

From: Jane Klingsten <j@coldstripe.com>
Sent: Tuesday, March 02, 2021 6:39 PM
To: Disch, Lisa <LDisch@a2gov.org>; CityClerk <CityClerk@a2gov.org>
Cc: OHMHA, Board <ohmha.board@gmail.com>; Lenart, Brett <BLenart@a2gov.org>; Planning <Planning@a2gov.org>; Song, Linh <LSong@a2gov.org>
Subject: ** PLEASE Fix Short Term Rental Loophole

Dear Lisa, City Clerk —

Please help me get this as a public comment in the hearing as an ADA accommodation for my vocal impairment. I apologize for the short notice, but my voice went out just now. Please kindly request a commission member present or staff read my comment aloud, if possible for the appropriate hearings:

As an ADA accommodation, Jane Klingsten has requested this be read and recorded as part of the public comments for the meeting tonight and any related hearing:

While I support improving appropriate housing availability in this City, the proposed short term rental ordinance amendment, as written, ***inadvertently creates a gaping loophole that pre-existing short term rentals do not need to meet building or fire codes, do not need valid Certificates of Occupancy, do not need to meet zoning, occupancy limits, or any other use regulations.***

The clause as written reads:

A Non-Principal Residence Short-Term Rental established in a Residential Zoning District prior to March 1, 2021, ***shall be considered a legal nonconforming use*** and may continue and be maintained subject to Section 5.32.1.

implying the pre-existing short term rental is legally conforming regardless of condition.

Please consider rephrasing the clause *“shall be considered a legal nonconforming use”*, to be re-stated as, ***“shall be exempt as a pre-existing short term rental”***, optionally ending in a condition such as ***“as long as it’s regularly used as such at least once a year.”***

In addition, to ensure short term rentals were suitable for occupancy in their pre-existing use, to establish records they were a pre-existing, and a close date for establishing it.

- Please ***specify terms for eligibility including a valid certificate of occupancy for the residence for the period of prior use.*** For example, to be eligible, at least 1 short term stay must have been recorded in the year prior to March 1, 2021, with a valid certificate of occupancy during the stay.

- Please specify the ***terms of evidence of pre-existing use*** that must be provided, for example: publicly notarized accounting with records of payments or equivocal records of transactions, publicly notarized.

Please add a ***close date to the period in which the status as a pre-existing short term rental may be established***, perhaps, December 1, 2021.

As an ADA accommodation, Jane Klingsten has requested this be read and recorded as part of the public comments for the meeting tonight and any related hearing for ADUs:

The changes for ADUs to need to be more carefully reviewed and removed where occupancy and space limits exceed reasonable density, such as ADUs in some zoning classes like R4E, where they may exceed minimum area per person in sororities, fraternities, and co-ops, and promote unsafe living conditions. There should also be restrictions for basement ADUs and precautions for access. There are plenty of opportunities in lower density zoning that there isn't a need to press for unsafe conditions in higher density housing. My biggest concern with ADUs is that they will end up causing low income housing quality in Ann Arbor to plummet. As it is, I've had feedback that housing inspectors are not generally inspecting public housing in some cases. Having rented in a single room in a house basement with two other rooms also in the basement, adding such developmental pressure to build out ADUs in this manner, will make quality of life unsafe and worse.

Thank you,

Jane Klingsten