

MINUTES OF A SPECIAL CALLED MEETING  
OF THE OXFORD PLANNING & ZONING BOARD

The Oxford City Planning and Zoning Board met in a regular meeting at the Oxford Public Works Building  
Thursday, January 19, 2023, at 5:30 pm

**Members Present:**

- Mayor Alton Craft
- Bill Newman, Chairman
- Charlotte Hubbard, Council Member
- Melissa Craven
- Fred Denney
- Clyde Huckleba
- Jane Cunningham
- Jake Pollard

**Members Absent**

- Lance Turner, Vice Chairman

**Also, Present:**

Mike Roberts, Chief Building Official

**Visitors:** Troy Busby, Josh Miller with the Oxford Police Department, Gary Sparks with the Oxford Fire Department and Kristi Durham

1. Public Hearing – Amending the zoning ordinance to include short term rental regulations. Mayor Craft asked Mike Roberts to explain what the Council was asking the Planning Board to do to be able to move forward with these regulations. Mr. Roberts stated the City Council has been through this thoroughly. There will be a 24-hour contact, and they are required to have emergency numbers. The door will have a permit on it. They are required to obtain \$150.00 permit through the Building Department. Kristi and I spoke with a lady today that locates the short term rentals and one thing she brought up that I am not sure that is in the ordinance but on their advertisement they must list their city license number and permit number. Bill Newman stated it is in there that they must have it in their advertisement. Clyde Huckleba asked if we know how many are operating in the city. Mr. Roberts stated we did have 12 give or take. They come and go. Mr. Huckleba stated most subdivisions that have a Homeowner's Association (HOA) will not allow that to go on in the subdivision. Mr. Newman stated I have some questions I would like to ask. Regarding Section 13.03 the name and telephone number of the local responsible party. It appears a lot of these are owned by out-of-town people, but the property is in our city. Charlotte Hubbard stated a lot of them use management companies like J Brittain and Associates. They are going to have to have a local contact. Mayor Craft stated if you have an HOA that says you can't be in there then we need that in the ordinance. If that is not in the ordinance, we need to add it. Mr. Huckleba stated most of the covenants say that. Mr. Roberts asked if Cider Ridge's covenants say that. Mr. Huckleba stated yes. Mr. Roberts stated they have had an Airbnb in the past in the subdivision. Mr. Huckleba stated unless you are in a newer house, if you enforce what is in the ordinance regarding the codes a lot of them will not pass inspection. Mr. Newman stated it says a sworn statement acknowledging receipt of this article and each of the follow are accurate, number 5, the operator has made best efforts to notify the properties adjacent to the desired short term rental. Mr. Newman asked what the purpose of that is. Mr. Roberts stated to let the neighbors know. Mr. Newman stated if they are upset about it, they can't stop it. If they can't do anything about it, why would you want to notify them. Mr. Newman stated 13.05 d states a short term rental property shall not be rented for a period of less than 24 hours. So, my friend has an Airbnb, I am coming in to stay there but will not arrive until 6 pm but must be at work at 7 am therefore I can't stay there. Mr. Roberts stated I think they meant a rental for less than one day. Mr. Huckleba stated it would be a like a hotel where you pay for the whole day whether you stay there the entire day or not. Mr. Newman asked how would you enforce that. Mr. Roberts stated Airbnb does a lot of the work for you. Mrs. Hubbard stated Airbnb and VRBO are ones you can

register with. Mr. Newman stated why do we not change that to one night's stay. Mr. Roberts stated Granicus is a company that monitors these places for you. They will even tell you how much sales tax. Mrs. Hubbard stated VRBO does to, right? Mr. Roberts stated these companies will tell you who owns it, what is the parcel number, how many rentals, how many days it was rented last month, how many days it is rented in the next four months. Mr. Newman stated if they use these agencies to go through then that should take care of it but if they do not should we make a statement for no cash transactions, must be booked online, and paid for online. You could have an operator who is trying to do this by cash and will not have to pay tax. Mr. Roberts stated you are here to make suggestions to the Council. Mr. Newman stated should we put something in there that states all transactions must be booked online. Fred Denney stated what if I purchase the house next door and do not know that it is being used as an Airbnb. Mr. Roberts stated I do not know if we will be able to cover it all. We can always go back and adjust any of this. I think we need to get to know this first and how we are going to go about doing it. Mayor Craft stated if we let them use cash transactions, we don't know who they are using, if they are not going through Airbnb or these other companies, we will not know who they are, and if I am about to buy a house then all of a sudden, I have an Airbnb next door. Mrs. Hubbard stated on page 4 the short term rental platforms to be used by the operator to advertise or solicit the property. We are talking about the platforms there, so if we wanted to be specific about online. Mr. Newman stated the city is going to have to track it for tax purposes. I would feel more comfortable if it said online. Jane Cunningham stated you are still going to have a hard time tracking that as they do it all the time under owner occupied. Fire Chief Gary Sparks stated the 24 hour rental is there to make sure we don't have like a hotel renting one hour rooms. If they are going to rent it then they have to rent it for 24 hours. Mr. Newman stated it says occupied for 24 hours. I would change that to rented. Troy Busby stated on the overnight versus 24 hours if you rent a hotel room at the Hilton at Exit 188, if you rent it for 1 night your check in time is 4 pm and your checkout time is 11 am. That is only about an 18-hour period. You would push people into having a two-night minimum stay because most places will have an afternoon check in and a mid-morning checkout for cleaning purposes. Mrs. Hubbard stated our suggestion is not rented for a period of less than 24 hours. Ms. Cunningham stated you could say not rented for a period of less than one night's stay. Mr. Denney stated if we had something that the real estate agents who are selling properties that the listing is next door to an Airbnb. Mr. Huckleba stated whoever is buying a house is going to have to do some leg work to check the records. Mrs. Hubbard stated you have to check everything now because you could have someone renting the house next door as a long term rental. Mr. Huckleba stated Hoover is dealing with this right now and they voted it completely down. Mrs. Hubbard stated they are one of the few in the state who did. Mrs. Hubbard stated we have put a lot of work into this and you have given us suggestions. I have not notifying the adjacent property owners, making it online only and not renting for less than one night's stay. Mayor Craft stated we better discuss the HOA situation. Mr. Newman stated I think it should be in there that Airbnb has to comply with the covenants of the subdivision. Mr. Newman stated on Section 13.08 on the filing statement, that would be the Finance Director enforcing that. Mr. Roberts stated yes. Mr. Newman asked what if XYZ Company stated that for months and months they have not been occupied and therefore do not want to comply with this section. Mr. Roberts stated then we would go out and start an investigation. Mayor Craft stated the state collects the taxes and Aimee Birchfield, Finance Director will only see a report. Mr. Newman stated I think this is very well written and a lot of thought has been put into. Mrs. Hubbard stated I think this will protect our citizens. Melissa Craven asked Mr. Roberts if his department will monitor those sites to see where the Airbnb's are at. Mr. Roberts stated yes, if we pull up and see they do not have their permit, we will knock on the door. Chief Sparks stated that is how we found the 12. Mrs. Hubbard stated she has 4 changes. First one is on page 4, under number 5 that the operator is to notify the adjacent property owners. I say we take that out. The second is under E, a list of online only short-term rental platforms. The third one is under 13.05 d, a short-term rental property shall not be rented for a period less than one night's stay. Last, to add wherever is appropriate to comply with the covenants of the HOA of the subdivision. After discussion, Mayor Craft made a motion to approve with changes. Clyde Huckleba seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 8; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

Respectfully,

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Secretary