



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] STR rights in Knoxville

1 message

'Dylan' via Commission <commission@knoxmpc.org>

Wed, Sep 13, 2017 at 9:36 AM

Reply-To: dylan.robinson20@yahoo.com

To: commission@knoxmpc.org

To whom it may concern,

I am very much against the proposed ordinance for STRs in Knoxville and ask that you modify it to allow homeowners to rent their homes in R1 areas if the live there or not. This proposed legislation is an infringement on our private property rights. If I own a house, the government, my neighbor, nor any neighborhood associations have the right to tell me I can't have people stay there.

My neighbor has tons of random people come and go from his house. They hang out outside with their shirts off and decorate there front yard with what I would consider junk, along with plenty of other things I find annoying. Honestly, I would prefer they not be there, but that doesn't give me the right to pass a law to restrict their rights. They own the property. It is their right to have whoever they want over at their house and to have a shirt off outside if they want. Just as I have no rights as far as my neighbor's property is concerned, neighborhood associations have no rights to choose what I do with my house.

It seems like the biggest concern I hear from people against Airbnb in residential areas is that they are afraid of people coming in and out of their neighborhoods that they don't know. This is ridiculous. They don't know who's coming into their neighborhoods right now outside of STRs, and I'd be willing to bet most people couldn't give you 5 of their neighbors names let alone all of the people that are in and out of their neighborhoods outside of STRs. This is a scare tactic the hotel industry has propagated and gullible people have bought hook line and sinker. I'm allowed to have anybody I want into my house as a guest, and I have had people from multiple places around the world stay in my house. I'm referring to friends that have stayed with me for free, completely outside of Airbnb. This is my right because this is my property. My neighbors don't know who I have coming in and out of the neighborhood and honestly it's none of their business. My neighbors nor the city has the right to tell me who I can have in my house for money or for free.

The idea that Airbnb's are hotels and should be treated as such is another one of the hotel industry's attempts to kill their competitors. Airbnb's are not hotels. They are houses that are being rented out, thus making them rental houses, and they should be treated as such. It would be different if we were build 50 unit complexes in the middle of neighborhoods (hotels), but we are not.

As far as whether or not Airbnb is good for the city (although this really doesn't matter), my family, and many others have greatly benefited financially. I make \$35,000 a year working for FedEx and our Airbnb's have allowed my wife to stay home with our newborn twins and are helping us move forward with adopting a sibling set from India. Apart from Airbnb this would not be possible and we would really be struggling financially. This proposal limits the ability of people in lower social classes to leverage their assets to provide for their family.

In conclusion I ask that you all vote to protect the private property rights of your citizens and not restrict STRs (aka private property) in any way.

Thank you for your time,

Dylan Robinson
3115 Bellevue St
Knoxville TN 37917

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Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] STRs in leased spaces

1 message

'Dylan' via Commission <commission@knoxmpc.org>

Mon, Sep 18, 2017 at 4:24 PM

Reply-To: dylan.robinson20@yahoo.com

To: commission@knoxmpc.org

- Lessee Information. If a lessee is operating a Short Term Rental Unit, the lessee shall provide (i) the full legal name of the owner the Short Term Rental Unit, (ii) the mailing address, email address, and telephone number(s) of the owner, and (iii) a signature of the owner acknowledging the owner's understanding of all City of Knoxville Short Term Rental Unit rules and verifying the owner's agreement that they are legally responsible and liable for compliance by the Operator and all occupants of the Short Term Rental Unit with all provisions of this article and other applicable ordinances of the City of Knoxville.

Under point 2.2 paragraph C of the ordinance, shown above, it makes building owners acknowledge that they are "responsible and liable" for the operators of STRs that they lease to. I don't understand why this is necessary. If the operator (lessee) has a permit and therefore is liable for operating under the law and has the building owners permission to operate a STR, why do you also need to make the building owner liable? This seems to be written in a way to intentionally deter building owners from allowing tenants to operate STRs. There are already few building owners in Knoxville that will allow you to rent a space to use as an STR, and this part of the ordinance will probably eliminate them.. I run two Airbnb's in leased units with the building owners permission, but if I was to ask him to sign something making him legally responsible he probably wouldn't be comfortable with that risk. So I am asking that this part of the ordinance be changed to only require the building owners permission. Thanks for your time.

Dylan Robinson

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This message was directed to commission@knoxmpc.org

To: Knoxville City Council
From: Community Forum
Date: June 26, 2017
Re: Proposed Ordinance on Short-Term Rentals

The Community Forum is an Organization with representatives from many City and County Neighborhoods.

For almost a year, Community Forum has been very concerned about the issue of Short-Term Rentals. Our members have attended all of the public forums and have examined closely the two drafts of the proposed Ordinance. We have discussed the issues with City Council members, City administration officials, as well as residents of our own neighborhoods.

We have concluded that Short-Term Rentals are a real threat to the character and integrity of our R-1 and R-1E neighborhoods for the specific reasons listed below. We respectfully request that City Council amend the proposed Ordinance so that Short-Term Rentals not be allowed in R-1 and R-1E zoning districts.

Community Forum recently adopted the following Resolution:

Be it Resolved, that Community Forum, an organization with members from many neighborhoods in the City of Knoxville and Knox County, is opposed to allowing Short-Term Rentals (STR) in Residential Zoning Districts R-1 and R-1E in the City of Knoxville, as proposed in an Ordinance which will be considered by City Council in the near future.

This Resolution was approved at a meeting of Community Forum on May 10, 2017.

**Sue Mauer, Chairperson, Community Forum
8824 Farmington Dr.
Knoxville, TN 37923 690-0269**

**Larry Silverstein, Secretary-Treasurer, Community Forum
7808 Sheffield Dr.
Knoxville, TN 37909 693-1256**

The following organizations' Boards of Directors have adopted similar Resolutions to date:

Alice Bell/Spring Hill
Forest Heights
Fountain City Town Hall
Kingston Pike-Sequoyah Hills Association
Pond Gap
Tazewell Pike-Beverly Station Neighborhood
Wesley Neighbors Community Association
West Hills Community Association

There are many reasons why SHORT-TERM RENTALS ARE NOT APPROPRIATE IN THE R-1 AND R-1E RESIDENTIAL DISTRICTS:

- R-1 and R-1E districts are made up of low density, single-family detached homes.
- R-1 and R-1E districts do **not allow** uses similar to Short-Term Rentals. Unlike other residential zoning districts, **R-1 and R-1E zoning districts do not allow apartments, bed and breakfasts, or rooming and boarding houses.**
- R-1 and R-1E neighborhoods are primarily the older, traditional, single-family detached, suburban development areas of our city. Their location, narrow roads, and development design, have deemed them to be inappropriate zones for uses similar to Short-Term Rentals, such as bed and breakfasts, rooming and boarding houses and apartments. Likewise, R-1 and R-1E are **not** appropriate zoning districts for Short-Term Rentals.
- Short-Term Rentals are a commercial use. Why should this one commercial use be allowed in **all** residential zoning districts, including the residential districts that do not allow similar uses under the existing zoning Ordinance? This Ordinance would set a precedent for allowing other inappropriate uses in R-1 and R-1E zoning districts.
- Like all uses that are incompatible with the character of existing development, Short-Term Rentals will have a significant negative impact on R-1 and R-1E neighborhoods, and more importantly, on the quality of life of the homeowners living in these neighborhoods.
- Short-Term Rentals increase the general activity level in the area.
- Short-Term Rentals increase noise.
- Short-Term Rentals increase both on-street and off-street parking demands.
- The proposed ordinance states that the maximum occupancy, "**...shall not exceed two (2) transients per bedroom plus two (2) additional transients;...the maximum occupancy of the STR shall not exceed 12 persons...**" including all persons. A typical 3-bedroom home could have eight (8) people staying in the home. **Compare that number to the 2.39 average number of persons per household, 2011 to 2015, in Knox County.** (U.S. Census Quick Facts.)
- Short-Term Rentals increase safety issues in neighborhoods.

- The experience with Short-Term Rentals in many cities has been increased noise and nuisance complaints. Some of the complaints are due to large, loud parties, and some are due to increased automobile-related noise and activity.
- The proposed Ordinance does not contain an enforcement plan, and its provisions are generally not enforceable.
- The City has said that they fear the TN State Legislature will remove all meaningful local control of Short-Term Rentals if local governments "prohibit" Short-Term Rentals. We are **not** requesting a prohibition. We are simply requesting that Short-term Rentals not be allowed in two residential zoning districts, R-1 and R-1E, -- districts which do not allow similar uses. There are many residential zoning districts in Knoxville that allow uses similar to Short-Term Rentals, e.g., bed and breakfasts, rooming and boarding houses, apartments, etc. The Community Forum and other neighborhood associations across the State are prepared to contact the State Legislature again next year to work to maintain local control of Short-Term Rentals.

Thank you for your consideration.

Sincerely,

Ms. Sue Mauer, Chairperson, Community Forum, 690-0269

Larry Silverstein, Secretary-Treasurer, Community Forum, 693-1256, larrys55@aol.com

**Remarks by Larry Silverstein at City Council Workshop re: Short-Term Rentals Proposed Ordinance
June 29, 2017.**

My name is Larry Silverstein, 7808 Sheffield Dr. Knoxville, TN. 37909

My remarks today are on behalf of Community Forum, an Organization founded in 1985, with representatives from many City and County neighborhoods.

Since its inception, the members of Community Forum have focused their attention on working to protect and strengthen their neighborhoods. We have worked on many planning and zoning issues and have frequently provided our input on proposed Ordinances to MPC, City Council, and County Commission. Our participation in issues such as the one before you today, has made a big difference in improving Ordinances so that uses allowed in our neighborhoods, are consistent with the character and integrity of our neighborhoods.

We are advocates for neighborhoods, and particularly for people whose home is often their biggest investment, most prized possession, and valuable asset, often located in R-1 and R-1E neighborhoods located throughout the City of Knoxville, and often in what is considered the suburbs. These homes in many instances were built many years ago in some of Knoxville's oldest, largest, and most established and stable neighborhoods such as Sequoyah Hills, West Hills, Fountain City, and Bearden.

People purchased and improved, and often increased their investment in their homes based on an understanding of the rules governing R-1 and R-1E zoning, and with the understanding and reasonable belief that these rules would not ever dramatically change. Neighborhood groups and individuals have invested much time and money over the years to protect their neighborhoods from attempts to change the character and integrity of their neighborhoods. Even though the City is not amending the Zoning Ordinance, this is really an important zoning issue to the people whose lives may be impacted by this Ordinance.

Our Zoning Ordinance contains a wide variety of restrictions regarding what developments are allowed or prohibited in our many zoning districts. Certain entities are allowed in some areas and not in others, and for many good reasons.

Community Forum and its members, along with other groups and individuals in the community, have recently communicated with City Council about our concerns about allowing Short-Term Rentals in R-1 and R-1E neighborhoods. We have detailed many reasons why Short-Term Rentals are not appropriate for these areas. Requiring Short-Term Rentals to be owner-occupied does not provide adequate protection for R-1 and R-1E districts, especially when the owner does not have to be staying on the property, or even be in the City during a rental. An owner-occupied requirement does not address our many concerns regarding safety, noise, and parking arising from Short-Term Rentals in close proximity to our homes. We are also very concerned that there is not a realistic enforcement plan contained in the Ordinance.

We want to make clear that we are not advocating a total prohibition of Short-Term Rentals. They do not belong in R-1 and R-1E districts, which under our Zoning Ordinance, do not allow similar uses such as bed and breakfasts, rooming and boarding houses and apartments. This Ordinance would set a bad precedent for allowing other inappropriate uses in R-1 and R-1E zoning districts, and would create much uncertainty for property owners who would worry that a future Short-Term Rental could negatively impact their future enjoyment of their property.

Thank you for your consideration of our position on this issue of great importance to our R-1 and R-1E neighborhoods.



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Fwd: Hello WED, September 20, 2017 Re: Community Forum Re: Short-Term Rentals Proposed Ordinance

1 message

Gerald Green <gerald.green@knoxmpc.org>
Reply-To: gerald.green@knoxmpc.org
To: Planning Commissioners <commission@knoxmpc.org>

Wed, Sep 20, 2017 at 2:11 PM

For your review as you consider the proposed STR ordinance.

Gerald

Gerald Green AICP
Executive Director
Knoxville-Knox County
Metropolitan Planning Commission
400 Main Street, Suite 403
Knoxville, TN 37902
[865.215.3758](tel:865.215.3758)
gerald.green@knoxmpc.org

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

From: <larrys55@aol.com>
Date: Wed, Sep 20, 2017 at 10:43 AM
Subject: Hello WED, September 20, 2017 Re: Community Forum Re: Short-Term Rentals Proposed Ordinance
To: gerald.green@knoxmpc.org

Dear Gerald;

Community Forum has been very concerned about the City's proposed Short-Term Rentals Ordinance for over a year now. Our members have attended and spoken at several public meetings on this issue, including City Council meetings and workshops and MPC meetings. We have also discussed this issue with quite a few other community and neighborhood groups.

Community Forum sent a letter dated June 26, 2017, directly to City Council members, not to the City's email address for comments about the Ordinance. Therefore, our letter was not included in the Agenda package. That letter is attached here for your consideration as MPC is now working on this issue. As part of that letter was a list of neighborhood organizations which had approved Resolutions similar to the Community Forum Resolution. These Resolutions all specifically requested that Short-Term Rentals not be allowed in R-1 and R-1E zoning districts. After that letter was submitted, the Westmoreland Hills Homeowners Association also approved a Resolution. It is possible that other groups have approved Resolutions since June.

Also attached are the remarks that I made on behalf of Community Forum at the City Council Workshop on June 29, 2017. Several other Community Forum members spoke at that workshop and other public meetings.

I, and other members of Community Forum, would be happy to discuss this very important issue with you at any time.

Sincerely,

Larry Silverstein
Secretary-Treasurer
Community Forum

7808 Sheffield Dr.

Knoxville, TN 37909

693-1256

Larrys55@aol.com

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This message was directed to commission@knoxmpc.org

2 attachments



Community Forum letter to City Council 6-26-17.docx
20K



Community Forum remarks to City council re str 6-28-17.docx
18K



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Agenda item 5-C-17-OA on Short Term Rentals, MPC review
10/10/17 and public meeting 10/12/17

1 message

SHANE <spber@comcast.net>

Tue, Oct 10, 2017 at 7:13 AM

Reply-To: spber@comcast.net

To: "Berrier, Patti" <spber@comcast.net>, commission@knoxmpc.org, gerald.green@knoxmpc.org

Cc: pberrier <pberrier@utk.edu>

To Gerald Green Executive Director, MPC and all MPC Commissioners,

A more restrictive ordinance to not allow any Short Term Rental in residential zones SW1, R1, and R1-E zones would be acceptable. As this would set a clear boundary for absolute enforcement to occur in those zones. No questions need be asked.

The only other alternative is what was originally proposed in the MPC draft ordinance from earlier this year. In this case, please keep the restrictions which were written in the draft proposal to protect residential areas SW1, R1, and R1E with only strict homeowner occupied for STR use. Which would also limit one home to the homeowner. This will at least give residents the ability to actually speak and communicate on the spot if there are problems with a STR tenant. And again absolute enforcement must be followed through by loss of monetary, and/or both loss of permit to operate the STR for a period of one year. That way with the new year a new fee can be assessed for that year.

As issues with parking, noise, trash and strangers can and have occurred, near where I live. Live-in or onsite homeowners have more to lose, so I think this restriction would work to keep the character of the rest of the neighborhood intact by quickly solving problems.

At least with these restrictions and also background checks, occupancy limits and required parking it builds a safety factor for the rest of the neighborhood and is considerate of other affected homeowners in the end and their property values.

STR is still a business use within residential areas to be controlled.

Thank you,
Patti Berrier
[807 Phillips Avenue](#)
[Knoxville, TN 37920](#)

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Opposition to the Proposed Ordinance on the section allowing Short-Term Rentals in R-1 and R-1E

1 message

Dearden, Boyd L <bdearden@utk.edu>

Mon, Oct 9, 2017 at 2:55 PM

Reply-To: bdearden@utk.edu

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I am in opposition to the proposed ordinance allowing Short Term Rentals in R-1 and R-1E single housing zones. Short term rentals (STR) are simply incompatible with the lifestyle that families in single-family neighborhoods have a reasonable right to expect. When we all bought our homes in Knoxville, R-1 and R-1E zoning was in place and is a promise made by a city to its current and future residents. Knoxville has broken that promise for almost a decade by not enforcing clear restrictions in its municipal code. Jesse Mayshark, communications director for Mayor Madeline Rogero, said short-term rentals have been illegal in Knoxville in residential areas, though the city hasn't pursued anyone unless a complaint was made. "In general, Short Term Rentals are not currently legal in Knoxville. Except in hotels, motels and bed and breakfasts, City code does not permit the rental of residential quarters for a period of less than 30 consecutive days." There are currently over 300 illegal STR homes in Knoxville today. Now, the city wants to legitimize its misguided policy with code revision that would only exacerbate the problem.

The hospitality industry suffers when visitors choose residential dwellings over hotels/motels. This not only affects profits for owner/operators, it also impacts the hospitality workforce. Increasing occupancy in local hotels and motels will assure payment of TOTs and promote expansion of additional rooms in appropriate visitor-commercial zoned districts. That is one reason why hoteliers, unions, and citizens group oppose STRs. Schools are impacted as enrollment rates decrease, resulting in consolidations and closures. Housing suffers. Many cities face severe housing shortage and thousands of STR conversions force out homebuyers and long-term renters. Entire apartment complexes have been converted to STRs, driving out long-term residents, decreasing rental supply and increasing rents.

Long-range, we keep thinking about kids growing up in neighborhoods without neighbors. As residency rates tumble, so does social structure. When a neighborhood is full of STR's who will be your kid's Little League coach? Who will your daughter play with when there are no other little girls left in her neighborhood? Who will participate and volunteer at schools, planning groups, town councils, churches, synagogues and charitable organizations? Who will look out for you and your property? Who will check on the elderly, ill, and home bound residents of your neighborhood?

When families make the most important purchase of their lives – buying a home – they do so because they want a suitable environment in which they can do the most important thing they will ever do – raise their children and create a neighborhood environment. They have a reasonable right to expect that in a single-family neighborhood. For them, for all of us, but, especially for our kids a neighborhood should mean neighbors, not strangers! Protect and enforce the single housing zones R-1 and R-1E!

Boyd Dearden

732 Kempton Rd

Knoxville TN 37909

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This message was directed to commission@knoxmpc.org

To: Commissioners, Metropolitan Planning Commission
Date: October 9, 2017
From: Richard and Mary Stair
Subject: Short Term Rentals

Ladies and Gentlemen:

This letter is written to urge you to reject the proposed Ordinance now designated Short Term Rental Ordinance Proposed to be Added to Chapter 16 as a newly created Article XV. In support of our opposition to the proposed Ordinance we ask you to consider the following.

Most importantly, enactment of this proposed Ordinance will serve to completely eliminate neighborhoods within the City historically zoned exclusively for single family residences. Legitimizing short term rentals will provide homeowners in single family residential neighborhoods the opportunity to engage in the business of renting rooms for profit with the resulting potential for disruption of those amenities that attract families to residential neighborhoods: e. g., increased traffic flow, on street parking, late night activities, and interaction with transients who have no concern for the integrity of the neighborhood. In effect, this Ordinance will establish hybrid residential/commercial districts without going through the formality of legally amending the City's zoning ordinances.

While we believe this proposed Ordinance should be rejected in its entirety by MPC, should it go forward we ask that you consider amendments to enhance transparency in the permit application process. This can be accomplished through public notice of those seeking short term rental permits by posting a sign on the property and/or by publication in the Knoxville News Sentinel. Additionally, public meetings should be held to consider permit applications where neighbors will have an opportunity to be heard.

Of primary importance is enforcement. Notwithstanding that the drafting of the proposed Ordinance began over a year ago, the City did not then, nor has it to date, taken steps to publicize the illegality of short term rentals. Those homeowners engaged in the short term rental business do so openly, with knowledge that they are in violation of existing zoning ordinances, and without fear of reprisal by the City. What incentive does the operator of a short term rental business have to comply with a restrictive short term rental ordinance? Knowing there will be no interference from the City, why not ignore the Ordinance and continue operating as is? Will Airbnb and other online hospitality services agree to deal only with Ordinance compliant homeowners? These are some of the enforcement questions that are unanswered by the City and the proposed Ordinance. While we recognize that enforcement of any ordinance is the City's obligation, we believe this Ordinance should contain appropriate methods of enforcement.

Thank you.

Richard S. Stair and Mary W. Stair
1214 Park Glen Rd
Knoxville, TN 37919



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] MPC consideration of short term rental ordinance.

1 message

William L yons <wlyons@knoxvilletn.gov>

Mon, Oct 9, 2017 at 11:04 AM

Reply-To: wlyons@knoxvilletn.gov

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Cc: Gerald Green <gerald.green@knoxmpc.org>, Jesse Mayshark <jmayshark@knoxvilletn.gov>, Crista Cuccaro <CCuccaro@knoxvilletn.gov>, Charles Swanson <cswanson@knoxvilletn.gov>

Commissioners,

Hello! I wanted to send you a note ahead of your consideration next week of the City's proposed short-term rental ordinance. As you know, City Council referred some items back to MPC for consideration. This is a complex issue, and we appreciate your taking the time to study it. I know you have received Executive Director Green's staff recommendations on those issues. I have been working on this for more than a year along with other City staff members, and I would be happy to answer any questions you might have or to discuss the issue with any of you.

I know you have also received correspondence from Don Parnell raising some concerns about the ordinance. I want to assure you that Mr. Parnell has previously raised those issues with our Law Department, and our Law Department is completely comfortable with the approach we have taken. A number of us did have a meeting with Mr. Parnell about his concerns. At that meeting we shared our reasons for the approach we took. While the meeting was professional and pleasant, we obviously did not reach agreement.

Our ordinance is not contained in the zoning code because it does not affect the zoning code – the underlying zoning for all properties remains in full effect. Residential properties remain residential, with full-time residential use. Moreover, using an annual permit system rather than creating a new permitted use in the zoning code gives us much more flexibility to make changes in the ordinance if needed to respond to community concerns. It also avoids creating any vested right to operate a short-term rental. Our proposed ordinance will give us the tools we need to address an existing and growing global phenomenon in a way that protects our neighborhoods, respects property rights and ensures that all appropriate fees and taxes are paid by those operating STRs.

Thanks again for your time and for your consideration of this issue.

Bill Lyons

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Short Term Leasing

1 message

'Donna Brunson' via Commission <commission@knoxmpc.org>

Tue, May 9, 2017 at 1:28 PM

Reply-To: molegirl@aol.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

I am asking that the board vote against short term leasing in areas zoned R-1 and R-1E.

Donna Brunson

900 Kingsford Way

Knoxville, TN. 37919

Sent from [Mail](#) for Windows 10



Virus-free. www.avast.com

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] STR Ordinance

1 message

Chuck Powell <chuckp@mbiarch.com>

Tue, May 9, 2017 at 2:57 PM

Reply-To: chuckp@mbiarch.com

To: commission@knoxmpc.org

I live in Westmoreland Estates on Lawford Road. I would like to express my opposition to this ordinance. Thanks.....

Chuck Powell
Electrical Engineer
Principal
Michael Brady Inc.
299 N. Weisgarber Rd
Knoxville, Tn 37919
(p): (865) 584-0999
(f): (865) 584-5213
www.michaelbradyinc.com

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Fourth & Gill | Short Term Rentals

1 message

Jenny Wright <jmatthewswright@gmail.com>

Tue, May 9, 2017 at 12:31 PM

Reply-To: jmatthewswright@gmail.com

To: commission@knoxmpc.org, anders01@comcast.net, eason.mpc@gmail.com, mgoodwin.mpc@gmail.com, jtocher.mpc@gmail.com, Gerald Green <gerald.green@knoxmpc.org>, Charles Thomas <thomas.law@juno.com>

Cc: Jenny Wright . □ <jmatthewswright@gmail.com>

Dear Members of the Metropolitan Planning Commission,

Attached to this email you will find a letter detailing Fourth & Gill's position on the proposed short term rental ordinance. I hope you will carefully consider our concerns and will vote to approve the ordinance as drafted.

Very sincerely,

Jenny Wright

Historic Fourth & Gill

Neighborhood Organization President

jenny m. wrightjmatthewswright@gmail.com

865-386-1170

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This message was directed to commission@knoxmpc.org

Fourth & Gill Short Term Rental - 05-09-2017.pdf
68K

Historic Fourth & Gill
Neighborhood Organization
% Jenny Wright
140 E. Glenwood Avenue, Unit 110
Knoxville, Tennessee 37917
865-386-1170 | jmatthewswright@gmail.com



May 9, 2017

sent via email

Dear Metropolitan Planning Commission,

I write to you on behalf of the Historic Fourth & Gill Neighborhood Organization regarding the proposed ordinance establishing standards for short-term rental units (STR). During our last neighborhood board meeting, we voted unanimously to express our support of the ordinance as drafted and to be presented to you on May 11th. We recognize the value that STRs bring to homeowners, to the city, and to the tourism industry, but we firmly believe that STRs must be regulated. Specifically, we find the provision detailed in §2.2(e) *Owner Information* and §2.3(a) *Type 1 Operating Permit, Owner-Occupied* to be an essential component of Knoxville's STR ordinance.

Absent such provision, our historic, residential neighborhood would face a threat of commercial encroachment. Additionally, the heart of our neighborhood—our neighbors and tight-knit community—would suffer. Strong relationships among Fourth & Gill residents are a defining characteristic of our neighborhood. The presence of non-owner-occupied STRs would jeopardize the neighborly, residential nature of our community and would be contrary to Fourth & Gill's R-1A low density residential district zoning classification.

We find the owner-occupied requirement to be a necessary and reasonable element that recognizes and fulfills the interests of neighborhood residents and STR operators. Accordingly, the Historic Fourth & Gill Neighborhood Organization requests that you vote to approve the STR ordinance as drafted.

Thank you for your consideration.

Very sincerely,

Jenny Wright
President, Historic Fourth & Gill
Neighborhood Organization

Dear MPC Commissioners:

Thank you for your service on MPC. Please consider my comments as you consider The City of Knoxville's proposed Short Term Rental Unit Ordinance. I am generally not supportive and I think it needs work.

1. STRs provide assistance during peak-demand times such as UT football games and music festivals. The City needs to encourage, not discourage this market-based response to peak-demand. I do not think this ordinance does that. It will have the effect of taking STRs out of the market in the areas where the peaks occur such as downtown or the near-in neighborhoods.
2. It is clear, in my reading, that the City of Knoxville wants to squash STRs like they did Bed and Breakfasts in the 1990s. The proposed ordinance is overly onerous and will discourage people from providing STRs as nice places for visitors to stay. Not everyone wants to stay in a hotel. If the city is after the tax money, then they just need to focus on that without all this other regulatory burden.
3. It seems that the City of Knoxville is proposing to regulate a few short-term rentals more heavily than they do long-term rentals under the guise of safety. Are short-term guests really at greater risk? They should focus on true safety hazards.
4. The process of proving that a unit is owner occupied is more onerous than someone who owns 100 rental houses throughout the city. Is this really a well-placed level of effort? I don't believe so.
5. A site plan is unnecessary. This is an unnecessary expense that is not required of other rental units.
6. What about this situation where a parent is helping a child buy a home? If the child needs help buying a house and the parent helps by putting the title of the home in their name but the parents don't live there. The ordinance needs to better reflect that residential property ownership is structured in a number of ways – trusts, LLCs, etc. What about lease to own arrangements?
7. Courts have ruled that corporations are persons. Can a corporation be a resident? This is a way to skirt the limits in residential zones.
8. This ordinance discriminates against renters who can't afford to own and may have approval from their landlords to operate an STR and who need the income to boost their family income.
9. Renters in Type 2 Units have an unfair advantage over Renters in Type 1 Residential districts. The city's proposal could keep those trying to pull themselves up from poverty, such as those renting in residential zones, from having another source of income in their own home.
10. The documents required to establish residency discriminate against those who do not drive a car, vote, or have children or are self employed and do not receive a W-2. More documents should be allowed such as KUB bills, library cards, bank statements, etc.
11. The requirement to get a business license is too onerous. Someone who owns a rental house does not even need to get a business license. This is a misplaced regulatory burden.

12. The appeal board should have a majority of citizens on it.

13. I am supportive of the City figuring out a way to collect the proper taxes without all the other regulatory burden.

Thank you for your service on MPC. Feel free to call me if you have questions.

Sincerely,

Wes Goddard
1511 Laurel Avenue
865-809-4135



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Re: Short Term Rentals

1 message

TERESA FAULKNER <terryfaulk@bellsouth.net>
Reply-To: terryfaulk@bellsouth.net
To: Planning Commissioners <commission@knoxmpc.org>

Wed, May 10, 2017 at 1:22 AM

Dear MPC Commissioner,

It is my hope that upon consideration of the STR ordinance prepared by the City of Knoxville at your May 11, 2017 meeting, that you will vote to amend the ordinance, deleting the R-1 and R-1E zones from the ordinance. I believe that including these single-family residential zones is, in fact, introducing businesses into these zones and would be detrimental to neighborhood stability.

Thank you for your consideration of this matter.

Terry Faulkner;
Forest Heights Neighborhood

--

This message was directed to commission@knoxmpc.org

May 8, 2017

MPC Members
City-County Building
Knoxville, TN

Dear Members:

The proposed Short-Term Rental Code has garnered a great many proponents, opponents, and concerned citizens. I identify myself as a concerned citizen, recognizing the merits of the proposal while alarmed over some unintended consequences. At present the City has three permit categories for persons who wish to use their homes to make additional income. All of these categories have regulations and criteria that ensure the safety of the customer and compatibility with the well-being of the neighborhood. The proposed Short Term Rental Code fails to fully address customer safety and neighborhood well-being.

1. Similar Permit Categories

The proposed code defines short term rentals as *"...a dwelling unit, a portion of a dwelling unit, ...occupancy by Transients for dwelling, lodging, or sleeping and which is offered to Transient for Consideration for a period up to 30 consecutive calendar days.* There are three permit categories in Knoxville City that are similar to Short-Term Rental and these are: Home Occupations, Bed and Breakfasts, and Rooming and Boarding Houses.

Short-Term Rentals could be considered a **Home Occupation** which is *"...gainful occupation conducted in a dwelling unit or residence."* Home occupations require MPC approval as a Use on Review and must meet several standards including (1) being compatible with the character of the neighborhood and (2) not significantly injuring the value of adjacent properties. Note that "Tourist Homes" (a term which I could not find defined) is specifically prohibited as a Home Occupation.

Short-Term Rentals can also be similar to a **Bed and Breakfast Establishment**. Such establishments, when providing between four and twelve rooms, are regulated by Chapter 1200-23-2, Tennessee Department of Health Division of Food and General Sanitation. A Bed and Breakfast Establishment is defined as *"...a private home, inn, or other unique residential facility offering bed and breakfast accommodations and only one daily meal and having four (4) but not more than twelve (12) guest rooms furnished for pay, with guest staying not more than fourteen (14) days, and where the innkeeper resides on the premises or property or immediately adjacent to it. Guest rooms shall be established and maintained distinct and separate from the innkeeper's quarters."* Regulations cover areas such as:

- sanitary facilities (water, plumbing, sewage, garbage disposal, insect and rodent control),
- fire safety,
- cleanliness of bathrooms,
- lighting,
- ventilation,
- beds/linens/furniture,
- and a slew of regulations on food

Short-Term Rentals seem very like a **Rooming and Boarding House** which is defined as: *"A house with*

an owner-occupant, or a resident manager, where for compensation, lodging with or without meals is provided for not more than twelve (12) persons”. Regulations include: screen off-street parking, locate off-street parking to the side or rear, and the building must be on an arterial or collector street.

2. Proponents

Proponents state a Short-Term Rental is similar to inviting a guest or guests into your home, that it provides revenue for the Owner or Operator, and meets a demand for transient lodging outside of hotels and motels. Providing additional income and meeting an unmet demand have value. The analogy that the impact is similar to having a guest(s) is misleading as the tenants are strangers, money is exchanged, and the frequency of use can be much greater than normal hospitality would incur. The additional purported benefits of improved property maintenance and thoroughly vetting tenants are valid only if the proposed Code requires these standards, which as currently drafted, it does not. A launder mat bulletin board meets the definition of Hosting Platform. Vetting tenants is not mentioned.

3. Opponents

Concerns often expressed regarding Short-Term Rentals include: the preservation of neighborhood community, neighborhood safety, tenant safety, safeguarding the supply of affordable housing, and economic equity between the regulations and investment expense of Short-Term Rentals when compared to other lodging such as Bed and Breakfast, Room and Board facilities, hotels, and motels. models, such as hotels and B&Bs.

4. Suggestions

- the draft regulations are very weak when addressing transient tenant safety (see B & B lodging regulations),
- there are no criteria regarding impact on the neighborhood (see Home Occupation criteria). Limiting the number of Short-Term Rentals on a residential block and the number of rooms to 3 or fewer would lessen the impact on a neighborhood (see MPC Staff presentation power point to the Neighborhood Advisory Committee);
- require the Owner/Operator to remain on the premises for tenant safety, contact for the neighborhood, and to maintain harmony with the neighborhood;
- address whether food is provided, how it's preparation is regulated, and whether 4 or more rooms kicks the Short-Term Rental into a Bed and Breakfast category;
- clarify the confusion between Owner and Operator (see definition of Operator vs Section 2.3.a and 2.7.a “Owner Occupied”... I think that Operator Occupied is the intent;
- what is a “natural person” per 2.3.a as no definition is provided;
- establish a minimum rental period so the rooms are not rented by the hour.

Thank you for your consideration and discussion on the points raised in this letter. I am unable to attend the MPC hearing May 11, 2017 and hope that there will be an additional hearing for future discussion.

Regards,

Sandra Korbelik, AICP
5212 Daphne Drive
Knoxville, TN 37914
803 522 3950

REGULATING SHORT TERM RENTALS

Metropolitan Planning Commission Agenda Review
Small Assembly Room, City County Building
May 9, 2017

Jesse Mayshark, Director of Communications
Crista Cuccaro, Staff Attorney



PRESENTATION OVERVIEW

- Background and Data
- Policy Considerations
- The Knoxville Approach:
Proposed Ordinance Provisions
- Questions



SHARING HOMES

- Short Term Rentals fall into several categories, ranging from the rental of a single bedroom to several bedrooms to an entire home.
- Typically, the period of time is 30 days or less.
- Growing industry, with approximately 200-300 operating in City of Knoxville currently.



POLICY CONSIDERATIONS

- There is no singular way to regulate this business model—every city has different needs and thus needs a different ordinance.
- Common reasons for regulating STR include:
 - neighborhood preservation
 - public safety
 - enabling citizens to fill income gaps
 - protecting affordable housing
 - economic equity between STR and other lodging models, such as hotels and B&Bs
- The General Assembly has also proposed measures to regulate STR, which the City has been monitoring. Today, an amended **HB 1020/SB 1086** goes to the floor of the House of Representatives for a vote. It also has to be decided upon by the Senate Finance, Ways, & Means Committee before a vote by the entire Senate.



CITY OF KNOXVILLE: Current Ordinance

Current ordinance does not provide for STR. Complaints are handled individually, and enforcement usually involves informing operators that they are operating a motel in violation of the City's Zoning Code.

- *Motel*
- *Hotel*
- *Bed and breakfast inn*
- *Rooming and boarding house*

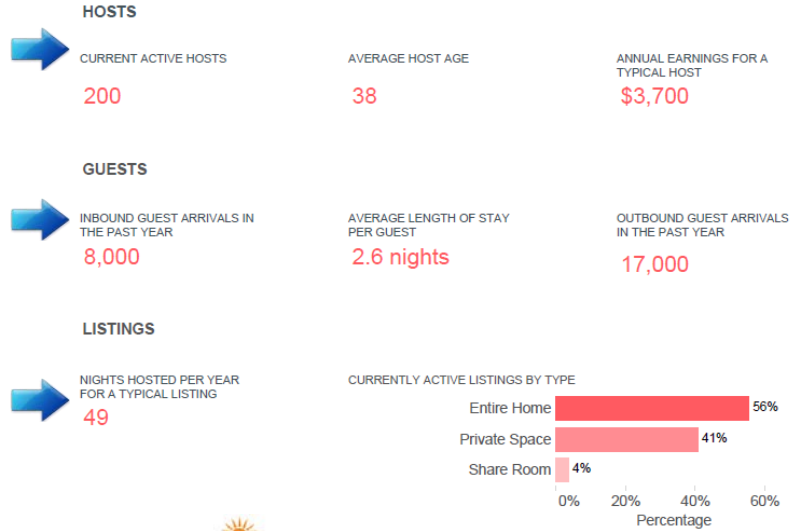


PUBLIC INPUT

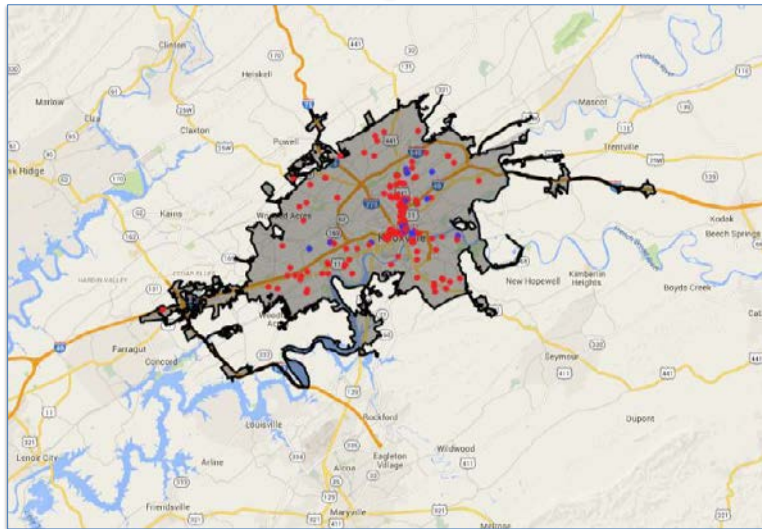
- Neighborhood Advisory Council; August 10, 2016
- Draft Framework Released
- [Public Meeting; October 18, 2016](#)
- Email Established & Public Comment Period Open
- Draft Ordinance Released; March 2017
- [Public Meeting; April 4, 2017](#)
- Final Ordinance Proposal Released; April 2017
- Additional Neighborhood Outreach and Meetings
- Planning Commission; May 11, 2017



CITY OF KNOXVILLE: By the Numbers



CITY OF KNOXVILLE: Geographical Distribution



PROPOSED PROVISIONS Overview of Regulations

- Ordinance will be added to Chapter 16 of the City of Knoxville Code of Ordinances, which is where miscellaneous licenses and business regulations are found
 - State law requirements for zoning, T.C.A. § 13-7-201
 - Zoning as “substantial interference” with land use
 - See *Cherokee Country Club v. City of Knoxville*
 - But see [*Metro Nashville v. BZA of Nashville and Davidson County, et al.*](#)



PROPOSED PROVISIONS Overview of Regulations

- A permit will be required for the operation of any Short Term Rental in the City of Knoxville; operation without a permit is illegal
- Cost is \$70 for a Type 1 Permit, \$120 for a Type 2 Permit; Annual renewals of \$50
- Permits will be issued through the Business License & Tax Office
- Private agreements (HOA rules, for example) are not within the scope of the City’s authority for regulation



PROPOSED PROVISIONS

Who can obtain a STR permit and where are they allowed?

- **Type 1 Permit: Occupant Owner in Residentially Zoned Districts**
 - Limits Occupant Owner to one STR in residentially zoned districts
 - Occupant Owner does not have to be present during the rental, but must nominate a local agent who is available at all times
 - Criteria for determining residency and ownership
- **Type 2 Permit: Owner in Non-Residentially Zoned Districts**
 - Not restricted to Owners who are also Residents
 - Limit of two permits per Owner
 - Also available to lessees with signature of Owner



CITY OF KNOXVILLE

PROPOSED PROVISIONS

What are the minimum safety requirements?

Affidavit verifying installation of smoke alarms, fire extinguishers, and carbon monoxide detectors. The number required depends on the configuration of the Short Term Rental.

What information will be required for the application?

Site plan showing parking; Floor plan; Proof of lodging, sales, and other relevant taxes; Local contact person; Owner and lessee information, if applicable; Indemnification; Fees; and more.



CITY OF KNOXVILLE

PROPOSED PROVISIONS

How many transients can be in a Short Term Rental Unit?

- The number of occupants in a Short Term Rental Unit shall not exceed the sum of two (2) people per bedroom plus two (2) additional people.
- Due to state law regarding fire safety, the maximum occupancy of any Short Term Rental Unit, regardless of the number of bedrooms, shall not exceed 12 people at one time, including any transients renting the unit and anyone who resides or is otherwise staying at the Unit.



PROPOSED PROVISIONS

How will the City collect taxes?

- Tax collection includes hotel occupancy tax, sales tax, and gross receipts tax
- **ALL** permit holders are required to remit **hotel occupancy taxes** to the City of Knoxville. The hotel occupancy tax rate is 3%.
- **Sales tax** is collected by the **State of Tennessee**. The sales tax rate is set by the State of Tennessee.
- **Gross receipts tax** is collected by the State of Tennessee, but tracked using local **business licenses** (City of Knoxville and Knox County); the requirement to obtain business licenses depends on the income produced per the chart below. The business tax rate is set by the State of Tennessee.

Annual Gross Income	Business License Required	Return Filed/Taxes Paid
\$0 to \$2,999	None	None
\$3,000 to \$9,999	Minimal Activity, \$15/yr*	None
\$10,000 +	Business License, \$15/yr*	File with TN Dept. of Revenue/Pay Taxes

**per jurisdiction*



PROPOSED PROVISIONS

How will the City deal with violations?

This depends on whether the violation is operating without a permit, a violation of the ordinance by a permit holder, or a violation of other City Codes.

- Operating without a permit will be handled through citations and other legal means, as needed. The City may employ enforcement software to aid in tracking unpermitted STRs.
- A permit holder will receive notification of complaints and the City will investigate those complaints. Violations may result in revocation of the permit. Any STR Operator who has a permit revoked is prohibited from making a new application for a STR permit for 6 months.
- For immediate issues, a local contact person is expected to respond and City of Knoxville officials will respond, as needed.



NEXT STEPS

- Adoption of Ordinance
 - MPC on May 11
 - City Council in June
 - Effective date as determined by City Council
 - State legislation?



QUESTIONS?



Thursday, October 5, 2017

To the MPC Commissioners:

I am writing to ask, respectfully, that you reject the proposed Ordinance relating to Short Term Rentals in the City of Knoxville, as presently written, and, instead, start the process anew, and consider alternatives that are more consistent with property rights, the appropriate amendment process for the Zoning Ordinance, transparency and the rule of law.

My reasons for making this request are as follows:

- 1) The proposed Ordinance effectively amends the Zoning Ordinance of the City, without going through the process of actually amending the Zoning Ordinance, consistent with State Law;
- 2) The proposed Ordinance dismisses the protection presently, and historically, afforded those City residents who reside in, and have invested in, homes within R-1 and R-1E residential zoning districts, through dismissal of due process, removal of transparency, introduction of commercial uses within the R-1 and R-1E zoning districts, lack of commitment to enforcement, and eliminating any role for the general public during the proposed appeal process;
- 3) The total number of housing units in Knoxville (2016) is approximately 84,981;
- 4) The current estimated number of extralegal short term rental units is estimated to be approximately 300-350, which represents approximately .0058 percent of the total dwelling units;
- 5) The proposed Ordinance affects, however, 100 percent of the housing units in the City;
- 6) Even if a "demand" for short term rental units reaches 1,500, that would represent only 2.4 percent of the total dwelling units in the City;
- 7) The term "transient" is used in the existing Knoxville Zoning Ordinance, a term that is defined as: "not lasting, enduring, or permanent; transitory";

this definition is not consistent with the intent of the R-1 and R-1E residential zoning districts; “transient” is neither consistent with, nor the same as, “stable”;

An additional definition within the existing Zoning Ordinance is that of Rooming and Boarding Houses: “A house with an owner-occupant, or a resident manager, where for compensation, lodging with or without meals is provided for not more than twelve (12) persons”;

Another definition in the current Zoning Ordinance is “Resort”: “A facility for transient guests where the primary attraction is generally recreational features or activities”;

Each of these uses is reflective of the concept of “transient” housing – “temporary, of short duration” – inconsistent with single family neighborhoods.

- 8) The opportunity exists, within the present Knoxville Zoning Ordinance, to utilize the Use Permitted on Review process as a means, within Residential zoning districts other than R-1 and R-1E, to allow, on a case by case basis, short term rentals; the Use on Review process is described in the Ordinance, and is a commonly used land use regulatory approach; The Use on Review involves public notice of an application, public notice via the media and posted on the subject property, a public hearing before the Metropolitan Planning Commission, and the same opportunity of a public hearing before City Council – in short, transparency;
- 9) The proposed Ordinance explicitly states that the permitting of a Short Term Rental does NOT constitute a vested right; the City Law Department and senior Administration officials have acknowledged that this provision was very intentionally included in the proposed Ordinance;

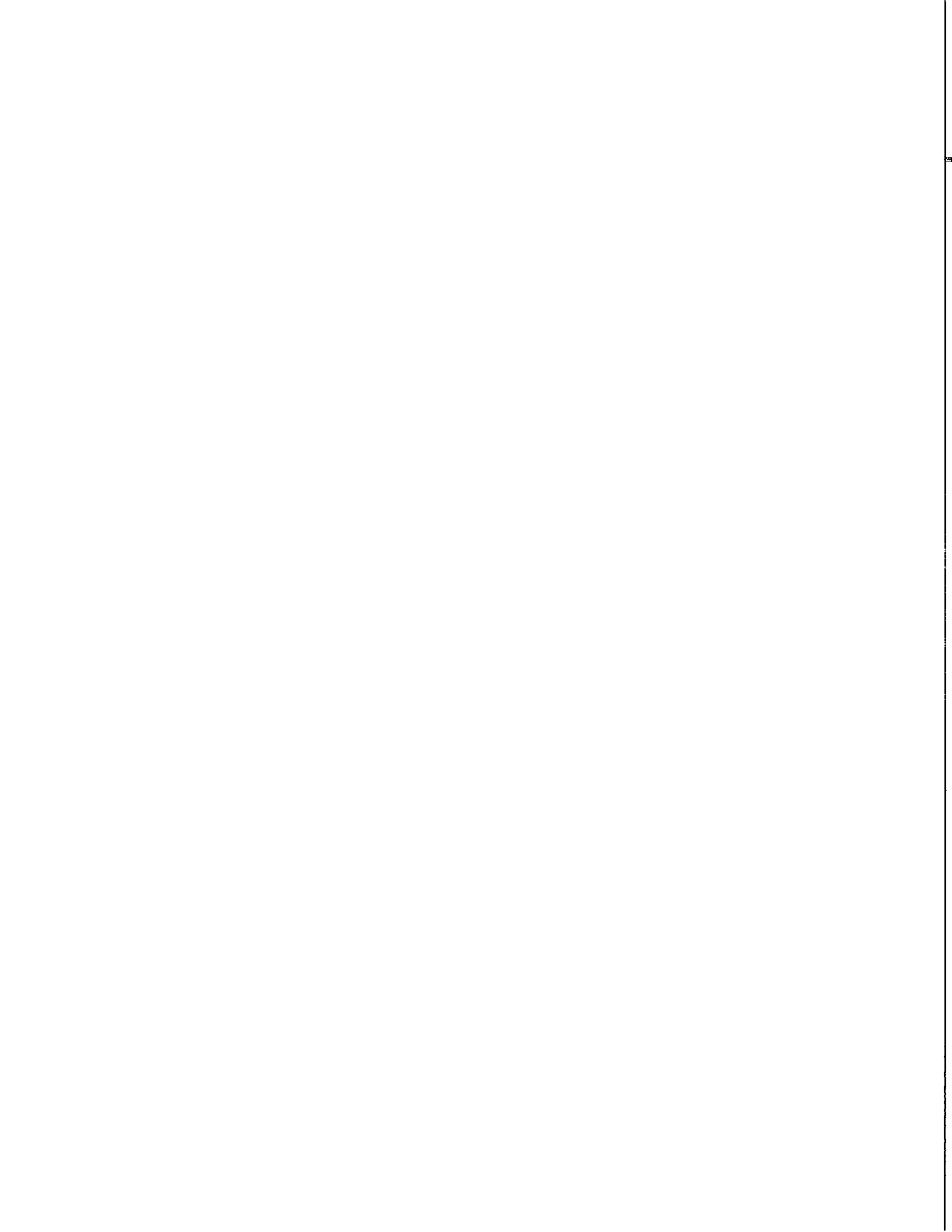
There is no right way to do a wrong thing.

Proceeding with the currently proposed Ordinance would be an irrevocable breach of trust with the citizens of Knoxville.

Thousands of Knoxville citizens have relied for decades upon the protection afforded them through Zoning and other related land use regulations, enacted pursuant to State enabling legislation. A procedure which amends the Zoning Ordinance without following established procedures consistent with State enabling legislation is a fatally flawed approach, and represents a precedent inconsistent with transparency and the rule of law.

Respectfully,

Donald H. Parnell
1214 Craig Road
Knoxville, Tennessee 37919



SOME ISSUES RELATED TO THE CONSIDERATION OF APPROVING SHORT TERM RENTALS AS A PERMITTED USE IN ALL RESIDENTIAL ZONING DISTRICTS IN THE CITY OF KNOXVILLE

Premise:

The Knoxville Zoning Ordinance does not presently allow, as a Use Permitted by Right, a commercial use of single-family residential property for commercial use on an intermittent, or "short-term" basis.

Proposed Action by the City of Knoxville:

The City of Knoxville proposes to adopt a free-standing Ordinance (i.e., not an Amendment to the existing Zoning Ordinance) that would allow, as a Use Permitted by Right, a commercial use of single-family (and other) residential units for commercial use on an intermittent, or "short-term" basis, for the housing of "transients".

Background:

The accepted definition of "transient" is:

1. Not lasting, enduring, or permanent; transitory
2. Lasting only a short time; existing briefly; temporary
3. Staying only a short time

[Source: Random House College Dictionary]

The current (October, 2017) Knoxville Zoning Ordinance also includes the following definitions:

Transient Lodging: directs reader to "Motel" definition

Motel: "A building or group of buildings used for the temporary residence of motorist or travelers"

Rooming and Boarding Houses: "A house with an owner-occupant, or a resident manager, where for compensation, lodging with or without meals is provided for not more than twelve (12) persons"

Resort: "A facility for transient guests where the primary attraction is generally recreational features or activities"

Neither Motels, Rooming and Boarding Houses, nor Resorts are presently identified as permitted uses within the single-family residential districts in Knoxville.

Definitions: (Proposed Ordinance)

Short Term Rental Unit. A dwelling unit, a portion of a dwelling unit, or any other structure or space that is occupied or intended or designed for occupancy by Transients for dwelling, lodging, or sleeping and which is offered to Transients for Consideration for a period of up to 30 consecutive calendar days.

Transient: Any person who exercises Occupancy or is entitled to Occupancy of any rooms, lodgings, or accommodations in a Short Term Rental Unit for a period of less than thirty (30) consecutive calendar days.

Comment: The concept of “transient” uses is the antithesis of what is contemplated in stable residential districts. The Zoning Ordinance is intended to provide for stability and permanence, and the expectation of privacy and protection of property rights within residential districts.

The Typical Process for Amending Land Use Regulations

Land uses are regulated by separating them by “districts”. General types of land uses (e.g., residential, commercial, industrial, office, etc.) are typically categorized, and within each zoning category a list of permitted uses is included.

Amendments to the list of uses, the density of those uses, and relevant characteristics, are, from time to time, amended by local government, via a public process that includes the Planning Commission and the local legislative body, and specifically changes the provisions as previously presented within the land use regulations.

The City’s Proposed Ordinance regarding Short Term Rentals (proposed to be added to Chapter 16 as a newly created Article XV) is a free-standing Ordinance that results in the amendment of the Zoning Ordinance, by adding a Permitted Use (Short Term Rentals) within all Residential Zoning Districts.

The City of Knoxville requires that amendments to the zoning regulations be consistent with the One Year, Five Year, and Fifteen Year Development Plans, adopted regularly by the City Council.

There is no reference within these Plans to the inclusion of Short Term Rentals in the City Zoning Ordinance within all residential zoning districts.

SHORT TERM RENTALS

BACKGROUND, AND ALTERNATIVE REGULATORY APPROACHES

August 7, 2017

- 1. Has the City of Knoxville determined (a) how many short term rental units exist within the City, and (b) where they are located?**

Assuming the answer to this question is “No”, the following is proposed to secure a reliable answer to those questions.

- a) Require that all current (“pre-existing”) short term rental owner(s) submit(s) that information to the City Law Department, to include:**
 - Address of subject property**
 - Number of bedrooms, bathrooms (that were designed for, and serve as such) at the subject property**
 - Ingress / egress for subject property**
 - Parking designated for that use at subject property**
 - Period of time during which the subject property has been listed with any STR rental company, and/or has served as a STR property in the absence of affiliation with AirBNB or other comparable company**
- b) The owner(s) shall not be eligible for future consideration as a Permittee for short term rental status in the City of Knoxville, until and unless the information has been submitted to, and officially acknowledged by, the City of Knoxville Law Department**
- c) All owners of “pre-existing” illegal short term rental properties must pay a \$125 fine, per short term rental unit, to the City of Knoxville when they report the existence of that / those operations to the City. Failure to submit the information, and failure to pay the required fine, per owned short term rental unit, shall result in the forfeiture of any opportunity, for a period of twelve months, to secure a City permit.**

If, during the twelve month period, the owner(s) shall submit the required information, and the required fines, they will establish their eligibility (though not certainty of approval), at the end of the referenced twelve month period.

2. As to the question of location, it is recommended that the City not proceed with a final determination on a "map" approach versus a "all residential and commercial zoning districts which permit residential uses" approach until and unless a map has been prepared which clearly illustrates the location of each "pre-existing" (illegal) short term rental unit within the City.

The premise is that, without knowing the scope and scale (location, type of residential unit, and the zoning district(s) within which the "pre-existing" units are located, the solution is very unlikely to be as relevant, directed, or effective as it will otherwise be with such information in hand.

3. Permits

The applicant(s) for a Permit to operate a short term rental unit must meet all the requirements identified by the City for eligibility to apply. Those applicants who have previously operated a "pre-existing" (illegal) short term rental unit, in order to be considered for a Permit, must have paid the required fine for each short term rental unit which they own, and which they (or their Agent) leased as a short term rental unit.

The Permit process shall be structured to be consistent with the Metropolitan Planning Commission process for Uses Permitted on Review, whereby:

- a) The Owner must apply for a Use Permitted on Review, which use shall be described specifically as a "Short Term Rental Unit";

- b) The subject property shall be identified, and a sign shall be posted on the subject property, identifying the place and hearing date for MPC, which shall be the forum for consideration of a Permit for an STR;
- c) The matter shall be heard in a public forum, either as part of the regular MPC Agenda, or at a separate meeting (to be held each month) which shall consider only the STR Permit request(s);
- d) All permits shall be issued for a period not to exceed three (3) years from the date of the initial granting of a Permit.

Ninety (90) days prior to the expiration of the valid Permit, the Applicant shall petition the MPC for a renewal of the Permit.

The new Permit Application shall be placed on the MPC Consent Agenda, and approved as same, unless there is/are parties who object to the approval on Consent. If there are objecting parties, the matter shall be heard as a regular Agenda item, and the process shall continue as originally described (i.e., MPC decision, which may be appealed by any Party to the City Council)

4. Delineation of geographic areas within which short term rental units ("STR's") have previously existed within the City of Knoxville

Following the preparation of a map which illustrates the location of all pre-existing short term rental units, (based upon the self-reporting process previously described in this document) the City shall prepare a written and graphic Summary of that location information.

The Summary shall describe, and be made available to the public prior to any final decision by City Council or the Administration on approach to delineating geographic areas, the following:

Total number of residential units which have heretofore operated as short term rental units;

Number of such residential units which exist within each Census Tract / Traffic Zone / Councilmanic District / Small Area (as designated by MPC), with

an accompanying graphic which indicates the number of short term rental units within each of the several existing residential zoning districts (as described in the City of Knoxville Zoning Regulations)

5. Process for establishing location(s) within which short term rental units may be permitted

The City Council may, after all pre-existing short term rental unit locations have been fully identified (as described above), and after all owners of pre-existing short term rental units have submitted the requisite information, and paid the applicable fines, establish the process by which a determination of location may be considered.

Any process must recognize, explicitly, the information provided as to location of "pre-existing" short term rental units, and establish specific geographic and related criteria by which applications must be considered.

The process must result in written criteria being established, which criteria may, from time to time, be amended by City Council, with explicit consultation with the Metropolitan Planning Commission.



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Fwd: West Hillis Community Resolution Re: Short-Term Rentals

1 message

RPelot3 via Commission <commission@knoxmpc.org>

Mon, May 8, 2017 at 2:29 PM

Reply-To: rpelot3@aol.com

To: commission@knoxmpc.org

From: RPelot3@aol.com**To:** commission@mpc.org, npavlis@comcast.net, dgrieve@knoxvilletn.gov, bpalmer@knoxvilletn.gov, ndellavolpe@knoxvilletn.gov, mcampen@knoxvilletn.gov, dbrown@knoxvilletn.gov, gwallace@knoxvilletn.gov, marshallstair@knoxvilletn.gov, fsaunders@knoxvilletn.gov**Sent:** 5/8/2017 10:23:53 A.M. Eastern Daylight Time**Subj:** West Hillis Community Resolution Re: Short-Term Rentals

Be it resolved, that the Executive Committee of the West Hills Community Association is opposed to allowing Short-Term Rentals (STR's) in Residential Zoning Districts R-1 and R-1E in the City of Knoxville, as proposed in an Ordinance which will be considered at MPC on May 11, 2017, and by City Council in the near future.

This Resolution was approved at a meeting of the Executive Committee on April 17, 2017.

Dr. Reuben Pelot, President, West Hills Community Association
And/or Secretary, West Hills Community Association

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Short Term Rentals

1 message

rmstair@bellsouth.net <rmstair@bellsouth.net>
Reply-To: rmstair@bellsouth.net
To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Wed, May 10, 2017 at 7:46 PM

Please be advised that we are opposed to allowing Short Term Rentals in Residential Zoning Districts R-1 and R-2 in the City of Knoxville as proposed in an ordinance to be considered by MPC on May 11, 2017, and, thereafter, by City Council. In our opinion Short Term Rentals will serve to commercialize and, therefore, devalue property long zoned exclusively as residential. Recent appraisals have increased previous residential property values and assessments by an average of 11%. In our case, the current appraisal and assessment increases previous amounts by 43%. We purchased our Forest Brook home in West Knoxville in 1970 secure in the knowledge that no commercial enterprise could intrude in the neighborhood. To now allow short term rentals provides the potential to destroy the character of this and similarly situated residential subdivisions. Simply stated, we ask you to protect and preserve the integrity of our residential neighborhoods.

Thank you.

Richard S. Stair and Mary W. Stair

Sent from [Mail](#) for Windows 10

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This message was directed to commission@knoxmpc.org