

**DUBLIN CITY COUNCIL  
COMMUNITY DEVELOPMENT COMMITTEE**

Wednesday, September 16, 2020

Minutes of Meeting

Chair Reiner called the September 16, 2020 Community Development Committee meeting to order at 5:01 p.m.

Committee members present: Mr. Reiner, Mr. Keeler and Mayor Amorose Groomes.

Staff members present: Ms. Rauch, Ms. Readler, Mr. Boggs, Ms. Husak and Mr. Ridge.

**Approval of Minutes**

Mayor Amorose Groomes moved to approve the Community Development Committee minutes of June 15, 2020.

Mr. Keeler seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mayor Amorose Groomes, yes; Mr. Keeler, yes.

**Beautify Your Neighborhood Grant Applications**

Mr. Ridge thanked the applicants for their patience during the delays due to the pandemic. He reported that five applications were received totaling \$24,172. The total budget allocated to the Beautify Your Neighborhood Grants is \$32,000.

- Balgriffin proposal includes:
  - Removal of existing shrubs behind the stone entry feature and replace with new lower-growing plant variety for increased visibility;
  - New or replacement plants and trees installed in front of the stone entry feature;
  - Resetting the stone wall;
  - Power washing of the stone entry; and
  - New post lighting on the entry feature and up lighting for the existing European Hornbeam trees.

Mr. Ridge stated that staff was supportive of the \$5,000 grant amount requested; however, staff recommended that the applicant choose one of the following three alternatives to the Weeping Red Japanese Maple: Satomi Dogwood, Great Wall Lilac or a Seven Son Flower. The total project cause is estimated to be \$13,457.

Mayor Amorose Groomes stated that it will be a lovely upgrade. She noted that the grants do not usually apply to maintenance items, such as the power washing. It is used only for improvements and enhancements.

Mayor Amorose Groomes asked if there was any existing lighting at the entrance. Mr. Ridge stated there is lighting only at the top.

Mayor Amorose Groomes stated that she liked the choice of plants.

Mr. Keeler stated that there were alternatives recommended in this project. He asked if the representative was okay with the alternatives that were given. Mr. Tom Hutcheson was present on behalf of the Balgriffin neighborhood. He stated the recommended alternatives were fine.

Mr. Keeler moved to recommend approval of the grant application for \$5,000.

Mayor Amorose Groomes seconded.

Vote on the motion: Mr. Keeler, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes.

- Cortona proposal includes:

- the removal of several diseased shrubs and trees which have died since the original installation;
- New plant material, which includes Lime Hydrangeas, Gold Mop Cypress and Red Sprite Winterberry among others, focuses on disease resistant replacements that provide a four-season appeal;
- The trees are proposed to be replaced with six pink flowering Crabapple deciduous trees.

Mr. Ridge stated that staff is generally supportive of this \$5,000 grant request; however, staff recommended that the applicant choose one of these deer-resistant alternatives to the Hydrangeas, such as Baptisia, Bottlebrush Buckeye, Elderberry, Red Twig Dogwood or Judd Viburnum.

Mr. Keeler agreed with the need for deer resistant plants and asked if the applicant was accepting of the recommended alternatives. Ms. Lori Davis was present on behalf of the Cortona neighborhood and stated they agreed with the recommendation. She added that the neighborhood has a design team that will work on the recommended alternatives.

Mayor Amorose Groomes clarified whether or not staff was supportive of the Bottlebrush Buckeye. Mr. Ridge stated that staff was supportive of the Bottlebrush Buckeye and that it is a recommended alternative.

Mayor Amorose Groomes stated that the Bottlebrush Buckeye is a great selection but takes patience because it does take a few years to establish. She stated that color has been incorporated in their plant selections.

Mr. Reiner stated that there are types of Hydrangeas that deer do not eat. He asked Mayor Amorose Groomes for her opinion on Hydrangeas. She stated that they seem to eat the Macrophylla Hydrangeas but leave other types alone.

Mr. Reiner added that, for this area and for color, Hydrangeas are hard to beat.

Mr. Keeler moved to recommend approval of the grant application for \$5,000.

Mayor Amorose Groomes seconded.

Vote on the motion: Mr. Keeler, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes.

- Savona proposal includes:

- a phased approach to enhancing the lighting and landscaping in the area;
- Phase 1, which is the only phase in review for this round of funds, calls for the installation of three fountain lights in the pond located at the intersection of Winemack Lane and Vineyard Haven Drive;

- Phase 1 also includes the installation of new plants including Amsonia Hubrichtii, Little Lime Hydrangeas and Shasta daisies.

Mr. Ridge stated that staff is generally supportive of this request for a \$4,992 grant; however, staff recommended that the applicant choose one of these deer-resistant alternatives to the Hydrangeas, such as Baptisia, Bottlebrush Buckeye, Elderberry, Red Twig Dogwood or Judd Viburnum.

Ms. Varrera was present on behalf of the Savona neighborhood. She stated that the residents agree with the recommendations from staff. She also included that this area is very dark at night, so the lighting is not only aesthetically pleasing but also necessary for safety.

Mayor Amorose Groomes noted that a Judd Viburnum would likely do well in this area, but that she would refrain from using the Red Twig Dogwood in an exposed area like this.

Mr. Reiner added that he particularly likes any of the dwarf catmint plants as well. He wanted to mention those as an alternative to the Shasta Daisy. Mayor Amorose Groomes noted that the Shasta Daisy is invasive also. They will not stay where you plant them.

Mr. Keeler moved to recommend approval of the grant application for \$4,992.

Mayor Amorose Groomes seconded.

Vote on the motion: Mr. Keeler, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes.

- Tartan Ridge proposal includes the hedgerows along the north and south sides of Glacier Ridge Boulevard, between Tartan Ridge Boulevard and Glacier Ridge Elementary School. Over the years, the neighborhood has observed the steady decline of the existing Bailey Compact Cranberry shrubs, which form the hedgerows. The applicant is proposing to replace these plants with new Regal Privet shrubs. Regal Privet has proven to be a hardier variety, whereas the Bailey Compact Cranberry variety typically has only lived for approximately four years in moderate to poor health before needing replaced.

Mr. Ridge stated that staff is supportive of this \$5,000 grant request and has no alternative recommendations.

Mr. Richard Wolfe was present on behalf of the Tartan Ridge neighborhood. He stated that 83% of their budget is spent on landscaping. The total for this project is about \$30,000. He stated that they have been getting bids. He stated that this is a significant expense for the HOA.

Mr. Reiner stated that the plant selection is wise.

Mayor Amorose Groomes asked if anyone investigated why the Bailey Compact Cranberry shrubs failed. Mr. Wolfe stated that staff members from the City have come out and determined it just isn't a hardy enough shrub for this area.

Mayor Amorose Groomes stated that the Privet and the Boxwood are both good choices and added that the Privet is going to get large. She commented on the failed plant material issues and stated that a mass failure of a hedge like this is indicative of a systemic problem. Mr. Reiner agreed that the Privet is hardy.

Mayor Amorose Groomes moved to recommend approval of the \$5,000 grant request.

Mr. Keeler seconded.

Vote on the motion: Mayor Amorose Groomes, yes; Mr. Keeler, yes; Mr. Reiner, yes.

- Woods of Indian Run proposal encompasses the entry to the neighborhood, which is located at Coffman Road and Forest Run Road. Since installation, many of the Balsam Fir and White Pine Trees have become diseased and have died, leaving bare spots in the landscaping south of the entry feature sign. The proposal is for the installation of 20 Arborvitae trees and two Burning Bush to replace the dead/removed trees.

Mr. Ridge stated that staff is supportive of this \$4,180 request; however staff recommended that the applicant work with staff to mark the location of the proposed Arborvitae prior to planting.

Mr. Troy Ehrsam was present to represent the Woods of Indian Run neighborhood.

Mayor Amorose Groomes moved to recommend approval of the \$4180 grant request.

Mr. Keeler seconded.

Vote on the motion: Mr. Keeler, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes.

### **Short-Term Rental Regulation**

Ms. Readler gave a brief overview of the January 6, 2020 Council meeting considered proposed legislation regarding short-term rental regulation and restriction. The proposed legislation before Council required all property owners to register their home as a short-term rental and limited the number of nights that a home could be rented to no more than 14 per year.

Mr. Boggs provided a presentation looking at the discussion of this topic over the last 3 years. He then asked the Committee to consider and provide feedback regarding seven options. The options were:

1. Adopt a policy outlining City expectations;
2. Require registration of all short-term rentals;
3. Differentiate between hosted and unhosted short-term rentals;
4. Place a cap on the number of nights that a short-term rental can operate;
5. Prohibit or permit short-term rentals in designated zoning districts;
6. Prohibit all short-term rentals; and
7. Maintain the status quo.

The Committee opted to have resident testimony before their discussion.

Mr. Bob Fathman was present representing Muirfield Homeowners Board. He stated that their board does not have a formal position, but there have been resident complaints. The board was going to talk about restrictions, but then decided to wait for Council's action on the matter. He is hopeful of some sort of regulation and added that he would like rentals to be allowed for PGA tour events. He stated that there are a few absentee homeowners that have generated complaints.

Mr. Reiner asked how long of a timeframe is needed for PGA events. Mr. Fathman responded that it is typically a one week event, but from time to time an additional event will be added for an additional week.

Mr. Peter O'Neill was recognized to speak. He stated that the Committee is not likely to get

heavy representation from the residents; however, if a survey was conducted of the community, you would find that the majority don't want one of these type of rentals next to them. He stated he was surprised when he checked with the City that this type of rental is considered separate. He currently lives next to a short-term rental home. He urged strong regulation.

Mr. Warren Fishman stated that he has volunteered for over 40 years working with City Council and Boards to have good enforceable ordinances to keep the quality of life in Dublin good. He stated that it was suggested once that he should call the police. He stated that people are reluctant to call the police on their neighbors. He stated that it should be tracked in weeks and not days for accurate tracking. He stated that everyone he has talked to does not want an AirBNB anywhere near their home. He stated he was appreciative of the citizen input. He suggested Bridge Park may be a good place for an AirBNB. He would like it to be out of the residential areas.

Mr. Raymond Lee stated he thought the regulation was broad. He was concerned about the conduct that happens in these rentals such as numerous cars, numerous people, noise, etc.

Ms. Richelle Kreber stated that she lives in an area with a hosted rental. The issues are the same as an unhosted rental. She stated that at times people have mistaken her home for the AirBNB. She agrees with limiting the time and feels day-by-day would be hard to track. An AirBNB is a business. If she knew there was an AirBNB next to her she wouldn't have purchased the home. She asked each Committee Member if they would knowingly purchase a home next to an AirBNB.

Ms. Amanda Rine stated that she represents the corporate housing industry. She appreciated hearing that exceptions would be made so to exclude their business from these regulations. Mr. Reiner agreed that corporate housing is a necessary business.

Mr. Brent Swander stated that he doesn't have any financial interest in any short-term rentals but wanted to speak in favor of them, specifically in options 1, 2 or 7 that were presented. He is a user of AirBNBs. He understands the concerns such as trespassing and noise. He helped draft the Columbus model. Option 2 is a better option because if problems persist the registration can be revoked. Some of the concerns he has heard expressed are not strictly short-term rental problems. He stated the issues can be addressed through the registration process and regulations.

Mr. Phil Nolette stated that he understands the different viewpoints.

Ms. Nikki Leib was recognized to speak, but had no comment other than she would like to see the Committee and City Council do the right thing.

The Deputy Clerk of Council read an online comment from Ms. Victoria Bork, who wrote,

*"I am requesting Dublin City Council to expressively clarify Air BNB's from Party/Event venues in residential areas . . . Clarification from how many people are allowed on the property. What are the consequences to the home owner of the AirBNB."*

Mr. Bob Fathman stated that the people who used to live near him did a home swap. He is not sure if money changed hands or not, but he wanted to mention that possibility.

Mayor Amorose Groomes stated that she had a home on her street that was an AirBNB and it was extremely disruptive. There were no tools available to remedy the issues. She is not in favor of making the law abiding people do the work to deal with those not obeying the laws. She stated that in a mixed-use district it may be appropriate. In a residential district, it is the expectation that it is strictly residential.

Mr. Reiner suggested going through the options and try to develop a recommendation to take to City Council.

Mr. Keeler thanked the residents for joining the meeting to express their concerns. The status quo is not going to work. He suggested having tools to deal with concerns such as revoking their registration and fines could deter some of the bad behavior. There is very little that residents can do to stop someone from renting their home, so having tools to be able to regulate that is needed. He agreed with the idea of having districts such as Bridge Park that can rent their homes with unlimited days.

Mayor Amorose Groomes stated that there are other events in the City such as the Dublin Irish Festival that may bring this issue also. She suggested doing something city-wide versus just in Muirfield.

Mr. Keeler agreed that having this opportunity open to everyone does make sense.

Mr. Boggs stated that if the intent of this Committee is to do some sort of district-based approach, then it would have to go through the zoning process and be subject to review at the staff level, PZC and then Council.

Mr. Reiner sought consensus on the exclusion of the corporate housing folks. All three members concurred.

Mr. Reiner sought consensus of Committee members regarding PGA Events with a 2-week limit.

Mr. Keeler stated that people should be able to rent their homes, but it seems very specific for it to be allowed only during a PGA event for 14 days. What about the Irish Festival or the people who just want to rent their home for other events?

Mayor Amorose Groomes stated that this feels like spot zoning. Ms. Readler stated that legal staff would not recommend tying this to an event.

Mr. Reiner stated that a broad brush approach would be that we allow anyone in the City to rent their home for two weeks per year.

Mr. Keeler is okay with it. Based on what other communities are doing, what percentage of communities limit the number of days?

Mayor Amorose Groomes stated that there are federal regulations regarding reporting the income after a period of time. She stated that this is where the 14 days came from.

Mayor Amorose Groomes stated that she would agree to the 14 days, depending on the other regulations and enforcement.

Mr. Reiner requested input from Committee members regarding regulation and registration.

Mr. Keeler stated he is supportive of registration requirements and regulation.

Mayor Amorose Groomes stated she would like to hear more about the Columbus model. She stated the propensity for bad behavior increases significantly in an AirBNB situation.

Mr. Reiner asked if they should consider the area of the Historic District and Bridge Street for allowing the AirBNB more time.

Mayor Amorose Groomes stated that she would agree to maybe Bridge Street but not the Historic District because it is residential. Mr. Keeler stated that he would support additional

rental time in the Bridge Street District. Mr. Reiner stated that a residential district expects to have certain protections. Mr. Keeler stated that Bridge Park seems to be the most conducive to AirBNB rentals. He added that he would like to hear from the residents in Bridge Park to see how they would feel about AirBNBs in the area for longer periods. Mr. Reiner asked what the right amount of days would be appropriate in the Bridge Street area.

Ms. Richelle Kreber asked to be recognized to speak and Mr. Reiner accommodated. She asked about the differentiation between hosted and unhosted rentals and whether or not they would be monitored. She also mentioned the parking issues that AirBNB creates.

Mr. Reiner stated that there would be a two-week limit for residential zoned areas. He also stated that the Committee is in agreement that registration and regulation is necessary.

Mr. Reiner summarized the suggestions that the Bridge Street District would have no limit of rental nights, everywhere else in the City has a two-week limit and all are subject to the same fines and enforcement. Ms. Readler sought clarification regarding which part of Bridge Street District specifically is being discussed? Ms. Rauch stated that they could look at larger mixed-use areas. Mayor Amorose Groomes stated that it should include multifamily and Bridge Park area to take to Council initially.

Mr. Boggs asked for clarification regarding the two-week cap. Is the intention of the Committee 14 days total or a minimum of one week increments? Mr. Reiner stated that the preference would be to list them in weeks. Mr. Keeler asked if they need to be consecutive. If the renter only wants to rent three days, how does that work? Ms. Readler stated that the proposed legislation stated a 14-night limit. She added that it would be monitored electronically through the registration process. Once the 14-night limit is reached, the owner would not be able to register for any additional nights.

Mr. Reiner expressed his appreciation for the discussion and requested that the legal staff draft a recommendation from this Committee to take to Council.

Ms. Richelle Kreber asked to be recognized to speak, Mr. Reiner accommodated. She stated that it sounds like what is being contemplated would be on the honor system.

Mayor Amorose Groomes stated the importance is protecting the neighborhoods so the discussion regarding enforcement is most important.

In response to Mr. Reiner's question, Mayor Amorose Groomes stated renters need to pay bed tax just like any other paid stay. Ms. Readler stated that the current code does allow this to be taxable. We can and will collect bed tax on those.

Ms. Readler summarized the Committee's view on each of the options that started the discussion:

1. Adopt a policy outlining City expectations;
2. Require registration of all short-term rentals – the Committee does wish to require registration. Ms. Readler added that the draft that was before Council was in large part based on the registration requirements from Columbus.
3. Differentiate between hosted and unhosted short-term rentals – the Committee does not wish to differentiate between hosted and unhosted rentals.
4. Place a cap on the number of nights that a short-term rental can operate – the Committee

would like to cap the numbers of days at two weeks.

5. Prohibit or permit short-term rentals in designated zoning districts – staff will look at the Bridge Street District and bring suggestions to Council about where there could be unlimited nights. The intention is not to prohibit short-term rentals in designated zoning districts.
6. Prohibit all short-term rentals – the Committee does not want to prohibit all short-term rentals; and
7. Maintain the status quo – the Committee does not wish to maintain the status quo.

The Committee reached consensus that Ms. Readler's summary was a correct explanation of their intent.

Ms. Readler stated that in the existing draft, the penalty for a first offense is an unclassified misdemeanor and fine of not more than \$250; the next offense would be a misdemeanor of the third degree and a \$500 fine or jail. Mayor Amorose Groomes stated that the revocation of registration is important.

Mayor Amorose Groomes moved to direct staff to draft a recommendation to City Council based upon the discussion at this meeting.

Mr. Reiner seconded.

Vote on the motion: Mr. Keeler, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 7:05 p.m.

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Deputy Clerk of Council