

**Issues for Discussions - General Meeting –0 9.12.2017**

Reference Council Consideration Request (CCR) Form, Councilman Gallagher, 02.17.2017, Item #2:

“Review how cities have updated municipal codes or ordinances to allow this industry to operate. “

Recommend limiting review to cities comparable to San Antonio; large cities in which tourism is a big part or major part of the economy.

Key consideration factors in review:

Operating restrictions – term and manner of operations

Zoning restrictions – areas where STRs are allowed to operate

Licensing term - duration of license and frequency of renewal

**TABLE 1 - EXAMPLES from Other Cities for Review and Consideration in formulation of COSA Regulatory Guidance**

City	Operating Restrictions – Selected Items*	Zoning Restrictions	License or Permit Term	Source & Notes
New York City	Operation of STRs is illegal in violation of State law and City code; Fines are assessed	N/A	N/A	- <a href="http://www1.nyc.gov/nyc-resources/service/6744/space-">http://www1.nyc.gov/nyc-resources/service/6744/space-</a> ; - <a href="http://www1.nyc.gov/office-of-the-mayor/news/509-16/">http://www1.nyc.gov/office-of-the-mayor/news/509-16/</a>
Los Angeles	-Home Sharing (Type 1) maximum 120 days per year allowed; owner must be in residence  -Vacation Rentals (Type 2)	Allowed in residential areas but subject to operating restrictions  - Regarded as commercial use requiring zoning change; terminology is included in definition of “hotel “	2 years  “ “	<a href="https://planning.lacity.org/ordinances/docs/HomeSharing/StaffRept.pdf">https://planning.lacity.org/ordinances/docs/HomeSharing/StaffRept.pdf</a>  -same as above

<p>New Orleans, LA</p>	<p>-Temporary STRs (Type 1) maximum of 90-rental nights per license year;</p> <p>- Commercial STR (Type 2) No limitation on number of nights per license year;</p> <p>-License placard must be prominently displayed on the front facade of the STR structure in a location clearly visible from the street during all periods of occupancy</p>	<p>- Prohibited in French Quarter; allowed in other areas but subject to operating restrictions</p> <p>- Must be in a non-residential zoning district</p>	<p>Required but term not provided in reference</p>	<p><a href="https://www.nola.gov/short-term-rentals/str-zoning-restrictions/">https://www.nola.gov/short-term-rentals/str-zoning-restrictions/</a></p>
<p>San Diego , CA</p>	<p>-Home Sharing (Type 1); The total floor area dedicated to <i>boarder, lodger,</i> and home sharing accommodations shall not exceed 25 percent of the <i>gross floor area</i> of the <i>dwelling unit</i>; off street parking 1 space for each occupant; limiting frequency of occupancy indicated as important but not determined in this reference</p> <p>-STR Vacation Rental (Type 2)</p>	<p>-Permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables</p> <p>-same as above</p>	<p>Required but not provided in this reference</p>	<p><a href="https://www.sandiego.gov/treasurer/s hort-term-and-vacation-rentals">https://www.sandiego.gov/treasurer/s hort-term-and-vacation-rentals</a></p> <p>-same as above</p>

	permitted as a limited use; \$1000 fines for violations of City Codes assessed to each visitor and property owner; 1 hour response to complaints; notice of the use of the premises and contact visible to the public during occupation			
Philadelphia, PA	-Limited Lodging; Home or room can be rented for up to 180 days in a calendar year, but you must meet certain requirements and limitations; occupancy is restricted no more than three (3) persons (including the owner and renters); Renters are allowed to have guests only between the hours of 8:00am and 12:00am.	Allowed in residential areas but subject to operating restrictions	Does not require a license; permit is required for use over 90 days but less than 180 days	<a href="https://business.phila.gov/limited-lodging-regulations/">https://business.phila.gov/limited-lodging-regulations/</a>
Orlando, FL	- Commercial Dwelling Unit, a room or home can be rented for a length of stay between seven and 30 days; Must be located in multi-family residential district; owner must be in residence; STRs are allowed in only 4% of county area; stays less than seven days are considered hotel/motel uses since 1991	Allowed in certain zoning districts, residential zoning districts excluded	Required but term not provided in reference	<a href="http://www.cityoforlando.net/city-planning/short-term-rentals/">http://www.cityoforlando.net/city-planning/short-term-rentals/</a>

San Francisco, CA	-You may never rent your residential unit or a portion of your home for more than 90 nights per calendar year while you are not also present overnight during the time of the guests' stay; after registration for properties located in RH-1(D) zoning districts, the STR Office will send a notice to all property owners and residential tenants who live within 300 feet of your unit (and nearby neighborhood groups registered with the Planning Department). They will have 45 days to submit comments to us.	Not provided in reference	2 Years , \$250	<a href="https://shorttermrentals.sfgov.org/">https://shorttermrentals.sfgov.org/</a>
-------------------	--	---------------------------	-----------------	---

NOTES: \*Not all inclusive

**General Observation:** Without any exceptions, all of the cities in this example emphasize a very strong level of commitment to the preservation the character of the neighborhood in formulating the regulatory guidance (in all of the relevant aspects). It appears that in most cases the strength of this commitment is shown, and reinforced, by the regulatory guidance that was or is being developed.

In this context it needs to be pointed out that the SA Tomorrow, Comprehensive Plan, sub-section “What is SA Tomorrow? Guiding Principles, Neighborhood Character” indicate: “Maintain the character and integrity of existing neighborhoods...”

Prepared by:  
J. Kowat