

July 22, 2019

I met with Tommy Johnson earlier this week and expressed some of my concerns in regard to house rentals in our town. I have lived in my house for 36 years, year-round, and have seen an escalation of rentals in my neighborhood and around town.

Tommy indicated that the Council will be adding the rental issue to a future Council agenda, and I thank you for your attention to this matter. I realize that you have many important issues to deal with, but I feel now is the time to begin a discussion. South Portland and Portland have addressed the rentals, and it is time for Falmouth to put some regulations in place, which, I feel, will help preserve the nature of our community.

I would welcome the opportunity to talk with personally. Thank you.

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September 20, 2019

Falmouth Foreside is fast becoming THE AirBnB hot spot. WHY ARE YOU ALLOWING this scourge? Rumor has it some council members own/run AirBnB's...any truth to this story? Several neighbors are planning to sell ...do not feel their kids are safe anymore. We are installing outdoor lights. Our taxes are sky-high...perhaps you could offer discounts to those of us with strangers in our midst.???? Different folks every few nights....loud music, cars filling the street..one AirBnB owner wants to block off Casco Terrace Beach for her AirBnB's private use...REALLY? I DO NOT THINK SO. THE FIGHT IS ON....folks are fed up.

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September 20, 2019

Are there or will there be restrictions on airbnb. Our neighborhood seems to be getting more and more. We thought this was a residential area. What has any discussion been about. Appreciate hearing from you

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January 10, 2020

I would like to express my thoughts and concerns pertaining to Agenda Item #1 for the Town Council Special Meeting scheduled for 1/13/20 at 6 pm.

I have been a resident of the Town of Falmouth since 2004. I co-own Rivalries Falmouth at 2 Hat Trick Drive. I also own and manage rental property for long and short-term stays.

What are the issues and concerns expressed by residents in regards to short term rentals in Falmouth? How are these concerns being measured in a quantifiable manner? What percent of Falmouth residents are expressing concerns?

Will there be a cost benefit analysis done in advance of a decision being made by policy makers whether to pass an ordinance pertaining to short term rentals or not? This cost benefit analysis would assist the Town Council members to make an informed decision on a proposed ordinance based upon all facts.

What is the current staff capacity on hand, as is, to oversee the manageability and enforceability of a proposed ordinance? In order to pass an ordinance, manageability and enforceability must be considered before making a decision. If there are budgetary and staffing constraints in our current state at the Town of Falmouth associated with a proposed ordinance, is there a plan to review a fiscal note before a decision is made on the proposed ordinance? Policy makers should have all the facts in hand before making a decision on a proposed ordinance, especially since manageability and enforceability costs are paid through taxpayer dollars.

If there is proposal being considered to collect registration fees from owners of short term rentals, is there a process in place to review a fiscal note to compare the projected fees versus estimated costs to monitor, manage and enforce the proposed ordinance before making a decision on a proposed ordinance?

Also, as a business owner/manager of a property that offers short term rentals, many of my summer reservations (July and August) are finalized (by contractual agreements with guests) many months in advance. It is not uncommon for summer bookings to be finalized by the first of the year or even the previous summer for those July and August stays. Many of my July and August short-term stays are already confirmed at our rental property for this coming summer.

Speaking personally, my husband and I purchased our investment property in 2014 with the intent and purpose to own it as a rental property. Therefore, we invested a lot of time and personal resources into this business venture.

We established this business appropriately by hiring an attorney to create our LLC, received our Retailer Registration Certificate with the State of Maine Revenue Services and purchase business owners insurance annually. After thoroughly doing our research with the Town of Falmouth pertaining to what are permissible options for owning and managing a rental property in the RA District, we thoughtfully considered all aspects of this investment in advance of making an offer on the property. This property operates as a business and has documentation to properly support its date of inception. Therefore, if the ordinance should change in the RA District moving forward, our property should be "grandfathered".

In regards to a primary residence in which an owner wishes to rent on a short term basis, the State of Maine also requires that the owner register for a Retailer Certificate. As a Realtor, I professionally and personally know multiple homeowners that depend upon this short term rental income as supplemental income for life changes and decisions that are not always in their control (ie. healthcare costs and divorce) that allow them to fiscally remain living in their home. I also feel strongly that homeowners that have been allowed to rent on a short term basis to date should be considered "grandfathered" as well. In my opinion, if the Town of Falmouth creates a change by adopting a new ordinance moving forward, those existing residents with Retailer Certificates in place should not have something taken away and rather be granted this "grandfathered" status.

As a comparison, as a co-owner of Rivalries in Falmouth, if there was a local ordinance change that affected the ability to operate a retail/restaurant type of business on Hat Trick Drive in that area of town, would that take away our right to keep Rivalries open? Rivalries is a business under LLC

ownership. Our rental property is also a business under LLC ownership that just happens to be a different type of business located in a different district in town. Both businesses were permissible to be operating as is at their time of inception. Therefore, as a business owner, many personal investment dollars were thoughtfully invested.

My overall plea is to not rush this process in any way and to responsibly collect all the facts before decisions are made by policy holders. My assumption when I read "The Council will be asked to provide high level policy direction for the Ordinance Committee" is that there may be a sense of urgency for Council action with the summer of 2020 in mind (peak time of year when short term rentals are occurring). In my opinion, urgency is not relevant to this coming summer since there is a strong likelihood of many short term rentals already confirmed and committed to contractually. There is sufficient time to collect all the facts appropriately and make an informed decision.

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January 12, 2020

I am writing about the upcoming meeting regarding a short-term rental ordinance. I have lived in Falmouth Foreside since 2002.

We own a home with a small detached cottage, which I use as an office for part of the year and which we rent during the summer months via Air BNB. The income from this rental is very important to our household, yet I also recognize the impact that renting has on our neighborhood. It is for this reason that I impose strict restrictions on all guests who stay at our cottage. No parties, no noise, no speeding on our street, and I warn each guest that if they do not adhere to the rules they will be asked to leave. For the last many years, we have rented without incident. I hope you will take into consideration the financial needs of homeowners in Falmouth who rely on supplemental income from short-term rentals. Thank you.

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January 12, 2020

I have just learned that the Ordinance Committee is well underway of proposing a Short Term Rental Ordinance. This is quite a shock to me as I have not heard any information about this prior to the agenda that went out last week.

According to an email sent by Maggie Fleming the proposal was initialed by resident concern with Safety and Neighborhood Character.

I would like to have the information of how many residents came forward and exactly what safety concerns they have?

Neighborhood Character is a subjective issue, who dictates a Neighborhood's Character? We've had collapsing abandoned homes in our neighborhood that have stood for years certainly affecting the "Neighborhood Character".

The Town gave notices that were ignored and enforcement to follow through on the towns ordinances lacked, my guess due to litigation expense. Does the Ordinance Committee have rulings and the ABILITY AND WILL TO ENFORCE how private property must look and be maintained to uphold "Neighborhood Character"? I have not seen evidence of that in my neighborhood.

I own 3 homes in my neighborhood, my full time home and 2 rentals. I purchased 2 of my properties from an LLC that historically only rented the properties. When marketed, they were certainly presented

as a short term seasonal rental property, with information available of weekly rates and seasonal income. I have set up full time residence in one of the homes and am very involved in maintaining and overseeing the condition of the 2 other homes that I rent, both short and long term. These properties were purchased with set rights in place, those rights exist for all property owners.

According to an email from Maggie Fleming the Council has given high priority to the Ordinance Committee to move forward with developing regulations for short term rentals. Quite a surprising move for me and many of my neighbors!

For our Town Council to move forward to change these rights without more transparency and discussion is surprising and upsetting. Does one group of taxpayers have more say than others? Can they initiate change without discussion from all. The Ordinance Committee has already discussed this with a representative of a company that regulates on short term rental enforcement, and yet this is the first many of my neighbors have heard of this.

I would like the Council members to please consider the following:

Changes to rental time frame is not necessarily a benefit to neighborhoods.  
What distinguishes the behavior of long term renter from short term renter, or a renter for a week from that of a renter for 30 days?

Owners of these rental properties need to keep them highly maintained, clean and market appealing to a demanding market of high standards. For the work that I put into my rental, I am selective to whom I rent to. Long term rental properties do not necessarily have these pressures once a renter has moved into the property. Once they are in, they are in, maintenance may or may not be performed until they leave. They do not necessarily have any attachment to maintain the "Neighborhood Character", they have no investment in it.

This ordinance will have a financial impact on people who own these properties in both rental income and resale value. Some people will have to sell their properties because they will no longer be able to afford to stay in the area.

If you've already purchased a property with the intent of using the rights that existed when it was purchased then, in essence you've paid a premium, which you may never recover in a future sale. On top of that, you may have to leave a place you have called home for many years.

Thank you for your consideration.

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January 12, 2020

I understand there is a special meeting scheduled for 1/13 regarding short term rental regulation. I own a home on Lower Underwood road that I purchased in 1988, lived in as my primary residence until 2008 when I took up residence with my fiancé in nearby Cumberland. Since we were not interested in selling because of possible future intentions of moving back at some point, we decided to offer the property for short term rental during summer months and longer term during winters (typically) as a means of generating extra income and to help offset expenses. We still enjoy staying there ourselves whenever possible. If not for short term rental income and flexibility we would be unable to keep the home.

Because we still consider this property our "home" and, as it was NOT purchased as income property, we are very careful and selective with vetting our guests as well as their pets, require at least 2 week minimum stays, are sensitive to our neighbors, and are careful to instruct our guests to do the same.

Clearly many more properties in the area have joined the short term rental band wagon in just a short period and I understand the possible need for some type of regulation. Unfortunately, I believe we have a situation of having a few bad apples spoiling the bunch in terms of no minimum length of stay limits, no max guest limit, no pet policy, instant automatic booking (no vetting), etc.

I hope you will consider the already responsible home owners in the upcoming meeting and setting policies going forward.

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January 12, 2020

It has come to my attention that the council will be reviewing and discussing the short- term rental regulations for Falmouth. I hope you will be having a public forum on this issue, as I believe it affects many of us on several levels.

Ten years ago I was left to be financially responsible for my three teenage children, myself and our home. We lived on Foreside Road in a very old and expensive home to maintain. By partnering with Airbnb, I was able to increase my income enough to squeeze through a difficult financial time period of my life. I also met wonderful people from all over the world who were thrilled to be able to explore our wonderful community and state.

Currently, I am the owner of Town Landing Market, a market that has served this town since the late 1800s. I have two apartments above the market that I use to help supplement the expenses of running a small business. I currently have them on Airbnb and it works very well for me.

Having the two short term rental units at TLM, has also benefited our community by increasing revenue for our local businesses. My staff at the market enjoys meeting the visitors and advise them on local Falmouth places to eat such as Dockside, Rivalries, Bueno Loco, Ricettas, JP's, Foreside Tavern and many other eateries. They've encouraged visitors to take a local boat tour, walk around Macworth Island and see the fairy huts, walk the Audubon and see their Visitors Center to learn about the huge variety of migratory birds, and shop at our lovely businesses on Route One. As Portland has become more popular, Falmouth's proximity to Portland has allowed Airbnb renters to explore and enjoy the valuable assets that Falmouth has to offer.

I understand that many see Airbnb as a demise of the community we know. But the community we know is ever changing and evolving. I hope that the Town Council provides its residents with a public forum to discuss and present the many opinions we all have.

Thank you for your time.

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January 12, 2020

I wanted to indicate my interest in the upcoming presentation on the proposed "short-term rental" ordinance at Monday's (the 13th) council meeting, and the short turn around time to the ordinance committee drafting a short-term ordinance on the 16th. I wanted to know when there would be an opportunity for public comment and input, as the agenda for the 13th indicates no public comments will be allowed, and I don't see another scheduled meeting between the presentation on the 13th and the drafting session on the 16th.

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January 13, 2020

I would like to provide some comments regarding the meeting this evening about short-term rentals in Falmouth.

We have had an accessory dwelling unit on our property for the past 3 years that we have rented on a short-term and mid-term basis through AirBNB, VRBO, and on our own. Over this time we have enjoyed wonderful guests some of which are past community members, grandparents wishing to spend more time closer to their families in our Town, and those that want to visit Portland, but do not want to stay in the city. All with no neighbor complaints.

I'm not clear about what the Town is trying to achieve with a S/T rental policy. The Matrix pulled, includes cities that are not analogous with Falmouth- Seattle, Boston, and San Antonio? Are you trying to get ahead of things or are reacting to trends? Are you trying to create a new revenue source or solve a community issue?

I will say that the discussion needs to distinguish between "Owner Occupied" and "Non-Owner Occupied". We have had a non-owner occupied building across from us that had had 3 units being renting simultaneously with no oversight. I would argue that this is not good for a neighborhood or a community. Perhaps there should only be up to 1 s/t rental until per property?

Lastly, my husband and I do not support the Town outsourcing the management, enforcement, regulation, or financial systems of S/T Rentals - especially at the cost of almost \$20K/yr.

I have been a super host for the past 3 years here in Falmouth, have a permitted unit in Portland as well that we've been running for a year, and would be happy to discuss this issue with the council members if they desire.

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January 13, 2020

It has come to my attention that you will be holding a Special Meeting on January 13, 2020 at 6:00 pm. The first item on the Agenda is Short Term Rentals with no public comment and no anticipated action. I am concerned that there was no notice to the Residents of Falmouth via The Forecaster and/or The Press Herald as is the Town's usual. I am concerned that many residents who do rent out their

properties are unaware of this meeting. I understand that there is a follow-up meeting within the next week to draft a short term rental ordinance. Given that the Council has adopted a full transparency for all that is happening in our community, I find this Special Meeting somewhat alarming, confusing and an ordinance too soon to be drafted without full comment from the public. There are many residents who use their income from rentals to help pay for their mortgages, insurance, taxes, etc.

Kindly let me know if this draft of an ordinance for short term rentals is at the initial stage or is being adopted without full comment/disclosure to the residents of Falmouth and any other future plans for discussion by the Town.

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January 13, 2020

Hi, I would like to raise my concerns about The Community Development Office at Town Hall having their "Special Meeting" tonight at 6:00 p.m...I find that the news was hidden. What happened to transparency that y'all been advocating?

What about all the other Falmouth residents who know nothing about this upcoming meeting and proposed ordinance and rent out their properties, apartments, homes, etc. who may or not need the extra income? I have seen nothing in the Falmouth Forecaster or the Press Herald papers about this "Special Meeting."

Thank-you

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January 13, 2020

I have been made aware that there will be some kind of determination made regarding home rentals in the Falmouth area. This has come as a surprise to me – and seems somewhat undemocratic – as there appears to be no public announcement, or discussion of these deliberations.

I have rented my home for over 10 years and it is a primary source of income for me and served as an incentive when purchasing my home.

I rent each summer for approximately 3 months when I go to visit my children and grandchildren. I do so with great consideration of my neighbors and I am careful that I do not impact, in any way, the quiet enjoyment of our neighborhood. I have already started renting for this season and have recently turned away 2 requests as they seemed to be a bad "fit".

Tourism is the no. 1 source of revenue for many Mainers, whether it by restaurants, artists, small business owners, etc. It is also a source of income for us renters. The State of Maine gets a good deal of tax benefit from us as well. This should be a major part of any discussion.

I am hoping that any decisions that are being made (and I understand that there should be some guidelines) does not impact those of us who have learned to use our biggest assets – our – homes to supplement our income.

Having had a wealth of experience in renting over the years, if there are to be guidelines written I would like to offer my services to help in this regard (e.g. number of renters in relation to number of bedrooms; pets; curfews, etc.)

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January 28, 2020

Hello

I am unable to attend this workshop but I wanted to give some input. I feel the short term rental market should be monitored and regulated carefully by the town. Imagine a your Nextdoor neighbor deciding to

air B&b their home and you have a parade of strangers coming and going on a daily or weekly basis. Or imagine the owners deciding to rent their house out as a party or wedding venue every summer weekend. That's what I'm afraid of happening in my neighborhood.

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January 28, 2020

I am writing to request that there be additional hearings later in the year so those that may be traveling during the winter months may attend and address the Short-Term Rentals (STR).

Here are a few points I would like to see addressed and your next meeting.

- What is the level of issues and complaints that justifies implementing of a complicated ordinance?
  - Perhaps as the ordinance committee did with the Fire pits issue, the town to provide information and voluntary inspections instead of a new Code Enforcement office.
  - My experience with Airbnb is that guests are extremely careful to follow house rules as they value access to Airbnb properties. Guests do not want a violation to force them out of the program.
  - Perhaps the Town could invite STR hosts to a forum where hosts and compliance people could discuss best practices as an alternative to Town enforced regulations.
  - Is the issue of regulations being promoted by Host Compliance for their own benefit?
  - Keep in mind many retired taxpayers are depending on rental income to stay in their homes.
  - As a very long-term resident I can attest to the fact that the, much criticized changes in neighborhoods culture occurred long before Airbnb became a player in STR.
  - Is a separate enforcement department necessary?
  - Can the requirement to register be limited to those areas that are generating complaints?
  - All short-term rental properties are currently paying property taxes
  - STR are not new and much of the increase in numbers is the result of existing STR converting to platforms the convenience of these platforms for marketing, tax payments and fee collections are benefits for your taxpayers.
  - Informal STR often ignore rooms tax payments
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January 29, 2020

Please feel free to read my comments at the forum on February 6, as I will be out of town that week.

I have lived in Falmouth in the neighborhood known as "the flats" for 30 years. Some things change, like the erosion on Shoreline Drive, and other things have remained pretty much the same. First and foremost, this is a neighborhood for families. As the houses turn over, young families move in with their strollers, swing sets and basketball hoops. Those of us who raised our families here love to see the arrival of new young families. Probably my number one fear regarding short term rentals, like airbnb, is the safety of the neighborhood children in regards to additional cars and turnover with people who do not know the character of the neighborhood. Speeding down our short streets has been an issue from time to time, but those drivers are easily spoken to, in a neighborly way, if they live locally. Secondly, if people want to rent out to airbnb and the like, I believe they must be present in the community, either on the property or in a nearby town in order to manage their renters effectively. If a homeowner is on the premises, and has a "houseguest" who found them on airbnb, it is of no concern to me. Finally, I think the council when determining the rules for short term rentals, they must take into account the character of specific neighborhoods in Falmouth. In "the flats" the homes are relatively close, and transient renters may not adhere to the unspoken rules of decorum of this type of neighborhood. Additionally, "the flats" is a desirable location and I would hate to see this family neighborhood evolve



into a neighborhood of investment properties. Just as the town wants to preserve open space, the council must protect the character of our various neighborhoods.

Thank you for your attention

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February 3, 2020

Since residents will not have an opportunity to individually speak at the meeting on Thursday, February 6, Maggie Fleming suggested that I send you my personal concerns regarding property rentals.

While I am not totally against rentals, I have become concerned over the past five years about the increase in short-term rentals and rentals in general. I believe that the culture of my neighborhood has changed by this increase in rental properties. I am very affected within my immediate neighborhood, and even the greater neighborhood, since my house is at the end of Glen Road where there is access to a beach.

I am listing below some of my concerns in my immediate neighborhood, particularly with the house next door, 20 Glen Road. The owners live in West Falmouth and make this house available to both short and long-term renters.

- Since there are no rules and regulations in place, owners can rent out properties for one night or more with different people coming and going at all hours, and they do.
- This particular house is small with two+ bedrooms, but they have had as many as 15 young people staying there at one time. There is only one bathroom.
- Safety issues should also be considered.
- Because our houses are very close together, it is annoying to have renters arrive at all hours of the day and night; doors slamming and lots of loud conversation.
- It is not unusual to have ten people on the deck drinking and partying late at night. The deck is only a few feet from my bedroom window.
- Parking can also be a problem.
- The owners encourage renters to leave four outdoor lights on, one a floodlight.

Winter rentals are a concern.

- Because of conditions of Glen Road in the winter, it is almost imperative that cars have four wheel drive. Many renters' cars get stuck in the road, again at all hours of the day and night.
- Several years ago, the house was rented to a woman with two teenagers. One of the young women had a drug problem. A neighbor found her unconscious on the road; she died last year. Her friends would come here and one time I experienced young men urinating in the road! The house was also rented to a family where one member had to get out in the night to go to work. He would get stuck in the road many nights. Again, very annoying to be woken up during the night.

In the greater neighborhood of renters, I have experienced:

- Groups of people going to the beach early in the morning and late at night, making noise.
- Parking, there is no parking on Glen Road.
- In general, people
  - Taking photographs from my property.
  - Using my stone wall as a park bench.
  - Using my retaining wall for their kayaks, sailboards, chairs, etc.
  - Allowing their dogs to use my lawn as a bathroom, sometimes even when the dogs are on leash.

-Using decks to hang beach towels, bathing suits and other laundry.

Many owners do not understand that they are responsible for renters being respectful of other people's property. Renters are on holiday and do not think about this area of town being home to many people. I would like to see the Town of Falmouth establish rules and regulations as to how properties should be used to assure people like me that renters will be considerate to the fullest extent possible. Rental properties should be registered and a fee assessed. Also, a Town official should be assigned to see that these rules and regulations are adhered to.

Lastly, I realize that I am fortunate to live in Falmouth and have waterfront property. My very small piece of land and my small house are very important to me, the place I call home. I keep my property well-maintained because I have a responsibility to do so and, it is important for the neighborhood. Because of where I live I pay high property taxes, which I also understand. No one in their home should have to put up with these behaviors so I am hoping you will take my concerns under advisement and work with me and others to help resolve this situation.

Another issue is that when a property goes on the market, a rental company will offer the owner a price way above market value and turn it into rental property. Another way of changing the culture of our town.

Perhaps I could suggest a site visit, if possible.

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February 5, 2020

My comments are as follows:

- The town's practice of treating short term rentals the same as long term rentals is inappropriate, not aligned with its own definitions of "use" and contrary to many elements in the Comprehensive Plan. This practice is also terrible from a planning perspective (e.g. oversight, traffic, parking, policing, regulation, etc.) The definitions of property types as published by the Town suggest rentals using the AirBnB or other short term rental platforms fits the "MOTEL" definition more than any other use, including the "BED & BREAKFAST" definition which restricts the longevity of the stay. These platforms take what was zoned as *Residential* use and makes it *Commercial* use.
- Zoning is a concept where properties are generally grouped together by "use" while taking into consideration how that "use" impacts others in the neighborhood. Allowing short term rentals in all zones without proper consideration to oversight and regulation leaves residents with limited or no recourse when they experience problems with short term rental unit owners and lodgers. Proper zoning is critical to maintaining the character of the town.
- The State of Maine requires payment of the lodging tax for these kinds of rentals, and, in fact, AirBnB collects that tax on behalf of the State. There is no lodging tax for long term rentals. I would like to understand why the Town of Falmouth does not treat these short-term rentals in the same way as the State of Maine?
- My home is located on a 2-lot private way. Each lot owner has an undivided 50 percent ownership interest in the private way and operates with the required Private Way Maintenance Agreement. In 2018, the peaceful enjoyment of my home on this Private Way in the "rural" Farm and Forest District was interrupted by a steady stream of strangers renting the "Accessory Dwelling" next door. I find myself exposed to transient lodgers who have wandered onto my property and driven recklessly on the private way. The town's inaction in appropriately

managing short term rentals hurts the neighbors of the AirBnB by exposing them to problems, liability and potential property value issues they would otherwise not be facing and couldn't foresee.

I don't agree that long term and short-term rentals are the same and ask that the Town of Falmouth revisit its position and consider limiting short term rentals by number of approved units town wide, zone/district location and owner occupancy (including owner being on premises whenever the unit is rented).

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February 10, 2020

I've had a few members of our road association ask about Falmouth short term rental discussions. Is there anyway I can get a copy of the presentations that were delivered to the ordinance committee as well as town council? Is there a link to these online?

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February 19, 2020

We are staying in San Diego visiting our grandson and this is the mess the city deals with in San Diego.

Falconer Says 'Clear Violations' Of Short-Term Rental Rules On Granny Flats Need To Stop Wednesday, February 19, 2020 By Cody Dulaney / inewssource San Diego has started enforcing its ban on short-term rentals of newly built granny flats, following an inewssource analysis that identified violators and showed the city let it happen.

The City Council agreed in 2017 to cut the cost of granny flat permits and fees by roughly \$15,000, depending on the development. It was an incentive to create long-term affordable housing in a market that is fast pricing out many residents. But council members approved the new law without a plan to enforce it.

inewssource cross referenced two city databases to identify people who took the permit breaks but were allowed to rent short-term. Now, the city is doing that same kind of analysis.

"Given the clear violations, the city's Development Services Department is opening code enforcement investigations and will work directly with the City Treasurer's Office to implement changes to ensure that the municipal code continues to be enforced," Mayor Kevin Falconer's office said in a statement last week to inewssource.

Code enforcement will open investigations on those addresses with a new granny flat and a tax certificate to rent it for less than 30 days, which "may include properties identified by the inewssource report," city spokesman Scott Robinson said.

But the debate about short-term rentals, granny flats and affordable housing is far from over in San Diego.

City Attorney Mara Elliott has said short-term rentals are illegal in San Diego's residential zones, but it's not enforced. The City Council also has failed at attempts to impose strict regulations on short-term rentals.

Today, the city sets no restrictions on how long a primary dwelling in a single-family residential zone can be rented, but those in multi-family zones are limited to a minimum of seven days.

When council members decided in September 2017 that new granny flats couldn't be rented for less than 30 days, they never addressed whether that applied to the primary dwelling on the property, said Gary Geiler, deputy director of Development Services. The 30-day minimum only applies to the granny flat, he said.

Councilwoman Barbara Bry, who is running for mayor and has fought against short-term rentals, strongly disagrees with that interpretation. The issue has already been settled, she said, pointing to Elliott's opinion.

"I'm very frustrated that (Development Services) and the mayor and the city attorney are not enforcing the existing municipal code," Bry said.

Last month, inewsourc found the city allowed at least seven granny flats to rent for less than 30 days. That only represents property owners who are paying room tax on their granny flats.

inewsourc has now found at least seven more properties with a granny flat behind a house that can be rented without restriction. While it may be legal according to Geiler, at least one of those property owners admitted renting the granny flat nearly every weekend, in violation of city law.

The true number of illegally operating granny flat vacation rentals is unknown.

And it appears not everyone knows the rules.

When a constituent emailed Councilman Chris Ward's office to find out if it was legal to rent out their granny flat, a staffer for Ward gave inaccurate information, according to emails inewsourc obtained through a public records request. The staffer failed to mention granny flats permitted after September 2017 are prohibited from being rented for less than 30 days.

"As long as you've gone through all the proper building permitting processes to build your granny flat, then you are able to rent it out. I am unaware of any regulation that would prohibit you from doing so," Ward's staffer said in the Jan. 22 email.

Council President Georgette Gómez, a Democrat running for Congress, has four of these granny flats in her district. She and three other council members insisted on the 30-day rule when the granny flat law changed.

"We have an affordable housing crisis and need to produce as much new housing as possible," Gómez said in a statement to inewsourc.

"I will work with the Mayor's office and city staff to improve enforcement of the rules for companion units," she added.

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February 20, 2020

The plethora of short term rentals in my "flats" neighborhood has caused noise, traffic and parking issues due to unsupervised renters

Regulations are needed to preserve the integrity of our neighborhoods.

Short term rentals need to be owner occupied / on premise. Permits and licenses and building inspections are necessary for the safety of owners and renters.

Many communities throughout the country required a 3 month minimum on rentals that are not owner occupied.

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February 27, 2020

I would like to express my concerns with the unregulated short term rentals in Falmouth.

1. There could be considerable noise and debris from buildings where the owner is not present. Increase work for public safety departments in town.

2. Increase traffic in generally quiet, low traffic neighborhoods.

3. The sole purpose of houses being brought could be for short term rental purposes only.

4. Owners of property could be from out of state and not have a first hand responsibility for the property.

Regulations and licensing need to be established soon.

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March 7, 2020

I am unable to attend the public forum on short term rentals and wanted to provide my feedback. I would like to see regulation of short term rentals and limits to the number of rentals in specific neighborhoods. I live on Whitney Rd in the Falmouth Flats and am very concerned with the number of short term rentals in the neighborhood and the potential for more given a recent increase in vacant houses. These rentals are harming the neighborhood feel of this area and are a nuisance. Many of my neighborhood friends who live near the rentals report beer cans being tossed into their yards and excessive noise. I selected this area as my home due to the close proximity of one house to another and the ability to become friends with neighbors. The transient nature of short term rentals increases street traffic and makes the area less safe for kids to run and play. I am also concerned that property values will decline if more houses are weekend rentals as opposed to long term residential homes. Please consider the negative impact of short term rentals on neighborhoods where houses are close to one another when making regulations on rentals.

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March 10, 2020

It is my understanding that the Falmouth Town Council will be having an open forum this week encouraging public feedback regarding the issue of short-term rentals in our town. While I cannot attend on Wednesday evening, I do welcome the opportunity to provide my own input as a concerned citizen.

I moved to Falmouth nearly 20 years ago to raise my family in what I saw as an idyllic environment. With excellent schools, an engaged citizenry, a strong commercial backbone, a short commute to Portland, and ample recreational opportunities on land and sea, there seemed little to be found wanting. Additionally, my Casco Terrace home afforded me the opportunity to raise my children in an environment where a helping hand was always nearby and neighbors looked after each other. The current short-term rental craze has put pressure on all of that by refocusing home owner priorities, and a failure of our town to address the situation with significant guardrails puts our entire Falmouth community at risk.

The lack of existing policy constraining short-term rentals encourages investors to purchase multiple homes in town for the sole purpose of monetizing our beautiful woods and waterfront by embedding a steady stream of strangers into our neighborhoods. Unlike owner occupied houses or long-term rentals, the very nature of the limited visit by short term renters creates tension within the neighborhoods into which they are dropped. This is manifest in parties, noise, litter, parking issues, or through a general lack of respect afforded to the other neighbors- a respect that is inherent in relationships fostered by longer term communal living. Additionally, while the income generated by these visitors is a clear financial gain to the home owner, it comes at the cost of another disengaged property that will never provide the voices to help shape our town's ongoing growth.

Maine has a number of communities that focus on tourist dollars and for whom short term rentals may appear appetizing. However, that model is far from the source of Falmouth's soul and spirit, and we should clearly and firmly emphasize our commitment to community and citizenry over a quick buck for a limited number of landlords who choose dollars over neighbors. Failure to act on this will encourage the next generation of families to look elsewhere in the region when considering where to spend their tax dollars, and create another blighted winter waterfront where homes lie vacant until they can begin churning through short term renters the next summer. For over 300 years the citizenry of Falmouth has been working to make this a better place to live- don't let this generation be the one that allowed the success of those efforts to be sold off.

Thanks for your consideration, and for taking the opportunity to solicit input.

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March 12, 2020

Hi there,

We are interested in being kept informed of ongoing meetings/news and debate around short term rentals. We are not currently renting at all, but believe in some rules w some restrictions to allow short term rentals.

Please add my name and contact info to any news list re this important topic so I can attend meetings and help craft responsible, fair policy and rules, unlike South Portland and Cape Elizabeth which frankly is way too strict on the subject.

Thank you. When is the next meeting or forum?

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March 13, 2020

I was at the forum this week but unfortunately had to leave for an emergency shortly after it started. I was, however, able to watch on the forum on TV.

I'd like to add a comment for the record:

When considering STR regulation, there should be some consideration to the area density. For example, a large acreage property with no direct neighbors cannot be treated the same as a densely populated neighborhood where homes are in very close proximity to each other. If there is a property of 10, 20, 30, even 40 acres with the nearest neighbor ½- 1 mile away where noise, parking, etc is a non-issue, the same regulations should not apply.

Thanks for adding this to comments for future council and committee presentation. Please add my email address to your notification of attendees as stated during the forum.

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March 14, 2020

In reviewing the video of the STR meeting I did not see any references to the impact on the school system. A house that is in short term rentals do not contribute to the school population. This saves the town money in that we would be renting our STR unit as a long term rental if not in the STR market.

Our unit with three bedrooms would most assuredly go to a young family. While I applaud our school system; and the quality of our special education services, they are expensive and make long term rentals in Falmouth a target for families needing special education or just seeking Falmouth quality education. Please keep this in mind as you move to eliminate STR with regulations

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