

City of Tybee Island

Street Address: 403 Butler Avenue • Mailing Address: P.O. Box 2749 • Tybee Island, Georgia 31328

Short-Term Vacation Rental (STVR) Stakeholder Meeting #4

January 11, 2022, 3 p.m.

City Hall, 403 Butler Avenue

PRESENT:

Amy Gaster
Keith Gay
Shawn Gillen
Bubba Hughes
Judy O'Neil
Michelle Owens
George Shaw
Shirley Wright

Meeting started at 3 p.m.

DISCUSSION POINTS:

City Manager opened the discussion by explaining that this ad hoc group would provide feedback in three key areas related to STVRs. Feedback would be provided in a roundtable format, with each member given an opportunity to speak on each of the topics. Those topics were:

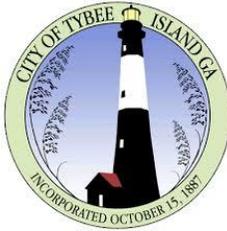
- Occupancy Limits
- Permit Caps
- Re-Permitting

1. OCCUPANCY LIMITS

TIARA has found that most STVRs are complying with the occupancy limits. They have changed advertising and policies. They think this is a workable requirement.

The occupancy limit designation of children as 15 and under has created an advertising problem for STVR companies. If ads show bunkbeds set up for kids, how will that be perceived? TIARA will work with owners to find ways to manage this issue.

Will the occupancy limits and parking requirements be enforced for rentals only? Some owners have large families.



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City manager clarified that the ordinance does not distinguish between owner and renters. Owners can stay in their homes with as many family members as they wish.

City attorney clarified that parking limits apply only to renters.

Many larger homes on Tybee are built for large groups. It would be helpful to clarify whether owners are held to the same standard as renters.

City manager clarified that children 15 and under will not count against occupancy limits.

Some residents don't feel the occupancy issue is settled. They could not find an industry standard and also believe the issue about how children are counted needs to be reconsidered. Perhaps the ordinance should use "persons" instead of "adults" to limit the number of kids.

Can the number of days per year that a house is rented be limited? Can overnight stays be required to prevent house parties? Can a cap be placed on the max number of people in a house despite the number of bedrooms?

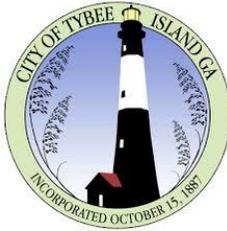
Council should consider and plan for the people who live on Tybee full time. Even people who live in non-residential areas want peace and quiet too. How many people can you invite into your community and still feel like a community? What's our vision?

City needs to determine what is considered a bedroom and clarify that. People will push the limits by putting beds in garages.

Can code enforcement or management companies verify who actually shows up for the rental and see if it matches the reservation? Management companies believe that is not humanly possible. The companies do evict and fine people who violate the stay if it is reported.

Most visitors are families who visit the beach. Can't regulate blood relatives. Trying to verify occupancy is shaky legal ground. The definition of family is changing.

Across the country, enforcement is the hardest thing to do. Address some issues up front, like defining what is a bedroom.



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Some of the discussion about occupancy is really about behaviors like overcrowding, noise, being good neighbors. Occupancy is about noise. We want the disturbance managed. Eight people can make as much noise as 12.

There could be more to it than behavior. Community feels it's more about an intangible element – sense of community. Occupancy is a way to resolve the noise, but it's more than that. More to the issue than behaviors.

It's also about numbers, not just behaviors. 1,000 well-behaved citizens still stress the resources.

Conversely, when there's 30,000 cars on the island, not all of those are STVR stays.

Local management companies flag a guest if they had bad behavior and don't rent to them again. Companies like Airbnb also have a system to flag problem guests.

A stakeholder group of Savannah owners should be held also. They hardly come to Tybee anymore due to STVRs. This group is forgotten about in the discussion. They need to be considered.

2. PERMIT CAPS

The permitting of STVRs got out of control. Solutions will be hard. What is the correct percentage of STVRs to homeowners. We have to decide. What makes a neighborhood? How many people is too many?

A cap is necessary if re-permitting of STVRs is allowed. If re-permitting is not allowed, no cap is needed, as attrition will lower the numbers. We can't have both. We need balance.

Consider how city will handle people who have permits but don't use them? Will they be treated the same as income producing properties?

Can the number of permits be dealt with by allowing a certain number per block, or will that seem more like a punishment?

A cap may have too many repercussions. Families change and owners may need to rent their homes if they can't visit as often, to offset taxes and other costs.



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From a realtor's perspective, implementing caps will impact home valuations and result in bad press. Homes for sale after the moratorium have fallen to 20 at the present compared to 100 a few years ago.

Make sure the city doesn't create two classes of homeowners: those who can rent and those who can't. Those who aren't allowed to rent could end up renting illegally.

There will always be two classes of homeowners with or without caps. Those who rent their homes and those who don't: The real problem is the city's inability to penalize problem renters. Cited renters don't come back.

Penalizing problem renters should also be a responsibility of the homeowner who is renting the property. They shouldn't be putting that responsibility on government.

The re-permitting issue is also about quality of life in a neighborhood. Renters are not the people who add to quality of life. Doesn't matter how great they are, they are not neighbors. Some residents want quality of life.

Conversely, some residents don't have issues with renters. They like meeting new people.

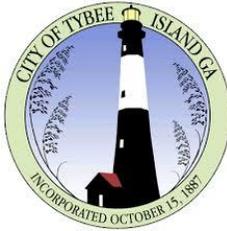
Explore the possibility of how many STVRs one person can have, how many days they can rent and how many days it can be rented without the owner on-site.

Limiting ownership is a challenge. Some are owned by LLCs for liability reasons. Others are owned by family trusts and have been for over a century. If permits are capped, a grandfathering is essential. Property owners deserve the right to maintain use of their property.

Re-permitting can be offered for properties in good standing – taxes paid, no outstanding fees.

Some communities offer an exemptions. Properties don't count against the cap if the owner is on site. Consider creating a category of owner occupied.

Be careful not to negatively impact the value of a home. This could create more exclusivity. Only people who could buy a property are the ones who can afford it without renting.



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Real Estate experience shows that 85 percent of Tybee homebuyers bought homes because they could rent them to cover expenses. This island does not portray itself as a place more affluent people would go. They got to Hilton Head and south of Tybee.

Leave C1, C2, RT zoning as it is.

How will the new STVR staff person work? Will that person do more vetting of applications?

The city should continue to raise its STVR fees and fines as other cities have done. That would limit who would come here. City manager instructed that fee structure is based on expenditures put toward STVRs.

City attorney instructed that fines are limited to \$1,000 by Georgia law.

3. Re-Permitting

What will a process to allow re-permitting look like. Will there be a waiting list? The process will involve the city issuing a number of how many STVRs are allowed in a zone and will stick with that number.

If city limits the number by block, it won't need a cap.

If a waiting list is created, when a property is sold, the next name on the list would get the permit, not the new owner of the house that was sold.

Maintaining a waiting list at the block level is cumbersome.

A waiting list would prevent re-permitting. That is not fair and could be a legal nightmare.

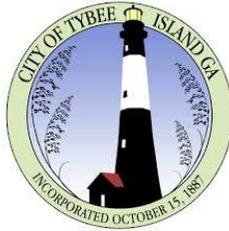
No way is going to be fair to everyone.

Homes that transfer due to inheritance are a different case. That needs to be considered.

Occupancy should not be limited based on cars and parking capacity.

Parking doesn't bother residents if it's legal parking.

Day trippers parking in the right of way is problem.



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Hard to enforce occupancy through parking limits. If legally parked cars are on the street and not the property, how would code enforcement know which house the cars belong to. They can't knock on all the doors.

Caps will not solve all the problems. It might solve the neighborhood problem.

Any decisions must consider the greater good of the Island. Set aside money making desires. Think about the carrying capacity study and the future of the island.

Allow the new occupancy limits to work before looking at other restrictions.

Re-permitting will never get the city to attrition.

The city is not losing residents. Homes are not vacant. They look better.

Occupancy limits will slow down the problems. There has and always will be prom parties and day trippers. We are not a gated community.

Let the actions already taken have a change to work, i.e. host compliance, additional code enforcement, noise ordinance, occupancy limits and the insurance requirement.

If grandfathering is allowed, when will it end. Abandonment of use? Amortization when the property has realized a return on investment?