

STAFF REPORT

City Council, April 18, 2016

Title: **Short-Term Rentals**

City Council will hear proposed text amendments to allow short-term rentals in the City of Brevard's planning jurisdiction.

Speaker: Daniel Cobb AICP, Planning Director

From: Daniel Cobb AICP, Planning Director

Prepared by: Aaron Bland AICP, Planner & Asst. Zoning Administrator

Approved by: Jim Fatland, City Manager

Background

At the August 17, 2015 City Council meeting the issue of short-term rentals (STRs), such as those offered on websites such as Airbnb.com and VRBO.com, was brought up. At the September 21, 2015 meeting, Staff presented basic information about these rentals and City Council provided Staff with direction to take the issue to Planning Board to explore possible changes to the Unified Development Ordinance (UDO) that would allow for short-term rentals but also mitigate potential negative impacts on residential neighborhoods.

The Planning Board began its discussions at their October meeting. The Board discussed the advantages and potential impacts of STRs, as well as how these accommodations related to lodging uses already in the UDO. The Board requested Staff create a framework for how new ordinance language would integrate STRs as a new lodging use and provide reasonable regulations to safeguard the peace and tranquility of surrounding residential neighborhoods.

Two public input meetings were held on November 5, 2015 at the Transylvania County Library, with a combined attendance of approximately 40 people. Additionally, an online survey was open for one month and 199 submissions were submitted. A compilation of the input received from the online survey, at the in-person input sessions, and additional correspondence between citizens and Staff is included with this staff report as Attachment A.

The Planning Board held further discussions at their meetings in November, January, February, and March. The Board approved its recommended draft ordinance language at their meeting on March 15, 2016. This draft language is included as Exhibit A.

Discussion

The main purpose and intent of the amendments as they are currently proposed is the protection of the peace and tranquility of residential neighborhoods as well as the safety of Brevard's residents and visitors. The changes presented represent the Planning Board's attempt to achieve that purpose.

Policy Analysis

The draft language being presented by Staff has several key aspects:

- Two new uses have been created under the Lodging category of the UDO use matrix:
 - The “Homestay” use is for host-present rentals where the space for rent is a spare room or other portion of a house that is the host’s primary residence.
 - The “Short-Term Rental” use is for host-absent rentals where the space for rent is the entire house, which is not the host’s primary residence.
 - The key distinction between the two use types is whether or not the host is present and living onsite.
- The application will include required contact information for a responsible party that will be available 24-hours per day.
- Minimum standards for parking and lighting.
- Utilizing the Special Use Permit process to mitigate whole-house rental units on a case-by-case basis.
- Amendments to the definitions of existing lodging uses to ensure clarity between all lodging uses that appear in the UDO’s use matrix.

Staff will present the revised draft language in greater detail at the meeting.

Staff Recommendation

Staff recommends City Council discuss the Planning Board’s recommended draft amendments and provide Staff with specific questions or requests for information for future discussions and/or suggested changes.

Council is not being asked to approve the draft amendments at this time. Due to the complexity of this issue Staff recommends City Council schedule a public hearing for a later date.

Fiscal Impact

Requiring short-term rentals to receive a Special Use Permit from the Board of Adjustment and/or zoning site plan approval from the Planning Department will result in the collection of additional application fees received by the City. The application fee for a Special Use Permit is currently \$200. The fee for a zoning permit is currently \$50, however Staff feels that a specific permit fee for short-term rental applications should be established and recommends a fee of \$200 which matches the current fee for a home occupation.

Attachments

- Exhibit A – Brevard Planning Board Recommended Draft Ordinance Language
- Attachment A – Summary of Public Input