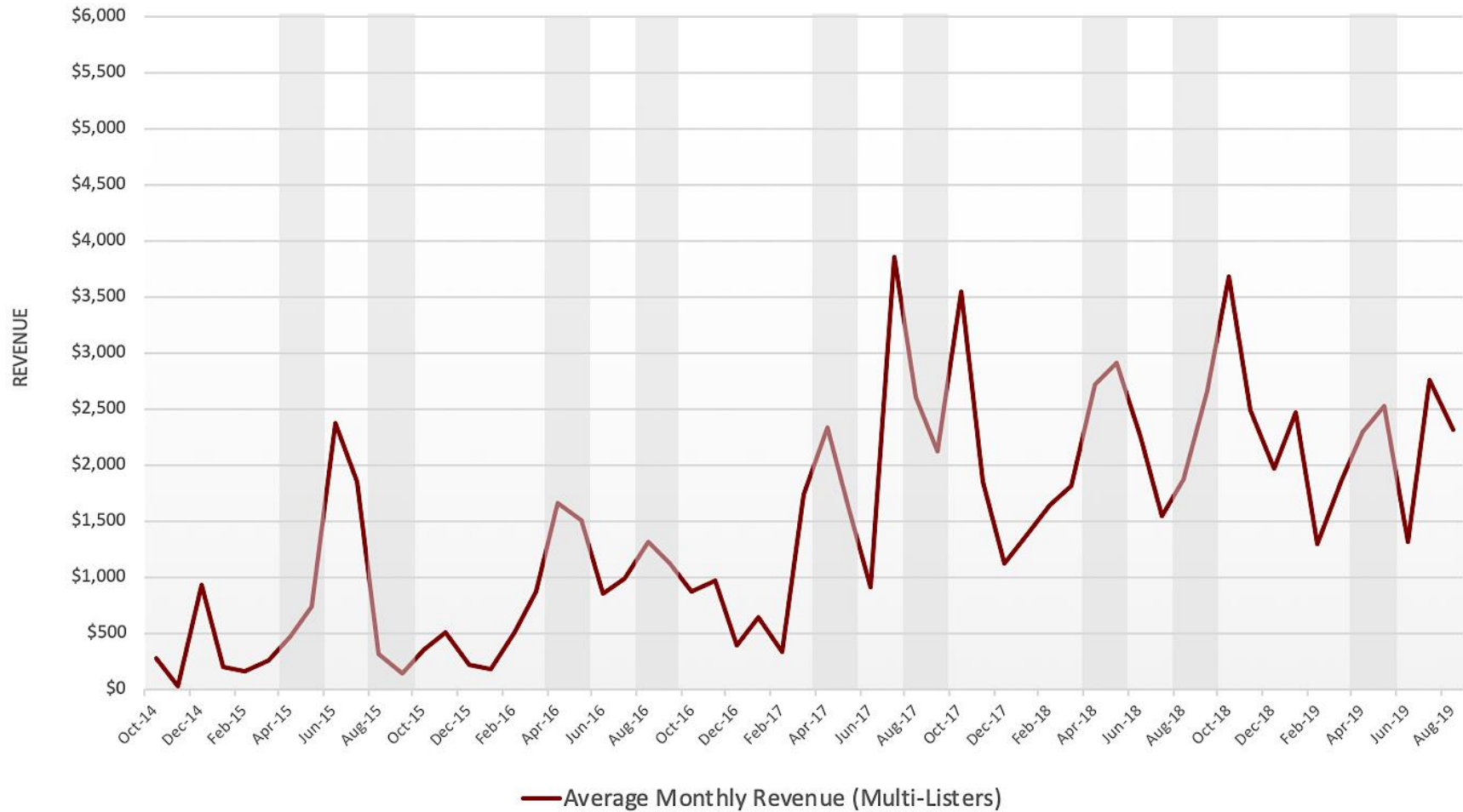
# Average Monthly Revenue for a STR (By Month-Year)



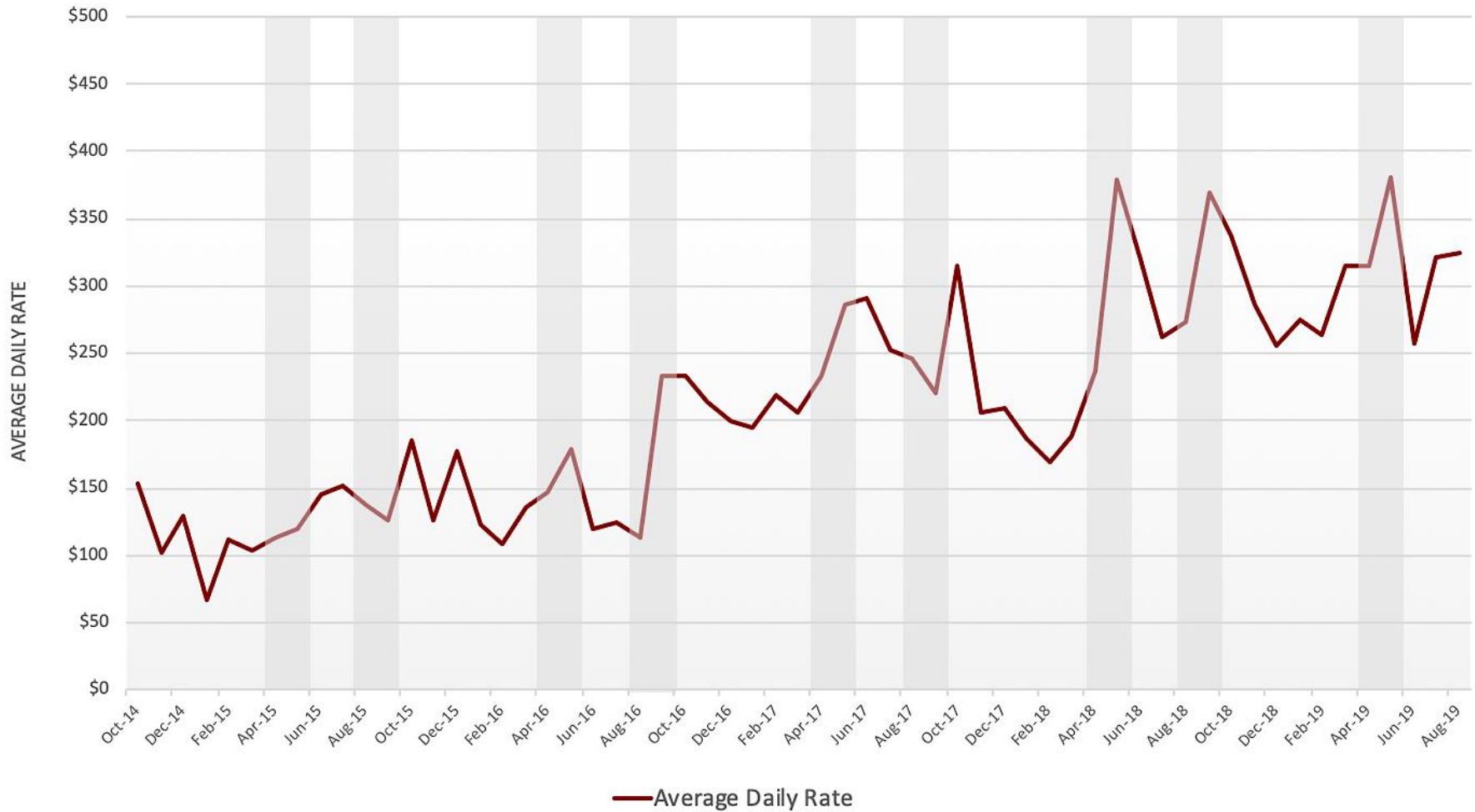
Average Monthly Revenue for Active Single-Listers (By Month-Year)



## Average Monthly Revenue for Active Multi-Listers (Per Property; By Month-Year)

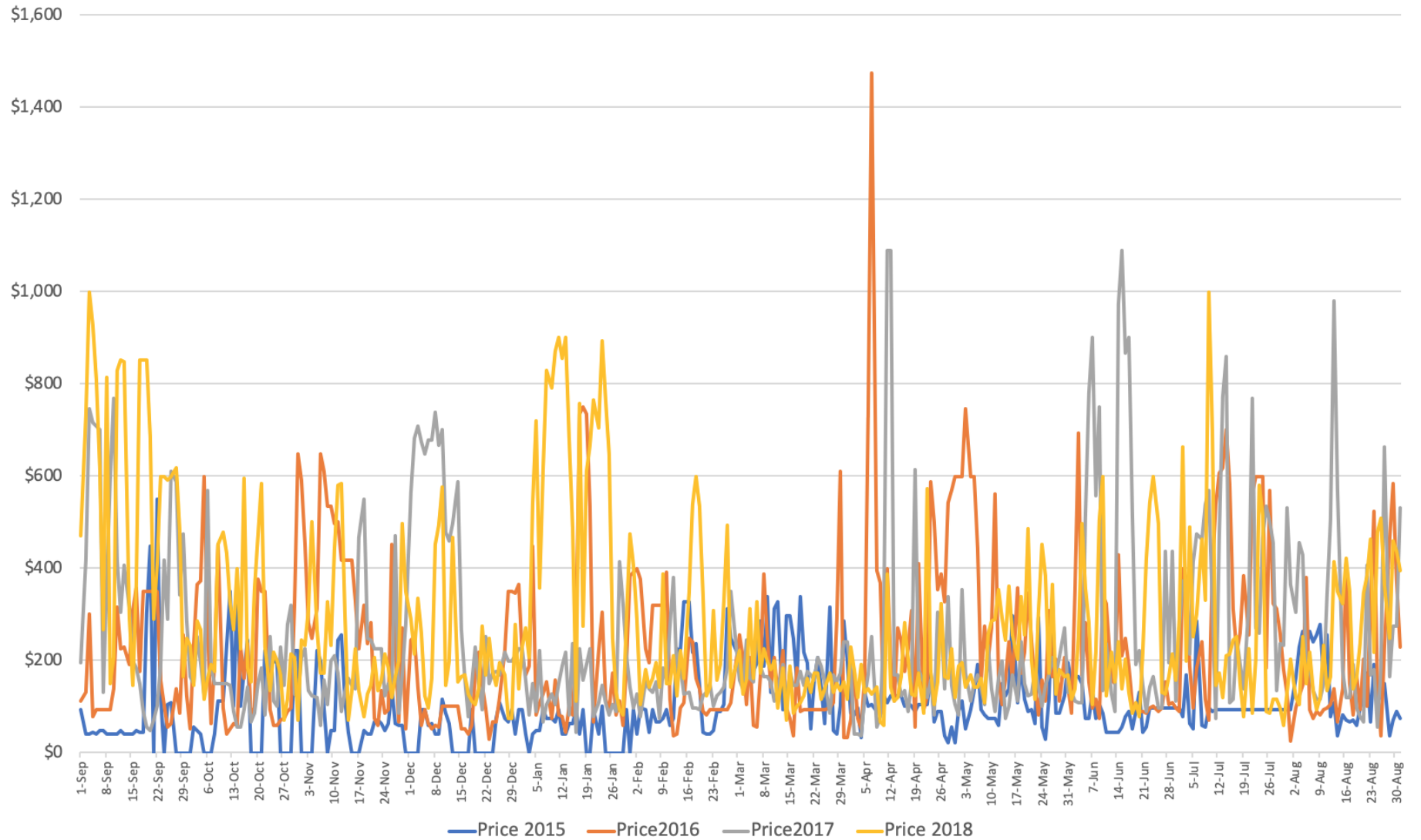


## Average Daily Rate (ADR) for a STR (By Month-Year)

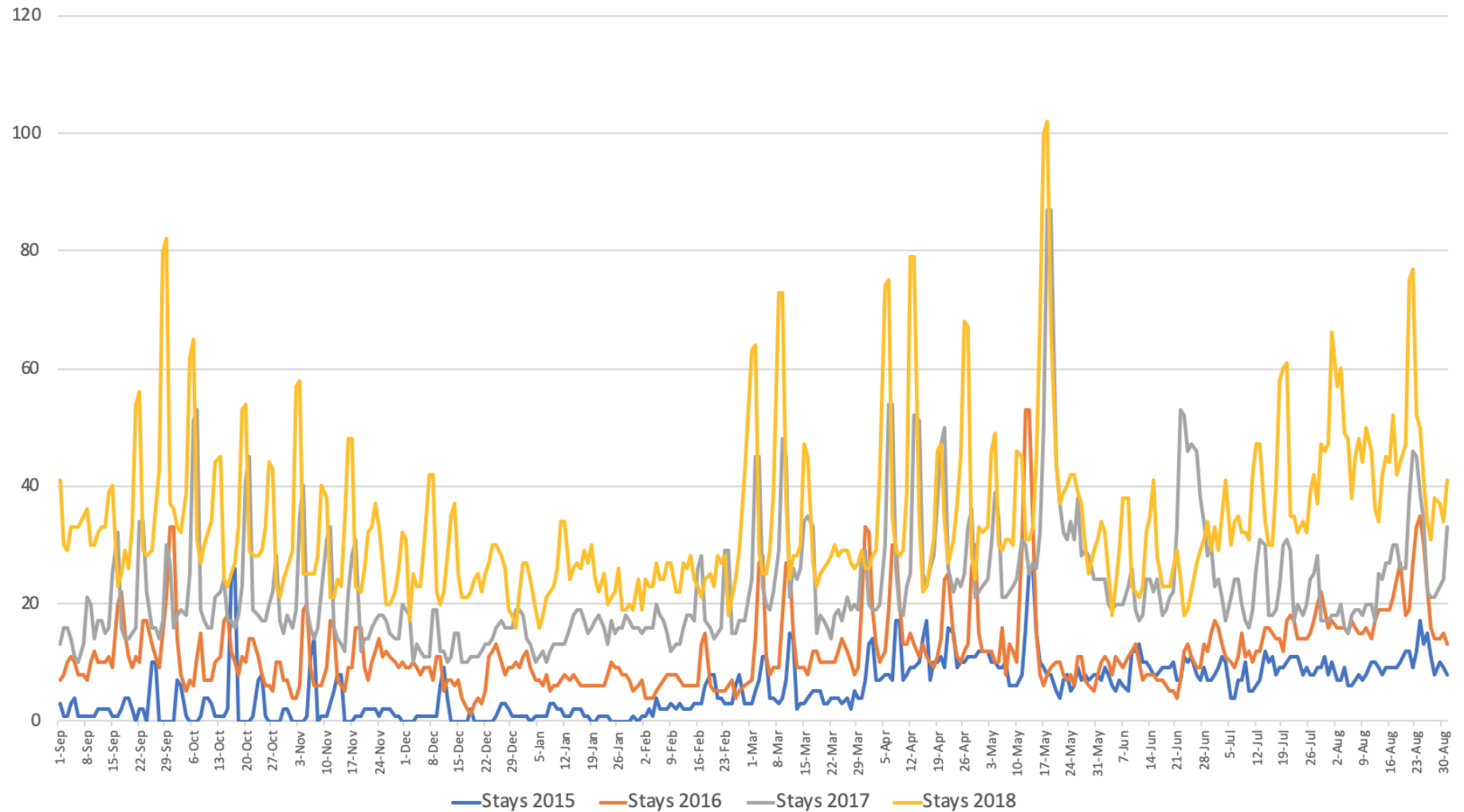


*The Average Daily Rate (ADR) is total revenue divided by number of reservation days in that month.*

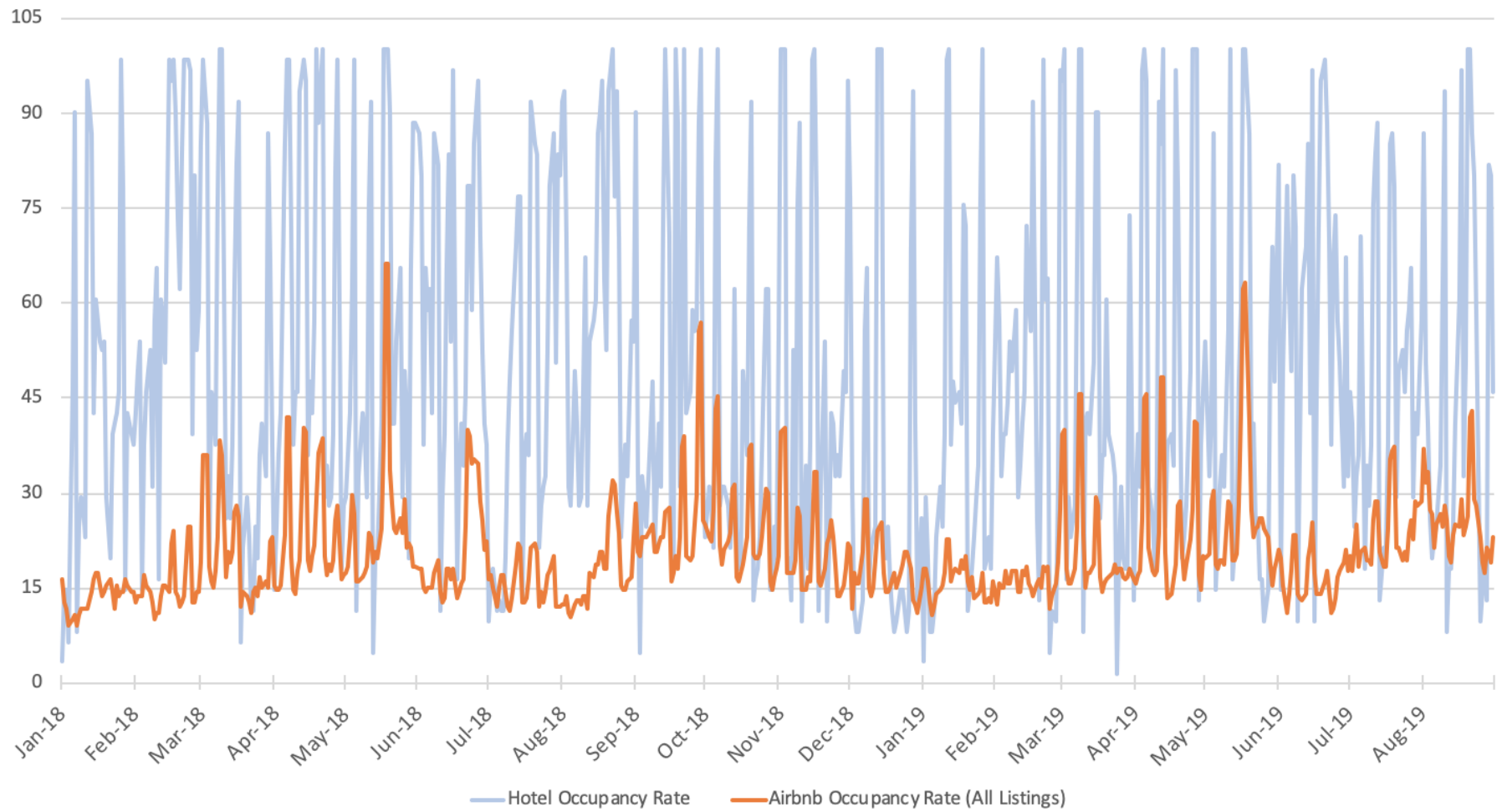
## Average Daily Price for All Oxford Area STRs



## Number of Bookings Per Day for All Oxford Area STRs



## Daily Occupancy Rate for Best Western Sycamore Inn and Oxford Area Airbnbs



Summary Sheet (*Both Within and Outside of Oxford City Limits*)

Total Number of Unique Airbnb and HomeAway Listings in 2019: **148**

Avg. Nightly Asking Price for Airbnb and HomeAway Listings Since 2014: **\$279**

Avg. Nightly Asking Price for Airbnb and HomeAway Listings in 2019: **\$336**

Total Revenue for All Oxford Airbnb and HomeAway Listers Since 2014: **\$6,792,949**

Total Revenue for All Oxford Airbnb and HomeAway Listers in 2019: **\$1,325,068**

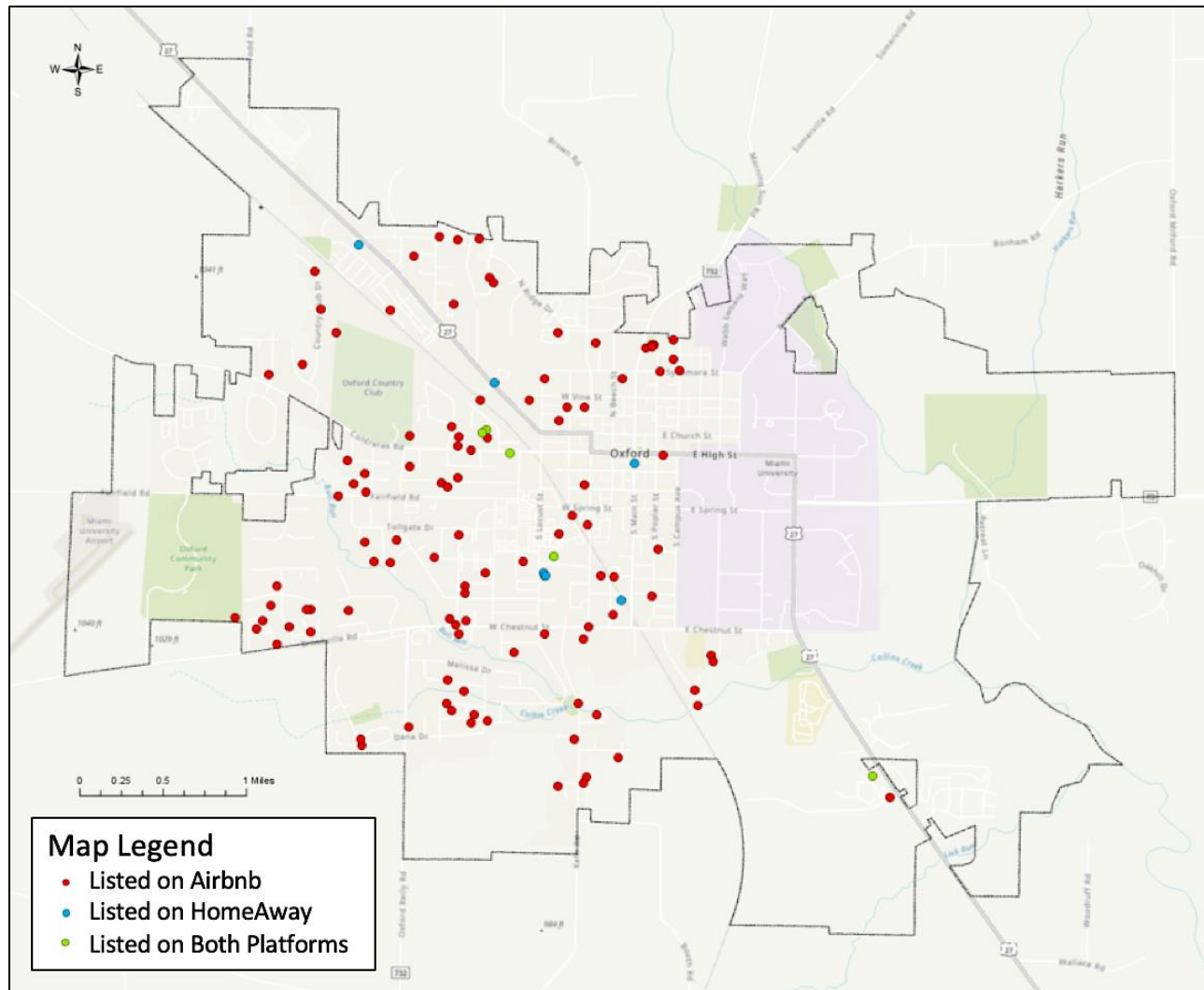
Average Monthly Revenue for a Single-Lister in Oxford in 2019: **\$3,893**

Average Monthly Revenue for a Multi-Lister in Oxford in 2019 (Per Listing): **\$2,108**

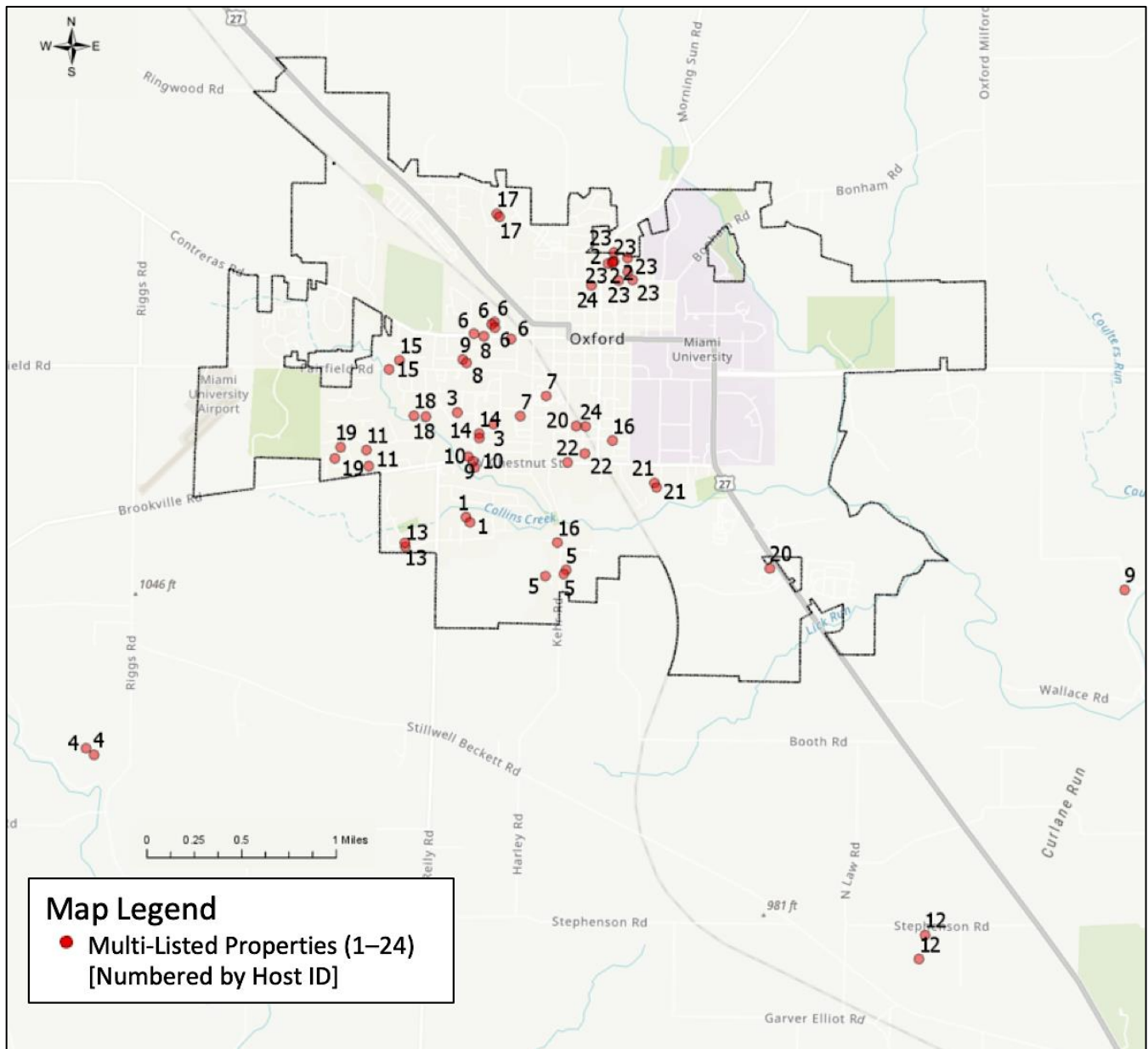
The following analysis deals with all Short-Term  
Rental listings within Oxford city limits.

Any listings within Oxford city limits fall within this category.

## All Active Short-Term Rental Locations Within Oxford City Limits in 2019

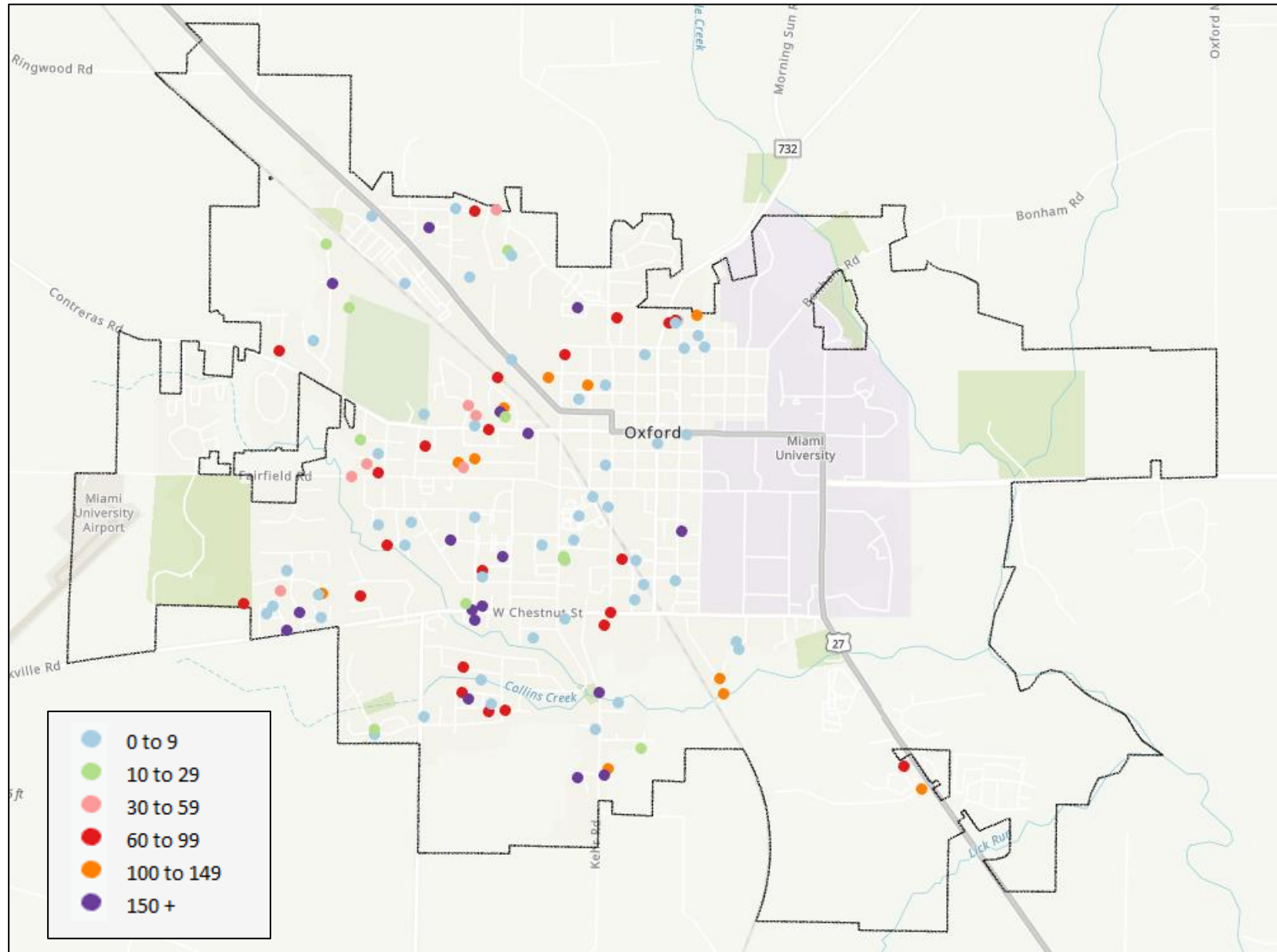


## All Active Multi-Listed Properties in the Oxford Area in 2019



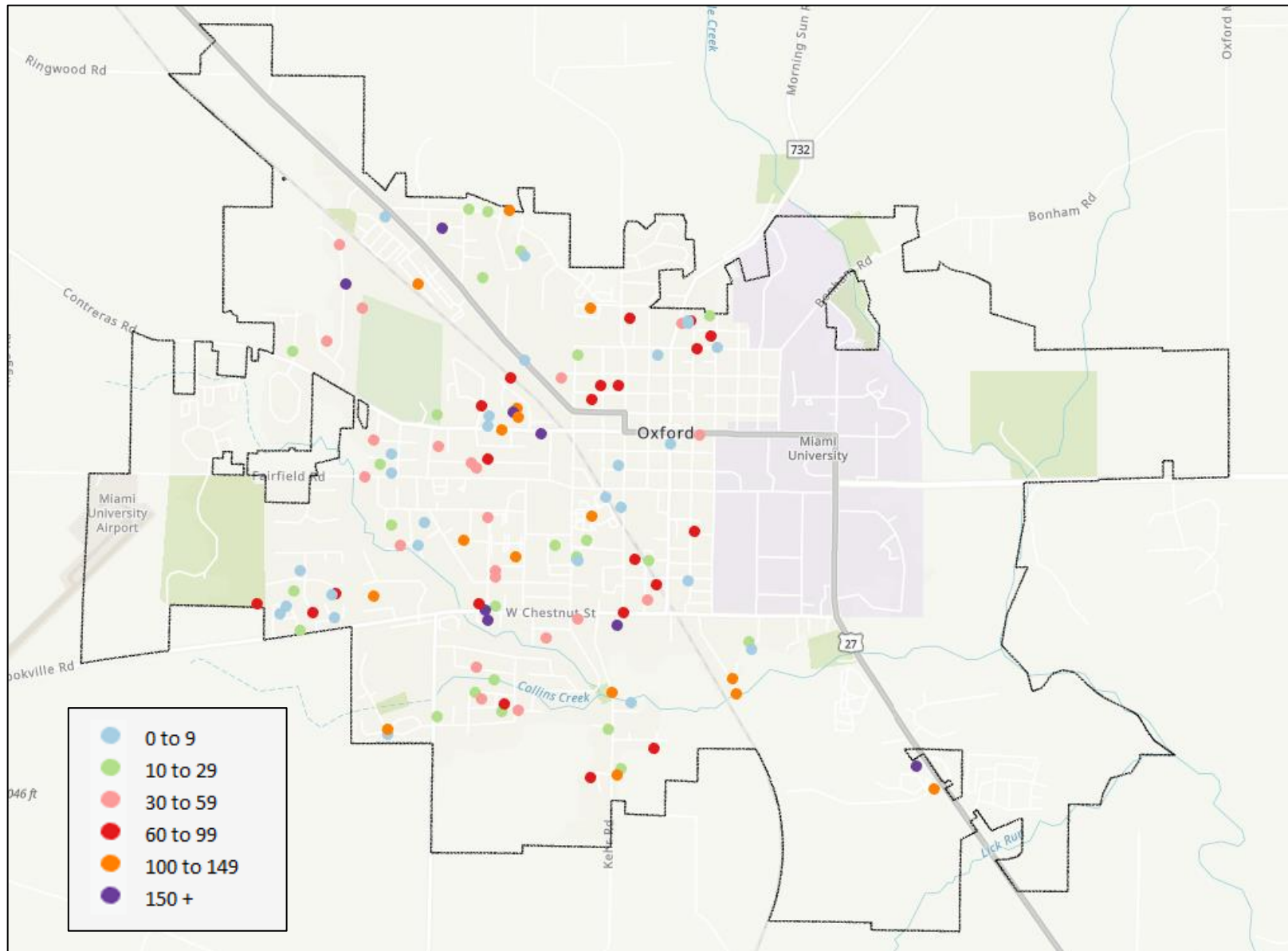
*The labels (1-24) represent Host Identification Numbers. Duplicates show different properties that are listed by the same STR host. The majority of multi-listed properties are within Oxford City Limits, thus the previous analysis of multi-listers and multi-listed properties holds true for this section of analysis.*

## Total Days Booked in 2018 (By Listing)



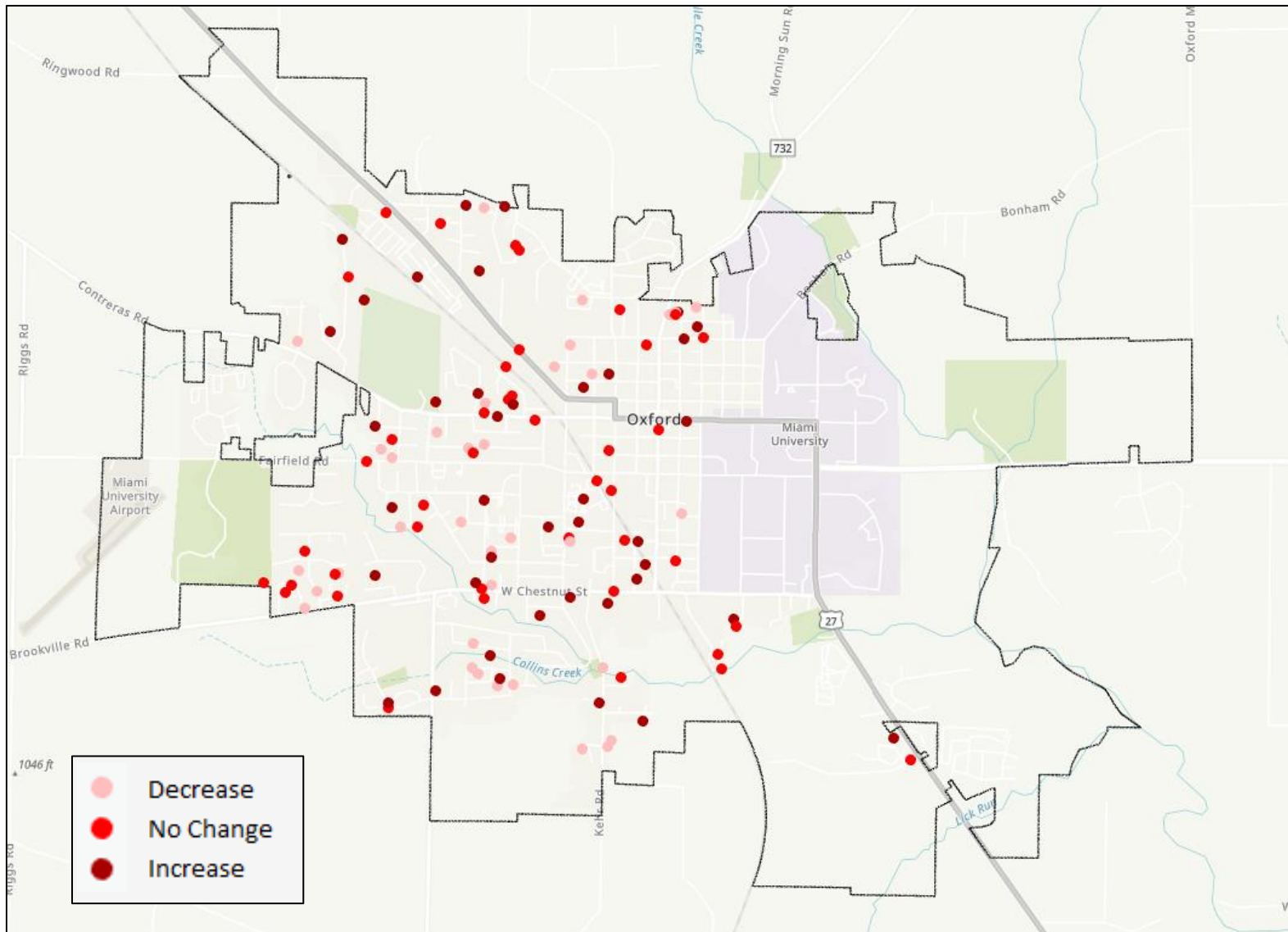
(0 to 9: 52, 10 to 29: 11, 30 to 59: 7, 60 to 99: 24, 100 to 149: 11, 150+: 17)

## Total Days Booked in 2019 (By Listing)



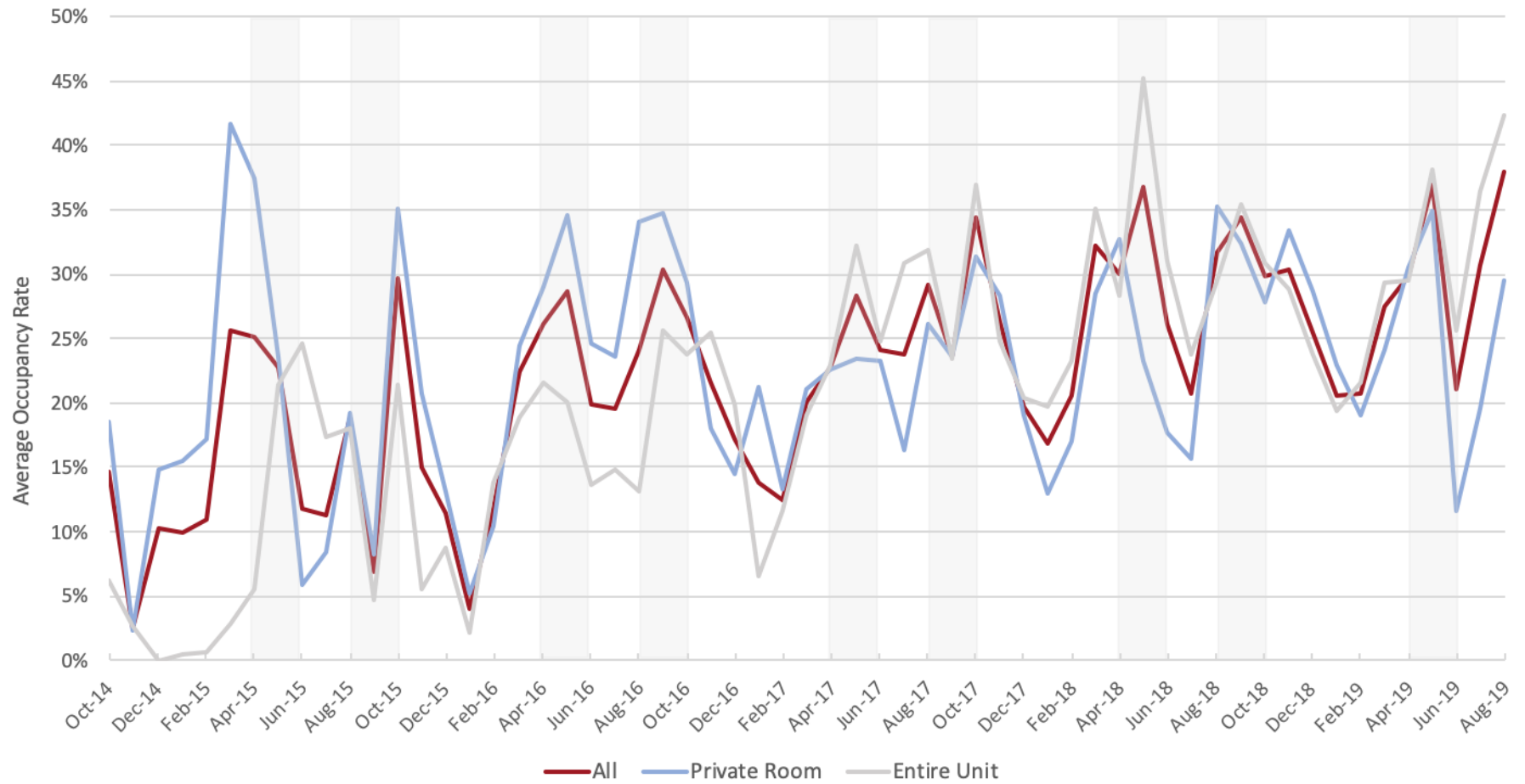
**Note:** Four months of data are missing from 2019. The ranges are not entirely representative.  
(0 to 9: 31, 10 to 29: 24, 30 to 59: 21, 60 to 99: 22, 100 to 149: 16, 150+: 8)

## Overall Change in Day-Range from 2018 to 2019 (By Listings)

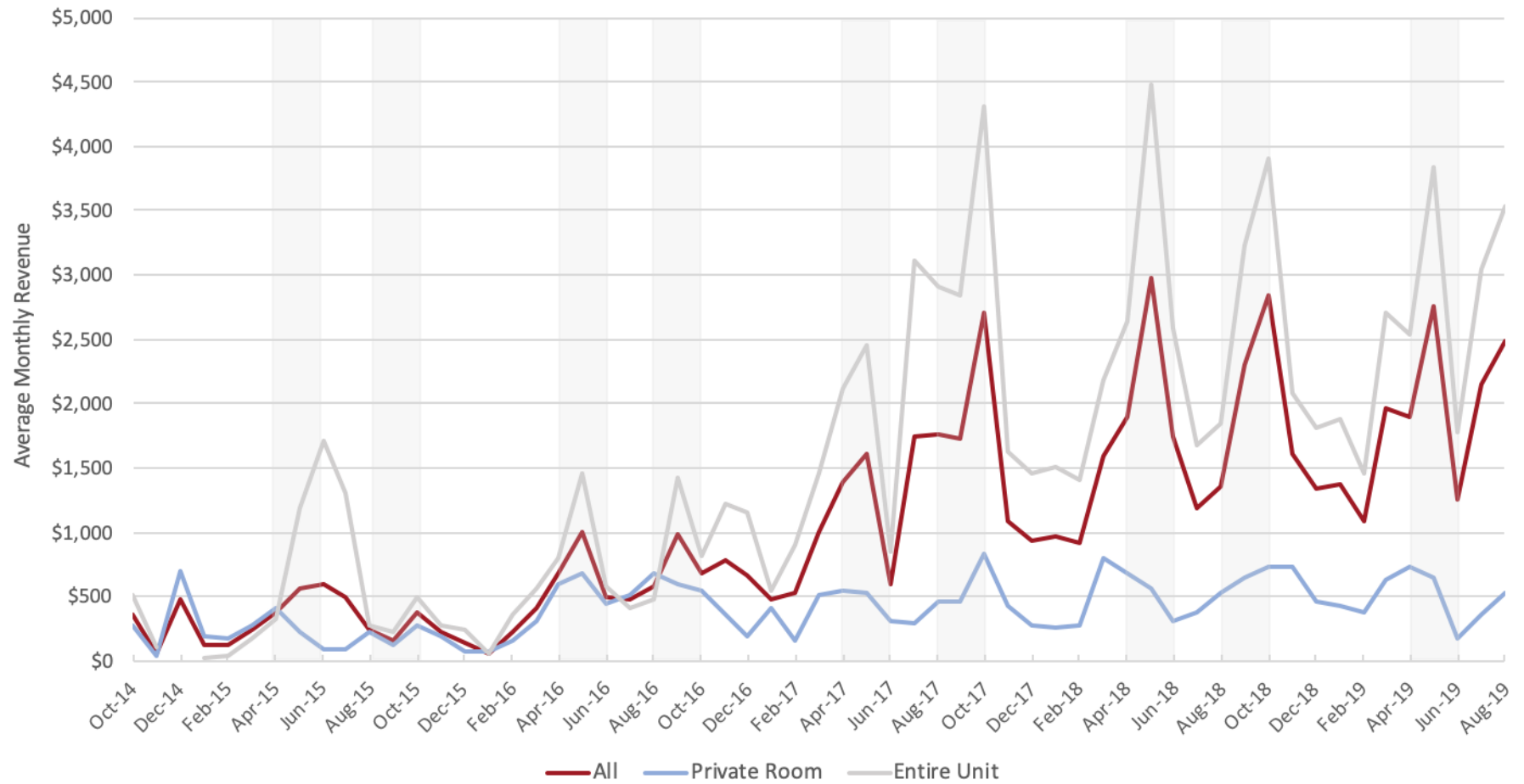


**Note:** Four months of data are missing from 2019. The changes are not entirely representative.  
(Total Decreases: 39, Total Increases: 43, No Change: 40)

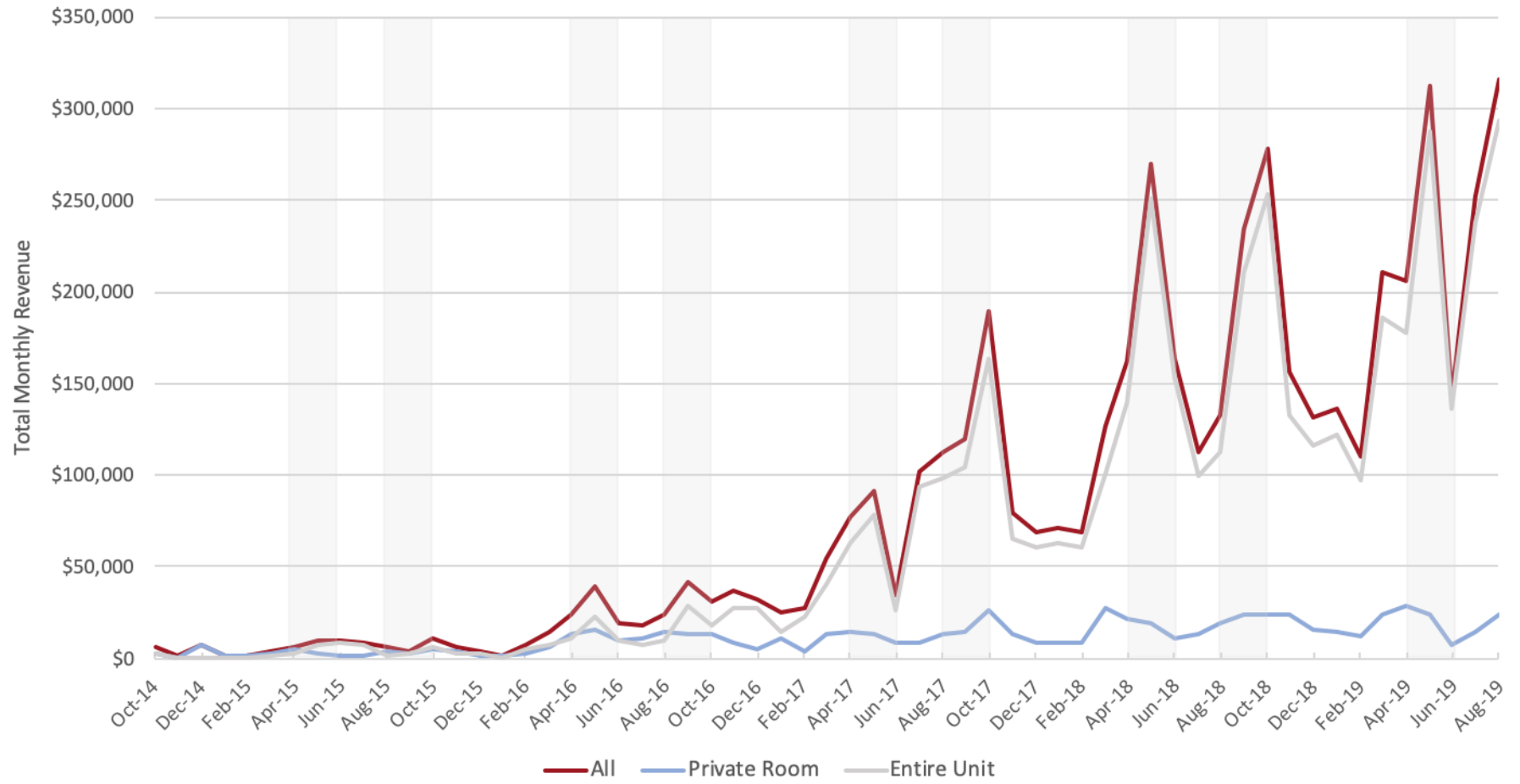
# Average Occupancy Rate (By Month-Year)



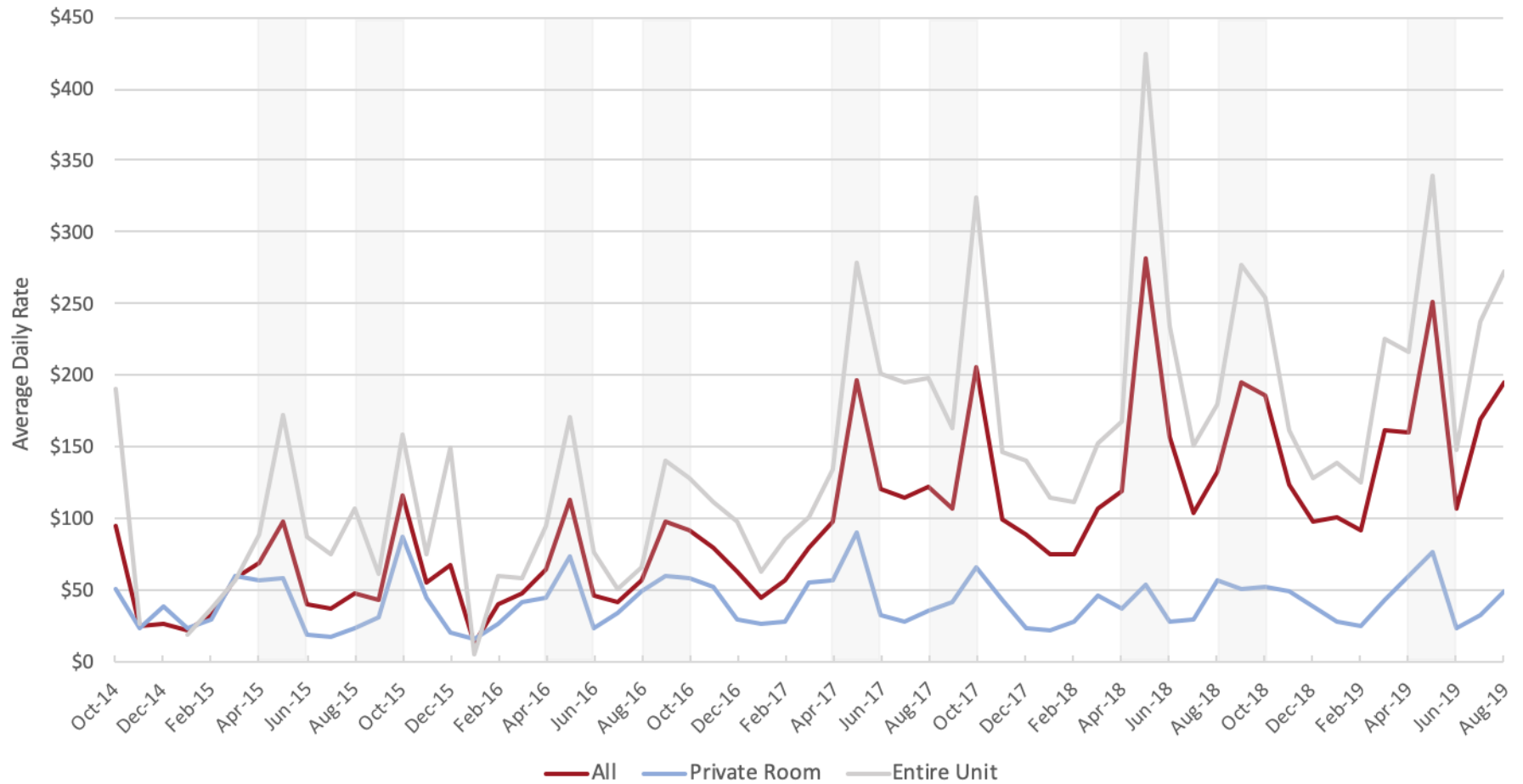
## Average Monthly Revenue (By Month-Year)



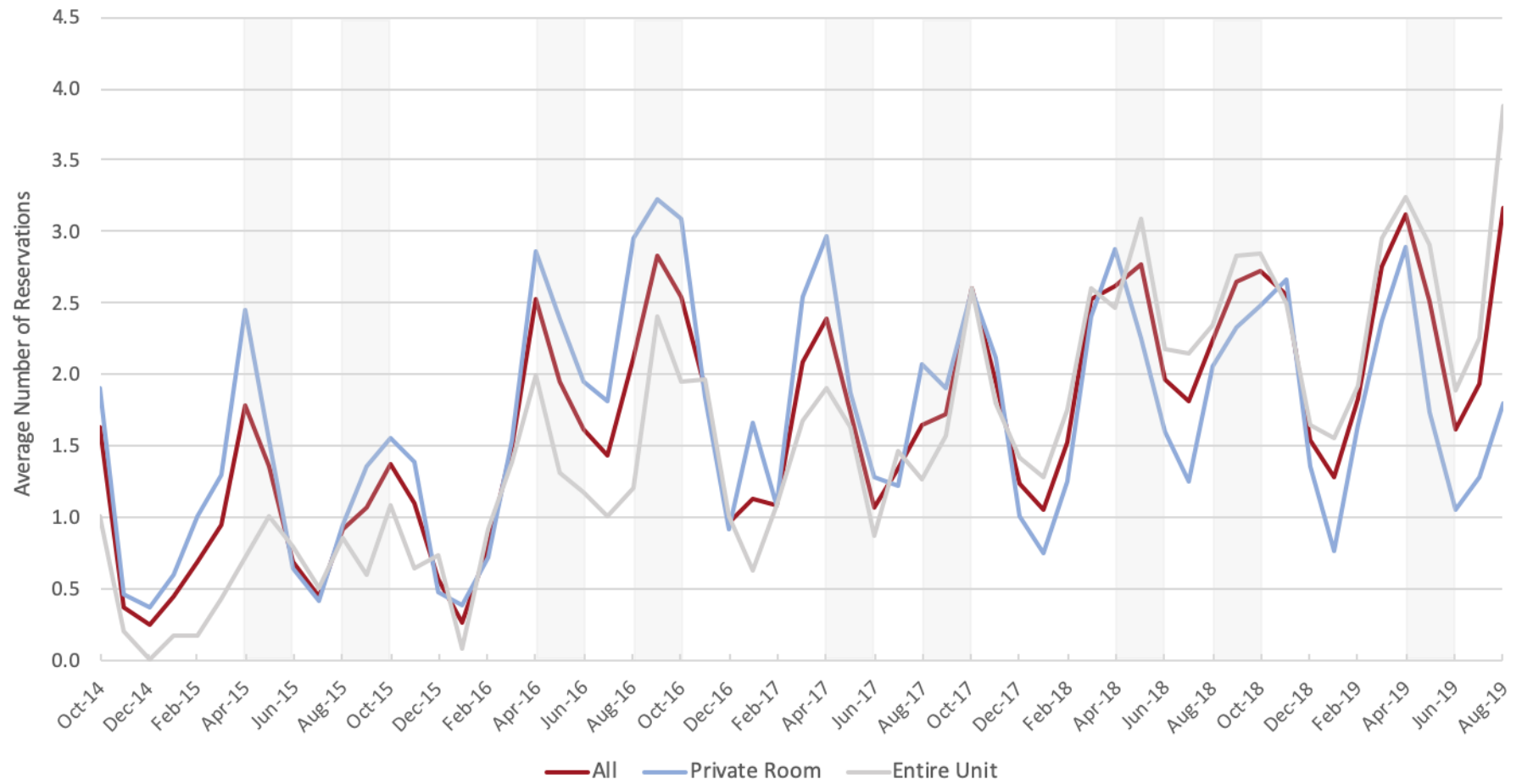
## Total Monthly Revenue (By Month-Year)



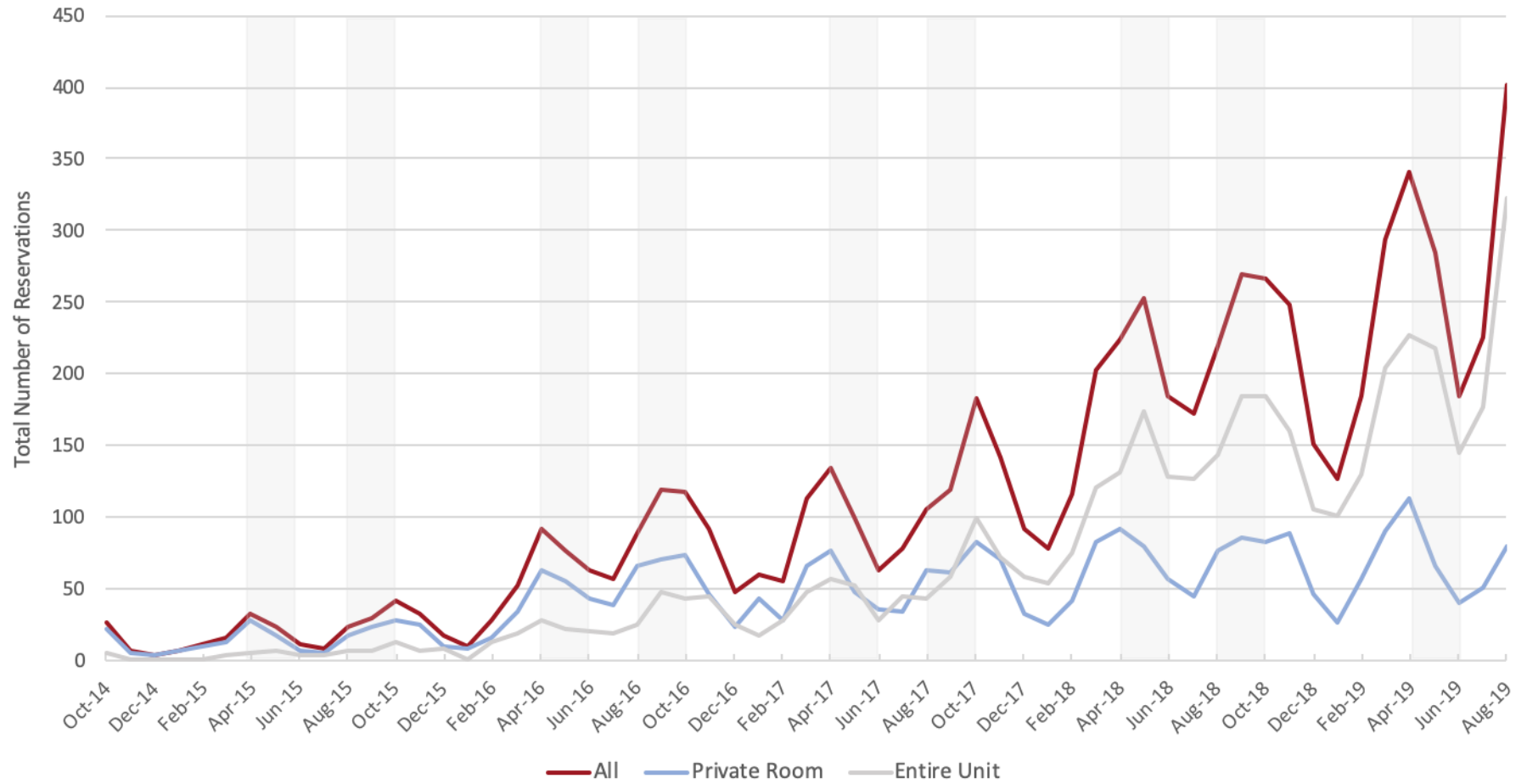
## Average Daily Rate (By Month-Year)



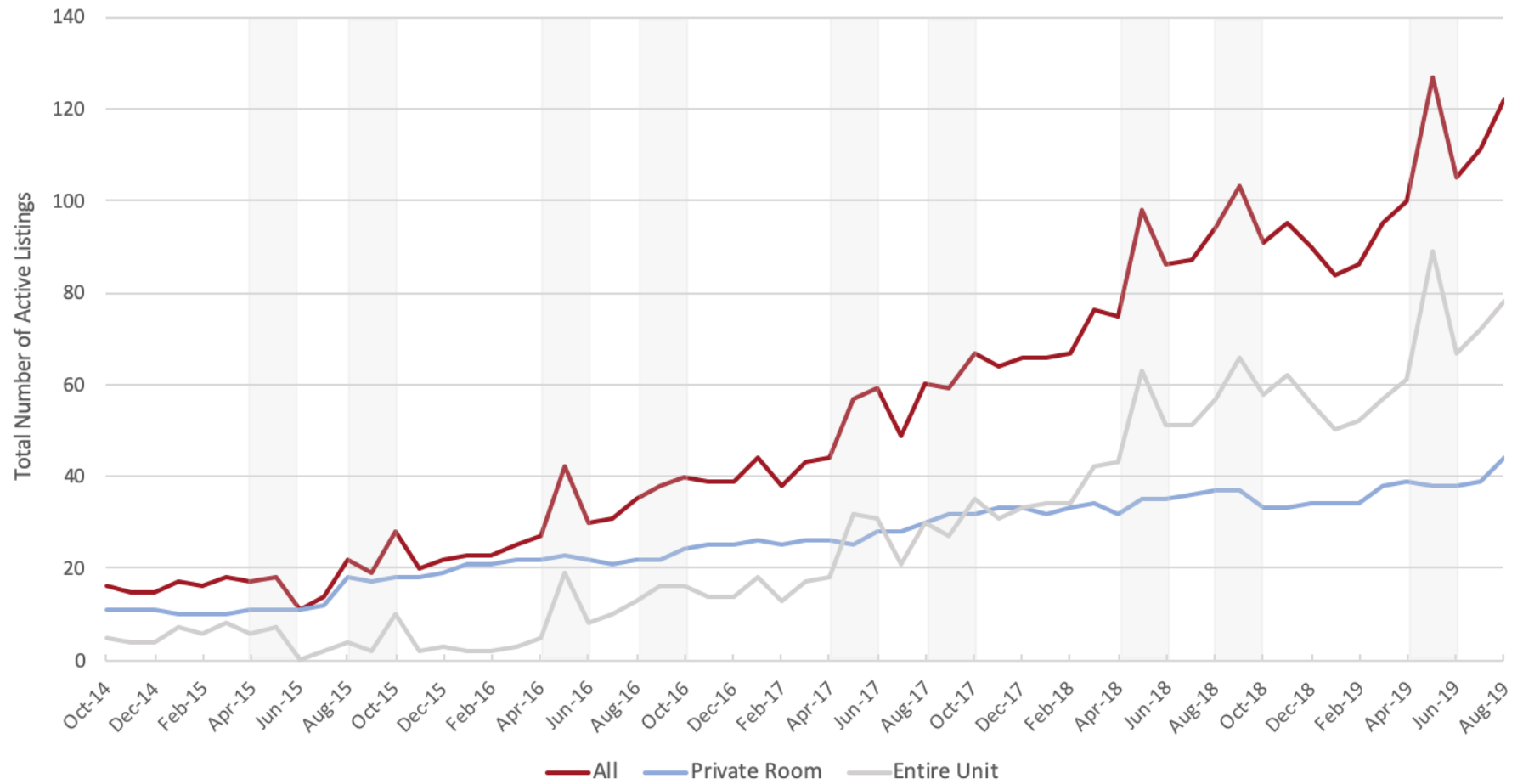
## Average Number of Reservations (By Number of Listings)



## Total Number of Reservations (By Month-Year)

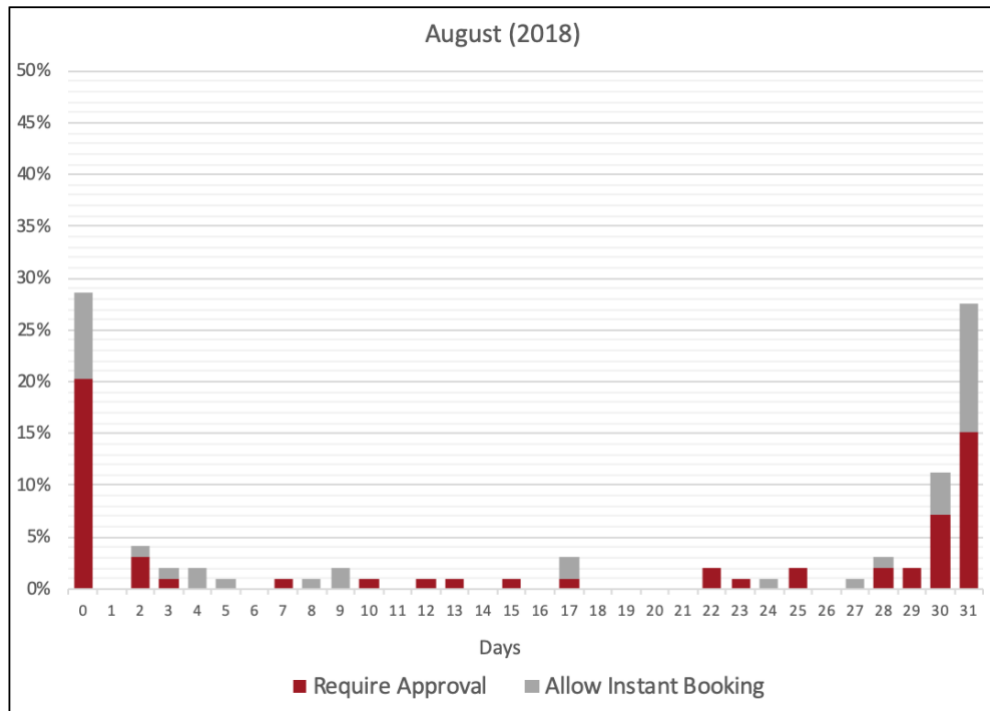


## Number of Active Listings (By Month-Year)

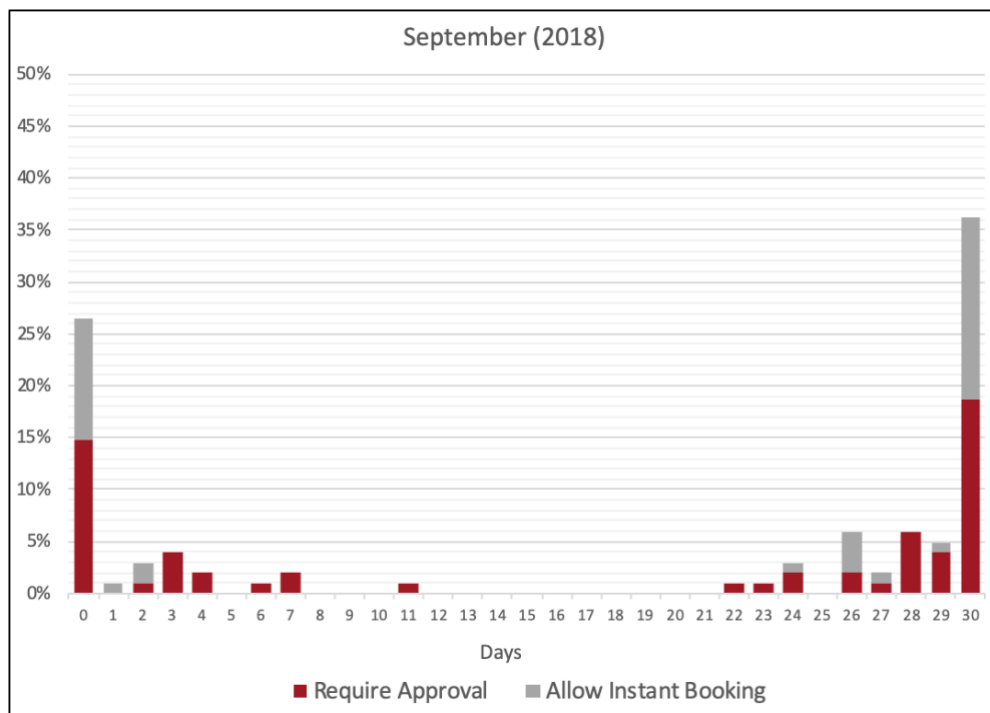


## Percent of Listings **Available** “X” Number of Days

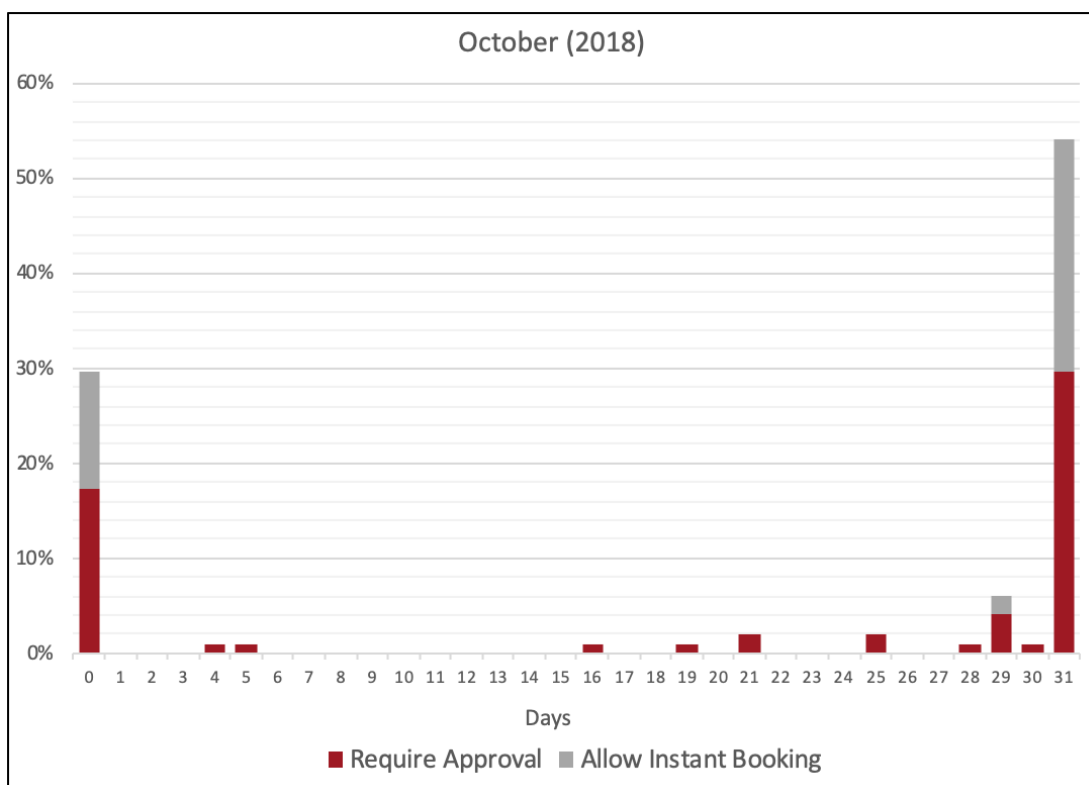
*(Broken up by those who allow instant-booking and those who require approval)*



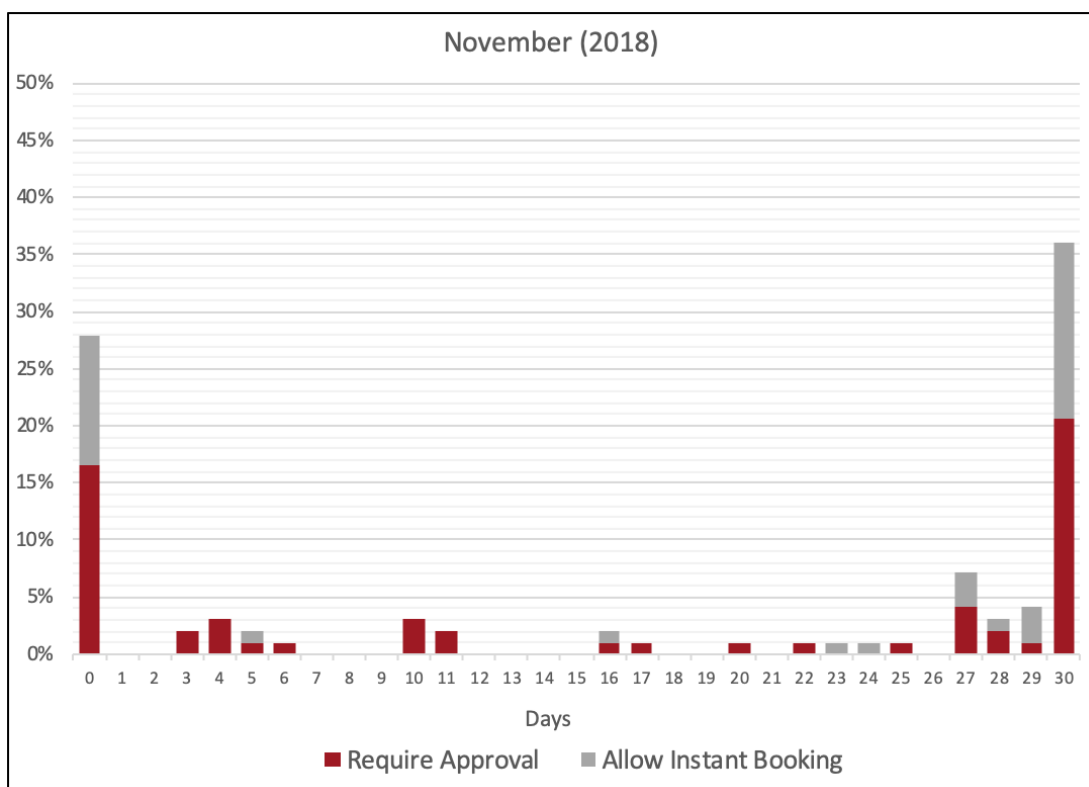
Total Listings: 98



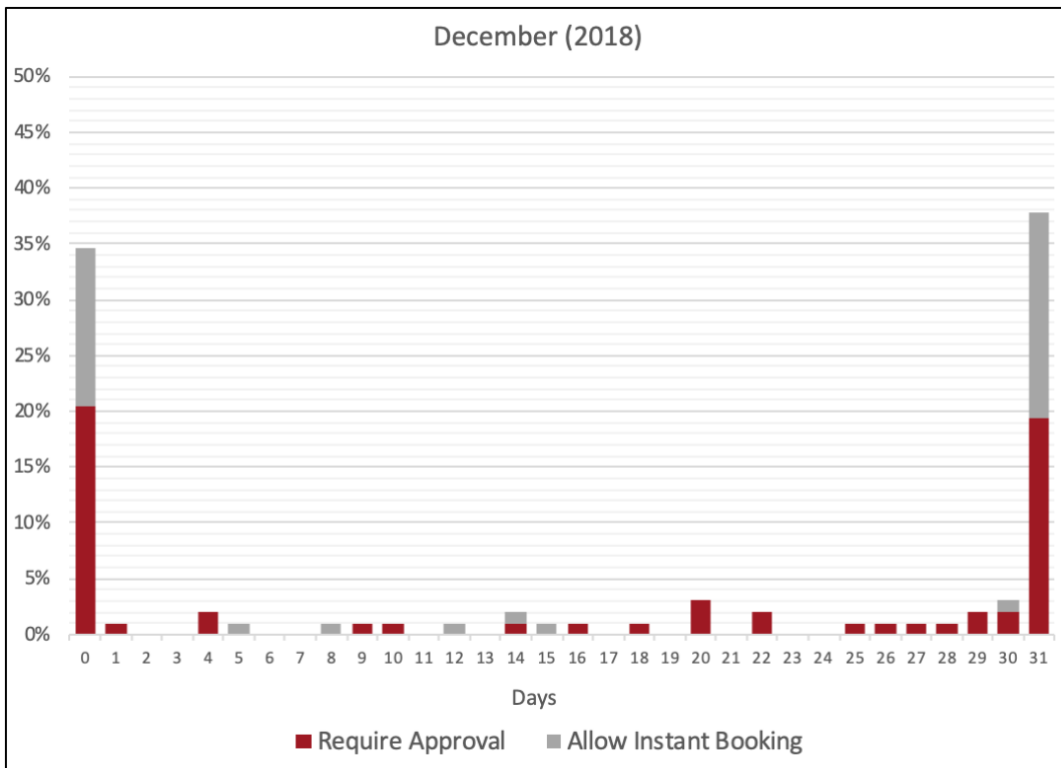
Total Listings: 102



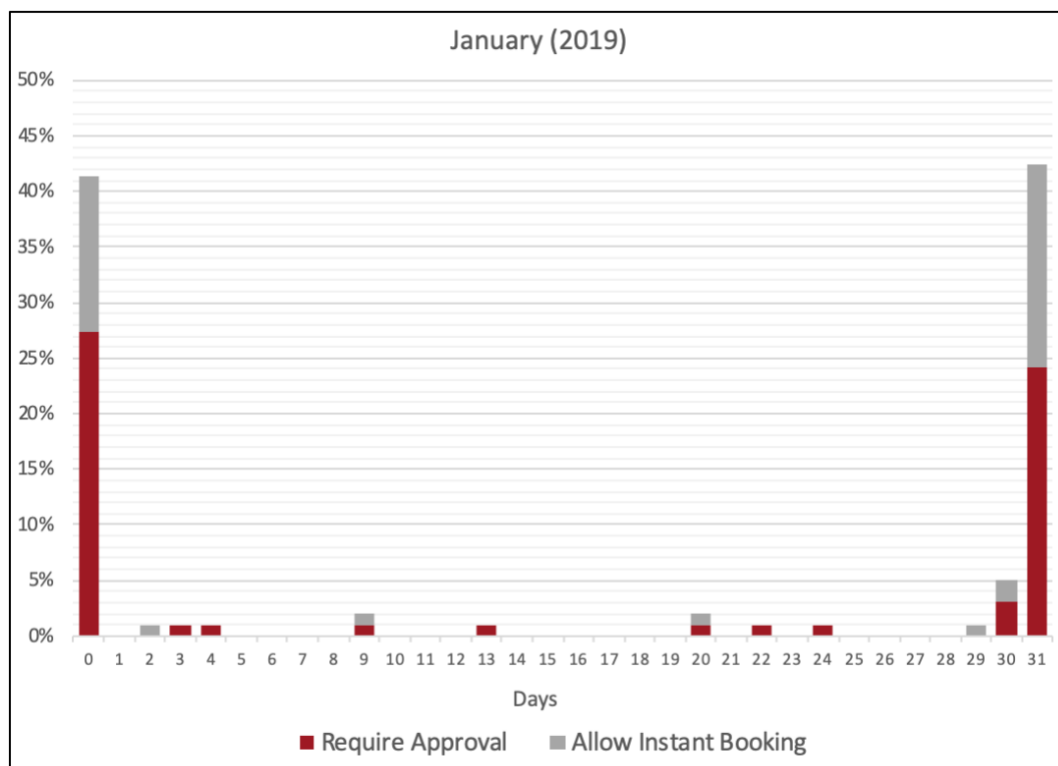
Total Listings: 98



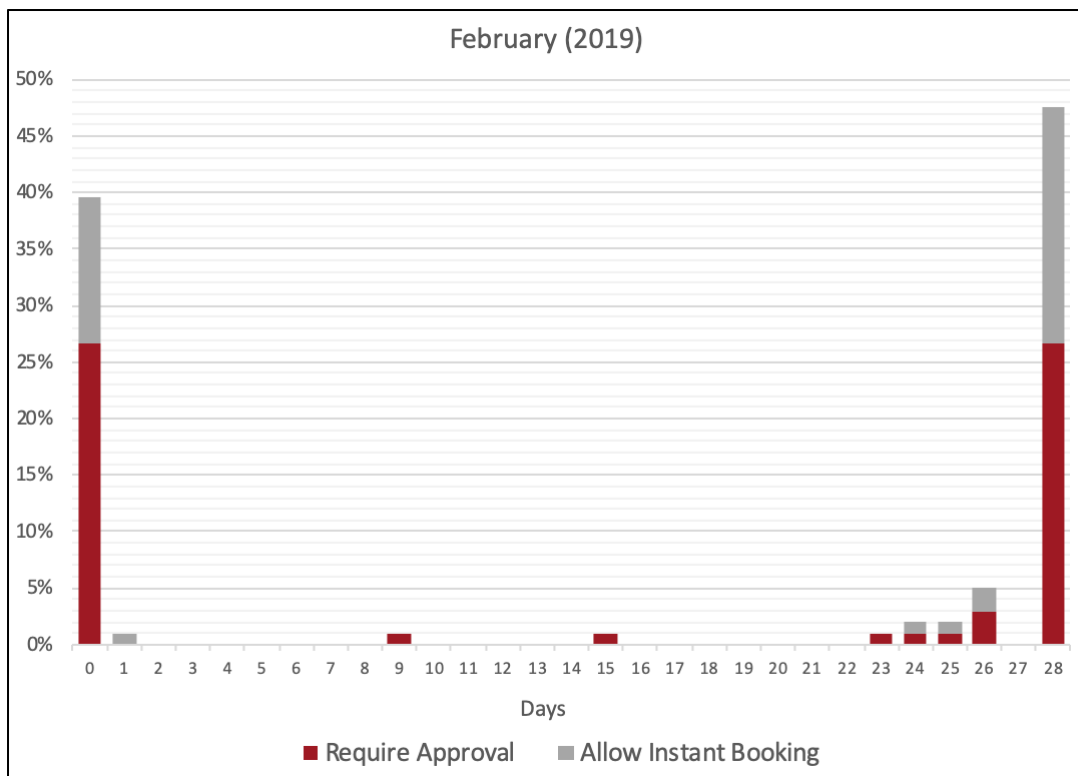
Total Listings: 97



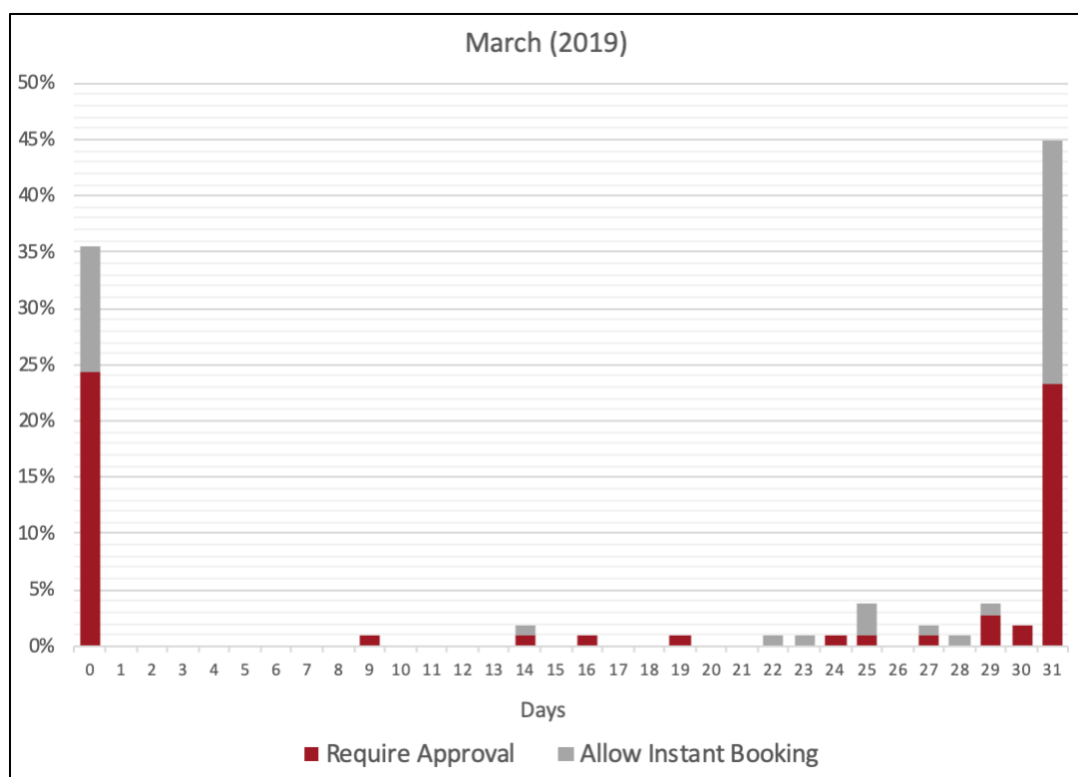
Total Listings: 98



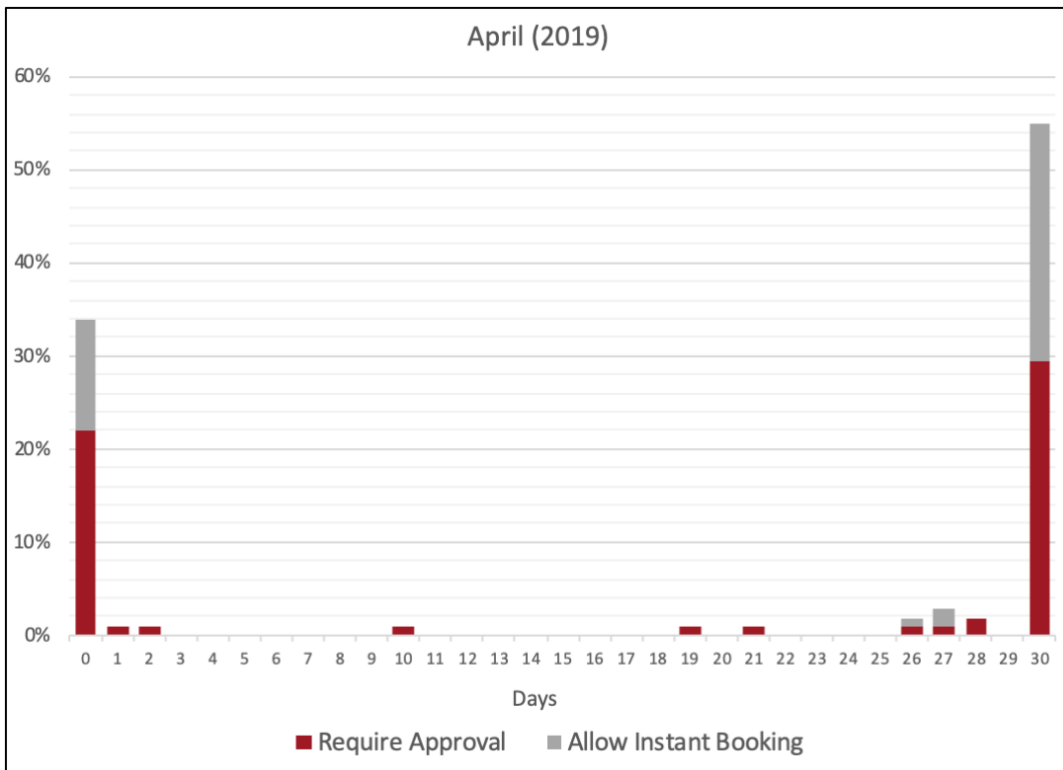
Total Listings: 99



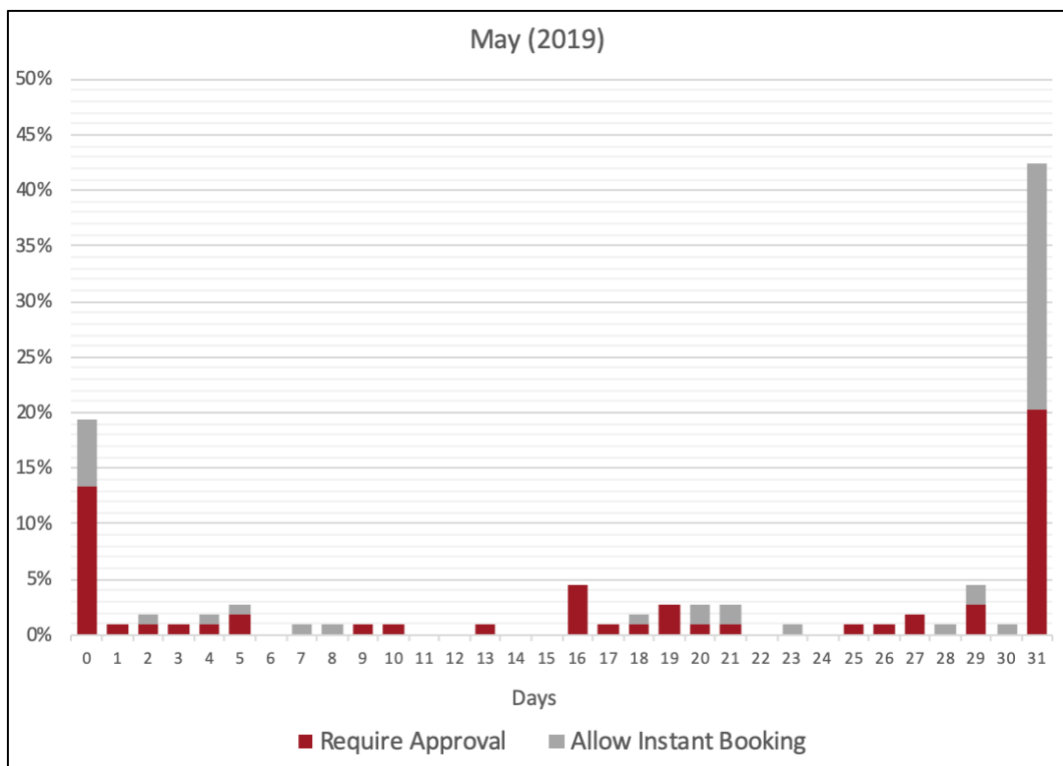
Total Listings: 101



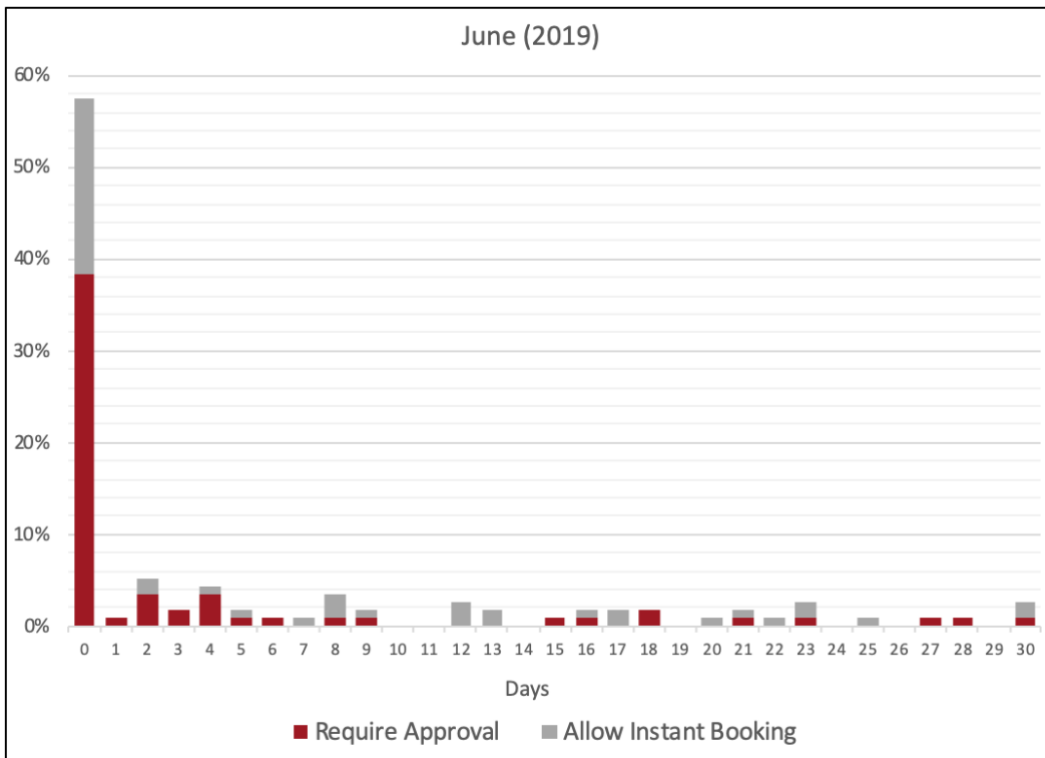
Total Listings: 107



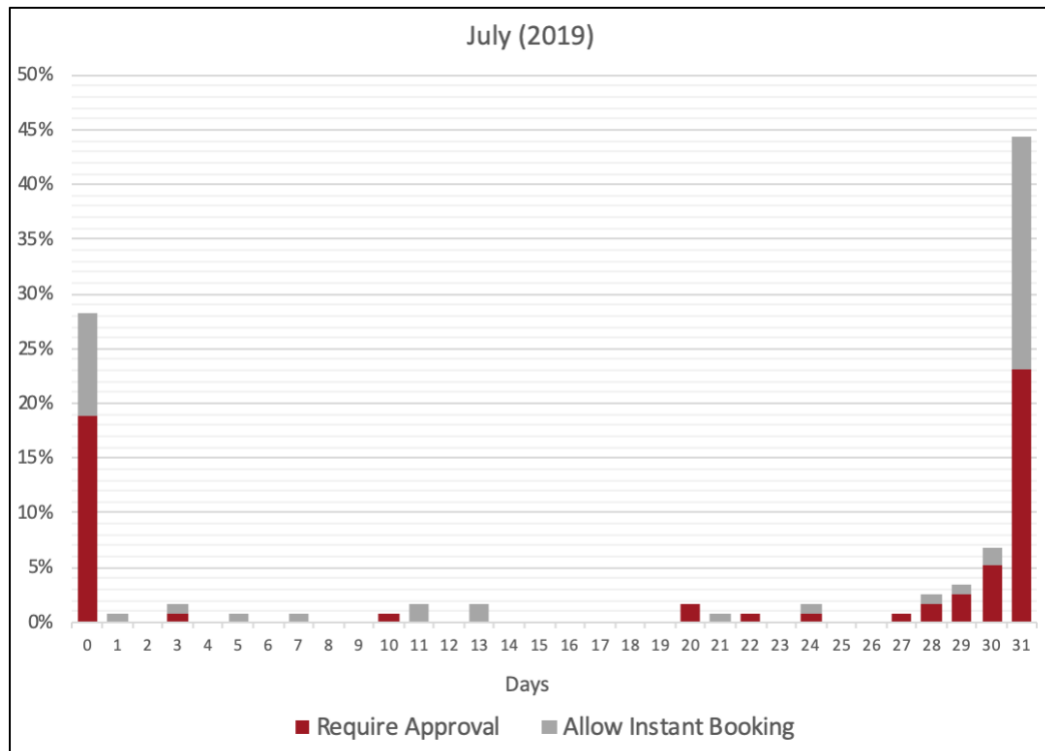
Total Listings: 109



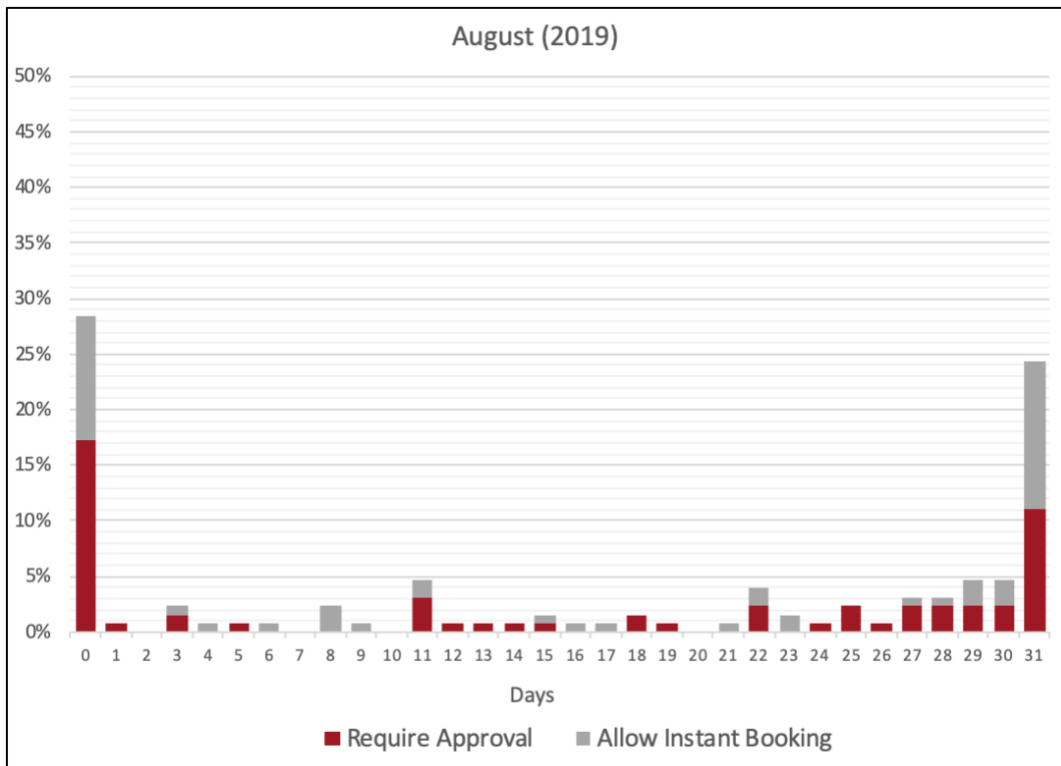
Total Listings: 113



Total Listings: 115



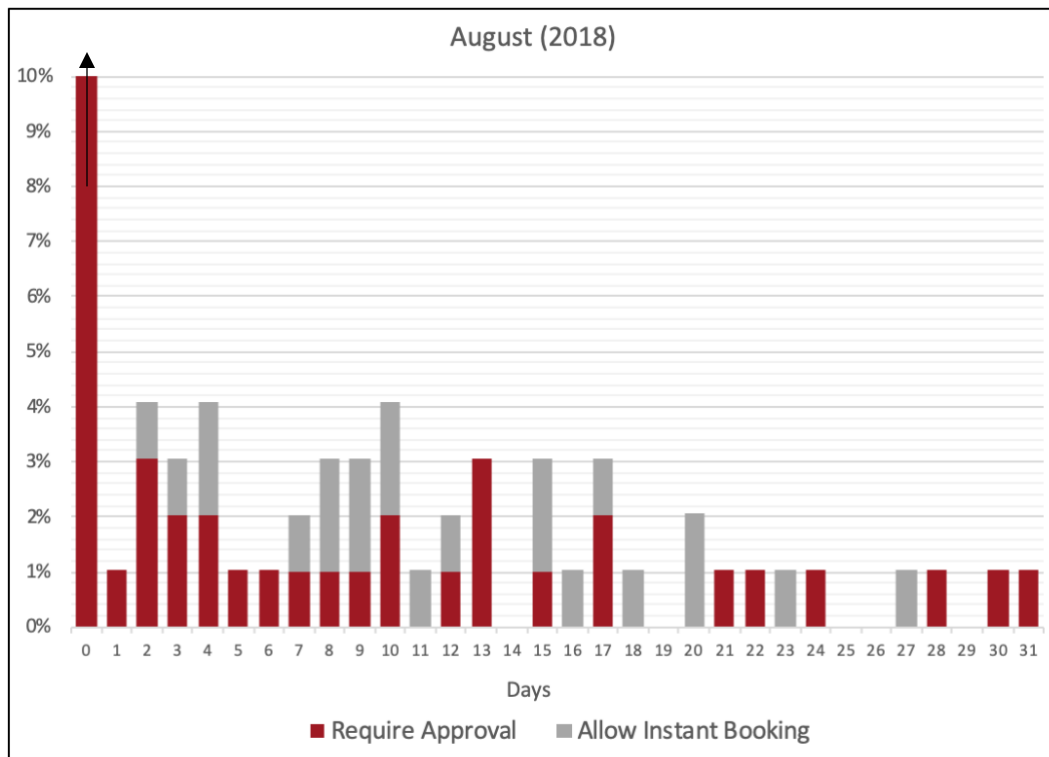
Total Listings: 117



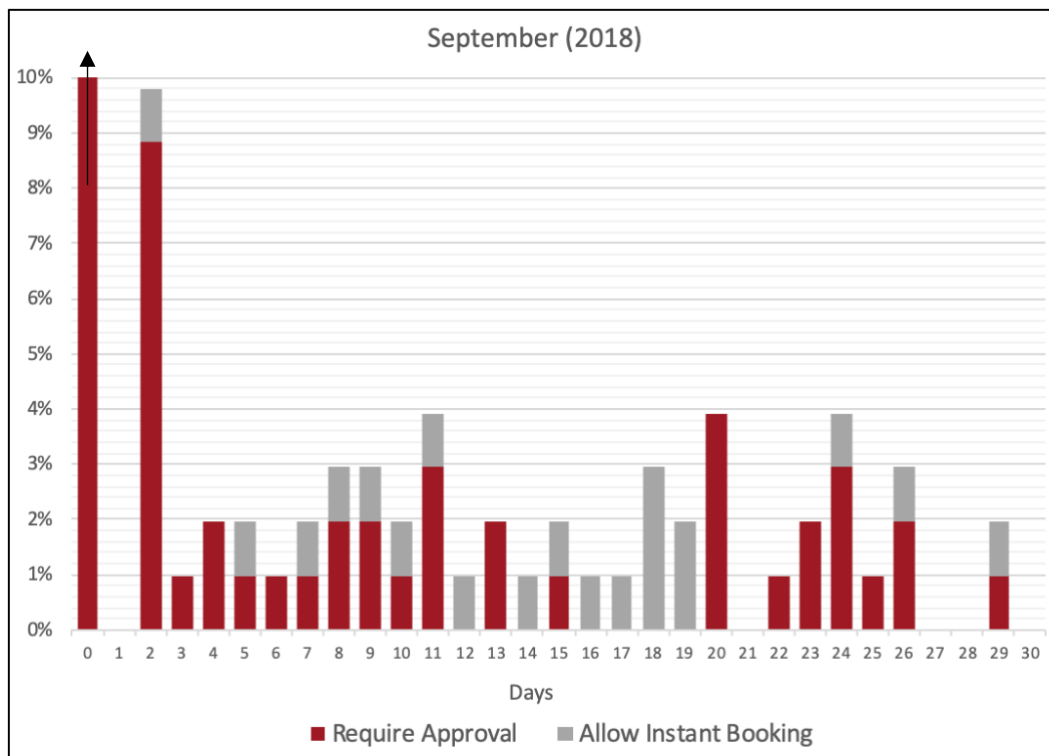
Total Listings: 122

## Percent of Listings **Booked** “X” Number of Days

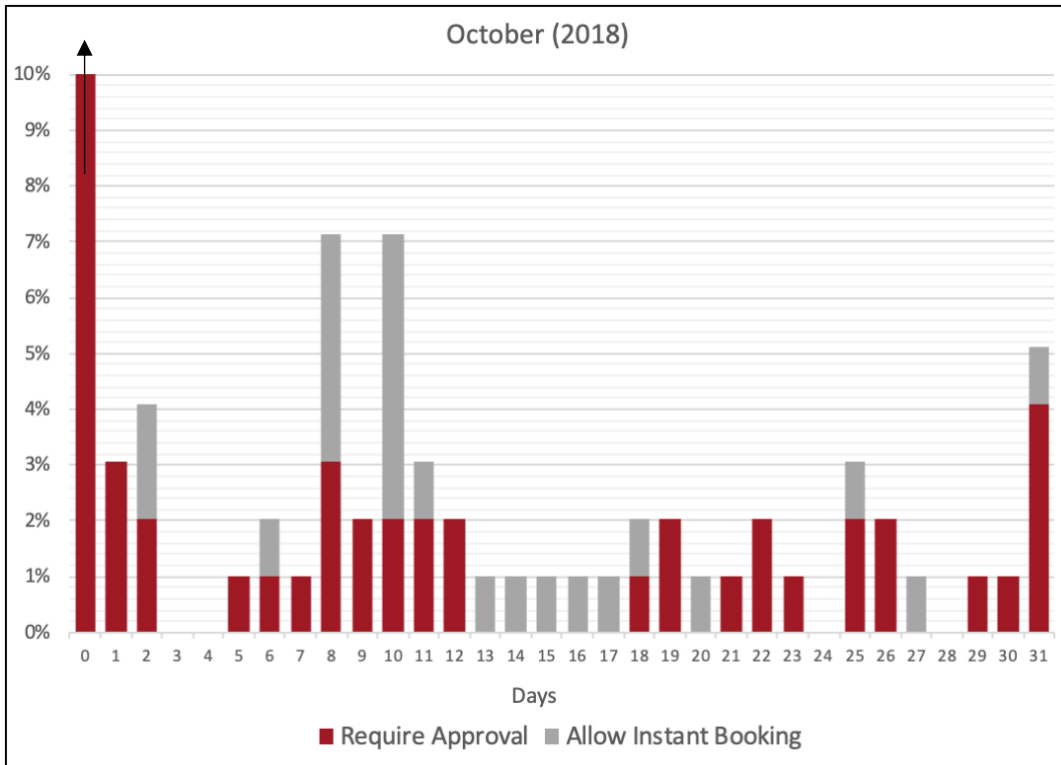
*(Broken up by those who allow instant-booking and those who require approval)*



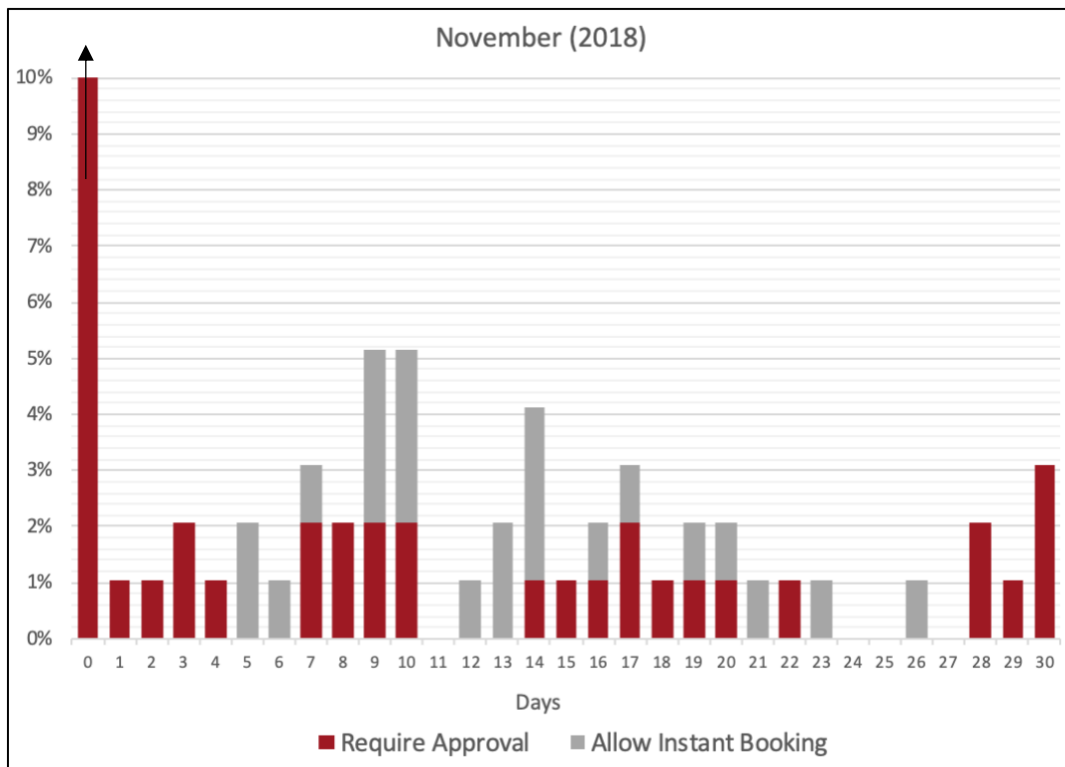
For zero days: 34% Require Approval, 15% Allow Instant Booking; 98 Listings



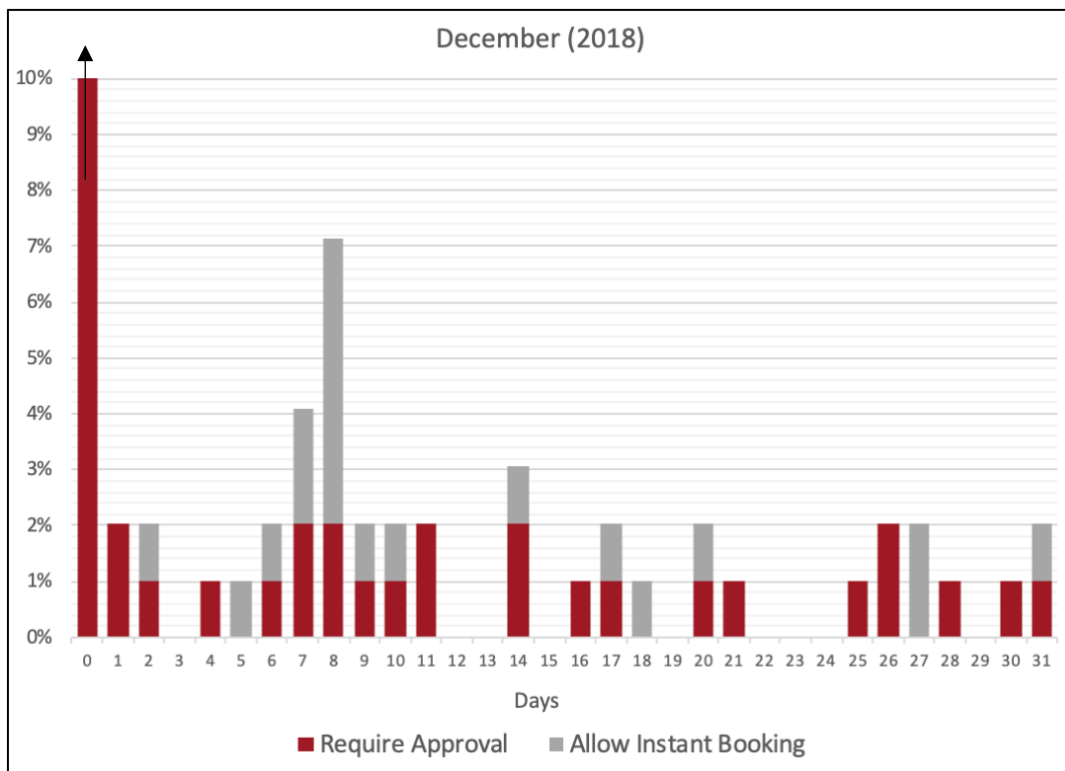
For zero days: 22% Require Approval, 20% Allow Instant Booking; 102 Listings



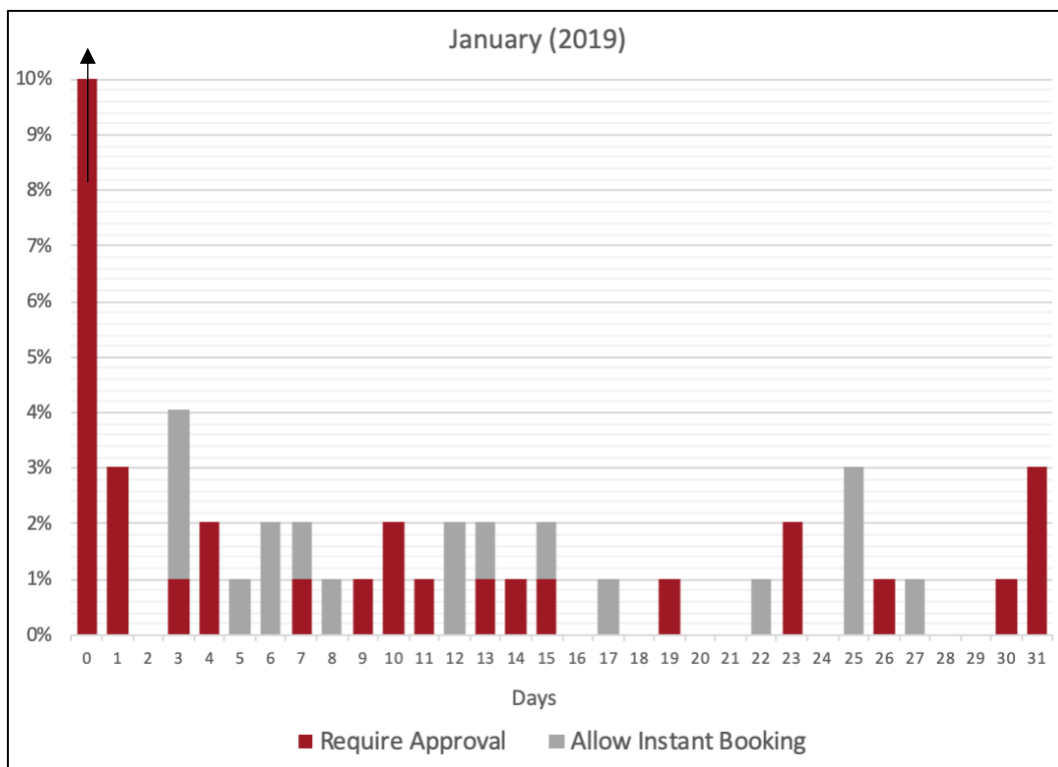
For zero days: 24% Require Approval, 15% Allow Instant Booking; 98 Listings



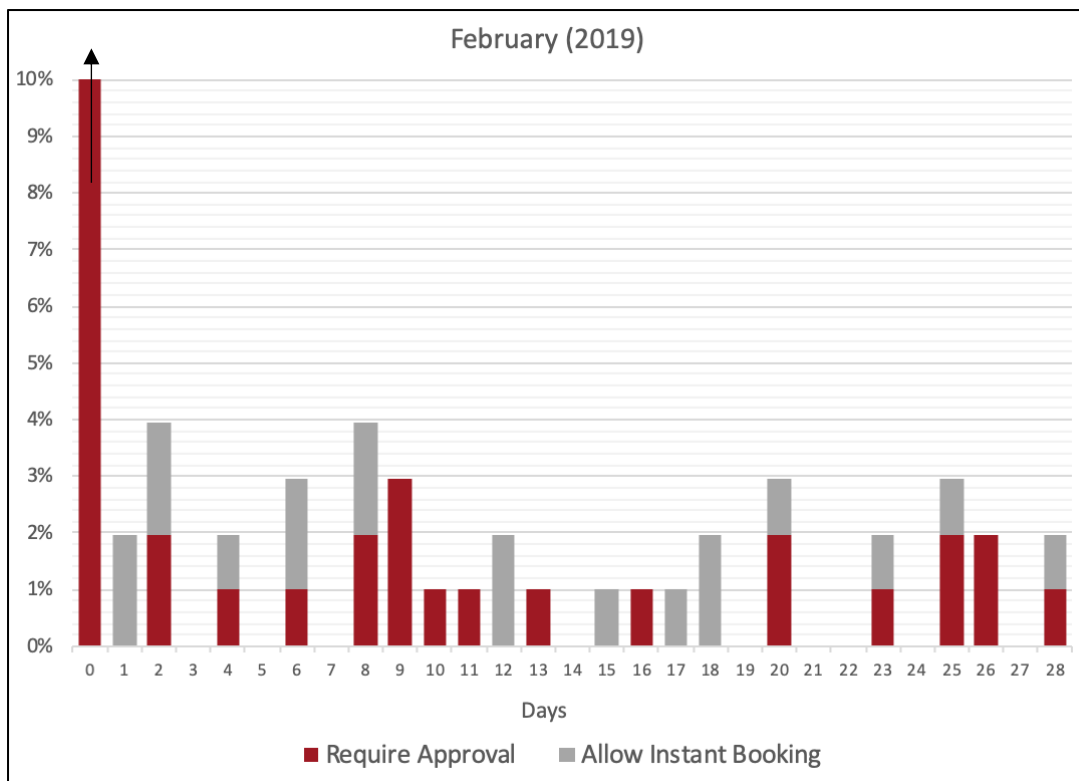
For zero days: 33% Require Approval, 14% Allow Instant Booking; 97 Listings



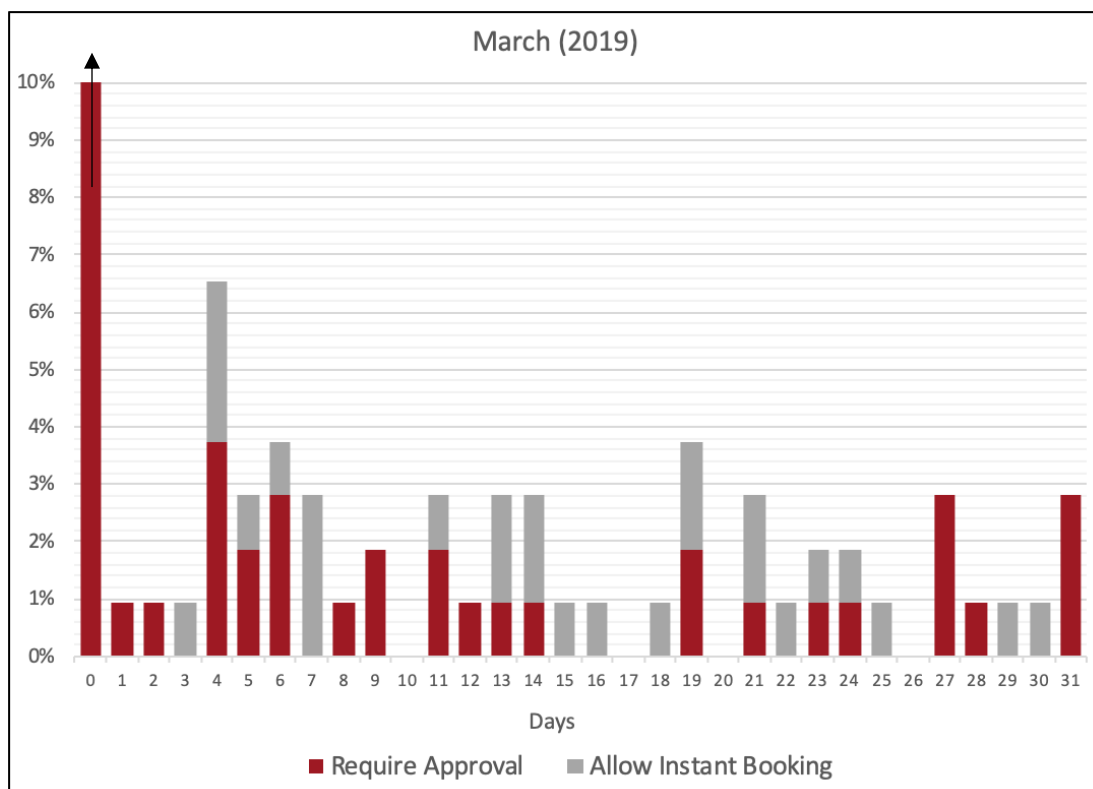
For zero days: 36% Require Approval, 19% Allow Instant Booking; 98 Listings



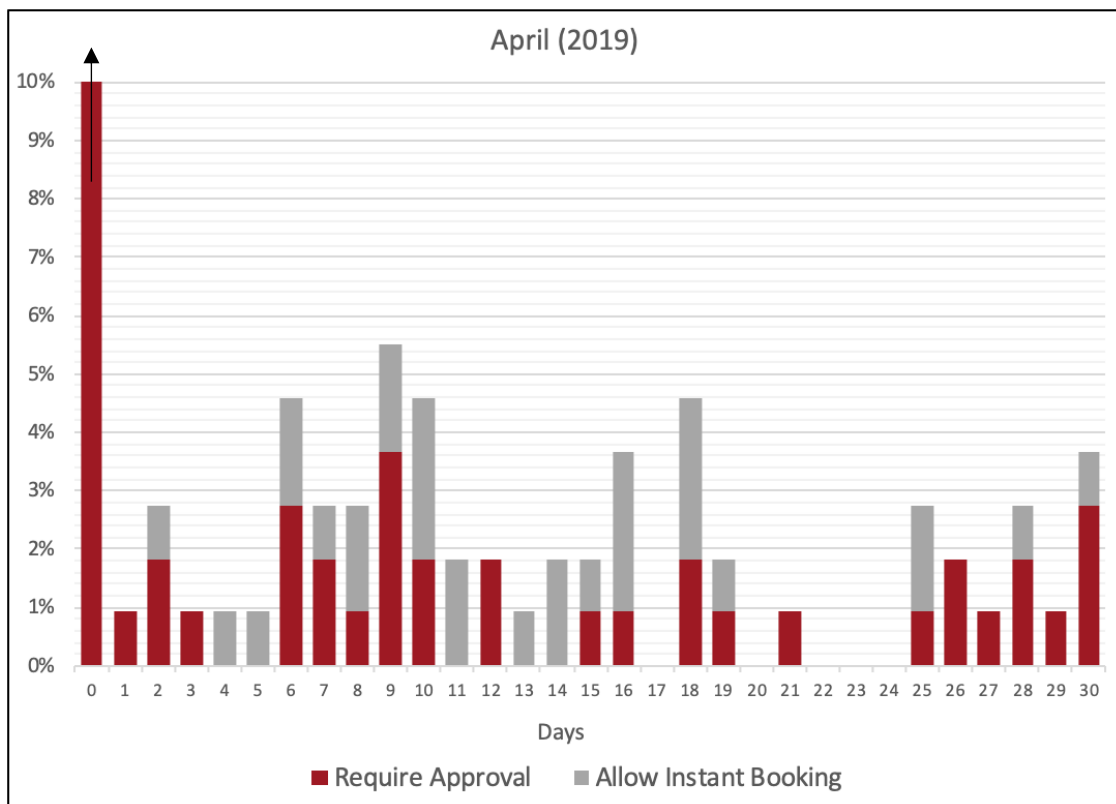
For zero days: 39% Require Approval, 20% Allow Instant Booking; 99 Listings



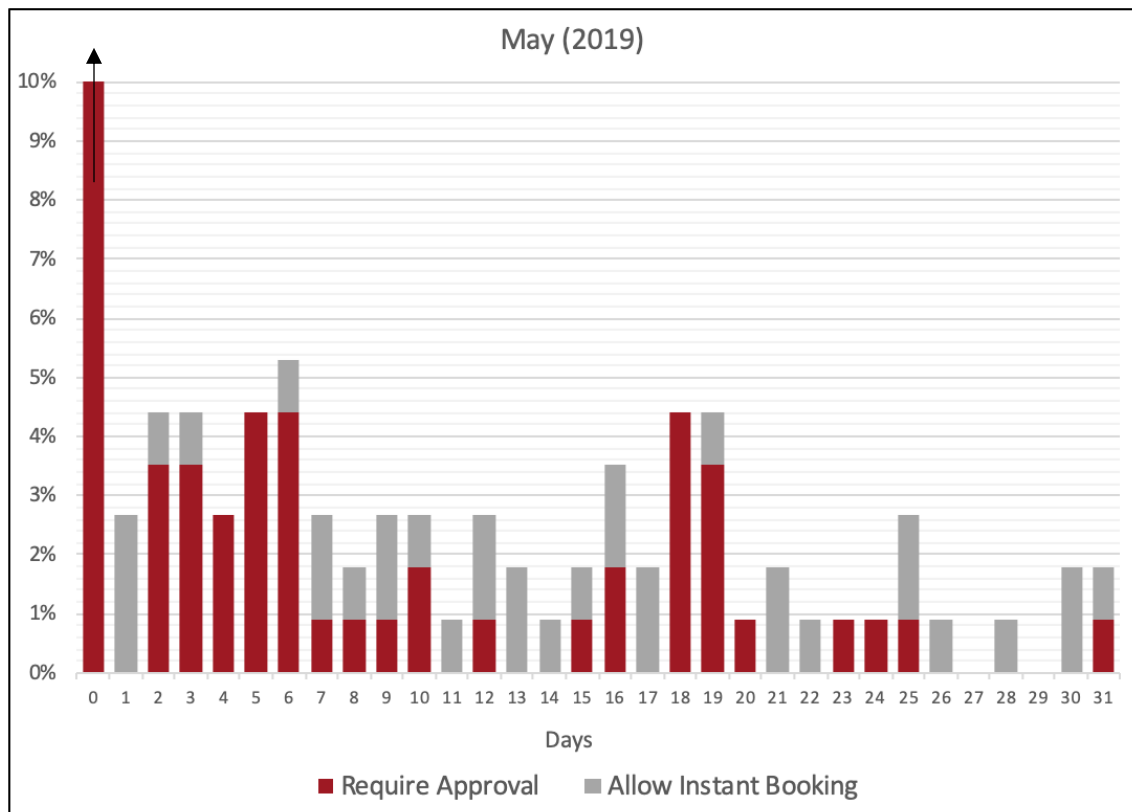
For zero days: 41% Require Approval, 20% Allow Instant Booking; 101 Listings



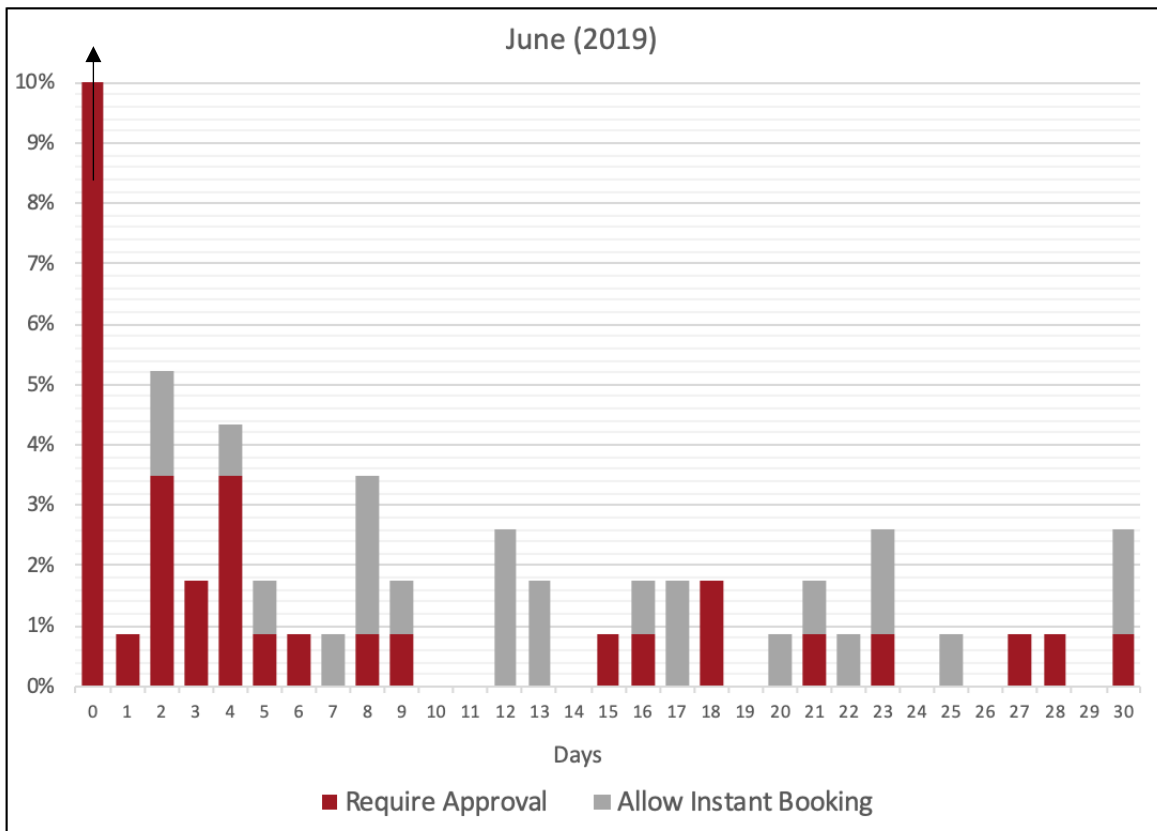
For zero days: 30% Require Approval, 16% Allow Instant Booking; 107 Listings



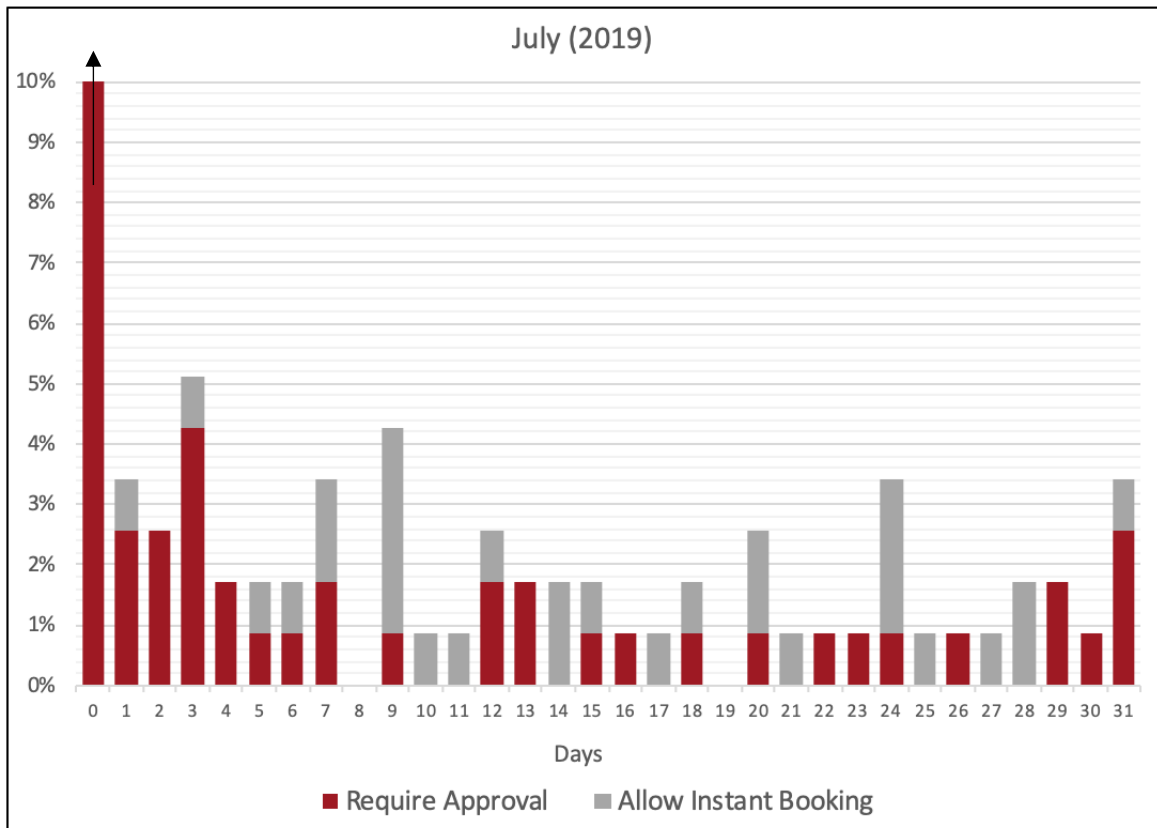
For zero days: 28% Require Approval, 13% Allow Instant Booking; 109 Listings



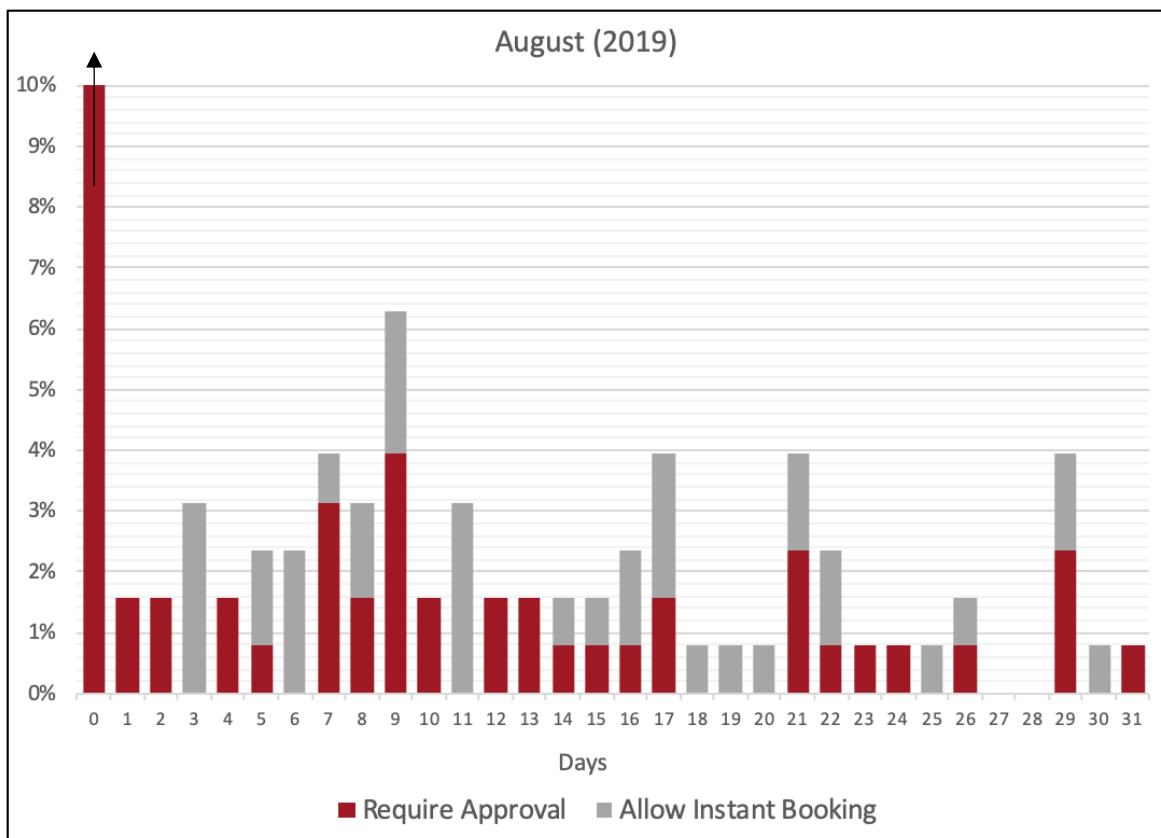
For zero days: 19% Require Approval, 12% Allow Instant Booking; 113 Listings



For zero days: 38% Require Approval, 19% Allow Instant Booking; 115 Listings

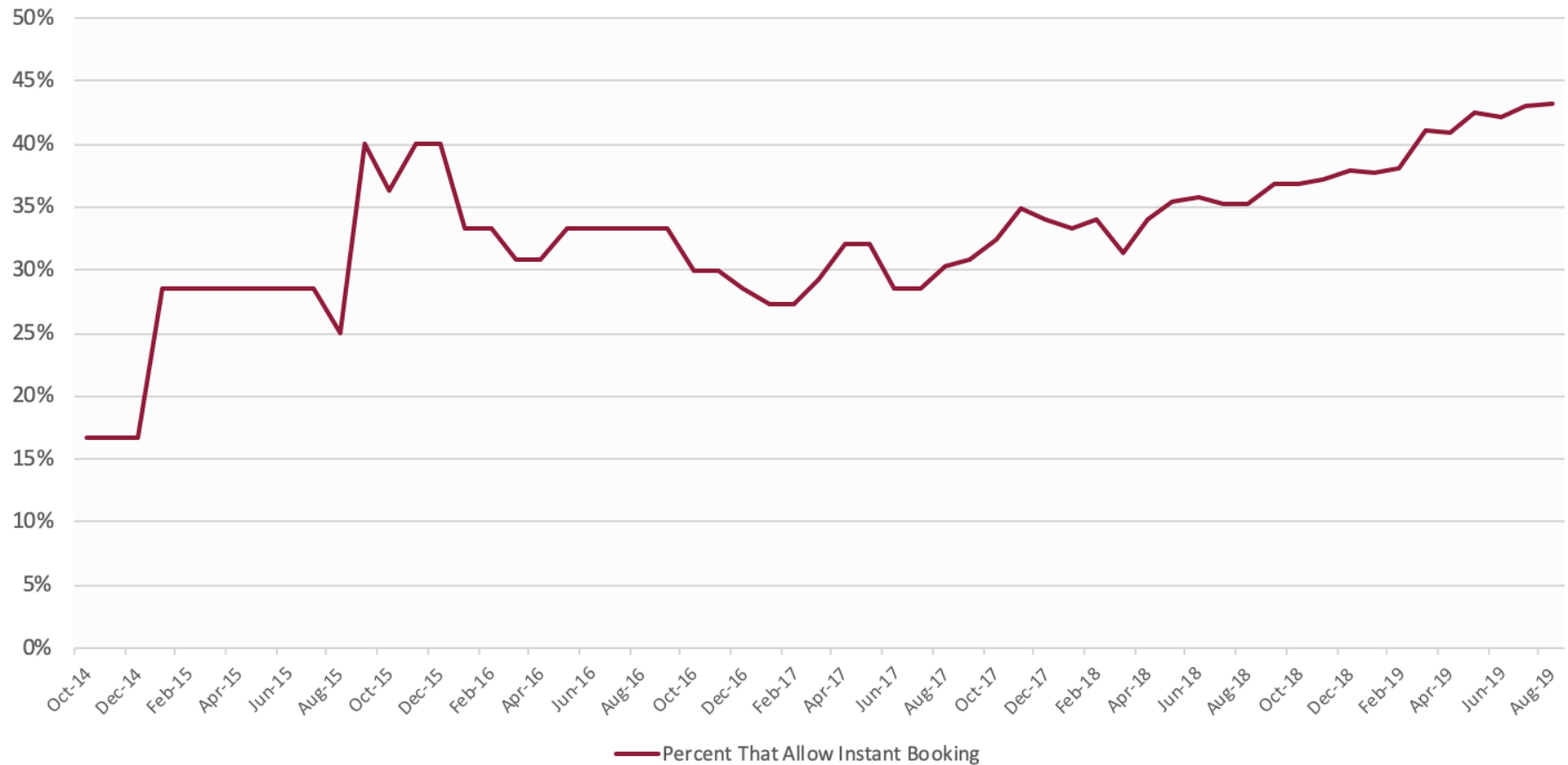


For zero days: 26% Require Approval, 18% Allow Instant Booking; 117 Listings



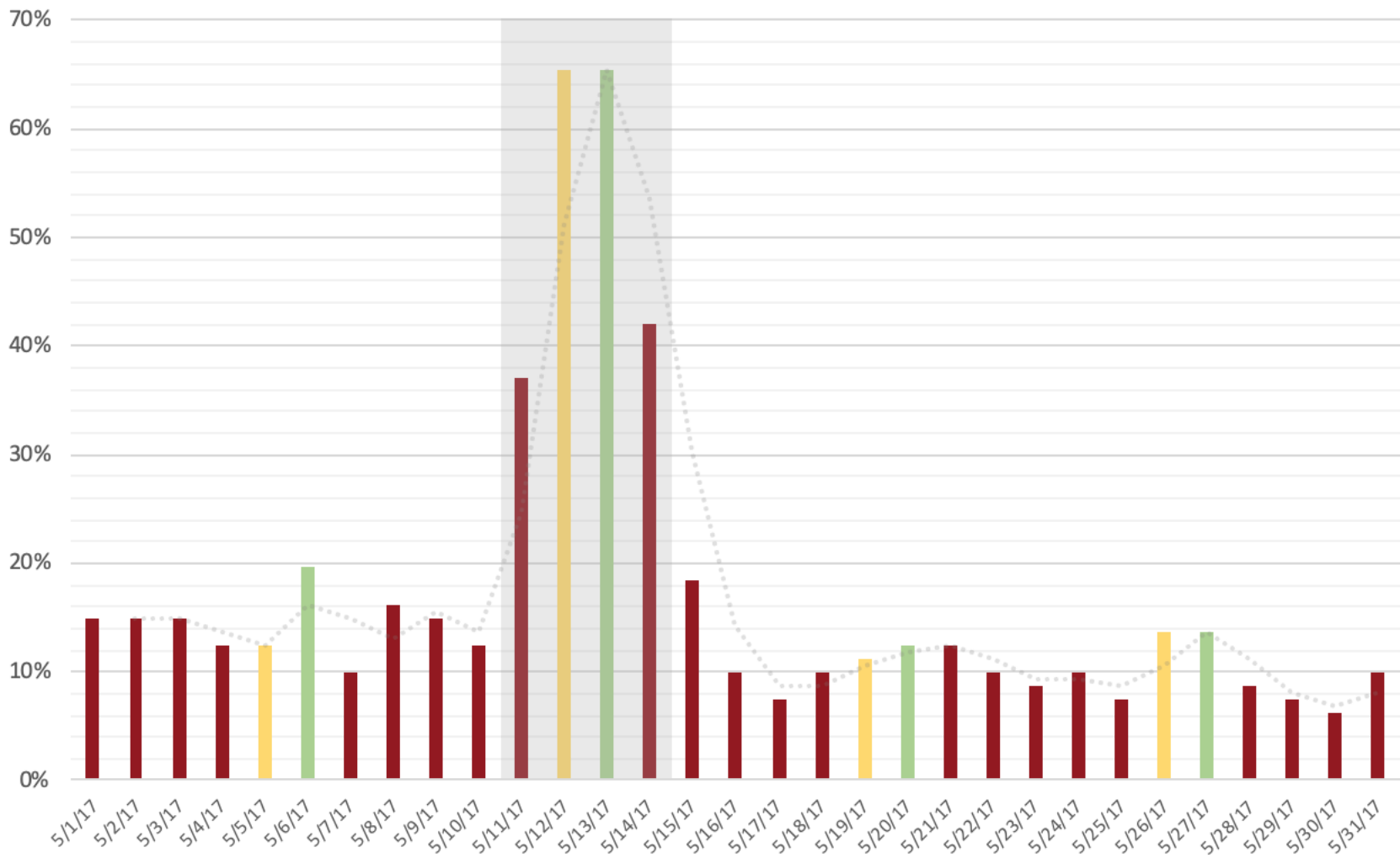
For zero days: 24% Require Approval, 14% Allow Instant Booking; 122 Listings

## Percent of Listings That Allow Instant Booking (By Month-Year)



*Few listings in the early months greatly impact the sensitivities of the above percentages.*

## Percent of Listings Booked in May of 2017 (By Day)

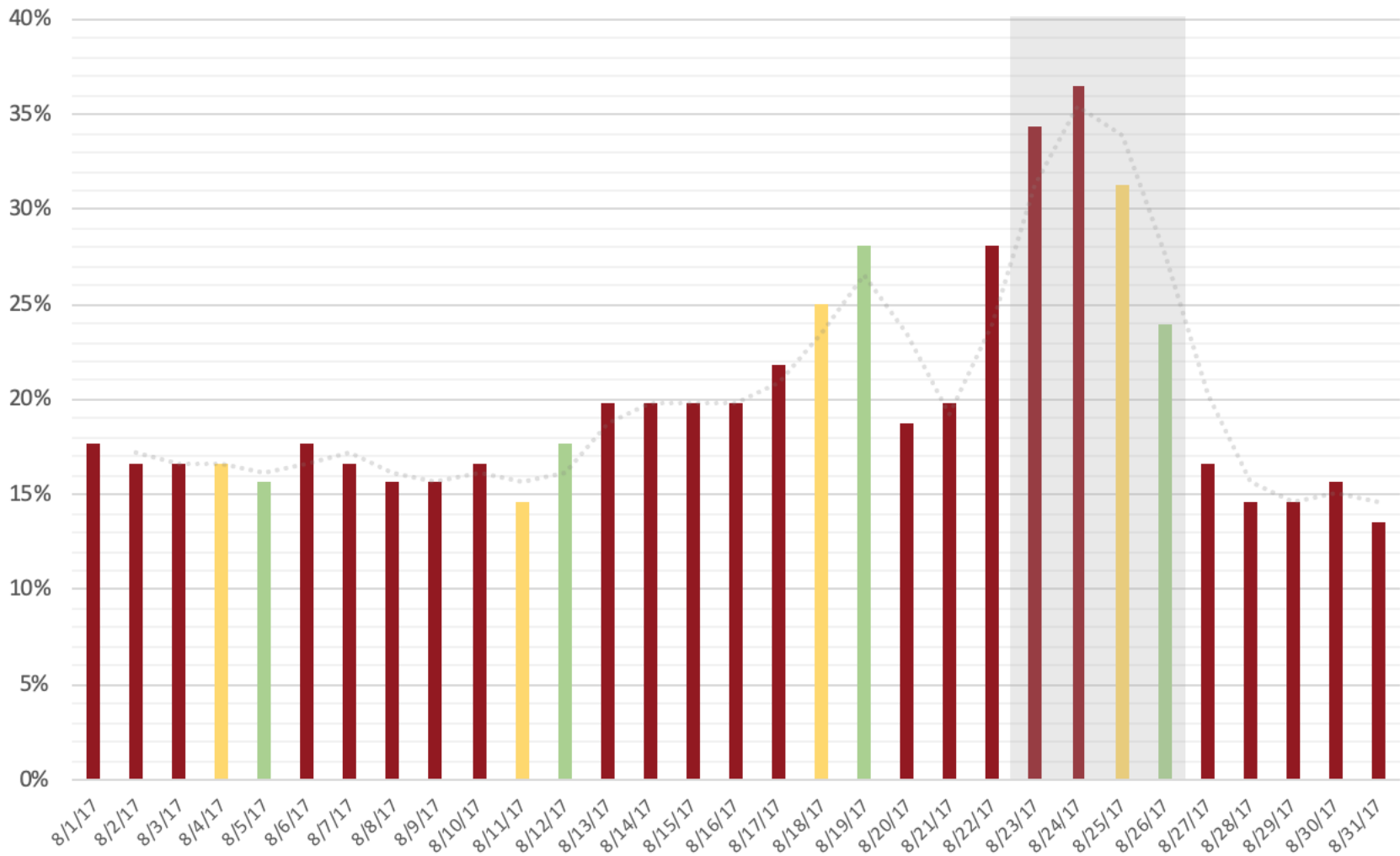


*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents graduation weekend.*

## Percent of Listings Booked in August of 2017 (By Day)

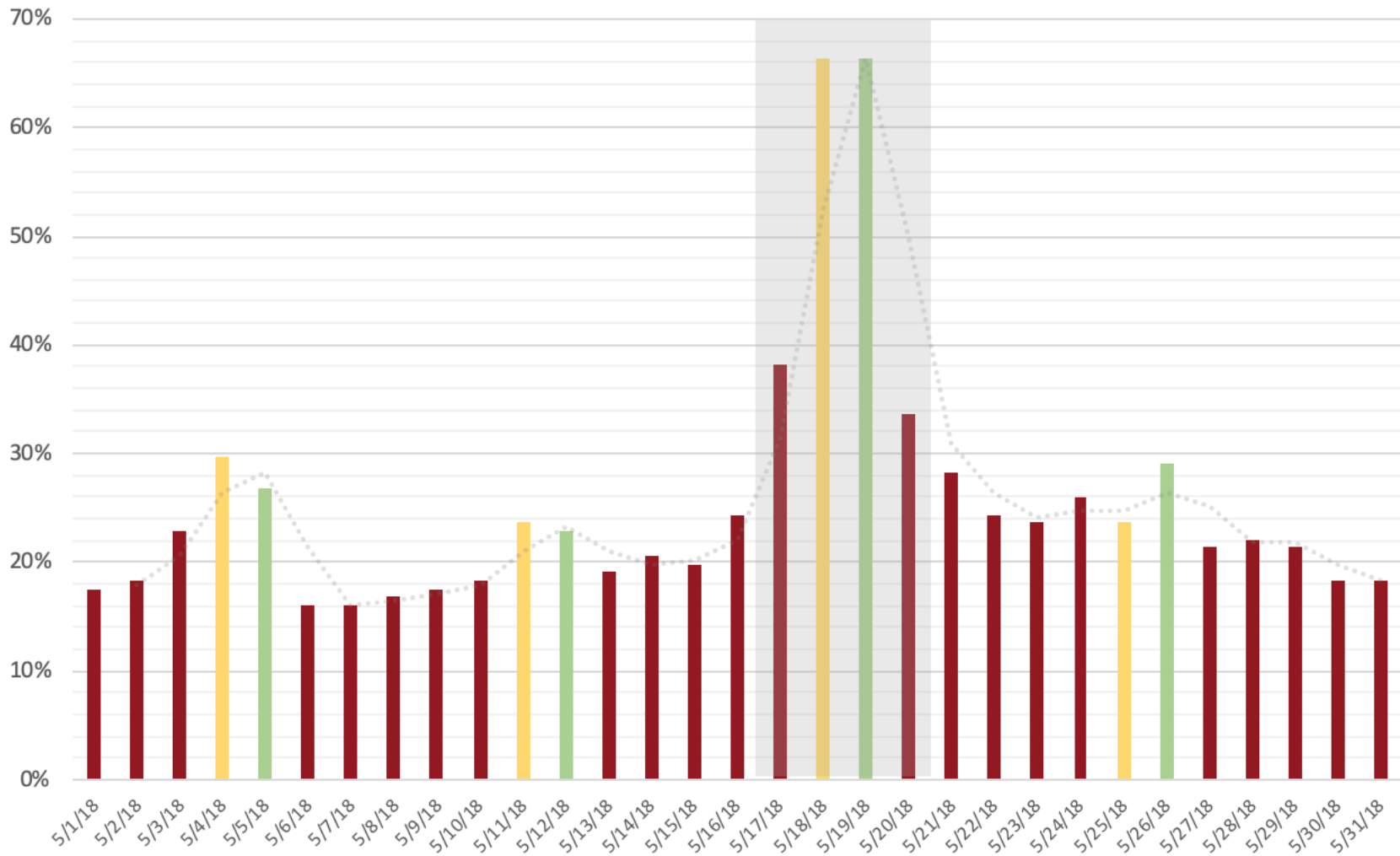


*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents move-in days.*

## Percent of Listings Booked in May of 2018 (By Day)

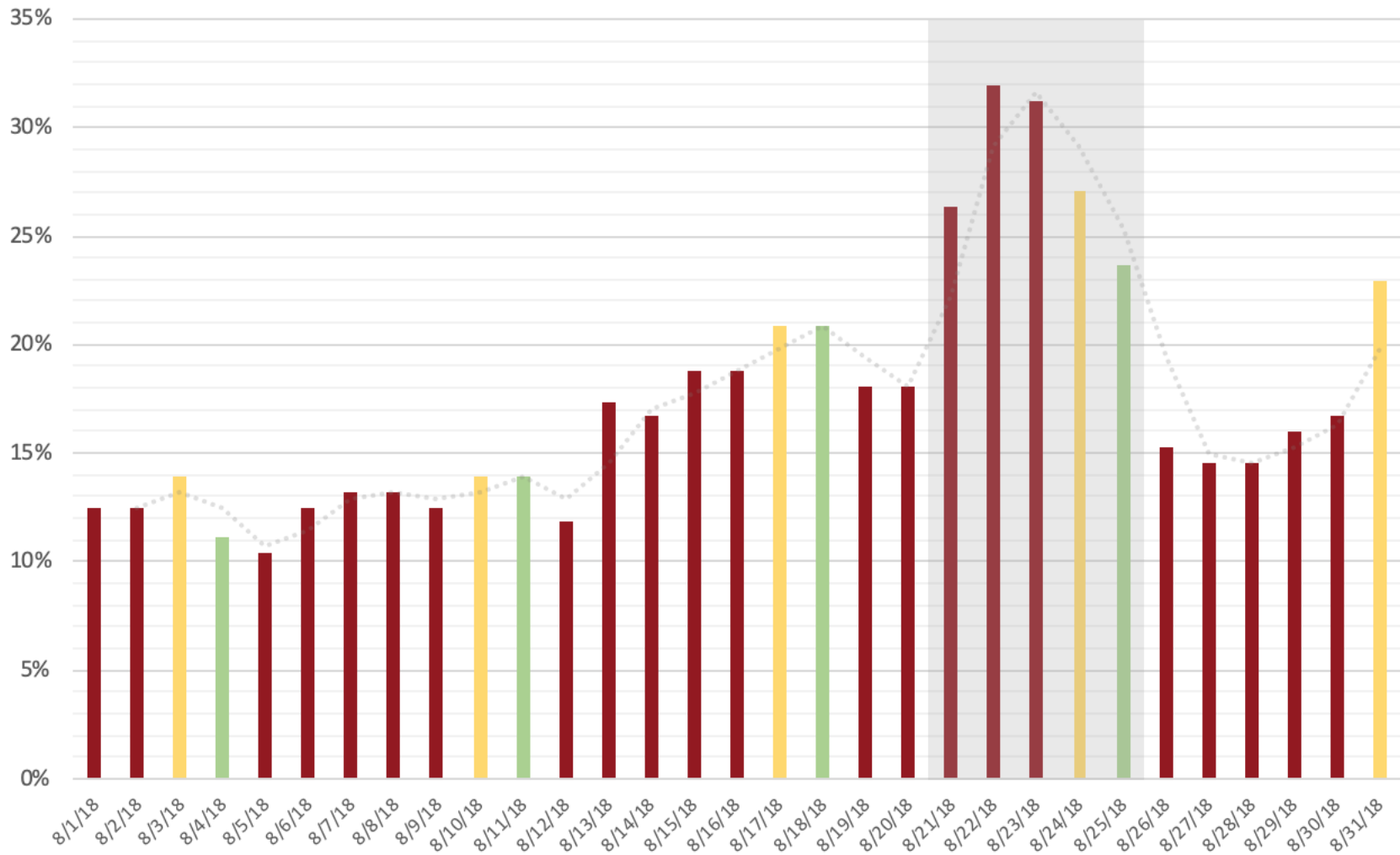


*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents graduation weekend.*

## Percent of Listings Booked in August of 2018 (By Day)

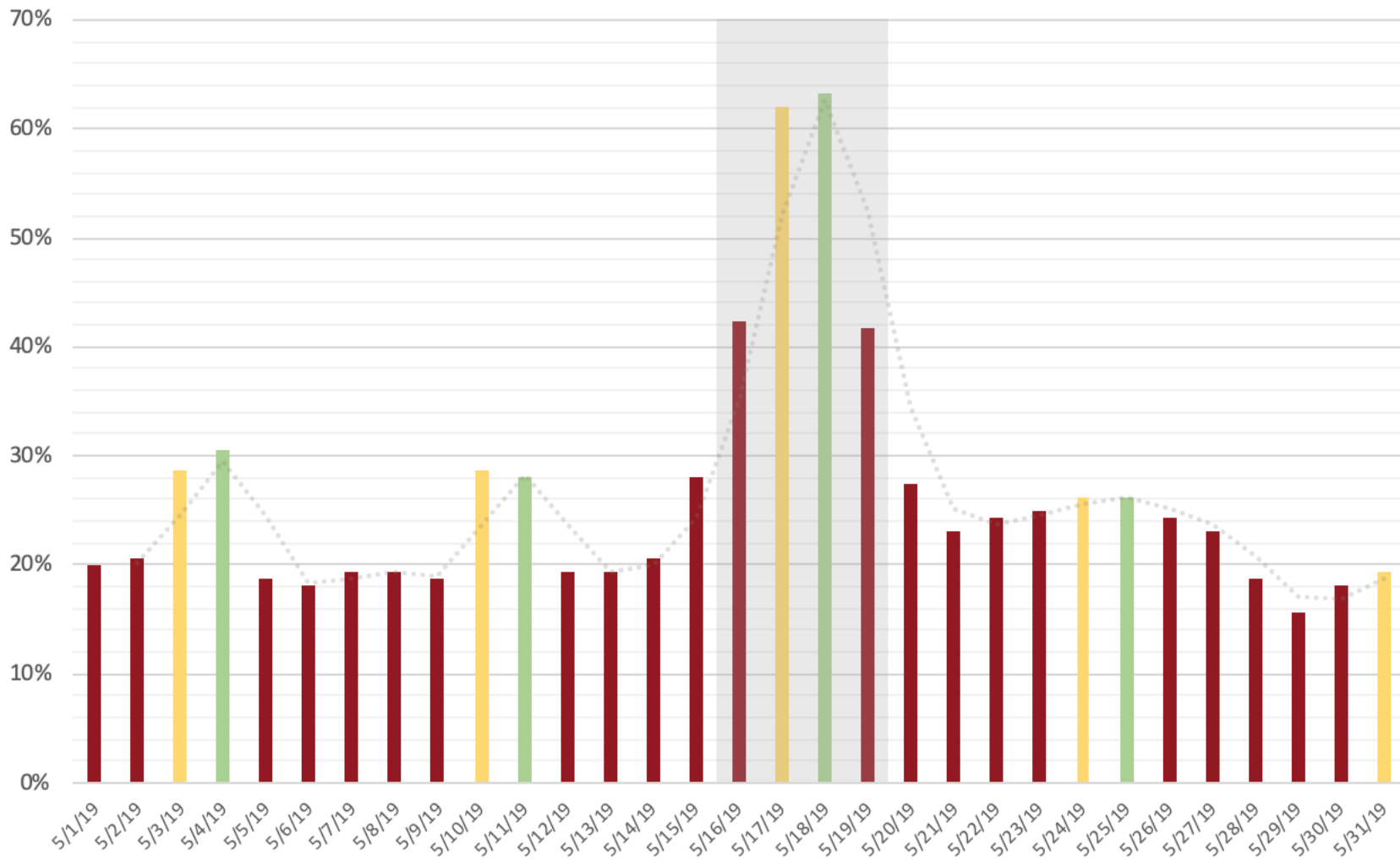


*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents move-in days.*

## Percent of Listings Booked in May of 2019 (By Day)

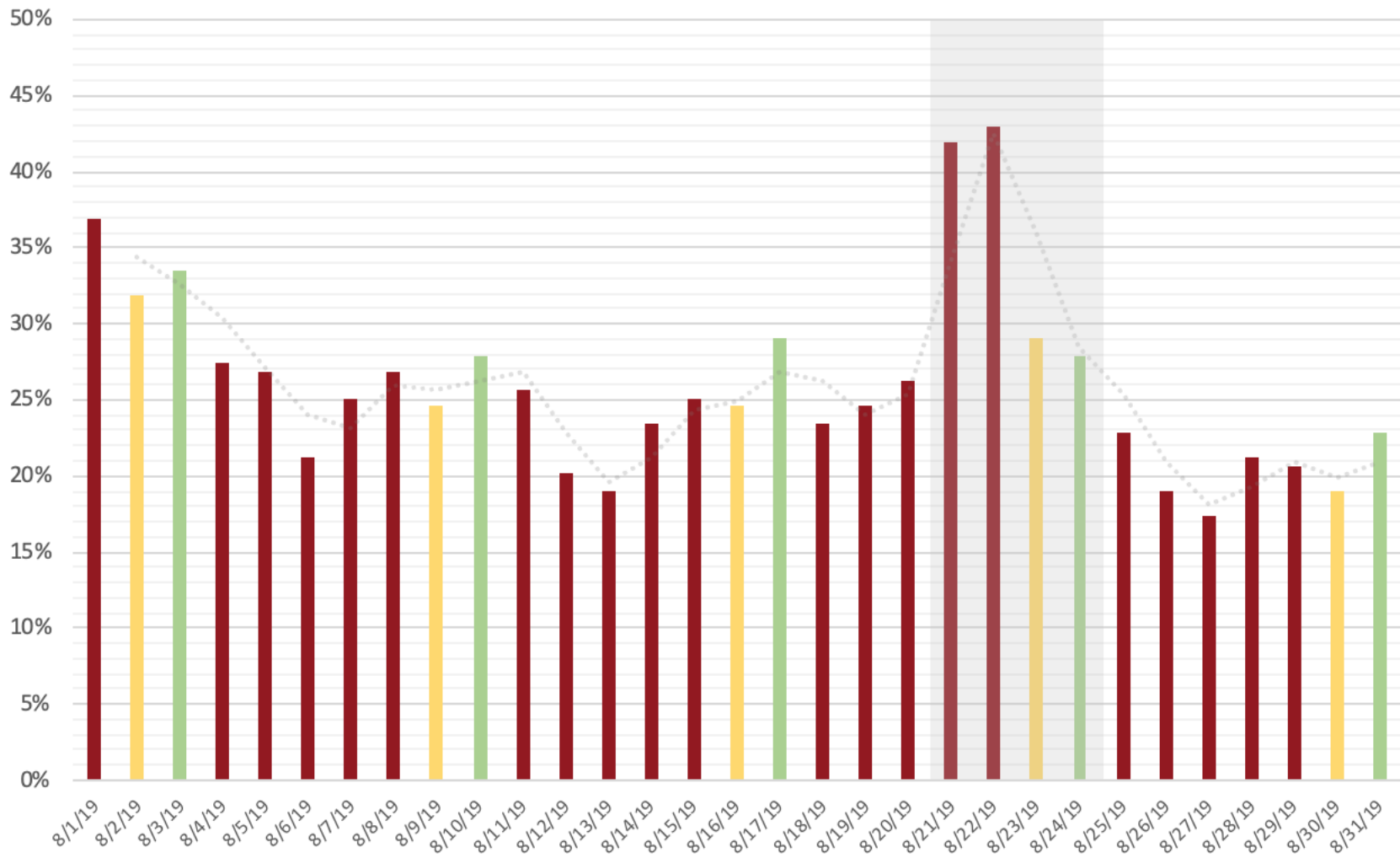


*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents graduation weekend.*

## The Percent of Listings Booked in August of 2019 (By Day)



*Yellow and green bars represent Fridays and Saturdays, respectively.*

*The dotted trendline represents the moving average.*

*The gray box represents move-in days.*

## Percent of Listings Booking “X” Number of Days (Annual Breakdown)

[\(Click here to see the corresponding graphics\)](#)

| <b>Day Range</b>  | <b>2014</b> | <b>2015</b> | <b>2016</b> | <b>2017</b> | <b>2018</b> |
|-------------------|-------------|-------------|-------------|-------------|-------------|
| <i>0 to 9</i>     | 60%         | 51%         | 27%         | 19%         | 17%         |
| <i>10 to 29</i>   | 40%         | 22%         | 27%         | 14%         | 15%         |
| <i>30 to 59</i>   | 0%          | 19%         | 7%          | 12%         | 12%         |
| <i>60 to 99</i>   | 0%          | 8%          | 21%         | 24%         | 20%         |
| <i>100 to 149</i> | 0%          | 0%          | 13%         | 22%         | 16%         |
| <i>150 Plus</i>   | 0%          | 0%          | 5%          | 9%          | 21%         |
|                   | 100%        | 100%        | 100%        | 100%        | 100%        |

*The Last 12 Months, Broken Out By:*

### Entire Home / Apartment

| <b>Day Range</b>  | <b>Aug. 18 - Aug. 19</b> |
|-------------------|--------------------------|
| <i>0 to 9</i>     | 19%                      |
| <i>10 to 29</i>   | 11%                      |
| <i>30 to 59</i>   | 22%                      |
| <i>60 to 99</i>   | 19%                      |
| <i>100 to 149</i> | 19%                      |
| <i>150 Plus</i>   | 11%                      |
|                   | 100%                     |

### Private Room

| <b>Day Range</b>  | <b>Aug. 18 - Aug. 19</b> |
|-------------------|--------------------------|
| <i>0 to 9</i>     | 13%                      |
| <i>10 to 29</i>   | 16%                      |
| <i>30 to 59</i>   | 20%                      |
| <i>60 to 99</i>   | 10%                      |
| <i>100 to 149</i> | 14%                      |
| <i>150 Plus</i>   | 27%                      |
|                   | 100%                     |

## Summary Sheet (*Within Oxford City Limits*)

Total Number of Unique Airbnb and HomeAway Listings in 2019: **122**

Total Revenue for Listers Since 2014: **\$4,781,093**

Total Revenue for Listers in 2019: **\$977,009**



## STAFF REPORT

### Community Development | Planning Commission

#### APPLICATION DETAILS

|                        |                                                                                                                                                                                                                                                                                                                                                                |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant              | City of Oxford Community Development Department                                                                                                                                                                                                                                                                                                                |
| Action Request         | Zoning Code Text Amendment – Bed & Breakfasts (B&Bs) & Transient Guest Lodging (TGL)                                                                                                                                                                                                                                                                           |
| Initiation Date        | June 29, 2020                                                                                                                                                                                                                                                                                                                                                  |
| Affected Code Sections | Oxford Zoning Code Sections: 1141.01(c)(6); 1143.01(b)(1); 1143.02(b)(1); 1143.03(b)(1); 1143.04(b)(1); 1143.05(b)(1); 1143.06(b)(1); 1143.065(b)(1); 1143.07(b)(1); 1143.09(b)(1); 1143.15(b); 1147.03(b)(4); 1147.03(b)(40); 1159.03; 1159.21<br><br>Business Code Sections: 743.01; 743.02; 743.03; 743.04<br><br>Property Maintenance Code Sections: 310.1 |
| Staff Recommendation   | Recommend Approval to City Council                                                                                                                                                                                                                                                                                                                             |

#### PROPOSAL SUMMARY

City staff has initiated text amendments to the Oxford Zoning Code in order to officially recognize and incorporate zoning allowance for short-term rentals, subject to certain standards. Staff proposes to retire the term “short-term rental” and replace with two distinctly defined uses: (1) bed & breakfasts (B&Bs); and (2) transient guest lodging (TGLs). For all residentially zoned areas, TGLs would be allowed as an accessory use, and B&Bs would continue to be allowed as a Conditional Use except within Neighborhood Conservation Overlays (NCOs). To ensure consistency across all local codes, additional sections of the Oxford Business Code and Property Maintenance Code will also need amended but the Planning Commission is not required to make a recommendation on these; nevertheless, all relevant code sections are documented in this report.

#### BACKGROUND

The City has explored the passage of short-term rental regulations for some time. The Oxford Business Code currently defines a short-term rental as a dwelling unit that is rented, leased, or otherwise assigned for tenancy for less than 14 consecutive days duration for any single stay.

On April 16, 2019, City Council adopted an ordinance (Ord No. 3523) requiring all short-term rentals to register with the City administration. The purpose of the registration program was to gain a more complete understanding of the extent and magnitude of short-term rentals operating within Oxford, in order to inform the adoption of appropriately tailored regulations. Community Development Department staff later presented a Findings Report to City Council on September 3, 2019, which utilized data collected from the registration program. The Department also partnered with Miami University Farmer School of Business to conduct additional short-term rental research examining transaction data (AirDNA) for the City of Oxford and surrounding areas, completed in January 2020.

After analyzing local collected data as well as strategies employed by other communities across the country, City staff drafted an initial set of regulations and presented them in detail to the Planning Commission during its June 9 meeting. Following discussion and questions, the Commission expressed its general approval of the framework presented and permitted the language to be shared with short-term rental hosts/stakeholders in the community for further feedback, in anticipation of a formal vote at a later time.

## PROPOSAL DESCRIPTION

The City's drafted regulations propose to retire the term "short-term rental" and replace with two distinct use definitions: (1) bed & breakfasts (B&Bs); and (2) transient guest lodging (TGLs). Guest stays at a B&B/TGL establishment are defined as lasting up to 29 consecutive days per stay.

Bed & breakfasts are currently permitted as a principal use of property on a conditional basis in all residential zoning districts, subject to City Council approval. This policy is proposed to continue, with some additional standards including the filing of a rental permit to ensure the property is compliant with local codes and safe for guests. All previously approved B&Bs would continue to be valid so long as permits are kept in good standing. During review of a Conditional Use, maximums would be set for the number of days booked annually as well as guest occupancy at one time.

Transient guest lodging is proposed to be added to the Code and defined as an accessory use of property whereby a 1-family, 2-family or 3-family structure could have one unit rented out to transients no more than 90 total days per year, with no more than 1 booking at a time, and thus otherwise subject to all other permitting procedures and safety standards normally required of long-term rentals. Normal occupancy restrictions – a max of 2 unrelated per dwelling unit in an NCO, or a max of 4 unrelated per dwelling unit elsewhere – would continue to apply. Any TGL booked greater than 90 days per year could potentially be accommodated as a B&B through the Conditional Use process.

The Property Maintenance Code requires a minor amendment to ensure provisions apply equally to short-term rentals, as there is currently exemption. An additional provision is also proposed for the Business Code to help ensure the health & safety of neighborhoods; for any registered B&B or TGL, the Community Development Director would be given the authority to revoke registration if the property becomes subject to 2 or more civil and/or criminal citations.

## DEPARTMENT COMMENTS

Below are comments from City departments:

| Department           | Respondent                             | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Economic Development | Jessica Greene, Assistant City Manager | Returned with comments<br><br><i>I support the language allowing Transient Guest Lodging in our community. I believe that these overnight stays allow for an important economic driver in our community.</i><br><br><i>I also support a limit on the number of days for their use, as it may limit the number of these types of rentals. This limitation may encourage these spaces to be used as family homes.</i><br><br><i>I feel this proposed language strikes the correct balance of both our economic goals and our goal of having adequate family housing.</i> |
| Engineering          | Scott Otto, City Engineer              | Returned without comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|        |                            |                           |
|--------|----------------------------|---------------------------|
| Fire   | John Detherage, Fire Chief | Returned without comments |
| Police | John Jones, Police Chief   | Returned without comments |

## PUBLIC COMMENTS

Director Sam Perry sent out an email blast to all of the City's registered hosts in early July, advertising the proposed regulations on the City website. A special webpage was created to showcase prior reports and a regulation summary, and included a comment form for stakeholders to indicate their position and directly share any thoughts or questions. As of the writing of this report, 5 stakeholders responded via the online comment form (submissions attached). Staff followed up with each respondent either via email or phone, to ensure all questions had been answered and expressed objections were understood. A summary of four key concerns is provided below:

- 90-day maximum for a permitted TGL is too low and would decrease economic & tourism activity. Two (2) of the respondents felt that 90 days annually was not enough for permitted TGLs. One (1) respondent commented that he books on average 120 nights per year. The limit of 90 was originally selected due to the Miami data showing this would cover more than two-thirds of all short-term rentals operating in the Oxford market area. Other communities, such as Ames IA and New Orleans LA, have also imposed the same limit. In addition, regulating based on owner-occupancy could prove more difficult to accommodate as a single permit addressing both long-term and short-term leases/stays.
- Opposition to limit of 1 booking at a time. Three (3) respondents opposed restricting rentals to no more than 1 booking (guest contract) at a time. In observing other communities' regulations, staff found this to be a common standard for permitted rentals in residential areas and thus felt it should be included to reduce the appearance of turnover activity on-site (# of vehicles, etc.) and resulting impacts to neighbors.
- It may prove difficult for an owner/host to comply with unrelated occupant restrictions. One (1) respondent commented that trying to verify relationships between individuals could prove difficult, since it only takes one person to book a guest contract for multiple individuals as opposed to a long-term lease contract which is arranged per person. Staff's rationale for applying the "4 unrelated" max to short-term rentals was to maintain consistency across all rentals, rather than applying different rules depending on the length of stay being greater or less than 30 days.
- TGLs rented only a few days per year are discouraged due to upfront permit fees. One (1) respondent commented on the cost-prohibitive nature of current Rental Permit fees being applied to all TGLs. The current fee for a new rental is \$110, and annual renewal fees are \$55.

## DECISION STANDARDS

Oxford Zoning Code Chapter 1135 outlines the text amendment process and decision standards that the Planning Commission must follow in making its recommendation to Council. At least one of the criteria must be met in order to recommend approval. The decision criteria are as follows and attached in the Appendix:

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan. While the Oxford Comprehensive Plan does not specifically mention short-term rentals (e.g. Airbnb, VRBO, etc.) or transient guest lodging, much discussion is devoted to the subject of rental housing. The Housing Chapter specifies the need to improve rental housing, especially in the Mile

Square where the trend has been the conversion of units from owner-occupancy to student rentals, and to encourage rental units to meet the needs of the year-round population. The Chapter further encourages the redevelopment and revitalization of existing under-utilized housing, as opposed to constructing new housing on the outskirts of the City leading to urban sprawl. The University and Community Chapter also includes an objective to ensure all rental housing is safe, sanitary, and properly permitted. The proposed B&B/TGL legislation touches upon a number of the elements expressed by the Comprehensive Plan:

- H1 – Improve housing conditions in the Mile Square & H3 – Improve Rental Housing: This legislation would allow primary owner-occupants to rent out their units part of the year (90 days or less) for transient guest occupancy, thereby helping to off-set housing costs or producing additional income that could be put toward housing maintenance and improvements;
- H3.5 – Encourage rental units to meet the needs of the year-round resident population: The 90-day threshold helps to meet the needs of permanent occupants, while sufficiently discouraging conversion to a business-oriented model whereby units are rented out more consistently throughout the year; and
- H3.1 – Improve and expand code enforcement & UC 3.1 – Ensure all rental housing is safe, sanitary and properly permitted housing: The proposed legislation would extend existing policies and procedures conducted for long-term rentals to apply also to bed & breakfasts and transient guest lodging situations, which includes standards ensuring the safety of units for guests/tenants.

- B. The proposed amendment will improve the health, safety, and general welfare of Oxford.

Staff acknowledges a potential negative consequence of permitting transient guest lodging as a by-right use is the loss of units oriented toward permanent occupancy by families. However, we believe the proposed limitations help to strike an adequate balance between this concern and that of allowing owners to utilize their properties in ways that can generate additional income, while also offering opportunities for visitors who prefer a somewhat more authentic lodging experience to enjoy their time while in Oxford and contribute toward the local economy.

- C. The proposed amendment will clarify the intent of the Code.

The Zoning Code is antiquated in the sense it only regulates Bed & Breakfasts, requiring a Conditional Use review in all residentially zoned areas. The Code must be updated to adjust to the 21<sup>st</sup> century sharing economy, to allow for transient guest lodging by-right with reasonable limits.

- D. The proposed amendment will better implement the intent of the Code.

Past amendments to the Code have clarified certain accessory uses of residential property, including those for accessory dwelling units (ADUs) and home occupations. Adopting regulations for TGLs will better clarify and implement the intent of the Code in allowing for reasonable short-term rental of property, either in a shared-room setup or as an entire dwelling.

- E. The proposed amendment will improve enforcement of the Code.

Adopting these regulations will clarify for staff which rental situations require enforcement. The registration program did not constitute zoning approval of any short-term rental use within the City, therefore enforcement of the Code's current Bed & Breakfast provisions has been deferred in the interim, pending adoption of a new ordinance.

STAFF RECOMMENDATION

Based upon a review of the Decision Standards, staff recommends approval of the text amendment request. The Commission can cite the staff findings or make its own in its recommendation to City Council.

SUBMITTED BY:

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is written in a cursive, flowing style.

-----  
Zachary Moore, AICP  
Planner

DATE: July 28, 2020

# EXHIBIT A

## RELEVANT ZONING CODE PROVISIONS

Chapter 1135 governs amendments to the Zoning Code:

### 1135.01 – General.

- (a) This Zoning Code is generally intended to provide for long-term land use and site planning in Oxford. However, there are times that the public necessity, convenience, general welfare, or good zoning practice require amendments to this Code. This section provides the procedures and standards by which this Code will be amended.
- (b) There are two types of possible amendments to this Code. A text amendment changes the written text of the Code, which equally affects all land and improvements that are subject to such regulation. A map amendment (also called rezoning) changes the boundaries between zoning districts on the Zoning Map, which equally affects all of the land that is so rezoned.

### 1135.02 – Procedure.

- (a) Initiation.

A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.

A map amendment may be initiated by adoption of a motion by Planning Commission, by adoption of a motion by Council, or by application to Planning Commission by at least one owner of the property within the area proposed to be rezoned.

  - (1) Referral to Planning Commission.

After the proper initiation of a text amendment, the Zoning Administrator shall place the item on the Planning Commission agenda as required by Section 1129.09, Application Administration.
- (b) Application.

If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.

An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.

  - (1) Contents of application.

The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.

All applications:

    - A. Application Fee.
    - B. The name, mailing address, and telephone number of the applicant.
    - C. A general description of the proposed amendment.
    - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
    - E. A statement that identifies potential negative consequences of the proposed amendment.
    - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.

Also required for text amendments:

    - A. Any existing section number and text that is proposed to be deleted or amended.
    - B. Any new or amended text as it is proposed to be codified including its proposed

location in the Code. (section numbers)

- C. A narrative statement that describes the expected effects of the proposed text.
- D. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

Also required for map amendments:

- A. A legal description of the area to be rezoned.
- B. The proposed zoning of the area.
- C. The current zoning of the area.
- D. A description of existing uses in the area.
- E. A vicinity map, at a scale approved by the Zoning Administrator, showing property lines, streets, existing and proposed zoning and other items required by the Zoning Administrator.
- F. A list of the names and mailing addresses of all owners of land that is proposed to be rezoned and all land owners within 200 feet of every parcel proposed to be rezoned.

(2) Reapplication.

No application for a Zoning Code amendment that is substantially similar to an application that has been denied, wholly or in part, shall be accepted for one year from the date of denial. The Zoning Administrator shall determine if a similar application differs enough to be considered a different application and not subject to this section. The Zoning Administrator may consider factors such as the nature or size of a proposal, changes in the development or traffic patterns of the area, or newly discovered evidence pertinent to a decision on a previous application. An applicant may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.

(c) Planning Commission and Council Review.

The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall also consider the Planning Commission recommendation.

If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Decision standards.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

Text Amendments

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

Map Amendments

- A. There is an error on the Official Zoning Map or in the delineations between districts thereon.
- B. The proposed amendment will make the map conform more closely with the Comprehensive Plan.
- C. There has been a substantial change in area conditions that necessitates the amendment.
- D. There is a legitimate need for additional land area in the zoning district that will be expanded.

(d) Action by Planning Commission and Council.

- (1) The Planning Commission shall recommend to Council approval, approval with

modifications, or denial of an application as presented and shall clearly state the findings upon which its recommendation is based.

- (2) Council shall base its decision on the recommendation of Planning Commission and the decision standards of this section.

(e) Implementation of Amendment.

- (1) The Zoning Administrator shall implement all Code amendments approved by Council when the ordinance approving the amendment becomes effective, regardless of when the amendment appears in the Zoning Code text or on the Zoning Map.
- (2) Zoning Code amendments do not expire.

## EXHIBIT B

### ONLINE COMMENT SUBMISSIONS

(ANONYMOUS, AS OF JULY 29, 2020)

Respondent 1

*I would like a clarification of what this means "with no more than 1 booking at a time". Does that mean that bookings cannot be lined up on the calendar?*

Respondent 2

*First it is very unscrupulous that the city of Oxford is trying to push through these regulations on this contentious topic during a pandemic when they know that the public cannot be represented at council meetings, as they have shown up in force in the past. Sam Perry has attested during a council meeting that there is no safety or community issue regarding short term rentals, so this is the government creating restrictions on economic development where no problem exists.*

*The 90 day restriction is an arbitrary number. As a host who hosts within my primary residence I am offended that during a pandemic where my income has dropped over 25% that my local city council is attempting to limit the amount of income I can make by hosting someone in my own home. It also only impacts approximately 31 units according to the powerpoint, so how does the city benefit from limiting how many nights I can host? This random 90 day regulation only hurts residents. At most I have hosted 120 nights a year and this number fluctuates greatly year to year (this year will be less than 20). According to the proposal I am not sure where my residence fits as the primary purpose is my home, so not a B&B. Should every AirBnB be forced through the conditional use process (a waste of city resources and resident money) in the event that they might have a good year or might accidentally book 91 nights? Hosting guests to the Oxford area only helps to support the economy of Oxford. Guests come and contribute to our local economy during their stay, as do I contribute through paying my taxes and spending the money I earn here on living expenses as well as entertainment and dining out in Oxford when I have earned the income to do so. Hindering my ability to host will hinder my ability to contribute to the local economy. I would think now during a pandemic and recession, especially in a city like Oxford that depends on the business brought to the area by the university, you would be looking for ways to encourage your constituents to earn income and support the economy. All of my guests come to Oxford for business and pleasure related to Miami. We need those guests now more than ever, and if guests cannot find the lodging they want in Oxford, they and their money will go elsewhere.*

*The language on how guests are related is unenforceable as we do not know, nor does it make a difference, how people are related. Putting unenforceable language onto the books is a waste of everyone's time. Do cousins count, do second-cousins count, business partners, domestic partners, In-laws, exes, etc.? Do we need to enroll our guests in ancestry.com to figure out guests relations to each other? Is city council or the OPD doing bed checks? It is not my business, nor the business of the city of Oxford, to know the relational status between guests, as it has no material impact on my ability to host guests, nor the ability of guests to stay in my home or in Oxford at all.*

*Just because the city does not know where STRs or TGLs fit in their "code" doesn't mean we have to come up with some new laws & restrictions to regulate a non-existent problem. You are creating a problem in order to create laws and restrictions. Are home offices next? Are people selling garden veggies next? Children's lemonade stands? Children's lawn mowing services? Where is the city drawing the line? It is especially underhanded and offensive to create these regulations and propose public discussion of these regulations when it is objectively unsafe for the public to gather for this discussion. You are asking your constituents to choose between their safety and their right to appear before council, which directly violates the oath you took to serve your community.*

Respondent 3

*I strongly oppose all of these regulations, but will speak to the top three I have the biggest problems with. As one of the few single young professionals who own a home in Oxford, I depend on the income from hosting on Airbnb to be able to afford the mortgage payments on my house. By imposing such regulations, you will damage the financial well-being of your own citizens and this town's economy.*

*Due to the pandemic, like many other hosts, I have lost thousands of dollars of rental income this year. It is despicable, especially in light of COVID-19, that the leadership of this town is trying to set a limit on the amount of nights that hosts can earn rental income. Typically, I average 110 nights of rental income a year. When the pandemic is over and normal travel resumes, I need to host even MORE to be able to make up for the lost revenue this year. Putting a limit on the number of nights that I can rent out spare space in my home will cause undue financial hardship, and I fear that I will be forced to sell my house and move out of town. The 90 night limit will also decrease the amount of tourism in Oxford. Many of my guests tell me that they chose to stay at my Airbnb because all of the hotels in town were booked by the time they realized they needed accommodations. If there is a limit on nights hosts can rent, then Oxford will also see a decrease in the amount of visitors frequenting restaurants, bars, and shops in town since they will be forced to stay in Hamilton and other surrounding areas. For these reasons, I strongly urge you to set no limit on the amount of nights that hosts can rent. It not only benefits the residents of this town, but also the town's economy.*

*The next proposed regulation I have a problem with is inspections. As it is currently written, I do not see any criteria of what is needed to pass inspection. I also do not think that starting to enforce inspections during a pandemic is safe or beneficial to health and well-being of the inspectors or homeowners. (Frankly, I don't even feel comfortable hosting right now, but I have to accept any of the few and far between reservations I get in order to make ends meet). In order for me to get on board with the idea of inspections, I will need to see set criteria and a timeline for enforcement (which needs to be after the pandemic has ended).*

*I also strongly oppose the no more than one TGL booking at a time rule. I have two spare guest rooms in my home (each sleeps only two people). Most weekends during the school year, the rooms book independently of each other because there is that much demand for lodging in town. Regulating how many bookings I can host in the place of my primary residence is far too much government over-reach and will negatively impact my earnings.*

*Being an Airbnb host is the pride and joy of my life. As a Miami alumnae, being able to make travelers feel at home in Oxford, just as Oxford become a home to me, is a rich and rewarding experience. It allows me to feel as though I am meeting a need in town, and allows me to share how great Oxford is with others. Limiting how many nights guest can book in transient lodging will damage the tourism revenue of this town, and your own citizens' abilities to prosper financially.*

#### Respondent 4

*From my interpretation, this plan looks well done and in consideration of community. I only have two concerns, and a solution to solve both. From the rental community who would use STR as subsidy for vacancies as well as to help accommodate the visitors for times of high demand such that people have to seek hotels outside of the City of Oxford (which we know then they spend \$ outside of Oxford), we might not know what unit(s) to register/permit. This would vary depending on occupancy. I think this would be tough and tedious to manage for us as well as the City. Secondly, have you discussed the rate structure for STR permits? For those of us who only use this occasionally, and not as normal operations, this could be cost prohibitive. The solution to both would be to allow for free registration (similar to what we already did) for any property that already has a regular current and valid rental permit. That would be my only suggested change.*

#### Respondent 5

*Often times there are more than 1 room available to rent during a Miami activity weekend. Some Airbnb hosts have 1,2 or even 3 rooms available to different people. This would really be no different than having 1 booking of an entire home to 10-12 people. Therefore if an entire home can be rented to multiple people, more than 1 room at a time should be available to be rented. Thank you*



|                    |            |
|--------------------|------------|
| Internal Use Only: | PC-2020-08 |
| Case No.           |            |
| Date Filed         | 6/29/20    |

## Zoning Code Text Amendment Application

### Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name \* Zachary Moore, AICP

Mailing Address \* 15 S College Avenue

City, State & Zip Code \* Oxford, OH 45056

Telephone Number(s) \* 513-524-5204

Email Address zmoore@cityofoxford.org

Amendment Description \* Bed & Breakfasts / Transient Guest Lodging Text Amendments

### Submission Requirements and Documentation

From Section 1135.02 Procedure<sup>1</sup>.

- (a) Initiation. A text amendment may be initiated by the Chair of the Planning Commission, by adoption of a motion by Council or the Planning Commission, or by application to Planning Commission by a landowner or a resident of the City of Oxford.
- (b) Application. If Planning Commission or Council initiates an amendment, then the Zoning Administrator shall provide information as necessary for proper consideration of the motion. The information provided shall be substantially similar to that required of an application for amendment.  
An application for amendment shall be filed with the Zoning Administrator. An application shall be complete prior to being scheduled for a public hearing. An application will be considered complete only if the Zoning Administrator is satisfied that all of the materials required by this chapter are included and are sufficient in their content to satisfy the intent of the application requirements.
- (1) Contents of application. The applicant shall contact the Zoning Administrator prior to submitting an application to discuss the submission requirement, which includes the following information. A written, detailed description, where applicable, is required for each subsection.
  - A. Application Fee.
  - B. The name, mailing address, and telephone number of the applicant.
  - C. A general description of the proposed amendment.
  - D. A narrative statement that describes how the proposed amendment relates to the Comprehensive Plan.
  - E. A statement that identifies potential negative consequences of the proposed amendment.
  - F. Such other information regarding the proposed amendment as may be pertinent to the application or required by Planning Commission or Council.
  - G. Any existing section number and text that is proposed to be deleted or amended.
  - H. Any new or amended text as it is proposed to be codified including its proposed location in the Code. section numbers)
  - I. A narrative statement that describes the expected effects of the proposed text.
  - J. A narrative statement that compares the expected effects of the proposed text with any existing text that it will replace, if applicable.

### Decision Process

From Section 1135.02(c)(1) Decision Standards<sup>1</sup>.

A proposed amendment shall be approved only if it meets at least one of the following criteria, and if its benefits will likely outweigh any potential pitfalls.

- A. The proposed amendment will make the Code conform more closely with the Comprehensive Plan.
- B. The proposed amendment will improve the public health, safety, and general welfare of Oxford.
- C. The proposed amendment will clarify the intent of the Code.
- D. The proposed amendment will better implement the intent of the Code.
- E. The proposed amendment will improve enforcement of the Code.

## Planning Commission and Council Review

The Planning Commission shall base its recommendation on a proposed Zoning Code amendment upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. Council shall base its decision on the same materials and shall consider the Planning Commission recommendation. If the Planning Commission or Council finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

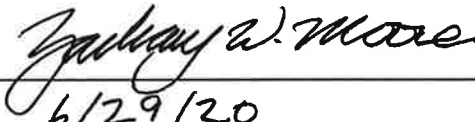
## Fees & Receipt

The required fee is \$150.00. Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

## Sign and Date

Applicant Signature \*

Date \*

  
6/29/20

## Submit Application, Submission Requirements and Documentation, and Fees

***We will not accept incomplete applications and/or plans and documentation.***

Send or drop off this application with required documentation as attachments and a check for the fee made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 45 days prior to the Planning Commission meeting on which the action is requested.

### For Staff Use Only

Fee Paid Date \*

Receipt Number \*

<sup>1</sup> City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>



**MEMORANDUM**  
**Community Development Department**  
**513-524-5204**

**TO:** File

**FROM:** Zachary Moore, AICP  
Planner

**DATE:** June 29, 2020

**RE:** Bed & Breakfasts / Transient Guest Lodging – Text Amendment Application

## **BACKGROUND**

The City has explored the passage of short-term rental regulations for some time. The Oxford Business Code currently defines a short-term rental as a dwelling unit that is rented, leased, or otherwise assigned for tenancy of less than 14 consecutive days duration for any single stay.

On April 16, 2019, City Council adopted an ordinance requiring all short-term rentals to register with the City. The purpose of the registration program was to gain a more complete understanding of the extent and magnitude of short-term rentals operating within Oxford, in order to inform the adoption of appropriate regulations. Community Development Department staff presented a Findings Report to City Council on September 3, 2019. The Department also partnered with Miami University's Farmer School of Business to conduct additional short-term rental research for the City of Oxford and surrounding areas, completed in January 2020.

## **GENERAL DESCRIPTION**

The City's drafted regulations propose to retire the term "short-term rental" and replace with two distinct use definitions: (1) **bed & breakfasts (B&B)**; and (2) **transient guest lodging (TGL)**. Guest stays at a TGL facility are defined as lasting up to 29 consecutive days per stay.

**Bed & breakfasts** are currently permitted as a principal use of property on a conditional basis in all residential zoning districts, subject to City Council approval. This policy is proposed to continue, with some additional standards including the filing of a rental permit to ensure the property is compliant with local codes and safe for guests. All previously approved B&Bs would continue to be valid so long as permits are kept in good standing.

**Transient guest lodging** is proposed to be added to the Code and defined as an accessory use of property whereby a 1-family, 2-family or 3-family structure could be rented out to transients no more than 90 total days per year, with no more than 1 booking at a time, and thus otherwise subject to all other permitting procedures and safety standards normally required of long-term rentals.

## RELATION TO THE COMPREHENSIVE PLAN

While the Oxford Comprehensive Plan does not specifically mention short-term rentals (e.g. Airbnb, VRBO, etc.) or transient guest lodging, much discussion is devoted to the subject of rental housing. The Housing Chapter specifies the need to improve rental housing, especially in the Mile Square where the trend has been the conversion of units from owner-occupancy to student rentals, and to encourage rental units to meet the needs of the year-round population. The Chapter further encourages the redevelopment and revitalization of existing under-utilized housing, as opposed to constructing new housing on the outskirts of the City leading to urban sprawl. The University and Community Chapter also includes an objective to ensure all rental housing is safe, sanitary, and properly permitted.

The proposed B&B/TGL legislation touches upon a number of the elements expressed by the Comprehensive Plan:

- This legislation would allow primary owner-occupants to rent out their units part of the year (90 days or less) for transient guest occupancy, thereby helping to off-set housing costs or producing additional income that could be put toward housing maintenance and improvements;
- The 90-day threshold helps to meet the needs of permanent occupants, while sufficiently discouraging conversion to a business-oriented model whereby units are rented out more consistently throughout the year; and
- The proposed legislation would extend existing policies and procedures conducted for long-term rentals to apply also to bed & breakfasts and transient guest lodging situations, which includes standards ensuring the safety of units for guests/tenants.

Staff acknowledges a potential negative consequence of permitting transient guest lodging as a by-right use is the loss of units oriented toward permanent occupancy by families. However, staff believes the proposed limitations help to strike an adequate balance between this concern and that of allowing owners to utilize their properties in ways that can generate additional income, while also offering opportunities for visitors who prefer a somewhat more authentic lodging experience to enjoy their time while in Oxford and contribute toward the local economy.

## AFFECTED CODES AND SECTIONS

The proposed legislation impacts the Oxford Zoning Code (Chapters 1141, 1143, 1147, and 1159), Business Code (Chapter 743), and Property Maintenance Code (Section 310.1). The intention is to incorporate provisions affecting B&B/TGL situations with minimal structural change to the Code, utilizing various sections already devoted to individual zoning districts, conditional use standards, etc. The proposal at this time does not include bed tax provisions for B&B/TGL situations, as the likely origination of such amendments would be the Finance Department.

The attached document outlines specific affected code sections, along with text proposed to be added or deleted.

# BED & BREAKFASTS; TRANSIENT GUEST LODGING

## Proposed Zoning Text Amendments

(Additions are in **bold**; Deletions are ~~struck through~~)

Section 1141.01(c)(6) shall be added to read as follows [Accessory Use Provisions for All Zoning Districts]:

(6) **Transient Guest Lodging**

- (A) **Transient Guest Lodging is allowed as an accessory use only in Single-, Two- and Three-Family Dwellings, including any that are condominiums. Transient Guest Lodging is prohibited for all other principal uses and building types, including Multi-Family Dwelling structures with four (4) units or more.**
- (B) **The principal use to which the Transient Guest Lodging is associated must be one that is permitted by the underlying zoning district.**
- (C) **For Two- and Three-Family Dwellings, only one (1) of the units within a building may be used for Transient Guest Lodging.**
- (D) **There shall be no more than one (1) Transient Guest Lodging Booking per dwelling unit at a time.**
- (E) **Transient Guest Lodging is permitted by-right when the number of cumulative days booked per year does not exceed ninety (90). A Conditional Use Permit is required in order to be allowed more than ninety (90) days.**
- (F) **A Transient Guest Lodging use that cannot meet the standards provided above may seek approval of a Conditional Use Permit as a Bed & Breakfast.**
- (G) **All dwellings being utilized for Transient Guest Lodging shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.**

Section 1143.01(b)(1) shall be amended to read as follows [R-1A District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141**~~that do not include any activity conducted as a business.~~
  - C. Day Care Home Type B family.

Section 1143.02(b)(1) shall be amended to read as follows [R-1B District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141**~~that do not include any activity conducted as a business.~~
  - C. Day Care Home Type B family.

Section 1143.03(b)(1) shall be amended to read as follows [R-1MS District]:

- (1) Permitted uses.
  - A. Single-family dwellings.

- B. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business or dwelling unit.~~
- C. Day Care Home Type B family.

Section 1143.04(b)(1) shall be amended to read as follows [R-2A District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business.~~
  - D. Day Care Home Type B family.

Section 1143.05(b)(1) shall be amended to read as follows [R-2MS District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as a business.~~
  - D. Day Care Home Type B family.

Section 1143.06(b)(1) shall be amended to read as follows [R-3 District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Multi-family dwellings.
  - D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as business.~~
  - E. Day Care Home Type B family.

Section 1143.065(b)(1) shall be amended to read as follows [R-4 District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Multi-family dwellings.
  - D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as business.~~
  - E. Day Care Home Type B family.

Section 1143.07(b)(1) shall be amended to read as follows [R3MS District]:

- (1) Permitted uses.
  - A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Three-family dwellings.
  - D. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141** ~~that do not include any activity conducted as business.~~

- E. Day Care Home Type B family.

Section 1143.09(b)(1) shall be amended to read as follows [RO District]:

- (1) Permitted uses.
- A. Single-family dwellings.
  - B. Two-family dwellings.
  - C. Accessory buildings and uses incidental to the principal use **as provided in Chapter 1141 that do not include any activity conducted as business.**
  - D. Professional offices of doctors, dentists, chiropractors, lawyers, engineers and similar-type professions limited to 2,500 square feet of gross floor area.
  - E. Hospitals
  - F. Real estate, insurance and similar-type offices limited to 2,500 square feet of gross floor area.
  - G. Barber and beauty shops.
  - H. Instructional studios.

Section 1143.15(b) shall be amended to read as follows [AOS District]:

- (1) Permitted Uses.
- A. The conduct of agricultural operation such as: farming, apiculture, horticulture, viticulture.
  - B. Horse ranches, horse boarding stables, riding stables and academies, and structures normally associated with such as; stables and training facilities.
  - C. Single-family dwelling.
  - D. Accessory building and uses incidental to the principal use **as provided in Chapter 1141 that do not include any activity conducted as a business.**
  - E. Day Care Home Type B family.

Section 1147.03(b)(4) shall be amended to read as follows [Conditional Use standards]:

- (4) Bed & Breakfast.
- A. Potential Concerns.
    - 1. **Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)**~~Appropriate number of rooms for the neighborhood in which it is proposed.~~
    - 2. **Condition, care, and occupancy of property during times when not occupied by guests.**~~Location of separate entrances.~~
    - 3. **Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.**
    - 4. **Proximity to Arterial/Collector roadway(s).**
  - B. Regulations.
    - 1. **Compliance with Property Maintenance Code.** ~~No more than 8 rooms for rent in any structure.~~
    - 2. **Sufficient off-street parking must be provided to accommodate anticipated number of guests.** ~~Owner or manager must live in the structure.~~
    - 3. **Bed & Breakfasts are prohibited in Neighborhood Conservation Overlays.** ~~At least one meal must be provided to guests on site.~~

4. The Conditional Use Permit shall specify the maximum number of cumulative days the bed & breakfast may be booked throughout a calendar year period, as well as the maximum guest occupancy at any one time.
5. All bed & breakfasts shall be registered with the City pursuant to Chapter 743 of the Oxford Codified Ordinances.

Section 1147.03(b)(40) shall be added to read as follows [Conditional Use standards]:

- (4) Transient Guest Lodging as an Accessory Use (greater than 90 cumulative days booked per year).
  - A. Potential Concerns.
    1. Disruptive impacts to surrounding neighborhood (noise, trash, late hour activity, etc.)
    2. Condition, care, and occupancy of property during times when not occupied by guests.
    3. Comparison to neighborhood character/makeup; presence of owner-occupied dwellings.
  - B. Regulations.
    1. Compliance with Property Maintenance Code.
    2. Sufficient off-street parking must be provided to accommodate anticipated number of guests.
    3. Compliance with all other provisions applicable to Transient Guest Lodging.

Section 1159.03 shall be amended to read as follows [Definitions beginning with B]:

- (1) **BANK**  
A building, or part of a building, used principally for the deposit and withdrawal of money and other financial transactions.
- (2) **BASEMENT**  
The portion of a building which is partly underground and which has one-half or more of its ceiling height above the average finished grade of the ground adjoining the building.
- (3) **BED & BREAKFAST**  
**A building, sometimes the primary residence of the owner, where sleeping accommodations are offered for consideration, with or without meals, to transients occupying a room or rooms.**
- (4) **BLOCK**  
A tract of land bordered on all sides by a street, or by one or more streets and a railroad right-of-way, stream, river or un-subdivided acreage.
- (5) **BUILDING**  
Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
- (6) **BUILDING, ACCESSORY**  
Building Height:
  - A. The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.
  - B. When referring to a telecommunications tower or steeple, sign, or other structure, the distance measured from the ground level or the structure's point of attachment (such as the roof for a residential TV antenna) to the highest point on the tower or other structure even if said highest point is an antenna.

- (7) **BUILDING HEIGHT**  
The vertical distance from the average elevation of the finished grade along the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge for gable, hip or gambrel roofs.
- (8) **BUILDING LINE**  
A line parallel to the street right-of-way line at any story level of a building and representing the distance which all or any part of the building is to be set back from said right-of-way property line.
- (9) **BUILDING, MAIN**  
A building in which the principal use of the site is conducted.
- (10) **BUILDING PERMIT**  
A document certifying that the plans reviewed conform to the requirements of the Building Code.
- (11) **BUILDING, TEMPORARY**  
A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.
- (12) **BUSINESS**  
Retail, wholesale, and service establishments which cater to the community needs for goods and services.
- A. **Retail Business:**  
The sale of products directly to the consumer for personal, household or farm use including restaurants.
- B. **Wholesale Business:**  
The sale of products to retailers or to institutional, industrial, commercial and professional users.
- C. **Personal Service:**  
Any enterprise conducted for gain which primarily offers services to the general public including, but not limited to, shoe repair, barbershop, beauty parlor, or doctor's office.
- D. **Business Services:**  
Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or businesses.
- (13) **BUSINESS INCUBATOR:**  
An organization designed to accelerate the growth and success of entrepreneurial companies through an array of business support resources and services that could include physical space, capital, coaching, common services and networking connections.

Section 1159.21 shall be amended to read as follows [Definitions beginning with T]:

- (1) **TALL STRUCTURE / SUPPORT STRUCTURE**  
Any building or structure, other than a tower, which can be used for location of wireless and cellular telecommunication facilities.
- (2) **THEATER**  
A building used primarily for the presentation of live stage productions, performances, or motion pictures.
- (3) **TOWER**  
Any freestanding structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and alternative tower structures.
- (4) **TRAILER**  
A structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

- (5) **TRANSIENT**  
A person staying at a location such as a **hotel, motel, bed & breakfast, or other dwelling offering transient guest lodging** ~~bed and breakfast for less than 14 days per stay for less than thirty (30) consecutive days~~ and does not use the location as his or her permanent address.
- (6) **TRANSIENT GUEST LODGING**  
A dwelling unit or portion thereof where sleeping accommodations are offered for consideration to transients occupying a room or rooms.
- A. **TRANSIENT GUEST LODGING BOOKING**  
Each instance of a reservation by an individual or group for transient guest lodging.
- B. **TRANSIENT GUEST LODGING HOST**  
Any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for transient guest lodging.
- C. **TRANSIENT GUEST LODGING HOSTING PLATFORM**  
An internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange transient guest lodging and payment through the hosting platform.

## Proposed Business Regulation Code Amendments

(Additions are in **bold**; Deletions are ~~struck through~~)

### Chapter 743 shall be amended to read as follows:

#### CHAPTER 743 – **BED & BREAKFASTS; TRANSIENT GUEST LODGINGS**~~SHORT TERM RENTALS.~~

##### 743.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) **“Bed & Breakfast” means a building, sometimes the primary residence of the owner, where sleeping accommodations are offered for consideration, with or without meals, to transient users occupying a room or rooms.**
- (b~~a~~) “Director” means the Director of the City of Oxford Community Development Department or his/her designee.
- (c~~b~~) “Host” means any person who is the owner of record of residential real property, or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for ~~short term rental~~ **transient guest lodging**.
- (d~~e~~) “Hosting Platform” means an internet-based platform that generally allows an owner or tenant to advertise the dwelling unit through a website and provides a means for potential transient users to arrange ~~short term rental lodging~~ and payment through the hosting platform.
- (e~~d~~) ~~“Short Term Rental Transient Guest Lodging” means a dwelling unit or portion thereof where sleeping accommodations are offered for consideration to transient users occupying a room or rooms. that is rented, leased or otherwise assigned for tenancy of less than 14 consecutive days duration, where no meals are served.~~

- (fe) “Transient User” means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than **30**~~14~~ consecutive days duration.

#### 743.02 ANNUAL REGISTRATION REQUIRED.

No person, firm, or corporation shall own or operate a **bed & breakfast or transient guest lodging** ~~a short term rental~~ on any premises within the City of Oxford unless the **associated property** ~~short term rental~~ has been registered annually with the Community Development Department.

#### 743.03 ANNUAL REGISTRATION.

Each annual registration for **bed & breakfasts and transient guest lodging** ~~a short term rental~~ shall be per the procedure prescribed by the Director, and shall be available for paperless, online registration upon the effective date of this chapter. The registration form, at a minimum, shall include the following:

- (a) The name, address, phone number, and email address of the host and of a person residing or located within Butler County or any other county bordering Butler County who shall be responsible for addressing any maintenance or safety concerns; and
- (b) The location of the **bed & breakfast, or dwelling unit to be used for transient guest lodging.** ~~short term rental.~~

#### 743.04 DIRECTOR AUTHORITY TO REVOKE REGISTRATION

If a property registered as a bed & breakfast or for transient guest lodging is subject to two (2) or more civil and/or criminal citations, the Director may revoke the registration. Civil citations may include, but are not limited to, reported violations of building, safety, property maintenance, nuisance, health and sanitation, fire, electrical, plumbing, and mechanical codes. Criminal citations may include, but are not limited to, reported drug activity, theft and criminal mischief.

## Proposed Property Maintenance Code Amendments

(Additions are in **bold**; Deletions are ~~struck through~~)

### Section 310.1 shall be amended to read as follows:

PMC 310.1 Permits required. No person shall operate any residential rental unit(s), rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house, **including for transient guest lodging (e.g. Airbnb) or as a bed & breakfast**, unless he or she has a valid Residential Rental Permit issued by the code official in the name of the owner or agent for the specified residential rental unit, rooming house, lodging house, multiple-family dwelling, dwelling unit, or fraternity/sorority house. No person shall rent or lease a dwelling unit, except to a member of his or her family, without a dwelling unit Residential Rental Permit issued by the code official in the name of the owner or agent for the specific dwelling unit. **Permits are not required for single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.**

#### Exceptions:

1. ~~Permits are not required for Single family homes that are subject to a two-party agreement where no monetary compensation is paid by either party and the exchange does not exceed two (2) years in duration, whereby owners occupy each other's single family home.~~
2. ~~Permits are not required for single family homes that are permitted as short term rental for transients.~~