

23-427 & 24-008
PLANNING AND PERMITTING COMMITTEE
MEETING REPORT
WEDNESDAY, MARCH 27, 2024 @ 6:00 P.M.

Attendees: Council Vice President Kit Collins, Committee Chair; Councillor Matt Leming, Committee Vice-Chair; Council President Isaac “Zac” Bears; Councillor Anna Callahan; Councillor George Scarpelli; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Vice President Collins called the meeting to order at 6:15 p.m. on March 27, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall and via Zoom. The purpose of the meeting was the proposed short-term rental ordinance (Paper **23-427**) and a resolution to review Fee Schedules (Paper **24-008**).

Vice President Collins thanked participants for attending. She read the two resolutions, offered by President Bears. President Bears said that 94-8.4 specifically regulates short-term rental units and requires registration of short-term rental unit owners. This is designed to regulate short-term rentals. He said it is not to say we oppose short-term rental options but the City needs to understand how much housing stock is taken up by short-term rentals and other matters. The ordinance has been in place for about two years. He said that one of the issues is that there is not enough staffing in the City to know if every unit is registered or if units are being rented through online platforms without permission. He said one solution is going to major short-term rental platforms and requiring the platforms to issue reports to the City on all the properties being rented through those platforms. He said it is worth amending the ordinance to include this requirement.

Vice President Collins said that we feel the effects of short-term rentals in the availability of rental units city-wide.

Councillor Callahan asked who would go over such a monthly report. President Bears said that there would need to be discussions with the Building Department. He said he envisions having the Building Department enforce this ordinance. He said he would also like to hear from planning.

President Bears shared relevant language from a similar ordinance in Boston.

President Bears moved to refer the amended language (see below) to the Building Commissioner, the IT Director, and the PDS Director for comments within 60 Days (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Proposed amended Chapter 94-8.4.13 and 94-12 to include a version of the following language:

94-12 - Definitions

Booking Agent, needed (AirBnB, VRBO, Homeaway, etc...)

9-8.4.13 - STR Registration Process

4. Data Sharing. A Booking Agent shall provide to the City, on a monthly basis, an electronic report, in a format determined by the City, in consultation with Building Department, IT Department, and Office of Planning, Development and Sustainability, of the listings maintained, authorized, facilitated or advertised by the Booking Agent within the City of Medford for the applicable reporting period. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, and shall include the number of nights each unit was reported as occupied during the applicable reporting period.

Discussion turned to the fee structure for various transaction in the City. Vice President Collins said that they might need updating to come closer to parity with neighboring municipalities and the administrative costs associated with the fees.

President Bears said that in terms of fees created by ordinance, he said we have only updated one by ordinance and he doesn't believe we have updated any others since he has been on the Council. He said from feedback he has received that some of these fees might be 25 or 30 years old. He said that the Clerk has said that people come to get married in Medford because it is so much cheaper to get married here than anywhere else. He said it is clear that there are things that have not been looked at in a very long time. He said building permits might be ripe for discussion.

President Bears detailed the reasoning behind the raising of fees, the reasons for bringing this into line with our neighbors, and the fact that these have not been changed in many years.

Senior Planner Danielle Evans said that community development fees were updated in January for the first time since the 1990s after a review of peer communities. She said that the Community Development team does not need ordinances to update fees in that office.

President Bears said that we might want to update fees by ordinance. Planner Evans said that there should be a full review of all fees. President Bears said he does not know if all fees are set by the Council. Planner Evans also suggested checking to see if other communities incorporate by reference.

Vice President Collins said we are always trying to look at the procedure to see if this makes sense. Councillor Callahan said she said she noticed tax accounts online as well. President Bears said we have fees that we collect from Uber and from short-term rentals, and none of the community development fees are listed.

Councillor Callahan asked if we know which fees bring in what amounts. President Bears said that he has not seen a spreadsheet or table on this, but if it existed, Finance would produce it.

Councillor Leming asked if it is possible or legal to tie these fees to the consumer price index to make them go up with inflation? President Bears said he thinks it would make sense.

Councillor Scarpelli asked if we could sever that part because he is not in favor of anything involving KP Law

President Bears moved to have Department Heads take 90 days to review fees in their office and to look into fee changes they might recommend (amended by Councillor Callahan) (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Leming moved to request the legal opinion of KP Law on tying the City's fee schedule in Appendix A to the consumer price index or another inflation measure (President Bears second)—approved on a roll call vote of four in favor and Councillor Scarpelli opposed.

President Bears made the following motion:

Motion to request that the below Department Heads reply to the Council within 90 days with a recommendation to update fees in the city Fee Schedule (Appendix A of the City Ordinances) based on fee rates in neighboring and peer communities and other assessments deemed relevant.

Appendix A to the City Ordinances

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- Animals/Rodents - Clerk, Health, Building
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- Building - Building
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- Electrical - Electrical
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- Plumbing - Building
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- Businesses - Clerk, DPW, Building
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- Cemetery - DPW
-
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- Fire Prevention and Protection - Fire
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- Streets, Sidewalks, and Public Places - DPW, Engineering
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- Utilities - DPW, Engineering, Water-Sewer
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- Vehicles for Hire - Engineering, PDS
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- Zoning - Building, PDS
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Councillor Callahan made the following amendment: Request that Department Heads consider incentive structures within fee changes to encourage meeting climate and housing goals outlined in the city's Comprehensive Plan, Climate Action and Adaptation Plan, Housing Production Plan, and Open Space Plan.

—(Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

President Bears moved to request that all City Departments provide a report to the City Council within 90 days on any fees that they assess as a department and share a complete list of those fees and legal authority, such as state law, city ordinance, board

and commission rules and regulations) that allows them to charge those fees (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Callhan moved to adjourn at 7:00 p.m. (Councillor Leming second)—approved on a roll call vote of four in favor and President Bears opposed.

Vice President Collins adjourned the meeting at 7:00 p.m.