

Planning Commission Special Meeting

PL-2020-00159
Short Term Rentals

PROPOSED REGULATIONS:

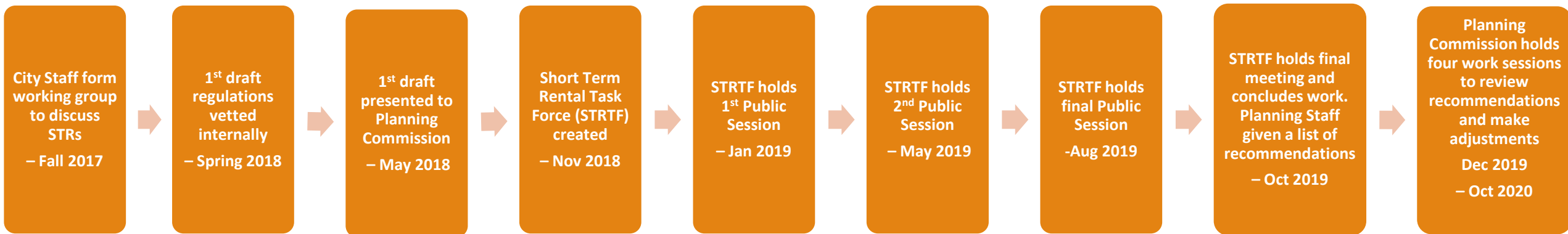
HOMESTAYS

SHORT TERM NON-PRIMARY RENTALS (STNPRs)

Planning Services

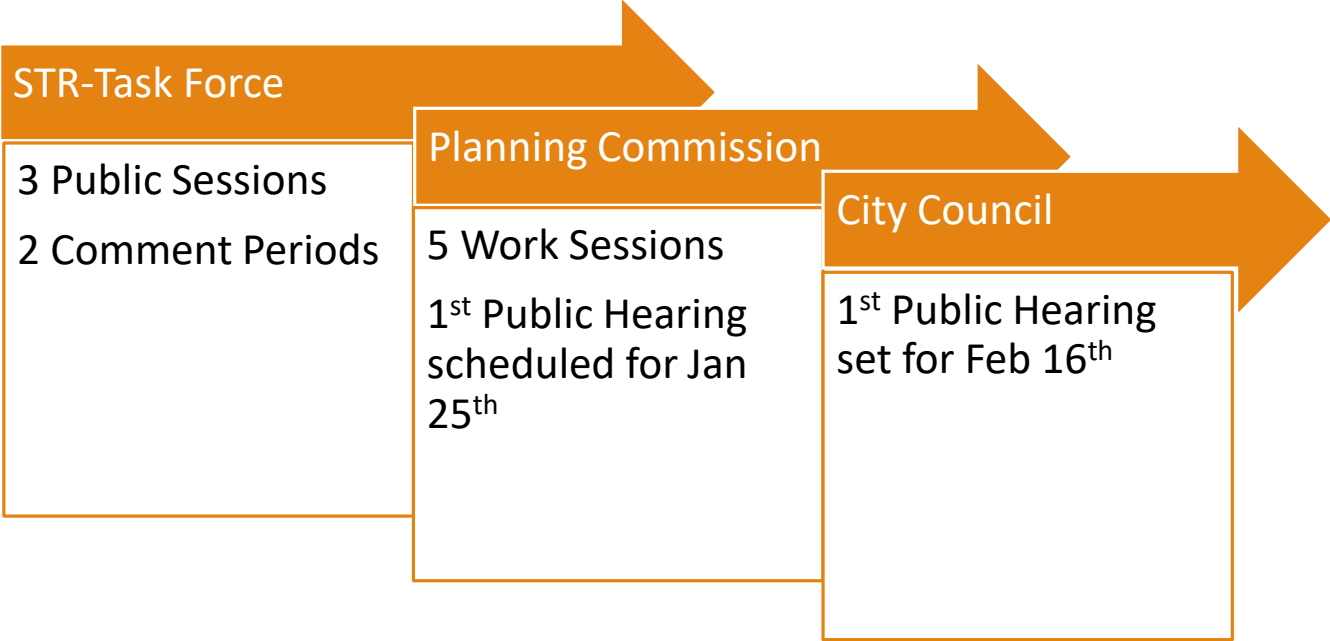
1/25/2021

Timeline



Benchmarking & Public Input

- Austin, TX
- Arroyo Grande, CA
- Berkeley, CA
- Charlottesville, VA
- Charleston, SC
- Clemson, SC
- Fort Collins, CO
- Madison, WI
- Piedmont, CA
- San Luis Obispo, CA
- Tuscaloosa, AL



Definitions

Family: Two (2) or more persons residing in a single dwelling unit where all members are related by blood, marriage, adoption, or guardianship up to the second degree of consanguinity, plus one unrelated person in the Limited Development District, Neighborhood Conservation District, Development District Housing, ~~or the~~ Large Lot Residential District, Neighborhood Redevelopment District (west of North Donahue Drive), or the Corridor Redevelopment District – West (west of North Donahue Drive). For the purpose of this definition “consanguinity” means husbands and wives, brothers and sisters, parents and children, grandparents and grandchildren, uncles and aunts, nephews and nieces, and first cousins. In all other zoning districts where residential units are permitted the term “family” may include up to five (5) unrelated persons occupying a single dwelling unit.

Definitions

Homestay: A home occupation in which an individual who owns a dwelling and uses it as his or her permanent residence hires out such dwelling, or any portion thereof, as lodging.

Occupancy, Residential: For purposes of this zoning ordinance, this term refers to the number of persons who may reside together within one (1) dwelling unit, as a single housekeeping unit. See “family.”

Occupancy, Transient: The use of any building or structure, or portion thereof, as overnight accommodations for any individual(s) for any period(s) of thirty (30) or fewer consecutive days, in return for a fee or charge. No transient occupancy shall be deemed or constructed as being a residential use of any dwelling, or portion thereof.

Definitions

Residence, Permanent: Residential occupancy of a dwelling unit by the same individual(s) for a period of more than 180 consecutive days and the usual place of return for housing as documented by motor vehicle registration, driver's license, voter registration, or other such evidence.

Short-term Non-Primary Rental: A dwelling unit that is not a permanent residence and that is leased in its entirety to one party for periods of less than 30 consecutive days. The term party as used in this definition shall mean one or more persons who as a single group rent a short-term non-primary rental pursuant to a single reservation and payment.

Homestays

Article V, 511.04. Detailed Use Regulations: Home Occupations.

In addition to the provisions (1-13) above, the following regulations shall apply only to homestays:

- a) Homestays may only be established as a home occupation business in the following zoning districts: Comprehensive Development District (CDD), Corridor Redevelopment District-Urban, Suburban, East and West (CRD-U, CRD-S, CRD-E, CRD-W*) Medium Density Residential District (MDRD), Neighborhood Redevelopment District (NRD*), Redevelopment District (RDD), Rural District (R), Urban Core (UC), and Urban Neighborhoods-West, East, and South (UN-W, UN-E, UN-S). **East of North Donahue Drive*
- b) No more than six (6) overnight guests are allowed per day.
- c) The homestay may operate no more than one hundred twenty (120) days per licensing year when the residence **is not owner-occupied** in the CDD, CRD-U, CRD-S, CRD-E, CRD-W*, MDRD, NRD*, RDD, R, UC, UN-W, UN-E, and UN-S zoning districts. **East of North Donahue Drive*
- d) No food shall be prepared for or served to guests of the homestay by the owner or the owner's agent(s) or contractor(s).
- e) Each zoning certificate for a homestay will be valid from January 1 (or such other date during a calendar year in which such certificate is issued) through December 31 of the calendar year in which the certificate is issued. During this period of validity, the owner of the homestay must occupy the dwelling as his or her residence for more than 180 days.
- f) A zoning certificate for a homestay may be revoked by the Planning Director (i) in the event that three (3) or more substantiated complaints are received by the city within a calendar year, or (ii) for failure to maintain compliance with any of the regulations set forth within this section. A property owner whose zoning certificate for a homestay has been revoked pursuant to this paragraph shall not be eligible to receive any new zoning certificate for a homestay for the remaining portion of the calendar year in which the certificate is revoked and for the entire succeeding year.

Short Term Non-Primary Rental

Article IV, Table 41. General Regulations – Table of Permitted Uses.

Special Residential	SDS*	UC/CEOD	UN-E	UN-W	UN-S	NC	DDH	MD RD	NRD	RDD	LLRD	R	LDD	CDD	CRD-U	CRD-E	CRD-S	CRD-W	SCCD	I	PDD
Short Term Non-Primary Rental	*	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P*</u>	<u>P</u>		<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P*</u>	<u>P</u>		

*East of North Donahue Drive

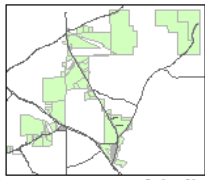
Short Term Non-Primary Rental

408.02. Special Development Standards.

D. Institutional, Indoor Recreation & Special Residential Uses.

6. Short-Term Non-Primary Rental

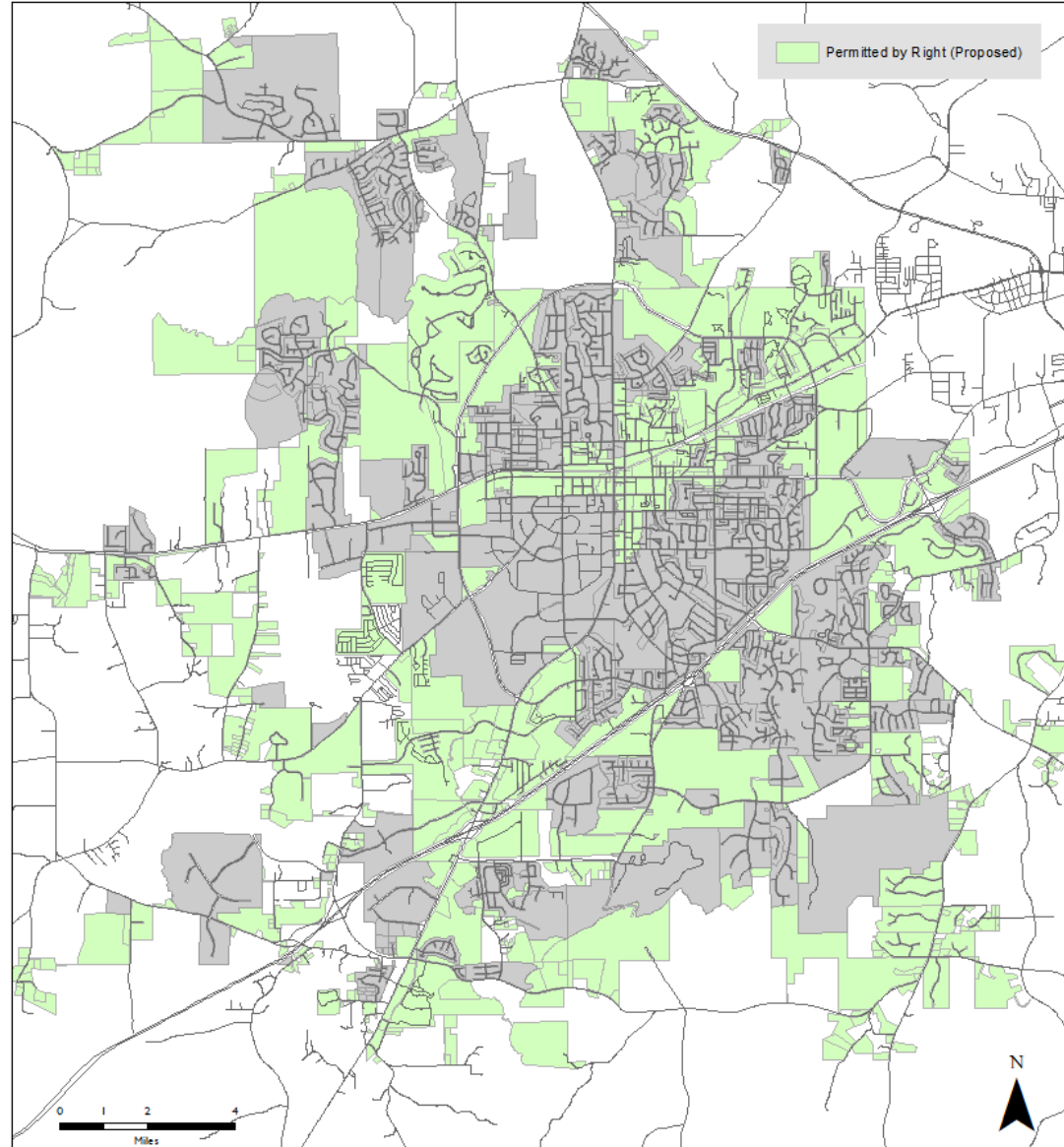
- a) A short-term non-primary rental shall be limited in operation to 240 days each calendar year.
- b) Each zoning certificate for a short-term non-primary rental will be valid from January 1 (or such other date during a calendar year in which such certificate is issued) through December 31 of the calendar year in which the certificate is issued.
- c) A zoning certificate for a short-term non-primary rental may be revoked by the Planning Director (i) in the event that three (3) or more substantiated complaints are received by the city within a calendar year, or (ii) for failure to maintain compliance with any of the regulations set forth within this section. A property owner whose zoning certificate for a rental has been revoked pursuant to this paragraph shall not be eligible to receive any new zoning certificate for a rental for the remaining portion of the calendar year in which the certificate is revoked and for the entire succeeding year.



Permitted by Right Homestays & Short Term Non-Primary Rental PROPOSED



To northernmost extent of city limits of Auburn



Recommendation Summary

Short-Term Non-Primary Rental (STNPR)	Homestay
Dwelling unit that is not a permanent residence, leased in its entirety to one party for a maximum 30 days	A home occupation in which an individual who owns a dwelling as his/her permanent residence (min of 180 days per calendar year) & rents out such dwelling or any portion thereof, as lodging
Permitted by right in all zoning districts in which residential occupancy allows up to five (5) unrelated occupants: <ul style="list-style-type: none"> • UC • Urban Neighborhoods (UN-E, UN-W UN-S) • CDD • RDD • MDRD • R • CRD (CRD-E, CRD-S, CRD-U, CRD-W*) • NRD* • SCCD <ul style="list-style-type: none"> • *East of North Donahue Drive 	Permitted in all zoning districts in which residential occupancy allows up to five (5) unrelated occupants: <ul style="list-style-type: none"> • UC • Urban Neighborhoods (UN-E, UN-W UN-S) • CDD • RDD • MDRD • R • CRD (CRD-E, CRD-S, CRD-U, CRD-W*) • NRD* <ul style="list-style-type: none"> • *East of North Donahue Drive
Prohibited in zoning districts in which residential occupancy is limited to the “Family” definition: <ul style="list-style-type: none"> • NC • DDH • LDD • LLRD • NRD & CRD-W (west of North Donahue Drive) 	Prohibited in zoning districts in which residential occupancy is limited to the “Family” definition: <ul style="list-style-type: none"> • NC • DDH • LDD • LLRD • NRD & CRD-W (west of North Donahue Drive)
Classified as a Special Residential Use in Table 4-1 (Table of Permitted Uses)	Allowed only in conjunction with a home occupation license
Yearly zoning certificate required	Yearly home occupation required
Homeowner presence not required during time of rental activity	Homeowner presence required during time of rental activity no fewer than 120 days per calendar year
Limited to 240 rental days per calendar year	No limitation on rental days per calendar year
No limitation on number of guests	Limited to 6 overnight guests per day