

ITEM #91 1/28/2016: DRAFT SHORT-TERM RENTAL ORDINANCE

COUNCIL INITIATED	COMMISSION RECOMMENDATION	ORD PART CODE SECTION	NOTES	INITIATED
Renewal Inspections for Type 2s	Every 3 years	Part 1 §25-2-789		9/17/15
Clustering	1,000 feet between lots (distance between Type 2s)	Part 1 §25-2-789		9/17/15
Certification	Same	Part 1 §25-2-791(B)	The “bad actor” clause gives staff the authority to look back 24 months.	10/15/15
Certificate of Occupancy Limit (Type 2 and 3)	10 years	Part 1 §25-2-791(C)		9/17/15
Septic System	Same	Part 1 §25-2-791(C)		9/17/15
Guest Registry	Same	Part 2 §25-2-794(A)		8/20/15
Sound equipment cannot be audible beyond the property line between 10 pm and 10 am.	Same	Part 2 §25-2-794(B)	Noise requirements will be consistent other uses in residential areas.	8/20/15

COUNCIL INITIATED	COMMISSION RECOMMENDATION	ORD PART CODE SECTION	NOTES	INITIATED
Noise or music cannot be audible to an adjacent business or residence between 10:30 pm and 7:00 am	Same	Part 2 §25-2-794(C)	Noise requirements will be consistent other uses in residential areas.	8/20/15
Occupancy prohibited if building permit prohibits.	Same	Part 2 §25-2-794(D)		8/20/15
Advertisement must include license number and occupancy limit.	Same	Part 2 §25-2-794(E)		8/20/15
License required to advertise a property as a short-term rental.	Same	Part 2 §25-2-794(F)		9/17/15
Advertisement cannot include information that indicates a violation of the City Code	Same	Part 2 §25-2-794(G)		9/17/15
Occupancy Limit: No more than 2 adults per bedroom plus 2 additional adults (without an inspection, presumed 2 bedrooms). No assemblies between 10 pm and 7 am. Outside assemblies limited to 6 adults between 7 am and 10 pm. Overall max of 10 adults or 6 unrelated adults.	Occupancy Limit: No more than 6 adults/short-term rental license. No more than 8 adults/site with a short-term rental. Process to increase occupancy limit based on site characteristics.	Part 2 §25-2-795		9/22/15

COUNCIL INITIATED	COMMISSION RECOMMENDATION	ORD PART CODE SECTION	NOTES	INITIATED
Local Contact Requirement Expanded	Same	Part 2 §25-2-796		8/20/15
“Bad Actor” Clause	<p>May deny a short-term license renewal if the license is suspended at the time of renewal.</p> <hr/> <p>May deny a renewal for two violations in a 12-month period. May deny a new license if violates the general requirements for short-term rentals at least 2 times in a 12-month period. May deny a new or renewal license if repeated violations during a 24-month period.</p> <hr/> <p>Authorizes the code official to suspend a short-term rental license if 2 or more substantiated violations of the City Code or another applicable law.</p>	<p>Part 1 §25-2-791(F)</p> <hr/> <p>Part 2 §25-2-797</p> <hr/> <p>Part 7 Section 1308</p>		8/20/15
Additional fee during application process if submitting an application after found operating without a license or with an expired license.	Same	Part 2 §25-2-798	Actual fee will be brought to Council at a later date.	8/20/15

COUNCIL INITIATED	COMMISSION RECOMMENDATION	ORD PART CODE SECTION	NOTES	INITIATED
Evidence of advertising and occupancy violations	Same	Part 2 §25-2-799	The code amendment related to allowing neighbor evidence during administrative hearings will come to Council in a separate ordinance that amends the administrative hearing process.	9/17/15
Limits Type 2 short-term rentals to commercial areas.	Limits Type 2 short-term rentals to commercial areas.	Part 4 §25-2-491(C)	Council Initiated Draft: Effective date is to avoid overriding the November 2015 ordinance. Would be reconsidered at the same time November 2015 ordinance is reconsidered.	10/15/15
Phases Type 2 short-term rentals out of residential areas.	Phased out in 2020 based on the November 2015 ordinance ¹ that limited the director's authority to issue new Type 2 short-term rental licenses.	Part 5 §25-2-950	Council Initiated Draft: Phased out in 2022 based on the expiration date in the November 2015 ordinance. ² Would be reconsidered at the same time November 2015 ordinance is reconsidered.	10/15/15

¹ Ordinance No. 20151112-078 (“November 2015 ordinance”).

² November 2015 ordinance expires on March 31, 2017.

COUNCIL INITIATED	COMMISSION RECOMMENDATION	ORD PART CODE SECTION	NOTES	INITIATED
Incorporates short-term rentals into inspection requirements into the Property Maintenance Code.	No recommendation.	Part 7 Section 1301		9/17/15
Authorizes the code official to suspend a short-term rental license if it was issued in error.	No recommendation.	Part 7 Section 1307		8/20/15

MISCELLANEOUS EDITS	ORD PART CODE SECTION	REASON
Define “short-term rental” in Property Maintenance Code	Part 6 Section 202.1	Added for clarity.
Notification Requirements	Part 1 §25-2-792	Added for consistency and clarity.
Removes “short-term rental” from occupancy limit from long term uses.	Part 3 §25-2-511	Necessary amendment.