Short Term Rental FAQ

1) **What zones are short term vacation rentals currently allowed in?**

   ANSWER: Short term vacation rentals are currently only allowed in R-3 and R-4 zones.

2) **What qualifies you to be legally grandfathered from this ordinance?**

   ANSWER: To be legally grandfathered you must currently be a legally operating use (including compliance with fire/safety code) before the ordinance becomes effective. Currently, only properties that are zoned R-3 or R-4 are allowed to have a short term vacation rental. To be grandfathered, your property must be zoned R-3/R-4 and you are currently operating a short term vacation rental on your property.

3) **For other properties that are not legally grandfathered, how will the City enforce the proposed ordinance?**

   ANSWER: The proposed ordinance sets a 6 month timeline for properties to come into compliance. The City will be able to track the locations of active short term vacation rentals.

4) **What is the appeal process? What if just one property owner is opposed to a request for a short term vacation rental?**

   ANSWER: A single property owner can appeal a request to establish a short term vacation rental application. If an application is appealed, then the request is considered by Council. The Council uses a public hearing process that allows both the opposition and the applicant equal time. The Council will consider how the request complies with the ordinance standards and any health, safety or nuisance impacts in making a final decision.

5) **How can the city (code inspectors) enforce the ordinance, particularly fire safety?**

ANSWER: The application requires the applicant to provide a Code Verification Form that documents that the location complies with all City fire safety and building code requirements, including a functioning fire detector. This application is submitted under oath. For properties that require a sprinkler system (see #7 below) as required by state law, an on-site inspection to confirm compliance would need to be conducted by the City Fire Marshal.

6) **Will properties need to be brought up to code 100% with new ordinance?**

ANSWER: There are three triggers where a building must be brought up to code retroactively: 1. If the applicant is proposing remodeling work that totals more than 30% of the replacement cost of the structure; 2. The property is large enough to require a sprinkler system as required by state law (see #7 below); 3. Also, when there is a change of occupancy the building (from a residential use to a commercial type use for example)

If the applicant is proposing to establish the use and does not meet any of the three triggers, the property will not have to retroactively be brought up to code.

7) **When is a property required to install sprinklers?**

ANSWER: The state fire marshal issued a new rule that clarified the classification of homes used for transients. Essentially, any home that offers accommodations for 30 days or less and has thirteen (13) or more occupants, four (4) or more stories, or a total area that equals or exceeds five-thousand (5,000) gross square feet must be sprinklered. Occupancy calculations include the owner/family occupants and the proposed transient occupants.

8) **Why is a business license required?**

ANSWER: The business license helps with tracking payment of accommodation taxes.

9) **Why isn't form-based code zones included?**

ANSWER: Once the ordinance is adopted, the Form Based Code section of the zoning code will need to be amended, deleting the use from the use table.