



Public Notice posted in accordance with 610 RSMo as amended  
Date/Time Posted: Wednesday February 11, 2026, 12:00 p.m.

**PLANNING AND ZONING COMMISSION AGENDA  
WORKSHOP MEETING  
300 Hoven Drive Pacific, MO 63069**

**TUESDAY, February 18, 2026  
6:00 P.M.**

**This meeting is open to the public.**

**The meeting will be streamed live on the City of Pacific YouTube channel:**

**<https://www.youtube.com/channel/UC9dxzhHQQWbPuIQJC1N6TSig>**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT / PARTICIPATION**
- 4. PUBLIC HEARING**
- 5. WORKSHOP**
  - a. Discussion Regarding Short-Term Rentals (Airbnb)*
  - b. Discussion with Zoning Officer Regarding items*
- 6. COMMITTEE REPORTS**
  - a. Board of Aldermen
  - b. Board of Adjustment
  - c. Zoning Officer
- 7. ADJOURNMENT**

**This Meeting is Open to The Public**

**Note: The Planning and Zoning Commission will consider and act upon these matters listed above and any such others as may be presented at the meeting and determined appropriate for discussion at that time.**



BILL NO. 5280

ORDINANCE NO. 3451

SPONSOR Cleeve

**AN ORDINANCE AMENDING THE CITY OF PACIFIC REGULATIONS FOR SHORT-TERM VACATION RENTAL FACILITIES.**

**WHEREAS**, the City of Pacific previously adopted Ordinance 3195 regulating short-term vacation rentals; and

**WHEREAS**, THE Board of Aldermen has determined that an age restriction on those customers that lease short-term vacation rentals is appropriate for public health and safety; and

**WHEREAS**, the Planning and Zoning Commission, upon conducting a duly advertised public hearing on the proposed regulations, has by affirmative vote recommended said regulations be adopted.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:**

**Section 1.** Subsection 400.237.2.b of Chapter 400, Article III: Supplemental Regulations shall be amended as follows:

b. The maximum number of guests at any one time may not exceed the number permitted by the applicable Building and Occupancy Code provisions of the City of Pacific. The occupancy limit shall be established as part of the Commercial Occupancy Permit granted the facility. All short-term rental properties within the municipality shall only be rented to individuals aged 21 years or older. Hosts are required to verify the age of the primary renter at the time of booking. Minors accompanied by a parent or legal guardian may stay in a property rented to an individual aged 21 years or older.

**Section 2.** This Ordinance shall be in full force and effect upon its passage by the Board of Aldermen and approval by the Mayor.

PASSED this 20 day of May, 2025. Heather Filley  
*Heather Filley, MAYOR*

APPROVED this 20 day of May, 2025. Heather Filley  
*Heather Filley, MAYOR*

ATTEST:

Kimberly Bearfield  
City Clerk





## City Of Washington Missouri

### VACATION RENTAL DWELLINGS BY OWNER (VRBO)

A private furnished residence (either single-family or condominium, but not a multi-family apartment unit) rented for lodging purposes, not owner-occupied at the time of rental and rented for periods not exceeding thirty (30) days.

[Ord. No. 23-13814, 8-7-2023]

### Section 400.203 Vacation Rental Dwellings By Owner.

[Ord. No. 23-13814, 8-7-2023]

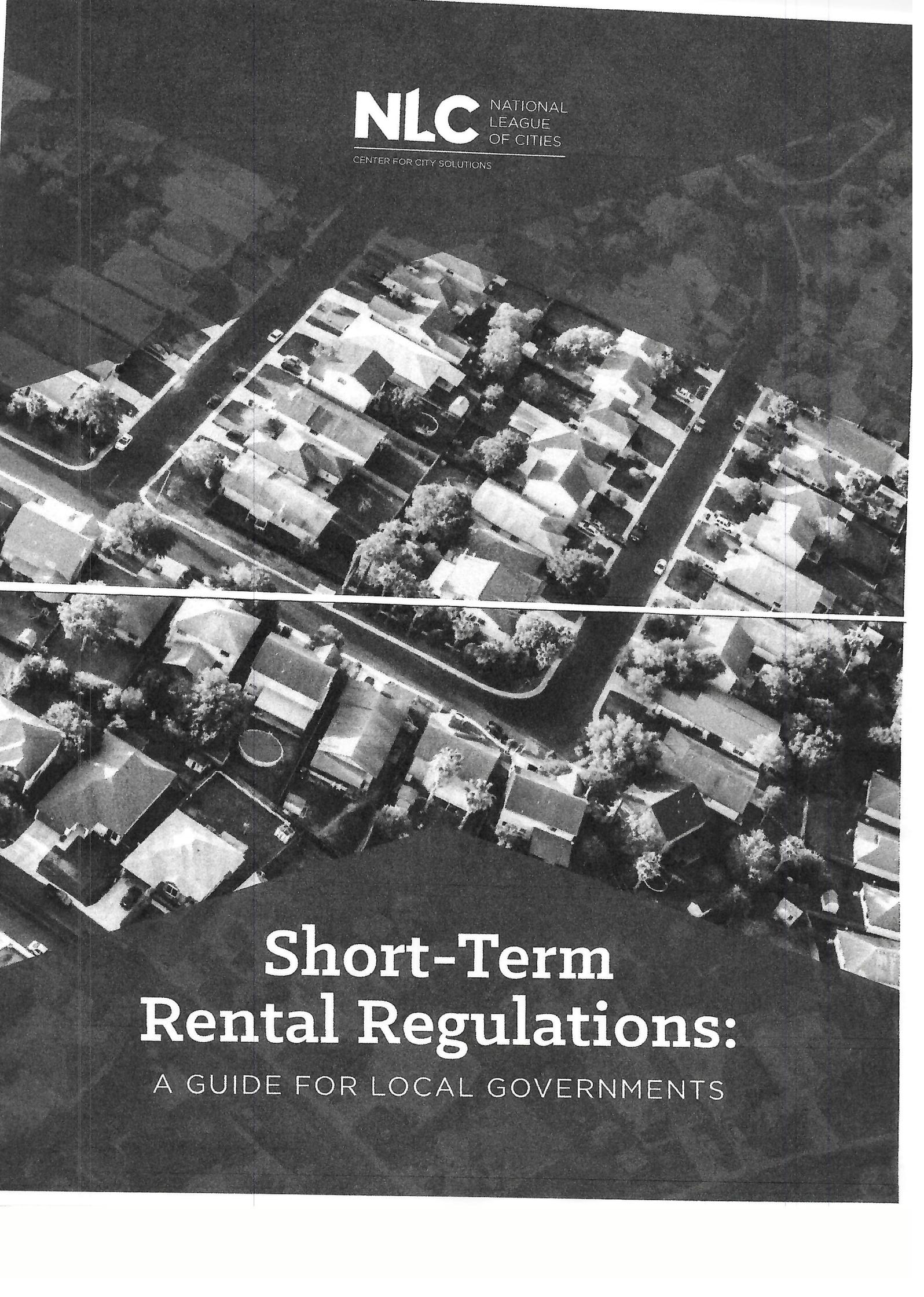
#### A.

Buffer Zone. Vacation rental dwellings by owner shall be at least one hundred fifty (150) feet from any existing vacation rental dwelling by owner in any R-2 Overlay District.

#### B.

Reports Required. Every person engaged in the business of operating a vacation rental by owner shall file with the City Collector prescribed forms giving such information as may be necessary to determine the amounts to which the tourism tax levied under the provisions of Section [140.300](#) of the Code of the City of Washington, Missouri, shall apply for the calendar quarter to be submitted with the payment to be made in accordance with Section [140.300\(C\)](#) of the Code of the City of Washington, Missouri. Failure to submit the required forms for two (2) consecutive calendar quarters shall result in the automatic revocation of any special use permit for vacation rental by owner for that location.





**NLC** NATIONAL  
LEAGUE  
OF CITIES  
CENTER FOR CITY SOLUTIONS

# Short-Term Rental Regulations:

A GUIDE FOR LOCAL GOVERNMENTS

NLC

# Short-Term Rental Regulations:

How to Develop and Implement a Policy

# Foreword

**I**N RECENT YEARS, short-term rentals have increased in cities, towns and villages across the United States. As a result of this growth, local leaders have had to grapple with competing benefits and challenges - in particular, how to ensure a healthy stock of affordable housing and how to support local tourism and economic development opportunities. One of the top priorities for city leaders today is to ensure that residents and visitors to their communities have access to safe, affordable lodging.

These competing priorities make passing regulations difficult, which is why it's not surprising that short-term rentals have become a common topic of discussion among our members at the National League of Cities (NLC). Members faced with these challenges often ask us: "What tools are available to assist me with regulating short-term rentals in my community?"

This persistent question led NLC to research short-term rental regulations in cities across the country and ultimately produce *Short-Term Rental Regulations: A Guide for Local Governments*. Based on an analysis of 60 short-term rental ordinances, this action guide lays out a detailed overview of best practices for cities to develop and pass short-term rental regulations in their communities.

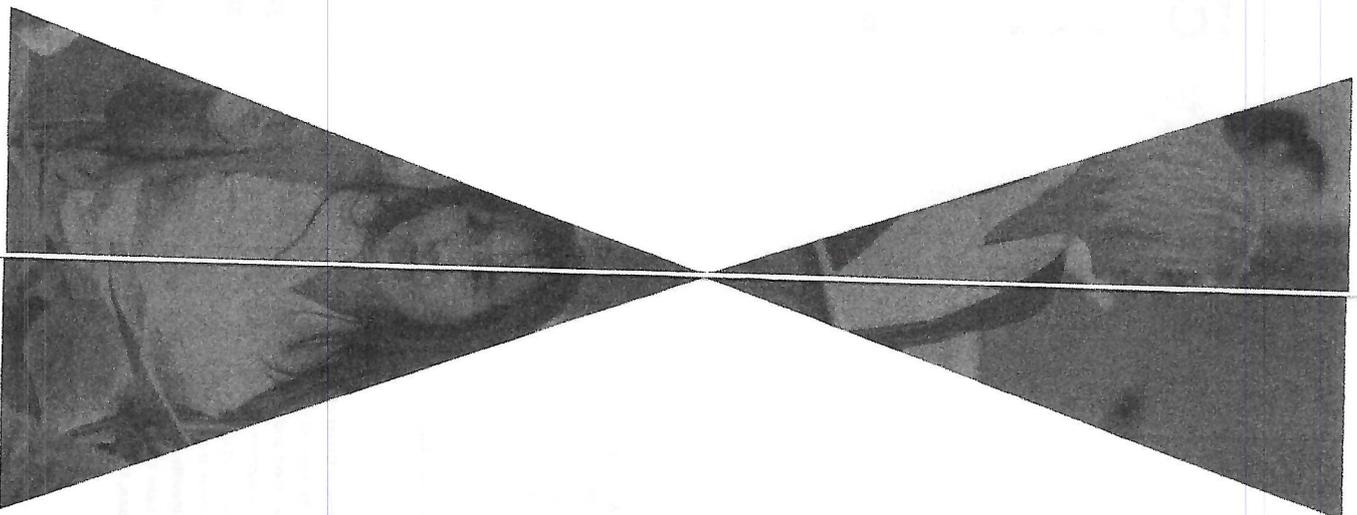
While no two municipalities face the same opportunities and challenges when it comes to regulating short-term rentals, this research provides insight into how to chart a path forward successfully. This guide recommends local leaders create and enforce firm and fair regulations by focusing on clear policy objectives, centering racial equity as a critical component in their planning and actively engaging with relevant stakeholders throughout the process.

Short-term rentals can open a swath of opportunity for homeowners looking to make additional dollars, while also providing economic development opportunities in neighborhoods that may not generally see high levels of tourism. By bringing community and industry leaders together, local leaders can create policies that work for both - and maximize the potential value of short-term rentals for hosts, guests and neighbors alike, all while protecting the affordability of neighborhoods.

While short-term rentals are a prominent issue today, this challenge is not a new one for local leaders. There are often difficulties that come with maximizing economic growth while protecting community interests. Mayors, councilmembers and other local elected officials are well-equipped to help bring stakeholders together to understand and navigate potential trade-offs. Local leaders have an incredibly important role to play in capitalizing on the benefits of short-term rentals and minimizing potential negative impacts. I hope this resource will help your community make decisions about short-term rentals that are best for your residents.



**Clarence E. Anthony**  
 CEO AND EXECUTIVE DIRECTOR  
 National League of Cities





CENTER FOR CITY SOLUTIONS

### About the National League of Cities

The National League of Cities (NLC) is the voice of America's cities, towns and villages, representing more than 200 million people. NLC works to strengthen local leadership, influence federal policy and drive innovative solutions.

NLC's Center for City Solutions provides research and analysis on key topics and trends important to cities, creative solutions to improve the quality of life in communities, inspiration and ideas for local officials to use in tackling tough issues, and opportunities for city leaders to connect with peers, share experiences and learn about innovative approaches in cities.

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## Introduction

**T**HE RAPID GROWTH of short-term rentals in cities, towns and villages across the U.S. has caused much controversy. From contentious City Hall meetings where residents advocate for more stringent or more relaxed regulations to lengthy and expensive legal battles between cities and short-term rental platforms, cities can get caught in the cross-hairs of a complicated policy issue. Short-term rentals present no shortage of challenges for local leaders, as they can affect housing availability and affordability, local tourism and economic development, neighborhood wellbeing, and health and safety. However, many cities have learned important lessons in navigating these complex issues and offer some best practices for others to learn from.

Regulation of short-term rentals has proven to be an important and effective tool in making short-term rentals work for all parts of the community. Regulations that define what short-term rentals are and have appropriate mechanisms in place should intervention be necessary have helped city leaders steer the conversation toward solutions and meeting community needs. The purpose of regulating short-term rentals is not to be overly punitive or to prohibit them, but to put safeguards and appropriate enforcement mechanisms in place for when problems arise.

This Action Guide will not settle debates about the specific impacts of short-term rentals on each community. Instead, it aims to equip local leaders with appropriate information and tools to adopt or amend ordinances that serve their community best: policies that are equitable; that protect municipal interests such as health and safety and housing affordability; that preserve the residential quality of neighborhoods; and that enable responsible and eligible residents to earn some additional income.

# Defining Short-Term Rentals

## What is a Short-Term Rental?

In general, short-term rental (STR) refers to an activity in which one party, the "host," agrees to rent out all or part of a home to another party, the "guest," on a temporary, time-limited basis. The precise legal definition of a short-term rental varies by community. Most short-term rental ordinances include details on the following types of provisions that define short-term rentals for a particular community:

### LOCATION AND USE:

Where and how many short-term rentals are allowed

### TIMING:

How long short-term rentals can be rented for

### MANNER OF RENTAL:

Additional requirements for hosts and guests

## What Can Communities Regulate?

Regulations vary, depending on the needs of the locality issuing them. In a community where vacant properties are a problem, regulations might focus on upkeep and oversight. In a community where housing stock is scarce, regulations might be put in place to limit the number of properties lost to residential rentals.

Generally, however, regulations include some combination of the following provisions:

PROVISIONS	DETAILS
<b>LOCATION AND USE</b>	<p><b>Geographic limits:</b> Cities can decide to limit the availability of STRs in specific areas of cities, such as particular residential areas or neighborhoods with specific historic character.</p> <p><b>Commercial-residential distinctions:</b> Cities can establish different rules for properties in residential and commercial areas to account for the different interests of communities in each of these areas.</p>
<b>TIMING</b>	<p><b>Primary residence requirements:</b> Cities can require that the STR is occupied by the host for most of the year, and/or that the rental is in or part of the owner's primary residence.</p> <p><b>Day limits:</b> Cities can include provisions capping the number of days per year that hosts can rent their STR.</p>
<b>MANNER OF RENTAL</b>	<p><b>Registration and licensing:</b> Cities can require hosts to register their properties with the city and can require rental platforms (e.g., Airbnb, Vrbo, etc.) to ensure that properties listed on their sites are properly registered.</p> <p><b>Taxes:</b> Cities can require that hosts pay transient occupancy taxes, which are taxes on what guests pay for temporary lodging in the city and are usually collected and remitted by hotels, motels and similar businesses. Cities can also work with STR platforms and other third-party providers to minimize the burden of tax remittance.</p> <p><b>Occupancy limits:</b> Cities can limit the number of guests per stay, usually by establishing a guests-per-bedroom or per-property cap.</p> <p><b>Health and safety regulations:</b> Cities can require STRs to have fire safety equipment and carbon monoxide detectors; display emergency information for guests; adopt measures to maintain a sanitary residence; and adopt plans for emergencies, among other requirements.</p> <p><b>Noise and event regulations:</b> Cities can restrict the use of STRs for large gatherings and events, and they may explicitly require that guests comply with existing noise, trash and parking ordinances.</p>

## The Issue

Short-term rentals are not a new concept. Companies like Vrbo, HomeAway, Couchsurfing and Craigslist have offered consumers short-term rental options since the late 1990s without much controversy.<sup>1</sup> The meteoric growth of the short-term rental industry in the 2010s changed that. Companies like Airbnb, Vrbo, HomeAway and FlipKey grew in popularity while consumer appetite for more original, authentic and local experiences increased, driving demand higher.

As short-term rentals become more accessible to both hosts and users, use skyrocketed over a short period. But the meteoric success of short-term rental platforms has not been welcomed unreservedly. Common complaints are that short-term rentals can drive up local rents, limit the availability of long-term residential rentals, attract an influx of tourists and create excessive noise.<sup>2</sup>

Local leaders attempting to chart the pathway forward for short-term rentals in their communities must respond to many competing interests, making passing regulations and balancing those interests difficult. Some of these issues that must be considered include:

### Housing

The research is divided on whether short-term rentals contribute to the housing crisis. Regardless of whether the exact impact on the housing market is measurable, it is undeniable that many cities in the U.S. face a housing crisis – due to a shortage of affordable housing, steady decline in federal investment in low-income housing, wage growth stagnation, etc. – and that short-term rentals may contribute to housing unaffordability and unavailability.

## Tourism

Short-term rentals outside of the typical tourism areas in cities can be a boon to local economies, spreading dollars across the cities in ways that traditional lodging accommodations do not. On the other hand, cities with high tourism rates face a greater share of the negative impacts of short-term rentals in communities. In high-tourism communities, large numbers of whole home rentals can affect neighborhood cohesion, as they may stand empty for weeks at a time or experience high turnover in guests.

### Preemption

Preemptive state laws can limit cities' ability to regulate short-term rentals. The impacts of preemptive laws can range from a complete inability to regulate, to restrictions on the kinds of regulations that can be imposed.

### Public Health and Safety

Poorly regulated and unsupervised short-term rentals can threaten the safety of neighborhoods for residents and guests alike. Party houses have become a significant point of contention in some communities. Guests may ignore or be unaware of noise, trash and parking ordinances.

For myriad reasons – both within and outside of city control – cities may find it difficult to enforce the regulations they do have. Some ordinances are difficult for hosts and residents to understand and difficult for the city to enforce because they are overly complicated or poorly publicized. In other instances, cities may have no systematic way to identify hosts who are not in compliance or to keep track of what properties are being used for short-term rentals, and when. Understanding the most common barriers to effective regulation – unclear rules and lack of data – is key to making sound policy choices. Despite the limitations and challenges that city leaders face, local leaders can pass regulations that effectively balance competing interests, fit community needs, and most critically, are enforceable.

# Recommendations: Short-Term Rental Regulations

This Action Guide will help local leaders break down the process of developing a short-term rental ordinance, provide relevant city examples and identify key tips. The following recommendations are a menu of policy principles and good practices that cities should explore when establishing or updating their regulations, based on research into short-term rental ordinances and policies across the country.

**T**HE NATIONAL LEAGUE of Cities analyzed 60 short-term rental ordinances to inform this report across 30 indicators, including the legal definition of short-term rentals, regulations and enforcement. At least one city, town or village was selected in each state, with two cities, towns or villages selected for the top ten states by population (California, Texas, Florida, New York, Pennsylvania, Illinois, Ohio, Georgia, North Carolina and Michigan) to ensure that a diversity of local context was represented in the analysis.

The recommendation sections (Understand the Landscape, Develop and Pass Regulations, Enforcement, and Revisit and Adapt) are meant to build off each other and should therefore be executed in chronological order. They are detailed in the section below.

## UNDERSTAND THE LANDSCAPE

- Gather Data
- Engage a Diverse Group of Stakeholders
- Identify Policy Goal(s)

## DEVELOP AND PASS REGULATIONS

- Apply a Racial Equity Lens
- Pass Regulations Early
- Craft Simple Regulations
- Institute a Permit Requirement
- Determine Fines and Fees
- Establish a Clear Taxing Model
- Negotiate an Agreement with Platforms

## ENFORCEMENT

- Dedicate Resources to Enforcement
- Ensure Extensive Communication and Marketing
- Move Registration and Administration Systems Online

## REVISIT AND ADAPT

- Establish a Feedback Loop

## UNDERSTAND THE LANDSCAPE

Before passing regulations, understand the local short-term rental landscape. This should involve extensive information gathering and thorough engagement with relevant stakeholders. Be mindful of what issues are associated with short-term rentals in your community to determine the goals your policy should meet.

### GATHER DATA

While anecdotes are powerful, they are not a proxy for actual data to estimate the number and location of short-term rentals operating in a community. In some cases, data may be available through third-party platforms such as Inside Airbnb or AirDNA. Knowing approximately how many units may be on the market is critical to understanding the scope of the issue.



#### KEY DATA POINTS INCLUDE:

- How many short-term rentals are operating in your community?
- What is the breakdown between hosted room rentals vs. whole home rentals?
- Where are short-term rentals operating in your community?
- What neighborhoods are most affected?
- What is the average daily price of short-term rentals vs. hotels?
- What is the occupancy rate of short-term rentals vs. hotels?
- How much revenue are short-term rental properties generating vs. hotels?

Additional data sources that can help supplement short-term rental-specific data to develop a comprehensive picture of the local landscape can include tourism, housing and complaint data. Connect with local tourism boards to gather information such as how much money visitors are spending, where visitors are spending their money, where they are staying, where they are spending their time and how long they are staying. Leverage data sources such as the American Community Survey to understand the breakdown in renter vs. homeownership

rates, vacancy rates and demographic information in different neighborhoods to contextualize short-term rentals in the broader housing landscape. Records of noise and nuisance complaints (e.g., through 311 calls or similar complaint or service request software) can also help cities understand where these complaints are filed and what they are.

### ENGAGE A DIVERSE GROUP OF STAKEHOLDERS

Engage a network of stakeholders, including but not limited to tenants, landlords/homeowners, hotel and motel industry representatives, neighborhood organizations, housing advocates, tourism agencies and short-term rental platforms. This mix will look different for each city, but identifying relevant stakeholders will be key to understanding the challenges and opportunities each city faces.

Hold virtual or in-person town hall meetings, drop in on various group meetings (e.g., landlord associations, property owner groups, neighborhood associations, etc.) and solicit comments from members of the public to gauge the perceptions of short-term rentals directly from community members. Cities can, for example, work with neighborhood associations to map areas especially strained by short-term rentals or tourism. Residents have the closest ear to the ground. City leaders should leverage this knowledge to their advantage.

Cities have a lot to gain by partnering with platforms, but the relationship-building process can be contentious at times. These relationships are more likely to be positive when cities come to the discussion table with a clear goal in mind and communicate it with the platforms.



#### POTENTIAL STAKEHOLDERS INCLUDE:

- |                                      |   |   |
|--------------------------------------|---|---|
| Motel and lodge union or association | Restaurant associations                 | Platforms (e.g., Airbnb, Expedia, etc.) |
| Hotels or hotel union or association | City Council                            | Neighborhood associations               |
| Realtor groups or associations       | Local planning groups and organizations | Housing advocates                       |
|                                      | Existing short-term rental operators    | Tourism agencies                        |



### CITY SPOTLIGHT: FAYETTEVILLE, AR

In 2018, the City of Fayetteville's Sustainability Department worked with the University of Arkansas' Public Policy Department to explore short-term rentals. The students leveraged data sources such as AirDNA to gather the following information:

- Active rentals
- Average booked properties
- Occupancy rate
- Average booking rate per night
- Average Airbnb private room price (Fayetteville)
- Average hotel room price (Fayetteville)
- Average Airbnb private room price (Downtown Fayetteville)
- Average hotel room price (Downtown Fayetteville)<sup>3</sup>

Based on this information, the students generated maps of short-term rental locations in the Fayetteville area, noting a large concentration of Airbnb rentals in the downtown area. This analysis was presented to city staff and elected officials in December 2018 to inform their discussion on short-term rentals in Fayetteville.

<sup>3</sup>Short-Term Rental Regulations: A Guide for Local Governments



### CITY SPOTLIGHT: SAN DIEGO, CA

While drafting its short-term rental ordinance, the City of San Diego engaged a wide variety of stakeholders including:

- Unite Here, a union for motel/lodges
- Neighborhood groups
- Hotel stakeholders, including the hotel/motel association
- Realtor groups and associations
- The restaurant association
- City Council
- Local planning boards and organizations
- Pre-existing STR operators
- Expedia Group and Airbnb

A staff member from the San Diego City Council conducted meetings with the stakeholders. The meeting format and length varied. The city representative sometimes met stakeholders individually or invited them to speak at public meetings. Those interested in engaging longer-term were invited to a permanent stakeholder group. The stakeholder group continues to provide input on short-term rental regulation implementation.

Compromise was eventually reached, most notably in the form of a memorandum of understanding (MOU) between Unite Here and Expedia Group. Through the MOU, these two major stakeholders with different perspectives agreed to partner to help regulate the short-term rental market. The MOU also laid the foundation for the regulations that the city would push forward when engaging with other stakeholder groups. Following this engagement process, the ordinance was presented to the public, Planning Commission, mayor and Coastal Commission. The city found that putting the time in to build relationships and establish trust between the municipality and short-term rental platforms was essential to the ordinance's success. Further, going into the process with a clear goal, while being mindful of what compromises could be made, allowed the city to achieve buy-in from a diversity of stakeholders.

### IDENTIFY POLICY GOAL(S)

**Develop a clear and concise policy goal for the short-term rental ordinance, driven by the city's overarching goals and community input.** Review strategic city plans (e.g., comprehensive housing plans, 5- and 10-year city visions, master plans) and identify top city priorities that may dovetail with priorities for short-term rentals. For example, a city may have a broader goal to advance housing affordability and may choose to focus on preserving the stock of affordable housing as a policy goal. Or a city may have the broader goal to attract more tourism and choose to focus its regulations on enabling short-term rentals with appropriate guardrails in place as the tourism industry continues to grow.

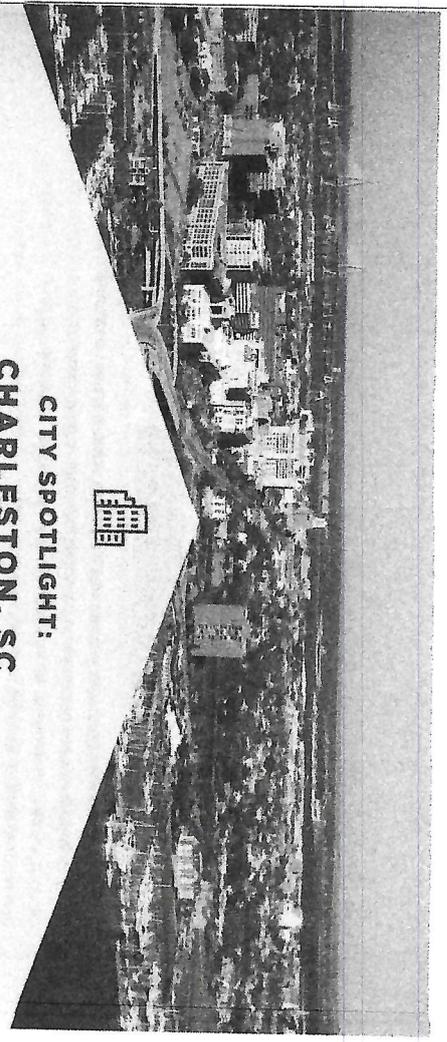
Cities should be intentional about setting a goal or priority before drafting regulations. Without a clear "end goal," cities can pass regulations that may not align with community priorities, and do not have effective mechanisms to accomplish them. By deciding on a policy and community goal, cities can craft a simpler and more targeted ordinance.

Common goals, based on NLC's analysis of 60 cities, include:

- Prevent the loss of rental housing stock
- Support tourism in a balanced way
- Preserve the residential quality of neighborhoods
- Ensure health and safety for guests and residents
- Allow economic gain for residents
- Capture tax revenue
- Combat displacement
- Balance the needs and rights of property owners and neighbors
- Slow or prevent the overgrowth of STRs

### KEY CONSIDERATION

Balance competing expectations. By their nature, short-term rentals can be a contentious issue, with strongly vested interests on all sides. Each stakeholder will have to make concessions from their vision of "ideal" regulations, so helping the community and STR platforms understand that compromise is needed is critical to setting realistic expectations. Having a clear policy goal will also help coalesce stakeholders around the city's broader vision and help justify policy choices.



### CITY SPOTLIGHT: CHARLESTON, SC

The City of Charleston began regulating short-term rentals in 2012, when it adopted regulations that allowed commercially zoned properties to be rented as short-term rentals in the Cannonborough Elliotborough neighborhood. The goal of the regulation was to bring reinvestment into vacant, abandoned and distressed properties in the neighborhood. In subsequent years, the city saw an increase in the number of short-term rental units in Cannonborough Elliotborough and throughout Charleston. With a growing number of short-term rentals and an incoming mayor interested in revisiting short-term rental regulations, the policy moved to the forefront of Charleston's agenda again.

In 2016, the mayor and City Council began the process of updating short-term rental regulations by appointing a committee of local citizens to study and provide recommendations on short-term rentals. The committee included residents, representatives of the city's preservation and historical societies, and tourism interests. Over time, a consensus was built around the goal to preserve the historic nature of downtown Charleston and allow short-term rentals to contribute to the local tourism economy, but only in such a way that did not alter the character of the city and negatively affect residents' quality of life.

Based on this consensus, the city developed a category-based short-term rental permitting system that requires most short-term rentals to be owner-occupied, and details additional requirements for properties located in downtown Charleston or in properties listed with the National Register of Historic Places.



**KEY CONSIDERATION**

Recognize the role that short-term rentals play in exacerbating housing unaffordability. Consider dedicating some portion of STR permit or tax revenue towards affordable housing funds or homeownership opportunities, or earmarking general fund dollars for similar programs. Boulder, CO stipulates in its ordinance that "after administration expenses are met, any additional funds shall be placed in the city's affordable housing fund."<sup>6</sup>

**PASS REGULATIONS EARLY**

The short-term rental industry is rapidly growing. **Given the complexity of the policy and regulatory space, be proactive and establish regulations before short-term rentals have a negative impact on the community.** Establishing regulations gives cities the power to intervene when necessary. It is much easier to limit the spread of short-term rentals before they have proliferated than it is to retroactively remove them from the market. Establishing regulations also becomes increasingly controversial as more stakeholders have a vested interest in seeing them maintained. Even cities that have not yet faced the negative impacts of short-term rentals should pass regulations to regulate the STR market before they proliferate.



**KEY CONSIDERATION**

A common hurdle that cities face is what to do with pre-existing short-term rentals once a new ordinance is passed. In 58 percent of the cities reviewed in the NLC ordinance analysis, cities required existing hosts to comply with regulations or apply for a permit or license. Cities must communicate early and clearly with existing hosts about their responsibilities under a newly passed or revised ordinance to give them time to meet new regulations.

**CRAFT SIMPLE REGULATIONS**

Craft simple ordinances that are clear about policy goals. This will better equip leaders to engage in conversation with platforms, residents, property owners and other stakeholders invested in the ordinance outcome. Below is a list of common goals found in the ordinance analysis, and key ordinance elements to achieve those goals.

**DEVELOP AND PASS REGULATIONS**

As the short-term rental industry continues to mature, it has become clear that complex regulations are not only cumbersome for hosts and residents of the city but are also unenforceable. Policies with clear goals, fair implementation and mechanisms for enforcement will help everyone.

**APPLY A RACIAL EQUITY LENS**

One of the most commonly cited benefits of short-term rentals is that they allow hosts to generate extra income from existing assets. While this may be true, hosting is most commonly available to those who own a home. Homeownership is inseparable from race and inequality in America. According to the latest estimates from the U.S. Census Bureau, the homeownership gap between White and Black households was 30 percent in 2020.<sup>7</sup> According to NLC's ordinance analysis, only 38 percent of cities surveyed specifically allowed tenants to host a short-term rental. Even then, cities that do explicitly state that tenants are allowed to host require them to acquire written consent from their landlords or a have a rental contract that allows them to sublet their unit. Tenants face a high barrier to host even in the minority of cities that allow them to.

**The ability of short-term rentals to democratize the tourism industry is overstated when a majority of Black, Indigenous and People of Color (BIPOC) do not have access to homeownership.**

Given the divide in homeownership in America, the direct economic benefit of short-term rentals may exacerbate existing inequality. There is also evidence that hosts may discriminate based on race and ethnicity. A 2017 study of Airbnb data found that "applications from guests with distinctively African-American names are 16 percent less likely to be accepted relative to identical guests with distinctively White names."<sup>8</sup> Airbnb has since made moves to fight bias and discrimination, including changing when guest pictures are shown to a host in the booking process.<sup>9</sup> The city of Columbus, OH, passed a discrimination clause in its ordinance stipulating that a host shall not decline a potential guest, impose different terms or conditions, or discourage or indicate a preference for or against a guest based on race, gender, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.<sup>7</sup>

### INSTITUTE A PERMIT REQUIREMENT

Enforceable short-term rental ordinances require owners who want to host short-term rentals to acquire a permit before renting. In general, a permit requirement allows local governments to create and maintain a database of units and contact information for properties that are operating as short-term rentals. **The information provided in an application is key to enforcing the ordinance, allowing the city to have a point of contact to check in with when a property is not in compliance.**<sup>10</sup> Without information on who is operating short-term rentals, cities are effectively rendered helpless in enforcing their regulations. Having an active database of short-term rentals in operation is key to moving from a reactive to a proactive approach to enforcement.

**To ensure that hosts are acquiring permits, the city must have a mechanism to check to ensure compliance.** Some cities, like San Francisco, have negotiated agreements with platforms that require the platform to put a permit number on the host listing.<sup>11</sup> In other cases, cities have hired third-party platforms to aid their enforcement efforts. The City of Nashville, TN, uses Granicus's Host Compliance, a short-term rental compliance monitoring platform, to support enforcement efforts. According to Nashville officials, the Code Department was struggling to enforce its regulations when they were relying on a complaint-based process. The city was manually identifying STR addresses. With more than 60 active rental websites and private addresses and contact information, it proved to be too herculean an effort to maintain. Host Compliance's online portal enables the city to identify illegal operators before there is a complaint, moving from reactive to proactive enforcement. Since implementing Host Compliance, Nashville has more than doubled its compliance rate to 91 percent.<sup>12</sup>

### KEY CONSIDERATION

Without a clear and streamlined application or licensing process, applications may backlog. This leads to an unhappy and distrustful community and may encourage illegal rentals to operate while they are in the process of being considered for a permit. In some cases, operators will purposely and continuously file for permits and operate while under consideration. Always tie the permit to the person, not the parcel. This will allow for natural attrition over time (e.g., someone sells their home, and the new owner must reapply for a short-term rental permit).

### DETERMINE FINES AND FEES

Many cities adopt fine structures to incentivize compliance by short-term rental hosts. According to NLC's analysis, fines range from \$200 a day to \$2,000 per violation, which may escalate each day. Beyond deciding the fine structure, cities must have adequate staff and resources to identify hosts who are not in compliance and communicate to hosts how to stay in compliance and avoid violations.

**Fines should be proportionate to or more than the economic gains that potential violators can realize from breaking the rules, and should escalate for repeat violators, including the threat of revocation of a permit or license.** Host Compliance offers the following fines and fees schedule for cities to consider:

#### Example Fine Schedule

	1 <sup>st</sup> violation	2 <sup>nd</sup> violation	3 <sup>rd</sup> violation	4 <sup>th</sup> violation
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements	\$200 per day	\$400 per day	\$650 per day	Upon the fourth or subsequent violation in any twenty-four month period, the local government may suspend or revoke any permit. The suspension or revocation can be appealed.
Fine for violating any other requirements of the local government's short-term rental regulation	\$250 per day	\$500 per day	\$750 per day	

**Notes:**

a. Any person found to be in violation of this regulation in a civil case brought by a law enforcement agency, shall be ordered to reimburse the local government and other participating law enforcement agencies their full investigative costs, pay all back-owed taxes, and remit all illegally obtained short-term rental revenue proceeds to the local government.

b. Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the local government until the date of payment.

c. The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the local government to address any violation or other public nuisance.

Source: Host Compliance

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## Policy Levers to Pull to Achieve Common Policy Goals

POLICY GOAL	POLICY LEVERS
<p><b>PREVENT THE LOSS OF RENTAL HOUSING</b> Prevent long-term rental properties from being converted to short-term rentals.</p> <p><b>SLOW OR PREVENT THE OVERGROWTH OF STRS</b> Prevent residential neighborhoods from being "overtaken" by guests to the detriment of the neighborhood and residential feel of a neighborhood.</p> <p><b>COMBAT DISPLACEMENT</b> The presence of short-term rentals can be particularly contentious in certain neighborhoods (e.g., neighborhoods that are experiencing displacement).</p> <p><b>PRESERVE THE RESIDENTIAL QUALITY OF NEIGHBORHOODS</b> Limit problem properties such as party houses or houses with complaints.</p> <p><b>BALANCE THE NEEDS AND RIGHTS OF PROPERTY OWNERS AND NEIGHBORS</b> While lawful hosts have the right to rent their properties out, they should not infringe on the rights of neighbors. Enable hosts to rent out their homes while also ensuring that residents know where and how to file a complaint.</p>	<p>Adopt a permit requirement and institute a host residency requirement, which should prevent homeowners from renting properties solely as short-term rentals and prevent properties from being purchased for the sole purpose of operating as short-term rentals.</p> <p>Adopt a permit requirement and set a specific quota (number or percentage) on the number of short-term rental permits that will be distributed in a particular geographic area (e.g., neighborhood, census tract, ZIP code, etc.).</p> <p>Adopt a permit requirement and set a quota on the number of short-term rentals that are allowed to operate in a specific zoning district or neighborhood, particularly areas of the city that are at risk of, or are currently experiencing displacement pressure. Beware that such quotas can limit existing low-income homeowners' ability to earn revenues from their homes. Therefore, consider how to equitably distribute permits.</p> <p>Consider dedicating some revenue generated from permit fees or taxes to affordable housing or home-ownership programs. Explicitly restrict short-term rentals.</p> <p>Adopt a permit requirement and include a limit to the number of people that can stay in a short-term rental. This limit can be tied to the number of bedrooms in a short-term rental, or a total cap on the number that can stay in any type of property. A common limit that cities institute is two adults per bedroom.</p> <p>Require that short-term rental hosts provide their guests with a "Good Neighbor Guide" that summarizes all ordinances that guests are required to comply with during their stay (e.g., noise, trash, parking, etc.).</p> <p>Set restrictions on the number or percentage of short-term rentals that are allowed to operate in a particular neighborhood (or other geographic areas, such as census tract, ZIP code, etc.).</p> <p>Adopt a permit requirement and establish a process for revoking permits from properties in violation, such as a "three strikes" rule, if three verified complaints are filed within a certain time, the city can revoke a host's permit.</p> <p>Establish a 24/7 hotline that residents can phone to report non-emergencies without calling the local police department or law enforcement. Require short-term rental permit hosts to list a local contact who can be reached should an issue arise.</p>

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## POLICY GOAL

## POLICY LEVERS

Adopt a permit requirement that requires each listing to include a local contact who can be reached at any time. Use this emergency contact if a complaint is filed. Stipulate that if the registered contact is not responsive, the host's permit risks being terminated.

Institute a permanent residency requirement. City leaders report that most complaints come from non-owner-occupied units. Hosts may be more invested in their property if they, too, call it home.

Require that short-term rental hosts provide their guests with a "Good Neighbor Guide" that summarizes all ordinances that guests are required to comply with during their stay (e.g., noise, trash, parking, etc.).

Require an inspection, or, if the city cannot carry out inspections, stipulate that the city has the right to inspect a property should sufficient suspicion arise that the property is not up to code.

Institute a process for revoking permits from properties in violation, such as a "three strikes" rule. If three verified complaints are filed within a certain time, the city can revoke a host's permit.

Adopt a permit requirement that will make it easier to identify whether hosts are complying and paying the appropriate taxes. Use permit and tax revenue to either hire additional staff or a third-party provider to help monitor compliance.

Reach an agreement with platforms that requires them to automatically collect and remit taxes back to the city. Be wary of the transparency of the tax remittance process and ensure that the city's enforcement powers are not stifled.

Adopt a permit requirement and set an annual permit reapplication. Make clear that applications can be denied if regulations change. Adopting a formal permit requirement will not deter hosts from participating, so long as the permitting process is not overly cumbersome. Ensure the permit fees are reasonable and tied to the cost of administering the permit program.

Adopt a permit requirement. The permit system should be simple and easy to navigate, particularly if the city is trying to encourage more permanent residents to host on a part-time basis. If the administrative burden is too high, few will be willing to put in the effort.

**ENSURE HEALTH AND SAFETY OF GUESTS AND RESIDENTS**  
Ensure the safety of guests and residents, including minimizing public safety risks and noise and trash complaints.

**CAPTURING TAX REVENUE**  
Ensure that revenue is being collected.

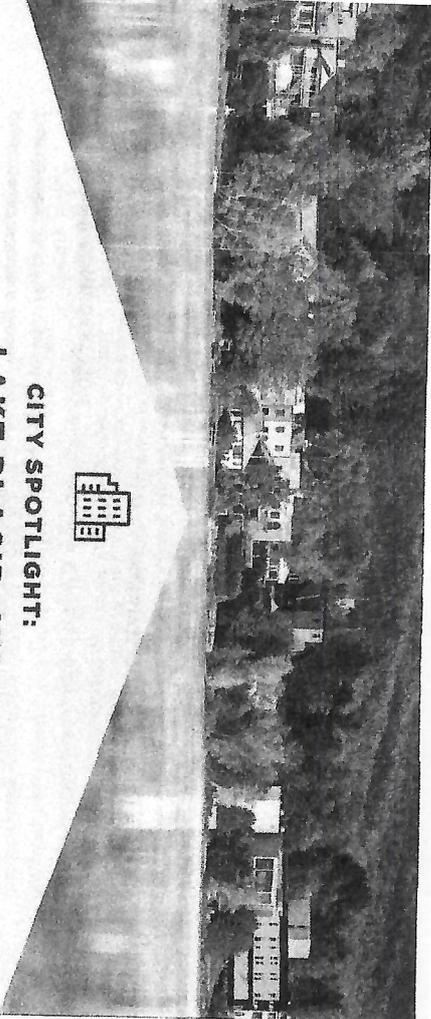
**SUPPORT TOURISM IN A BALANCED WAY**  
Tourism is a key component to many local economies and short-term rentals can play a role in facilitating tourism without impacting residents if done in a balanced way.

**ALLOW FOR ECONOMIC GAIN FOR RESIDENTS**  
Short-term rentals can support wealth building for community members, although city leaders must pay attention to who is eligible to host.



## CITY SPOTLIGHT: LAKE PLACID, NY

The Village of Lake Placid collaborated with its justice court to define a short-term rental fine structure based on other successful cases. Lake Placid's short-term rental fines range from \$350 to \$1,000 for the first violation plus the costs that the village has incurred for enforcement (e.g., staff time and attorney fees). Each week that the violation is not remedied constitutes a separate offense. The second violation that occurs within five years will incur a fine of between \$1,000 and \$3,000. Short-term rental violations can be appealed within 30 days to the Joint Town of North Elba/Village of Lake Placid Short-Term Rental Appeals Board by either the short-term rental property owner or the complainant.<sup>13</sup> In most cases, hosts do not intentionally violate regulations, and disputes are often settled without the host incurring a fine.



## ESTABLISH A CLEAR TAXING MODEL

Be mindful that there are multiple ways to capture revenue. In most cases, the owner/host is responsible for remitting taxes back to the city; however, several cities are trying to move the collection burden from hosts to the platforms. According to NLC's analysis, 82 percent of surveyed cities require the host to remit taxes directly to the city, while just 5 percent require the platform to collect and remit taxes on their behalf.

Cities like Annapolis, MD, and Charleston, SC, require platforms to remit taxes back to the city on behalf of hosts, automatically collecting tax revenue from a booking when it is made. While it may be easier for cities to require platforms to remit taxes, beware that there is some ongoing controversy around whether cities get back all the taxes they are owed. Several cities in South Carolina, including Charleston, are suing platforms, alleging that they are not remitting full taxes.<sup>14</sup>

In addition to the transient occupancy tax, some city councils may add an additional tax or surcharge on short-term rentals. For example, Chicago, IL, passed a 4 percent surcharge in 2016 and another 2 percent surcharge in 2018.<sup>15</sup> The surcharge funds supportive homelessness services and enforcement of the ordinance.<sup>16</sup>

**82%**

of cities require the host to remit taxes directly to the city, while 5 percent require the platform to collect and remit taxes of hosts behalf.



## KEY CONSIDERATION

Be mindful of how difficult it may be for hosts to remit taxes to the city. If a host has to remit taxes directly, consider how to make that process as simple and streamlined as possible. This not only makes it easier for hosts but ensures that the city is capturing more of the tax revenue it is owed. Include clear and concise instructions on how to remit taxes on the city's webpage and a user-friendly platform to make payments. Consider sending notifications to all short-term rental hosts about upcoming tax payments.

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## NEGOTIATE AN AGREEMENT WITH PLATFORMS

Cities have had varying success in building helpful agreements with platforms. Cities have a lot to gain by partnering with platforms; however, the relationship-building process can be contentious at times. These relationships are more likely to be positive when cities come to the discussion table with a clear goal in mind and communicate it with platforms. Cities may have the opportunity to negotiate agreements with platforms, such as voluntary collection agreements (VCAs) or memorandums of understanding (MOUs).

### Voluntary Collection Agreements

A Voluntary Collection Agreement (VCA) typically involves a short-term rental platform agreeing to collect and remit transient occupancy taxes on behalf of its hosts. Agreements generally allow local governments to audit the platform, rather than the operator, but do not allow local governments to access information that could identify operators outside of the terms of the agreement.

Many short-term rental platforms have agreements with local governments. As of March 2019, Airbnb had more than 350 VCAs with state and local governments in the U.S.<sup>17</sup> While VCAs allows local governments to receive a steady stream of transient occupancy taxes, officials in several states have expressed concerns that these agreements allow platforms to remit less to governments than they owe, a problem compounded by VCA provisions that hinder tax authorities' ability to audit platforms.<sup>18</sup> See the *Appendix for more information on VCAs*.

### Voluntary Collection Agreement (VCA):

A VCA typically involves a short-term rental platform agreeing to collect and remit transient occupancy taxes on behalf of its hosts.

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## Memorandum of Understanding

A memorandum of understanding (MOU) typically focuses on issues such as disclosing data, posting property registration numbers and removing illegal listings. Be aware that an MOU can include provisions that limit cities' enforcement power or create additional duties for cities. For example, in its draft MOU with the City of Denver, Airbnb included provisions that would have made the MOU confidential and require the city to resort to arbitration to resolve disputes. Together, these provisions would have limited transparency and hampered the city's ability to use the courts for its enforcement actions. Denver rejected the draft.<sup>19</sup>

MOUs may create additional duties for cities, such as when an MOU requires a platform to take down listings for unregistered properties but places the burden on cities to inform the platform about suspicious properties — a resource-intensive task. Cities may attempt to shift some of these burdens onto the platform. In one settlement with New York City, Airbnb agreed to automatically provide information for certain listings that met specific criteria.<sup>20</sup> In the City of Portland, OR's MOU with Airbnb, the two parties share duties; Airbnb is responsible for regularly reporting data about hosts and properties, and Portland is responsible for using the information it receives to verify that hosts have properly registered.<sup>21</sup>



### KEY CONSIDERATION

Approach negotiated agreements well informed and with a clear policy goal in mind. Because VCAs and MOUs tend to be offered with standard language and provisions that benefit platforms and hinder city oversight efforts, cities should be prepared to analyze the agreements and decide whether and how to negotiate more favorable conditions.

## ENFORCEMENT

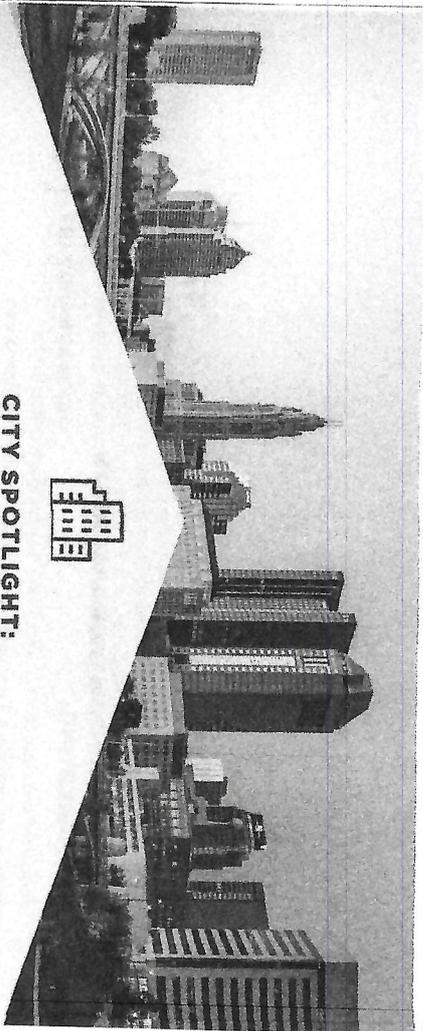
The purpose of regulations should not just be to capture additional revenue but to minimize and mitigate the negative side effects associated with the uncontrolled growth of short-term rentals. Cities need to move away from reactive to proactive enforcement when possible. Effective enforcement is key to an ordinance's success. Without regulations that clearly define what a short-term rental is, a database of units being operated, and contact information for those units, cities are effectively rendered helpless in enforcing their regulations.

### DEDICATE RESOURCES TO ENFORCEMENT

**Dedicated resources, time, staff and money are necessary for successful enforcement.** Short-term rental regulation enforcement can be revenue neutral or positive for municipalities when license, permit, and tax revenue offsets costs.<sup>22</sup> In some cases, cities can also leverage existing resources such as 311 service to take in short-term rental complaints.

Some examples of key enforcement components that require dedicated resources include:

- Hiring additional code enforcement officers to identify and flag repeat offenders
- Hiring a third-party platform to help with data collection and enforcement
- Hiring a web developer to create a "one-stop-shop" website for STR hosts and residents
- Hiring additional staff to set up and service a complaint hotline
- Instituting (re)inspections for violating properties



### CITY SPOTLIGHT: COLUMBUS, OH

The most recent ordinance amendment in the City of Columbus allows the licensing department to deny, revoke or suspend a permit if there are three or more emergency calls made on a specific property in the previous 12 months (i.e., "three-call rule"). To help facilitate this system, the city's technology department created an internal database that connects the 311 service with the city's computer-aided dispatch software to allow enforcement to search the address on the map and know what type of emergency service was requested. City staff reference this database when an application is made or when a complaint about a property is filed. This allows the city to identify properties that have violated the ordinance or have passed the "three-call rule."

### ENSURE EXTENSIVE COMMUNICATION AND MARKETING

Transparent and clear communication and marketing are critical to the success of an ordinance. Clear communication will support the ordinance's success (e.g., hosts, guests and residents know what the rules and regulations are) and is key to preventing community backlash when an ordinance is established or revisited.

Consistent contact with landlord associations and property owner groups allows the city to convey to hosts how to remain in compliance. This may be an opportunity to develop relationships with trusted voices in key groups who can serve as a liaison with the broader community and as a spokesperson for good hosting etiquette.

Regular contact with residents means that cities can convey the best way to file nuisance and safety complaints should there be a violation at a short-term rental. This helps communities feel like they have a trusted partner in the city to ensure community safety.



#### KEY CONSIDERATION

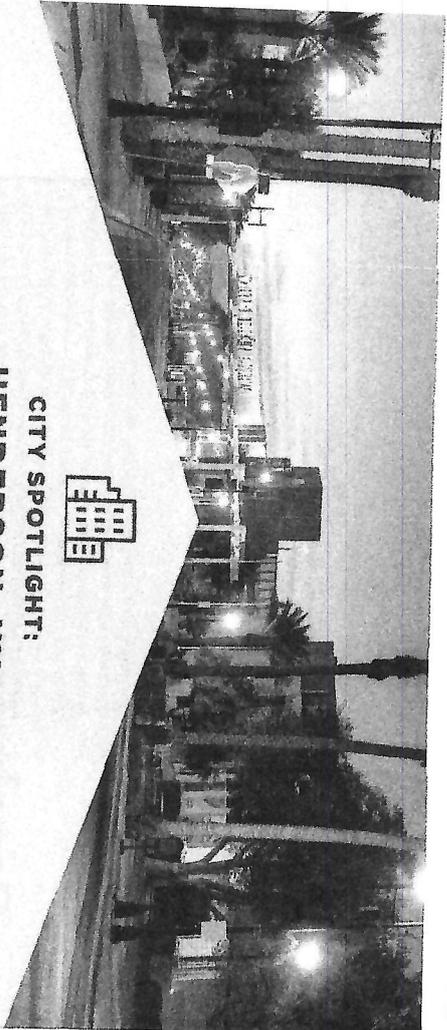
Consider hiring or assigning specific city staff to be liaisons with the community. Doing so may help establish trust among hosts, residents and the city, making room for more constructive conversations should something go awry. In addition, developing relationships with specific community members (e.g., hosts or residents) can help broaden the city's reach into the community. For example, hosts who have good relationships with the city can promote good hosting etiquette in the community.

### MOVE REGISTRATION AND ADMINISTRATION SYSTEMS ONLINE

To the extent possible, cities should limit the administrative burden on city staff and platform users. Moving registration or licensing systems online (while keeping the paper application option open) makes the process more seamless for hosts and less cumbersome for city staff who process those applications.

Beyond moving the registration or licensing system online, consider launching a centralized, accessible and easy-to-use webpage with all relevant short-term rental information. One common complaint that cities receive is that short-term rental regulations are difficult to understand. In most cases, it is not that the regulations themselves are too complex, but that regulations are not transparent and explained in an accessible way. Launching a webpage that is regularly updated keeps the community informed. According to a recent 2022 report and survey from Rent Responsibly and the College of Charleston, 49 percent of surveyed short-term rental hosts got information from government websites about local regulations that affect short-term rentals.<sup>33</sup> Furthermore, this webpage can serve as a resource for city staff who are not experts on short-term rentals but may be required to liaise with the public about them.





## CITY SPOTLIGHT: HENDERSON, NV

The City of Henderson set up an easily navigable webpage with information on short-term rentals, including application materials and answers to frequently asked questions.<sup>24</sup> This webpage serves as a “one-stop-shop” for hosts, residents and staff. The short-term rental webpage has the second-highest number of hits on the Henderson website.

### On the webpage hosts can:

- ◆ Find the most up-to-date short-term rental ordinance and state laws that apply to short-term rentals
- ◆ Register their short-term rental
- ◆ Find city contact information to support them through the registration process
- ◆ Find clear lists on how to apply and what documents are needed
- ◆ Find application forms that are easy to download or file online
- ◆ Renew their short-term rental registration
- ◆ Pay their transient lodging tax and fees
- ◆ Find tax forms that are easy to download

### On the webpage residents can:

- ◆ Find relevant short-term rental regulations, including the city ordinance and state laws that apply to short-term rentals
- ◆ Locate the complaint phone hotline to report any illegal short-term rental or to file noise, trash, parking, occupancy or other nuisance complaints
- ◆ Access the complaint website to submit a complaint online

## REVISIT AND ADAPT

The short-term rental market is consistently in flux, meaning regulations may have to change to meet the market and evolving community needs. Regularly revisit your ordinance to ensure that it still has the right balance of competing expectations and alignment with city goals.

### ESTABLISH A FEEDBACK LOOP

Particularly when first passing an ordinance, be intentional about setting metrics of success that align with policy goals. These qualitative and quantitative policy goal-aligned metrics will determine how performance is evaluated. Setting a dedicated evaluation period following the passage of a short-term rental ordinance will allow for better evaluation and help generate ideas of how to improve an ordinance. Make sure the public and the hosts understand that the regulation may change at the end of the evaluation period.

Build in a recurring check-in with relevant stakeholders to determine whether the short-term rental ordinance is meeting the city’s originally stated goal, and if not, what needs to be adjusted. This is where the feedback loop is particularly important. Keep an open line of communication with relevant stakeholders (e.g., landlord associations, property owners, residents, housing advocates, community groups, hotels, tourism agencies, etc.) to better understand how the implementation of the ordinance is playing out.

In Fayetteville, AR, the city authorizes a 20-month sunset clause in its ordinance, allowing city leaders to conduct regular review and reauthorization of the ordinance.<sup>25</sup> Some adjustments have been made following these regular review periods, including increasing the occupancy tax rate to better fund the cost of enforcement, adjusting the cap on the number of short-term rentals allowed in the community and requiring a unit inspection.

### KEY CONSIDERATION

If there is a recurring evaluation period for the ordinance, tell the community early on. Transparency is key to making sure hosts and residents know that regulations may change in the future. This may limit the potential backlash of changing regulations after passing them.

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## Conclusion

**S**HORT-TERM RENTALS ARE here to stay and, when regulated with care and the proper safeguards in place, can be integrated into the fabric of a community. STRs can enhance tourism, stimulate economic growth in targeted neighborhoods and give residents a way to supplement their income, but can also exacerbate racial inequity, put pressures on affordable housing and disrupt neighborhoods. With proper regulation, cities can enjoy the benefits of STRs and limit their negative impacts.

**Regulating short-term rentals is not about limiting their potential, but about enacting the appropriate mechanisms to keep competing priorities and interests balanced.** As cities consider regulations to address short-term rentals in their communities, it is important that they act promptly, remain focused on a clear policy objective, consider racial equity, actively engage with relevant stakeholders, develop and enforce clear regulations, and provide continuous review of ordinances. The resources found in this Action Guide can help our communities find the proper balance to effectively support and regulate this growing industry.

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# Appendix

## Voluntary Collection Agreements (VCAs)

	COMMON PROVISIONS	THINGS TO WATCH OUT FOR
<b>COLLECTION AND REMITTANCE</b>	Platforms agree to collect transient occupancy taxes from guests and remit the amount collected to the government taxing authority.	Without this provision, the platform may refuse to collect the tax, arguing that hosts are responsible for collection. Even with the provision, some platforms have been accused of under-delivering taxes remitted to cities.
<b>REPORTING AGGREGATE INFORMATION</b>	The platform agrees "reasonably to report aggregate information" related to its collection and remittance of transient occupancy taxes to the tax authority.  Aggregate information includes the total amounts of receipts, exemptions, adjustments and so forth, but does not include individualized information for specific properties.	Aggregate information does not allow cities to gather individualized information on particular properties.
<b>DETERMINING LIABILITY FOR TAXES</b>	The platform agrees to be held legally responsible for failure to report, collect or remit the transient occupancy taxes, and the tax authority agrees not to hold individual hosts responsible for reporting, collecting or remitting taxes on their property.	
<b>WAIVER OF LOOK-BACK</b>	The tax authority agrees not to pursue any actions to recover unpaid taxes that had been due before the date the agreement went into effect.	If the city has not yet received payments from a large proportion of STRs, then waiving all claims on taxes owed before the VCA's implementation will result in the city potentially forfeiting a significant amount of tax revenue. On the other hand, a city may not have the capacity to go after back taxes, and be mostly concerned with collection of future taxes, making waiver of past tax liability a lower priority.
<b>NOTIFICATION TO HOSTS AND RENTERS</b>	The platform agrees to notify hosts and renters that it will be collecting and remitting transient occupancy taxes for their transactions.	

	COMMON PROVISIONS	THINGS TO WATCH OUT FOR
<b>AUDITING</b>	The tax authority agrees to audit the platform on the basis of its tax returns and supporting documentation, rather than on audits of individual renters or hosts. Some VCAs also state that the tax authority cannot audit individual renters or hosts until it has finished auditing the platform and a tax issue remains unresolved.  All transaction and tax data reviewed by a city tax authority must be anonymized. If the city suspects wrongdoing on the part of a specific host, it must first audit the anonymous data, then pick out suspicious transactions, and then finally obtain a subpoena to get identifiable data from the platform.  The tax authority agrees to limit the number of times it will audit the platform (e.g., to only audit the platform once every two years, and to only audit transactions conducted over a 12-month stretch.)	This may limit the tax authority's access to data and ability to audit individual hosts and affect city efforts to enforce home-sharing laws. Cities such as Culver City, CA, have negotiated alternative provisions ensuring that they can continue to audit individual hosts if they receive information about the property's violations from another source. <sup>26</sup>  Anonymized data may mean that cities can only use aggregate information, which prevents cities from investigating individual cases of violation. For example, Snowmass, CO, states that it will audit "on an anonymous numbered account basis," suggesting that disaggregation is not required. <sup>27</sup> Cities can also suggest alternative kinds of privacy protection that allow for individualized reports, such as pseudonymizing information.  VCAs typically provide that all information about hosts and guests will remain anonymous unless the city has completed an audit of the platform and served the platform with a subpoena or similar legal process. Cities may want to negotiate changes to this provision to allow them to ensure that properties are registered. For example, if cities have already passed ordinances requiring registration, their audits might request information about the registration number.  Cities can negotiate limits on audit frequency to allow for more frequent and tailored enforcement efforts. For instance, the audit frequency in Pacific Grove, CA, is once every 36 months; although this period may still be too long for many cities to effectively audit home-sharing, it does indicate that VCAs' time provisions can vary. <sup>28</sup>

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## Chapter 400. Zoning Regulations

### Article I. In General

#### Section 400.040. Definitions.

[Ord. No. 2327 §1, 3-18-2003; Ord. No. 3136, 6-4-2019; Ord. No. 3194, 6-2-2020; Ord. No. 3195, 6-2-2020; Ord. No. 3364, 2-21-2023; Ord. No. 3365, 2-21-2023; Ord. No. 3457, 9-2-2025]

For the purpose of this Chapter, the terms used herein are defined as follows:

#### **ACCESSORY BUILDING OR STRUCTURE**

A detached subordinate building or structure, the use of which is incidental to that of a principal building or structure or incidental to the principal use of the land and which is located on the same lot with the principal building or use.

#### **ACCESSORY USE**

A use which is incidental and subordinate to the principal use of the premises and does not change the character thereof as determined by its principal use.

#### **ADULT ENTERTAINMENT USE**

An establishment consisting of, including or having the characteristics of any or all of the following:

**1. Adult bookstore.** An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, publications, tapes or films that are distinguished or characterized by the emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

**2. Adult cabaret.** An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

**3. Adult mini-motion picture theater.** An enclosed building with a capacity of less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

**4. Adult motion picture theater.** An enclosed building with a capacity for fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

**5. Exotic dance facility.** Any building, structure or facility which contains or is used for commercial entertainment, where the patron directly or indirectly is charged a fee to observe "specified anatomical areas", provided that the genitals and pubic areas of all persons and the areola and nipple of the breast of all female persons are opaquely covered. "Specified anatomical areas" shall include:

**a.** Less than completely or opaquely covered human genitals, pubic region, buttocks or female breast area below the point immediately above the top of the areola; and

**b.** Human male genitals in a discernibly turgid state even if completely and opaquely covered.

#### **ALLEY**

A public or private way, at the rear or side of property, reserved as a means of secondary vehicular access to abutting property and not intended for general traffic circulation.

**ALTERATION**

As applied to a building, a change or rearrangement in any parts of the building or in the exit facilities or an enlargement or decrease in exterior dimensions or the moving from one location or position to another.

**ALTERATION, STRUCTURAL**

A change in the supporting members of a building, such as bearing walls, columns, beams or girders.

**AREA, FLOOR**

The total square footage within the principal space of each structure, excluding storage, stairs, elevators, garages, porches, parking and walkways.

**AREA, GROSS**

The entire area within the boundary lines of a site, including the area to be dedicated for street right-of-way and common land.

**AREA, NET**

The entire area within the boundary lines of a site, less the area of any street right-of-way.

**ATTACHED BUILDING**

A building attached to another building by a common wall (such wall being a solid wall with or without windows and doors) and a common roof with at least a horizontal dimension of six (6) feet.

**BARRIER (NATURAL OR ARTIFICIAL)**

Any street, highway, river, pond, canal, railroad, levee, embankment or screening by a fence or hedge.

**BASEMENT**

That level of a building at least fifty percent (50%) below the average finished grade of the building.

**BENCH MARK**

A definite point of known elevation and location and of more or less permanent character.

**BLOCK**

An area of land entirely bounded by streets, highways or ways (except alleys, pedestrian ways or exterior boundaries of a subdivision) or a combination of streets, public parks, cemeteries, railroad right-of-way, bulkhead lines or shorelines of waterways or corporate boundary lines.

**BOUNDARY ADJUSTMENT**

An adjustment to the lot lines of platted lots or other lawful parcels for the purpose of adjusting the sizes of buildings, frontages, configuration of buildable lots or the consolidation of existing lots which does not create any additional buildable lots.

**BUILDING DEPARTMENT**

The Department of Building of Pacific, including the building inspection personnel and the Zoning Officer.

**BUILDING HEIGHT**

The vertical distance from the average finished grade to the uppermost point of the roof structure except as otherwise expressly provided herein.

**BUILDING LINE**

A line on a plat parallel to the front lot line, past which no portion of a building may project in accordance with the Zoning Code of the City of Pacific, Missouri.

### **BUILDING OR STRUCTURE**

A building or structure is declared to be that which is built or constructed or anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground, excluding fences. The word "*building*" shall include the word "*structure*" and vice versa.

### **COMMISSION**

Planning and Zoning Commission of Pacific, Missouri.

### **COMMON LAND**

That land set aside for open space or recreational use for the owners of the residential lots in a subdivision, which land is conveyed by the developer to trustees whose trust indenture shall provide that said common land be used for the sole benefit, use and enjoyment of lot owners present and future. No lot owner shall have the right to convey his/her interest in the common land except as an incident to the ownership of a regularly platted lot.

### **COMPREHENSIVE MARIJUANA CULTIVATION FACILITY**

A facility licensed as such by the State of Missouri.

### **COMPREHENSIVE MARIJUANA DISPENSARY FACILITY**

A facility licensed as such by the State of Missouri.

### **COMPREHENSIVE MARIJUANA-INFUSED PRODUCT MANUFACTURING FACILITY**

A facility licensed as such by the State of Missouri.

### **COMPREHENSIVE PLAN (MASTER PLAN)**

The plan or any portion thereof adopted by the Board of Aldermen for the coordinated physical development of the City of Pacific including, among other things, plans and programs regarding the location, character and extent of highways, transportation routes, bridges, public buildings, schools, parks and projects affecting the conservation of natural resources.

### **CONDOMINIUM PLAT**

A survey of the parcel and all units of a multi-unit structure for the purpose of compliance with the Condominium Property Act, Chapter 448 of the Missouri Revised Statutes.

### **CUL-DE-SAC**

A short, minor street having only one (1) end open for vehicular traffic and the other permanently terminated by a turnaround for vehicles.

### **DESIGN**

The arrangement of land for easements, lots and rights-of-way, including materials, improvements, alignment, grading and width of these elements.

### **DEVELOPER**

Any person, firm, partnership, association, corporation, estate, trust or other group or combination acting as a unit dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined. The term "*developer*" shall include any agent of any developer.

### **DWELLING, MULTIPLE-FAMILY**

A dwelling or group of dwellings on one (1) lot or plot containing separate living units for three (3) or more families each living as independent housekeeping units.

### **DWELLING, SINGLE-FAMILY**

A detached principal building designed for or used as a dwelling exclusively by one (1) family as an independent housekeeping unit. Single-family dwelling or single-family residence shall include any private residence licensed by the Division of Family Services or Department of Mental Health

to provide foster care to one (1) or more but less than seven (7) children who are unrelated to either foster parent by blood, marriage or adoption. A single-family dwelling or single-family residence shall also include any home in which eight (8) or fewer unrelated mentally or physically handicapped persons reside and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

**DWELLING, TWO-FAMILY**

A detached principal building designed for or used as a dwelling exclusively by two (2) families each living as an independent housekeeping unit.

**DWELLING UNIT**

Shall include one (1) kitchen and no more than one (1) family shall be allowed per kitchen.

**EASEMENT**

A grant by a property owner to the public, a corporation or a person of the use of land for a specific purpose.

**ENGINEER**

A professional engineer registered in the State of Missouri.

**ESCROW AGENT**

A title company, bank, savings and loan association, trust company, reputable attorney or any other person or agency approved by the City to act as escrow agent under the provisions of this Chapter.

**FAMILY**

1. A single individual occupying a premises as a single housekeeping unit with single kitchen facilities.

2. A collective body of persons occupying a premises with single kitchen facilities and living together as a separate housekeeping unit in a domestic relationship based upon birth, adoption or marriage and including no more than two (2) persons employed on the premises as domestic servants.

3. A group of not more than four (4) persons (excluding servants) occupying a premises by joint agreement and living together as a single housekeeping unit with single kitchen facilities on a non-profit cost-sharing basis.

4. A foster parent or parents licensed by the State to provide foster care to one (1) or more but less than seven (7) children who are unrelated to the foster parents.

**FLOOD HAZARD AREA**

All land subject to periodic inundation from overflow of natural waterways.

**FLOOD PLAIN**

A geographic area susceptible to periodic inundation from overflow of natural waterways as shown on flood boundary and floodway maps prepared by the Federal Emergency Management Agency.

**FOOD TRUCK**

An itinerant merchant engaged in preparing and selling food, coffee or soft drinks for immediate consumption from an enclosed mobile truck, trailer, or cart.

**GARAGE, REPAIR**

A building used for the business of repairing and/or servicing motor vehicles.

**GASOLINE SERVICE STATION**

A building or premises or portion thereof used for the retail sale of gasoline, oil or other fuel for motor vehicles and which may include, as an incidental use only, facilities used for polishing, greasing, washing or otherwise cleaning or light servicing of motor vehicles, but not including liquefied petroleum gas distribution facilities.

**GRADE**

The level at which finished ground meets the exterior walls of a building or structure.

**GROUND COVER**

A low-growing plant, other than turf grass, which forms a continuous cover over the ground surface.

**GROUP HOME**

A single-family dwelling in which eight (8) or fewer unrelated mentally or physically handicapped persons reside and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons.

**HARD SURFACE**

A surface constructed of either a high quality, thoroughly controlled hot mixture of asphalt cement and well graded, high quality aggregate thoroughly compacted into a uniform dense mass to form asphalt concrete or a composite material which consists essentially of a binding medium, the binder to be a mixture of Portland cement and water within which are imbedded particles or fragments of aggregate to form concrete.

**HEALTH DEPARTMENT**

Department of Health, State of Missouri.

**HOME OCCUPATION**

A use conducted entirely within a dwelling and carried on by the inhabitants therein and no others, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof.

**ICE CREAM TRUCK**

A non-permanent structure that is a self-contained vehicle, cart, manually propelled pushcart, or other type of conveyance used for the express purpose of selling ice cream products and moves from place to place, standing stationary in the same place for no more than ten (10) minutes at a time.

**IMPROVEMENT PLANS**

The engineering plans showing types of materials and construction details for the improvements, excluding dwelling units, to be installed during development of a subdivision or manufactured home park prepared by a professional engineer.

**IMPROVEMENTS**

Streets, sidewalks, alleys, curbs, guttering, water mains and hydrants, gas mains, electric utilities, storm sewers, sanitary sewers, sewage treatment facilities, monuments, landscaping, street lights, permanent street markers and other similar items.

**KENNEL**

Any lot or premises or portion thereof on which a combined six (6) or more dogs or cats are kept or five (5) or more dogs, whether for commercial or non-commercial purposes, but not including animals four (4) months of age or younger which are the natural offspring of animals otherwise lawfully kept.

### **LANDSCAPE MATERIALS**

Any combination of living plant materials and non-living materials such as rock, pebbles, sand, bark, pavers, earthen mounds, fencing, walls, fountains and other decorative materials.

### **LANDSCAPING**

Landscaping shall consist of trees, shrubs, vines, turf, ground cover and other landscape materials which are utilized to enhance the aesthetic and functional qualities of a site.

### **LAND SURVEYOR**

A land surveyor registered in the State of Missouri.

### **LOT**

A parcel of land intended to be separately owned, rented, leased, developed or otherwise used.

### **LOT AREA**

The total horizontal area within the boundaries of a lot, exclusive of any land designated for roadway or street purposes.

### **LOT, CORNER**

A lot abutting upon two (2) or more streets or roadways at their intersections.

### **LOT, DEPTH OF**

The mean linear distance measured on a horizontal plane between the front and rear lot lines.

### **LOT, DOUBLE FRONTAGE**

A lot having a frontage on two (2) non-intersecting streets or roadways as distinguished from a corner lot.

### **LOT, WIDTH OF**

The straight line linear distance between points on opposite side lot lines measured on a horizontal plane at the building line.

### **MANUFACTURED HOME**

A factory-built structure or structures more than eight (8) body feet in width and thirty-two (32) body feet or more in length equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

*1. Single sectional manufactured home.* A manufactured home built in only one (1) section at the factory, which section is transported over the road and forms a single-family residential structure at the site.

*2. Multi-sectional manufactured home.* A manufactured home built in two (2) or more sections at the factory, which two (2) sections are transported over the road separately with assembly into a single-family residential structure at the site.

### **MANUFACTURED HOME LOT**

A parcel of land for the placement of one (1) single or multi-sectional manufactured home and its accessory buildings for the exclusive use of its occupants.

### **MANUFACTURED HOME PARK**

A parcel of land which has been developed into lots for the placement of manufactured homes for residences.

### **MANUFACTURED HOME STAND**

That part of an individual manufactured home lot which has been reserved for the placement of the manufactured home, appurtenant structures or additions.

**MARIJUANA CULTIVATION FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MARIJUANA DISPENSARY FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MARIJUANA MICROBUSINESS FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MARIJUANA or MARIHUANA**

Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp as defined by Missouri Statute or commodities or products manufactured from industrial hemp.

**MARIJUANA-INFUSED PRODUCTS**

Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

**MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MEDICAL MARIJUANA TESTING FACILITY**

A facility certified by the Missouri Department of Health and Senior Services.

**MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**

A facility licensed by the Missouri Department of Health and Senior Services to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

**MICROBUSINESS DISPENSARY FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MICROBUSINESS WHOLESALE FACILITY**

A facility licensed as such by the Missouri Department of Health and Senior Services.

**MODULAR HOME**

A factory-built home, constructed in accordance with BOCA standards, designed to be mounted on a permanent foundation which does not bear a seal as defined herein.

**MOTEL**

A building or group of attached or detached buildings consisting of four (4) or more separate, furnished living or sleeping rental units designed or used for the accommodation of travelers on a non-permanent basis and having a character designed to attract such travelers.

**NON-CONFORMING BUILDING**

A building or structure or portion thereof that existed lawfully, whether by variance or otherwise, on the effective date of this Chapter or any amendment thereto and which fails to conform to one (1) or more of the applicable regulations of this Chapter or any amendment thereto.

**NON-CONFORMING LOT**

A lot of record that existed lawfully, whether by variance or otherwise, on the effective date of the adoption of this Chapter or any amendment thereto but because of such adoption or amendment of this Chapter fails to conform to the applicable area, width, depth or other regulations related to lot dimension of this Chapter as amended.

**NON-CONFORMING USE**

A land use that existed lawfully, whether by variance or otherwise, on the effective date of this Chapter or any amendment thereto and which fails to conform to one (1) or more of the applicable regulations of this Chapter or any amendment thereto.

**NON-RESIDENTIAL SUBDIVISION**

A division or resubdivision of a tract into more than one (1) lot, plat or site for commercial or industrial purposes.

**PAVEMENT**

An all-weather, dust-free penetration asphalt, asphaltic concrete or concrete surface.

**PERSON**

A firm, organization, association, partnership, trust, company, corporation or governmental entity or official, as well as an individual.

**PLANT MATERIALS**

Living plants which include trees, shrubs, ground cover, turf and vines which are suitable for ornamental and/or functional use.

**PRELIMINARY PLAT**

Preliminary drawing(s), maps or supportive material indicating the proposed layout of a subdivision to be proposed to the Planning and Zoning Commission.

**PREMISES**

A lot together with all the buildings and uses thereon.

**PREPARED SURFACE**

A flat contiguous exterior surface that prevents erosion, is constructed of brick, block, pavers, asphaltic or Portland cement concrete, and has a slope ratio not greater than 1:12.

**PROFESSIONAL OFFICE**

An office (other than a service office and other than an office for care and/or treatment of or medical attention to animals as distinguished from persons) for the practice of professions, such as the offices of physicians, dentists, attorneys-at-law, architects, engineers, artists, musicians, teachers, accountants and others who through training are qualified to perform services of a professional nature or the offices of a governmental agency; and where there is no storage, sale or display of general merchandise on the premises.

**RECORD SUBDIVISION PLAT (FINAL PLAT)**

A plat which has endorsed upon it, by the hand of the City Clerk of the City of Pacific, approval of the Board of Aldermen and the following:

1. Land description-includes numbering of lot(s) and name of subdivision;
2. Owner's certificate;
3. Surveyor's certificate;
4. Notary's certificate;

and is recorded in the Recorder of Deeds office of the County in which the property is located.

**RECREATIONAL VEHICLE**

Vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational camping or travel use and of such size and weight as to not require special highway movement permits when drawn by a motorized vehicle.

**RIGHT-OF-WAY (ROW)**

A dedication of land to be used generally for streets, alleys or other public uses wherein the owner gives up his/her rights of ownership to the property. "*Right-of-way*" is also a land measurement term meaning the distance between lot property lines which generally includes not only any street pavement but also any sidewalk, grass area and utilities.

**SCREENING**

Screening shall consist of fencing constructed of cedar, redwood or other durable wood or masonry walls or steel chain link fence with wood or vinyl slats. For the purpose of this Chapter, a screen shall be opaque to a height of six (6) feet above the ground surface.

**SEAL**

A device, label or insignia issued by the Missouri Public Service Commission, U.S. Department of Housing and Urban Development or its agent to be displayed on the exterior of the manufactured home to evidence compliance with applicable codes.

**SETBACK**

The distance in linear feet measured on a horizontal plane from the lot line to a building or structure on the lot.

**SHORT-TERM VACATION RENTAL**

A one- or two-family residence, a portion of which may be used for temporary guest accommodations, in which travelers are lodged for sleeping purposes for compensation, with or without a morning meal provided, but with no food service for compensation except for overnight guests. To qualify as a short-term rental facility, such facility shall be granted a business license, commercial occupancy permit, and shall comply with the provisions of Section **605.050**, as amended, pertaining to the tax on sleeping rooms in the City of Pacific.

**SHRUB**

A self-supporting woody plant which normally reaches a height of less than fifteen (15) feet.

**SIDEWALK**

A concrete walkway located in the public right-of-way intended to provide safe and convenient pedestrian access.

**SLOPE**

The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.

**STORY**

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

**STREET**

A general term denoting a public or private way for the purpose of vehicular travel. The street shall be considered public if it has been legally dedicated and accepted as stated by law.

**STREET, ARTERIAL**

A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route, with intersections at grade and which may have direct access to abutting

properties and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.

**STREET, COLLECTOR**

A street which carries or is proposed to carry intermediate volumes of traffic from major thoroughfares to minor streets and which may or may not be continuous.

**STREET, DEAD-END**

A street having only one (1) end open for vehicular traffic.

**STREET, MINOR**

A street used primarily for access to abutting properties providing for minimum speeds and traffic volumes.

**STRUCTURE**

See "*BUILDING*".

**SUBDIVIDER**

See "*DEVELOPER*".

**SUBDIVISION**

The division or redivision of land into two (2) or more lots, tracts, sites or parcels for the purpose of transfer of ownership or for development or for the dedication of public or private rights-of-way.

**SUBDIVISION, MINOR**

A tract of land consisting of three (3) acres or less of land proposed for subdivision into four (4) or less lots, and which does not require construction or extension of public improvements.

**SURETY COMPANY**

An insurance company qualified and acting under the provisions of Chapter 379, RSMo., and which is approved by the City.

**TATTOO ESTABLISHMENTS**

Commonly referred to as "tattoo parlors," means any establishment in which the act or practice of marking the human skin with patterns, pictures, legends or words by making punctures in it and inserting pigments is conducted.

**TATTOO, TATTOOED or TATTOOING**

Refers to any methods of placing designs, letters, scrolls, figures, symbols, or any other marks upon or under the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles or any other instruments designed to touch or puncture the skin.

**TITLE COMPANY**

A corporation qualified and acting under the Missouri Title Insurance Law or a corporation which is an issuing agency for an insurance company insuring land titles.

**TRACT**

An area or parcel of land which developers intend to subdivide and improve or to cause to be subdivided and improved pursuant to the requirements of this Chapter.

**TREE**

A self-supporting woody plant which normally reaches a height of more than fifteen (15) feet.

**TREE STUMP**

That portion of a tree remaining imbedded in and projecting from the earth after its trunk has been severed.

**TURF**

Ground cover composed of one (1) or more species of perennial grass which is grown as a permanent lawn.

**YARD**

Any open space located on the same lot with a building or structure, unoccupied and unobstructed from the ground up, except for any accessory buildings or projections as are permitted on the lot.

**YARD, FRONT**

A yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.

**YARD, REAR**

A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.

**YARD, SIDE**

A yard extending across the full depth of the lot between a side lot line and the nearest line or point of the building.

Chapter 405. Planning and Zoning

Section 405.055. Site Plan Review Procedure.

[Ord. No. 3100, 8-20-2019]

A. Applicability. The requirements of this Section shall apply to the review of site plans where one (1) or more buildings are to be erected on a single lot, excepting the following:

1. Developments conditioned by planned district.
2. Single-family residential detached dwellings, including associated garages.
3. Non-residential buildings less than one thousand (1,000) square feet in gross floor area.
4. Additions to existing non-residential buildings when the addition is less than ten percent (10%) of the existing building's gross floor area, the addition does not exceed five thousand (5,000) square feet, no new curb cuts are required, and where new construction does not reduce existing parking or significantly modify existing on-site circulation as determined by the Planning Director.
5. Enclosed stairwells.
6. Canopies constructed over existing walkways, loading docks or pump islands, where new construction does not reduce existing parking or significantly modify existing on-site circulation, as determined by the Planning Director.

B. Procedures.

1. Site plans shall be reviewed and approved by the City of Pacific and the Department of Planning in accordance with the following:

a. Compliance of the site plan with Code of Ordinance requirements shall be established by the Planning Director or his or her designee.

b. Review Of Plans; Improvement Of Streets.

(1) The Department (or County Department of Highways and Traffic or MoDOT, as applicable) shall review and approve the right-of-way, pavement required, curb cuts, and other design features of abutting public streets or private or new streets, other than multiple-family access

drives within the development connecting the development with a major street or streets. Additional streets may be required for the public healthy, safety and welfare, when determined necessary by the City of Pacific. On such streets, the City of Pacific shall determine the requirements for rights-of-way, street width, width of curb cuts, street trees, sidewalks, and any other improvements in adjacent rights-of-way where not covered elsewhere in the Code of Ordinances.

(2) The City of Pacific shall review and approve the plans for conceptual compliance with the various codes and ordinances relating to grading, drainage, silt control, storm sewer services, floodplain (as it affects the development), and other applicable requirements.

(3) At such times as a development is proposed adjacent to a street that is accepted and maintained by the City of Pacific, that street shall be improved in accordance with the City of Pacific standards, and the cost of improvement of and the dedication of half of the right-of-way adjacent to the proposed development shall be included in the overall development improvements.

c. The Department shall review and approve the internal traffic and pedestrian circulation system, landscaping, parking areas, and additional characteristics of site design, as deemed appropriate. Landscaping may include recontouring, building of earth berms, vegetative covering, screening or other material alteration of the site as deemed appropriate to enhance areas outside the public right-of-way or to preserve the integrity of adjacent properties. Internal circulation shall include the location, nature, extent, construction and design of internal driveway lanes (including multiple-family access streets), parking lots, driveways to or through parking lots, and any other facilities that provide vehicular access to buildings, structures, and improvements upon a given lot or tract.

2. The Department shall review and approve the plans for compliance with all codes and ordinances relating to land development and improvements.

3. Prior to site plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Pacific. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all site plans and improvement plans.

### C. Site Plan Contents.

1. For a site plan to be accepted for review, the following information shall be either placed on the site plan or on a separate sheet accompanying the plan:

- a. Location map, North arrow, and plan scale.
- b. Zoning district, subdivision name, lot number, dimensions and area, and zoning of adjacent parcels where different than site.
- c. Name, address, and telephone number of the person or firm submitting the plan, and the person or firm who desires the review comments forwarded to him or her.

- d. Proposed use of the building and its construction type and distance from adjacent property lines.
- e. Off-street parking spaces, required and proposed, including the number, size, and location of those designated for the handicapped.
- f. Type of sanitary sewage treatment and stormwater drainage facilities, including retention ponds.
- g. Dimensions of existing and proposed roadway pavement and right-of-way width for streets abutting the site.
- h. Existing and proposed landscaping, including name and size of plant material.
- i. Existing and proposed contour lines or elevations based on mean sea level datum, unless otherwise waived by the Department.
- j. Location and size of existing and proposed freestanding signs.
- k. Location and identification of all easements (existing and proposed).
- l. Location and height of all light poles.
- m. Overall dimensions of all buildings and the gross floor area of each building.
- n. Approximate location of any stormwater detention facilities, sink holes and springs, silt berms, ponds and other silt-control facilities.
- o. Floor area ratio of proposed development, except in single-family attached and detached residential developments.
- p. Open space percentage of proposed development.
- q. Tree stand delineation for area to be developed.

2. Additional information to be placed on the site plan, beyond the requirements listed above may be requested based on a joint review of the plans by authorized departmental representatives of the City of Pacific.

D. Review Schedule. Upon verification of compliance with the site plan requirements stated in Subsection **(C)** and any other applicable development standards in the City Code of Ordinances, the plan shall be approved by the Department. If the plan fails to be in compliance with the requirements of Subsection **(C)** or any other applicable development standards in the City of Code of Ordinances a letter shall be forwarded to the person or firm submitting the plan stating the comments of the reviewing Department. Within thirty (30) days from the date on the comment letter, revised plans addressing the listed comments shall be submitted for further review. If revised plans are not submitted within the specified time limit, review of the site plan will be terminated.

E. Minimum Requirements. The requirements for site plan review contained in this Section shall apply as the minimum requirements. Additional requirements may be stated, as necessary, and written into a policy memorandum.

