



# Short-Term Rental Ordinance Recommendations

Prepared by Host Compliance LLC for  
Municipality Of Anchorage\*

*\*Analysis based on information provided by Mike Edgington (gbos.medgington@gmail.com) on Feb 03, 2020.*



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# INTRODUCTION

## Background

Though people have rented out extra rooms and properties since cities began, in the last five years online listing companies such as Airbnb, Homeaway, and many others have fueled a tremendous growth in short-term renting. Proponents claim these rental units help people afford their homes, bring tourist dollars to cities, and expand lodging options. Opponents say STRs operate outside the law, lack safety standards, degrade neighborhoods, and lack accountability. Local governments, often unexpectedly, find themselves trying to bring order to a fast-moving marketplace.

## Balancing Demands

With an issue as difficult and multi-faceted as short-term renting, it is important to focus on specific issues and specific outcomes as it relates to your local community. It is very easy to fall into a trap of 'yes' and 'no,' a polarized discussion that does not get into the nuance of how best to tailor an ordinance to the problems and opportunities your community faces. This document provides a broad overview of some of the strategies governments with your specific types of concerns, circumstances and priorities have adopted. If you would like a more detailed analysis of your specific situation, please contact us on 857-928-0955 or send us an email on [binzer@hostcompliance.com](mailto:binzer@hostcompliance.com).

## Glossary

In this document we use the following words and abbreviations frequently.

- STR = short-term rental. A short-term rental is most often defined as a rental of a residential dwelling unit or accessory building for periods of less than 31 consecutive days. In some communities, short-term rental housing may be referred to as vacation rentals, transient rentals, short-term vacation rentals or resort dwelling units.
- Ordinance = a law usually found in a code of laws for a political division smaller than a state or nation, i.e., a local government such as a municipality, county, parish, prefecture, etc. In some areas these types of local rules are referred to as by-laws or statutes.

## Assumptions

This document relies on a few assumptions:

1. This custom list of short-term rental ordinance recommendations was produced based on information provided by Mike Edgington on Feb 03, 2020. We assume this

information is accurate and reflective of the short-term rental situational context in, and regulatory objectives of, Municipality Of Anchorage.

2. Short-term renting will be, in some form, legal. Communities that want a complete ban have a different type of ordinance to write, one that is focused entirely on enforcement and violations.
3. To operate legally, all short-term rental units will need some sort of permit, license, or registration with a local and/or state government.
4. Any ordinance will only be effective if it is systematically and pro-actively enforced.

## Disclaimer

While meant to guide its efforts to regulate STRs in its jurisdiction, the recommendations included in this complimentary document should **NOT** be considered consulting services, and while Host Compliance LLC does contract with local governments to draft short-term vacation rental ordinances, this document is not in any way shape or form a full representation of the insights or deliverables that our clients get from working with us. It is also important to recognize that individual cities may approach issues differently, and one approach for a city may not be ideal for another. Accordingly, the ordinance recommendations posted here are provided only for informational purposes. They are posted here as a resource for the same informational purposes. They have not been reviewed by Host Compliance's attorneys and do not constitute legal advice from Host Compliance or any other entity or individual. Staff and elected officials should therefore consult with their attorneys to prepare a ordinance that is appropriate for their specific city.

That said, Host Compliance would be happy to consult with staff, elected officials and attorneys to draft a custom short-term rental ordinance that appropriately factors in a particular local government's overall planning objectives and special local circumstances.

To set-up a meeting to discuss Host Compliance's short-term rental ordinance consulting services, please contact Host Compliance's CEO, Ulrik Binzer directly on [binzer@hostcompliance.com](mailto:binzer@hostcompliance.com) or 857-928-095.

## PERMITTING

### Permitting Process

The most important goal of any short-term rental ordinance is to ensure host units are permitted properly to operate. All other possible requirements – from occupancy to tax payment to parking – can be defined only if hosts choose to identify themselves and submit to the relevant local rules.

In places with limited resources, it can be difficult to find a regulatory system that will both alleviate local concerns while being realistic about the ability to enforce the law. The permitting process is where this balance begins.

### Obtaining a Permit

Rather than build a new infrastructure to accommodate STR permits, many communities choose to adapt their existing business license system as a way to keep expenses to a minimum. This usually means a fairly limited planning review in terms of zoning, occupancy, and unit characteristics and may even preclude the ability of communities to make certain demands based on neighborhood density. Under a business license system, or to make the process as seamless as possible, any demands on the applicant – such as safety equipment verification or signage requirements – are self-certified rather than the focus of local inspection.

Whatever the permit application demands, hosts should know what documentation to bring beforehand in order to avoid paperwork hurdles.

### Fees

Though often set by local and state laws, the permit fee is an opportunity to offset staff costs, promote registration, or otherwise generate revenue. Nationally, there is a tremendous variation in permit fees, from the \$25 license to the non-refundable \$3000 application; \$250 is about average. Higher fees may bring in more money but might keep some hosts from obtaining permits while lower fees generate less income for governments but might lead to higher levels of compliance. Consider using the nightly price of a unit as a guide.

## ENFORCEMENT

### Context

To implement any type of effective short-term rental regulation, be it a total ban, a permitting requirement, and/or a tax, local governments must expect to invest some level of staff time and/or other resources in compliance monitoring and enforcement. That said, most local governments are neither technically equipped nor large enough to build the true expertise and sophisticated software needed to do this cost-effectively. There are several reasons why this is the case:

1. Rental property listings are spread across dozens (or hundreds) of different home sharing websites, with new sites popping up all the time (Airbnb and HomeAway are only a small portion of the total market)
2. Manually monitoring 100s or 1,000s of short-term rental properties within a specific jurisdiction is practically impossible without sophisticated databases as property listings are constantly added, changed or removed
3. Address data is hidden from property listings making it time-consuming or impossible to identify the exact properties and owners based just on the information available on the home-sharing websites
4. The listing websites often disallow property owners from including permit data on their listings, making it impossible to quickly identify unpermitted properties
5. There is no manual way to find out how often individual properties are rented and for how much, and it is therefore very difficult to precisely calculate the amount of taxes owed by an individual property owner

Luckily, it is possible to cost-effectively outsource most of this work to firms such as Host Compliance that specialize in this area and have developed sophisticated big data technology and deep domain expertise to bring down the compliance monitoring and code enforcement costs to a minimum. In many situations, adopting short-term rental regulation and outsourcing the administration and enforcement can therefore be net-revenue positive for the local government, while adding no or little additional work to the plates of internal staff. What's more, getting started generally requires no up-front investment, long-term commitment or complicated IT integration.

That said, while it is good to know that adopting and enforcing short-term regulation can be net revenue positive, it is important to note that the economic benefits are only a small part of the equation and that local government leaders should also factor in the many non-economic benefits associated with managing and monitoring the rapidly growing short-term rental industry in their local communities. These non-economic benefits are often much more important to the local citizens than the incremental tax revenue, so even if the incremental revenue numbers

may not seem material in the context of a local government's overall budget, the problems that unregulated and/or unmonitored short-term rentals and home-sharing can cause for the neighbors and other "innocent bystanders" can be quite material and should therefore not be ignored.

## Permitting Violations

While the main effort will be focused on getting hosts permitted, there are several key issues to consider in setting expectations. First, make listing an unpermitted unit a violation. By using the existence of a listing as *prima facie* evidence of a violation, this provision helps reduce the amount of staff time needed to go after unpermitted hosts. Second, to facilitate compliance, all listings should list their permit number in their ads. And lastly, permits need to have an expiration date, generally yearly. Consider using the same day for all available permits. While it might require a bit of a push around that date, it does make it clearer who is cooperating and who is trying to skirt the law.

## Operating Violations

Without an inspection regime, operating violations are going to be almost entirely complaint driven. In order to put teeth in any ordinance, it is important to make sure that violations are tied to the STR permit, with some sort of mechanism for revoking permits for repeated issues. (Some cities go with a 'three strikes, you're out' policy while others include automatic revocation for serious offenses.) This often requires coordination with whatever department is going to be out responding to complaints.

The fines for violations, while often limited by local and state laws, need to act as a deterrent to bad behavior. Set too low and hosts will build the charge into their business model; set too high and the issue of fairness gets raised. Again, the nightly price is a good starting point. Additionally, fines for repeat violators can escalate, leading to permit revocation.

## HOUSING ISSUES

Because of how quickly the STR market has evolved, many communities are concerned with the effects on long-term housing availability and affordability. The conversion of units that could go to residents into short-term rentals has a whole host of consequences, not just in terms of housing but also on neighborhood cohesion and residential feel. Long-term renters and homeowners have an investment in a place – as residents, as voters, as taxpayers – that guests lack, making housing availability a powerful planning goal in regulating short-term rentals.

### Ownership

At the most basic level, an ordinance needs to define who can obtain a short-term rental permit and, as such, is the first way to prevent conversions. Management companies, LLCs, and other real estate interests should simply not be able to be permitted as they are the most direct vehicles for creating 'investment type' STRs; they can be free to develop other lodging types through the standard means. Also, because of the difficulty in verifying owner agreements and the worries about subletting, renters should be prevented from running STRs as this activity both impacts housing and creates a legal tangle of overlapping liabilities.

That leaves homeowners. Because homeowners will be limited to their primary residence – see below - no one should ever be issued more than one permit. For condo properties, ski villages, HOAs, PUDs, co-ops, and similar developments, STR permitting needs to align with the relevant bylaws, either directly or by board approval.

### Residency Requirements

The key to preventing conversions is fairly straightforward: homeowners can only operate an STR in their primary residence. ('Primary residence' can be defined in various ways. The most common methods are by time – say, 270 days occupancy a year or six months and a day – or through tax addresses, documentation like a drivers license, or homestead exemptions.) Some communities will, for quality of life reasons, go a step further and require a homeowner/host to be physically present for all bookings.

### Types of Units

Assuming that only primary resident homeowners are operating, the types of units able to be permitted can be fairly flexible. Individual rooms or whole houses – as long as their availability does not impact 'primary resident' status – are essentially the same in this system. (Some communities do, for quality of life or residential character reasons, get more specific about the maximum number of bedrooms or occupancy of permitted rentals.) Depending on the local housing stock, accessory units can or cannot be counted as part of a primary residence; certain



apartment types (mother-in-law suites, carriage houses, garden apartments, etc.) may need additional research as to their particular utilization.

## QUALITY OF LIFE ISSUES

### Guest Behavior

While long-term tenants and homeowners can certainly cause their share of trouble, the nature of short-term renting means a guest behavior can generate a greater burden on neighbors and neighborhoods. Still, existing noise, trash, and other quality of life ordinances apply equally, no matter the type of unit, and as long as guests understand the community's standard, emphasizing enforcement will act as a sufficient deterrent.

Similarly, any violation needs to be tied to the short-term rental permit so that hosts can be made responsible for repeat violations.

### Neighbor Impact

Even with the best ordinance, if guests want to misbehave, they will. Hosts do have an obligation to operate their units safely, fairly, and in keeping with community standards and laws. In relation to guests, a short-term rental host – whether present or not – must make clear the quality of life laws and the potential consequences for violations. Neighbors should have some sort of contact information for the operator, who should respond to complaints in a timely fashion.

Material or repeated failure to comply with a local ordinance should result in the revocation of permit.

### Unit Characteristics

By emphasizing certain design characteristics, an ordinance can seek to limit certain types of activity or intensity of use.

In regulating the external characteristics of a short-term rental, communities are often interested in preserving a residential look – by banning commercial signage or alterations – while addressing perennial issues like parking and trash. Parking spaces especially can be a tool to set a maximum occupancy for a unit and off-street requirements can lessen neighbor complaints. Trash receptacles should be sufficient for anticipated use and are a common point to invoke a slightly stiffer, more commercial standard.

The most direct way to limit the intensity of use is through specific occupational limits for short-term rental units. Going beyond existing building codes, some ordinances go into detail about the number of bedrooms (including maximums allowed for permitting,) the size of bedrooms, and the number of guests that a unit can host. In setting occupancy limits, these ordinances



encourage safe operation, discourage disruptive gatherings of large groups, and can work to achieve broader housing goals.

Any physical requirement in permitting will require some sort of verification, usually an inspection, a review of government documents, or self-certification.

## Neighbor Notification

As the people most likely to be burdened by a short-term rental's operation, neighbors need a voice in regulation. As a layer of accountability and enforcement, the host's contact information must be given to all adjoining property owners when a unit becomes permitted.

## NEIGHBORHOOD ISSUES

### Common Neighborhood Character Concerns

*Neighborhood Noise* – Neighbors inevitably worry about the disruption to their blocks peace and quiet caused by short-term rental units and usage. Minimizing this disruption is often achieved through a combination of increasing inherent accountability (ownership requirements, neighbor notification, guest covenants) and imposing physical remedies (occupancy limits, buffers, parking limitations) on units. Differentiating the standards for noise between long-term and short-term tenants can also assuage the fear of parties.

*Zoning Choices* – Determining how best to categorize short-term rentals within a zoning regime can be a challenge, especially in relation to existing lodging uses and standards. The degree to which any jurisdiction considers short-term renting a commercial use has profound effects on the placement, operation, and permitting of units. While other home-based businesses may operate within residential zones, short-term renting has unique challenges, and it is thus important to consider other planning goals – housing, safety, quality of life – in justifying certain zoning categories.

## SAFETY ISSUES

### Fire Safety

*Interior Signage* – All units must have a prominently displayed sign that identifies evacuation routes and the location of fire safety equipment, lists local emergency contact information, owner and permit information, and other important rules such as noise limits or trash pickup schedules.

*Smoke Detectors* – Functioning smoke detectors shall be installed in every bedroom, common space, and kitchen, and be kept in operating order.

*Carbon Monoxide Detectors* - Functioning carbon monoxide detectors shall be installed in every bedroom, common space, and kitchen, and be kept in operating order.

*Fire Extinguishers* – Functioning fire extinguishers shall be installed and prominently located, and maintained in good working condition.

### Building Safety

*Habitability Standards* – In order to ensure the safety of guests, all STRs must conform to local habitability standards for residential or commercial property. This means rentals may not be non-standard units – such as tents, trailers outside designated zones, treehouses, vacant property, industrial buildings, etc – or otherwise lack water and sanitation facilities. STRs must also meet appropriate standards of pest control, building integrity, and safety.

*House Occupancy Limits* – Short-term rentals are limited in the number of guests they may accommodate based on the most relevant measure to a given area, such as number of bedrooms, parking availability, or square footage. Additionally, as a deterrent to large gatherings, a limit can be placed on a unit for the number of people safely allowed in a unit at any time. Also, hosts may not advertise a listing with more than their allowed number of guests.

*Home Insurance Coverage* – All hosts must acquire appropriate home insurance coverage, one that specifically covers short-term renting. (Many home insurers void policies because they consider short-term renting a commercial use.) Hosts must demonstrate coverage before being issued (or-re-issued) a permit.

### Personal Safety

*Liability Insurance Coverage* - All hosts must acquire appropriate liability coverage that covers injury and damage to hosts, guests, and others. (For hosts in condos, or other developments



with common spaces, coverage needs to be in accordance with liability insurance for shared spaces.) Hosts must demonstrate coverage before being issued a permit.

*Record Keeping* – All STR hosts must maintain a detailed and accurate record of their activity, from guest information to hosting dates to financial documentation available to relevant authorities upon request. Hosts must keep this record for several years and may be audited to ensure tax compliance.

## ENVIRONMENTAL ISSUES

*Animals & Trash* – Whether it's to keep out bears, raccoons, possums, or something else, all STR units must have wildlife-proof trash and recycling containers and indicate to guests their operation. If there is a commercial standard, depending on other requirements, hosts may also be required to provide a larger bin than other residential property owners to ensure no garbage is disposed improperly.

## ECONOMIC DEVELOPMENT

*Promote Tourism* – In communities driven by tourism, short-term rentals can provide another lodging option, one that may appeal to different groups of visitors, from families to millennials to retirees. The massive growth of the industry, led by companies like Airbnb and VRBO, has demonstrated the demand for this type of lodging and destinations must respond to that demand. That said, jurisdictions still have responsibilities to host and guest safety, to dangerous conditions and uses, and to full-time residents. Being tourist-friendly does not mean unregulated; it simply means a different set of requirements, both for permitting and operation.

*'Leveling the Playing Field'* – Because of its blend of residential and commercial activity, short-term renting can often be difficult to define as something distinct from traditional lodging. For many communities, traditional bed & breakfast operators complain, perhaps rightly, that their businesses are burdened with a number of requirements that STRs do not need to follow, even for similar properties and uses. While not drawing a direct comparison, an STR ordinance can 'level the playing field' by either easing these burdens by removing requirements for traditional b&bs or by limiting STRs in ways bed & breakfasts are not. The crucial distinction varies - size of unit, occupancy, length of stays, frequency of stays, etc. – but the effects on regulation can be profound on everything from safety standards to zoning to tax levels. This distinction must be based on a rational goal, such as codifying that STRs are meant to be less commercial, etc.

## TAXES

Almost universally, all STR units need to pay some sort of tax. Whether it is a sales tax, a hotel-motel tax, a TOT, TDT, or a vacation rental fee, it is imperative that hosts document and remit the correct amount to the relevant authority. To not do so is the most basic of violations.

There is a considerable amount of variation nationwide, both at the local and state level. Several state governments – under lobbying from Airbnb and others – have recently changed the way STRs are taxed, how the tax is collected, and how much influences local governments have in taxation. At a minimum, local taxing authorities usually align STR taxes with existing rates for bed & breakfasts or hotels. This assures a level playing field between various types of lodging providers.

Some cities have sought to tax STRs at a higher level than other lodging providers, either to tip the competitive balance towards traditional lodging options or to generate additional income. A few places have also added additional transaction fees to fund community improvements from affordable housing to beach restoration to parks. That said, most communities that have gone this route, have found it difficult to justify or enforce such rules.

## ABOUT THE AUTHORS

### Jeffrey Goodman

Jeffrey is an urban planner and considered one of the nation's leading authorities on short-term rentals and how they impact communities. He has previously contracted with both the City of New Orleans and Airbnb, and advised researchers on short-term rentals in range of cities including San Francisco, Portland, New Orleans, and New York. Jeff has spoken about short-term rentals across North America, including at the APA's National Planning Conference. He graduated from Yale College and earned his Masters of Urban Planning from Harvard University. He is the author of a recent [featured article in Planning Magazine on the topic of STR regulation](#).

### Ulrik Binzer

Ulrik is the Founder and CEO of Host Compliance, the industry leader in short-term rental monitoring and compliance solutions for local governments. A pioneer in the short-term rental enforcement solution space, Ulrik developed the first short-term rental compliance monitoring tools and now uses his expertise and insights to help local governments across North America implement, monitor and enforce short-term rental regulation. Ulrik previously served in a variety of leadership roles in management consulting, private equity, startups and the military and developed his distinctive strategic and analytical skill-set at McKinsey & Company and the Harvard Business School.

Ulrik can be contacted on (857) 928-0955 or [binzer@hostcompliance.com](mailto:binzer@hostcompliance.com). You can follow him and Host Compliance on twitter on [@HostCompliance](#).

## ABOUT HOST COMPLIANCE'S SHORT-TERM RENTAL ORDINANCE CONSULTING AND COMPLIANCE MONITORING SERVICES

Host Compliance LLC is the leading provider of short-term rental compliance monitoring and enforcement solutions to local governments. The company is exclusively focused on helping local governments address short-term rental related challenges and its services include:

- Implementing effective short-term rental regulation
- Identifying privately-owned short-term residential properties on behalf of local governments
- Monitoring and enforcing registration, permitting and lodging tax compliance
- Registering, processing and verifying permit applications (online and offline)
- Providing 24/7 telephone hotline services that makes it easy for neighbors and other stakeholders to anonymously report and resolve issues with short-term renters without involving law enforcement officials
- Identifying tax under-reporting and other fraudulent practices

Serving numerous local governments with short-term rental compliance monitoring and enforcement solutions, Host Compliance has developed a deep understanding of what works and what doesn't when it comes to regulating short-term rentals. This deep expertise, experience and data-driven approach allows Host Compliance to help communities more quickly draft enforceable STR regulation based on their specific needs and circumstances as well as best-practices derived through the detailed study of more than 150 short-term rental ordinances/by-laws from across North America.

### **The typical custom project deliverables include:**

- Customized project timeline and work plan to meet timing requirements and deadlines
- Quantitative report on the scale and scope of local short-term rental activity
- Custom public outreach strategy and messaging framing
- Participation in (or facilitation of) one public hearing to identify key issues and regulatory objectives as it relates to short-term rentals (hearing to be scheduled at a mutually convenient date/time)
- Post public hearing survey of key decision-makers to prioritize regulatory objectives
- Complete draft of a custom short-term rental ordinance developed based on national best-practices and key issues and regulatory objectives



- Participation in (or facilitation of) one post-draft public hearing (hearing to be scheduled at a mutually convenient date/time)
- Enforcement focused planning work-session with key stakeholders
- Draft compliance monitoring and enforcement plan for staff and legal counsel to refine and adopt

To set-up a meeting to discuss Host Compliance's short-term rental ordinance consulting or compliance monitoring services, please contact Host Compliance's CEO, Ulrik Binzer directly on [binzer@hostcompliance.com](mailto:binzer@hostcompliance.com) or 857-928-095

*Bed and breakfast.*

a) *Definition* A bed and breakfast is a private residence that offers overnight accommodations and limited food service to overnight guests, for which compensation is paid on a daily or weekly basis.

b) *Use-specific standards.*

i.

*i) General standards.*

(A) Bed and breakfast establishments are allowed only in attached or detached single-family and two-family dwellings, not including mobile homes.

(B) The host-operator of the bed and breakfast enterprise shall establish and maintain the single-family or the bed and breakfast unit of a two-family structure as his or her primary domicile at all times while it is operated as a bed and breakfast.

(C) A bed and breakfast may have up to five guestrooms, as allowed by Table 21.05-3, Table 21.09.050-2, and Table 21.10-5. If an ADU also exists on the premises, the ADU shall count as one of the allowed guestrooms. No more than the permitted number of guestrooms shall be offered for use at any one time.

(D) Only one daily meal shall be offered to guests at any bed and breakfast establishment.

(E) Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 consecutive days.

(F) A bed and breakfast shall not be permitted concurrently on any lot with an child or adult care facility, or assisted living facility.

(G) The accessory use shall protect and maintain the integrity of the residential neighborhood. A bed and breakfast shall not detract from the principal use in the district and shall not place a burden on any private or public infrastructure (i.e., streets or utilities) greater than anticipated from permitted development.

(H) Every bed and breakfast shall meet the off-street parking requirements stated in its administrative permit.

(I) Every bed and breakfast supported by on-site well and wastewater disposal systems shall conform to the requirements of AMC [Chapter 15.65](#), pertaining to wastewater disposal regulations, and shall obtain a one-time only health authority certificate.

*ii) Administrative permit* A bed and breakfast shall require an administrative permit pursuant to [Section 21.03.030](#). An application for a bed and breakfast permit shall not be complete unless it is accompanied by proof of a current business license, a certificate of on-site systems approval (for on-site systems only), and a site plan and building floor plans meeting the requirements of this title.

21.05.07021.09.050

D.3D.2 Use-specific standards for accessory uses

Bed and breakfast-Short-term Rentals

a. *Definition* A ~~short-term rental~~ bed and breakfast is a private residence that offers overnight accommodations for either a room or the whole building for any period less than 30 days and limited food service to overnight guests, for which compensation is paid ~~on a daily or weekly basis~~.

**Commented [ME1]:** Better definition needed but this covers the basics.

b. *Use-specific standards.*

i. *General standards.*

(A) ~~Bed and breakfast establishments~~ Short-term rentals are allowed only in attached or detached single-family and two-family dwellings, not including mobile homes.

**Commented [ME2]:** Need to discuss this further as we didn't discuss in detail at HWG. It must be extended to other land use types, e.g. condos. Should it include mobile homes?

~~(B) The host operator of the bed and breakfast enterprise shall establish and maintain the single-family or the bed and breakfast unit of a two-family structure as his or her primary domicile at all times while it is operated as a bed and breakfast.~~

~~(C)~~ (B) A bed and breakfast may have up to five guestrooms, as allowed by Table 21.05-3, Table 21.09.050-2, and Table 21.10-5. If an ADU also exists on the premises, the ADU shall count as one of the allowed guestrooms. No more than the permitted number of guestrooms shall be offered for use at any one time.

**Commented [ME3]:** Most(?) current STRs are not primary residences. Could be grandfathered and prevent more or just accept that second homes can be STRs (latter preferred)

~~(D) Only one daily meal shall be offered to guests at any bed and breakfast establishment.~~

**Commented [ME4]:** Need to discuss further. Should there be a maximum size? How is this achieved for whole homes? There are only a handful (2-3?) of 5 bedroom STRs currently in Girdwood. Should have maximum #guests linked to #bedrooms (e.g. 2 \* #beds + 2, with some extra allowance for children). ADUs should be conforming or legal non-conforming (under new proposals)

~~(E) Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 consecutive days.~~

~~(F)~~ (C) A bed and breakfast short-term rental shall not be permitted concurrently on any lot with a child or adult care facility, or assisted living facility.

**Commented [ME5]:** Not applicable

~~(G)~~ (D) The accessory use shall protect and maintain the integrity of the residential neighborhood. A bed and breakfast short-term rental shall not detract from the principal use in the district and shall not place a burden on any private or public infrastructure (i.e., streets or utilities) greater than anticipated from permitted development.

**Commented [ME6]:** Covered by definition of STR

~~(H)~~ (E) Every bed and breakfast short-term rental shall meet the off-street parking requirements stated in its administrative permit.

**Commented [ME7]:** Same reasoning as for B&Bs

(F) Every bed and breakfast short-term rental supported by on-site well and wastewater disposal systems shall conform to the requirements of AMC Chapter 15.65, pertaining to wastewater disposal regulations, and shall obtain a one-time only health authority certificate.

**Commented [ME8]:** Critical clause. Don't change the neighborhood.

(G) Every owner or operator of a short-term rental shall provide contact details for a local representative, and optionally alternate representative, who can respond to complaints within one hour.

**Commented [ME9]:** What does this mean in practice?

~~(H)~~ Every short-term rental property that is part of a Home Owners Association (HOA) or similar shall provide written proof that it operates within the rules of the HOA.

**Commented [ME10]:** Reasonable requirement for septic + wells

ii. *Administrative permit* A bed and breakfast short-term rental shall require an administrative permit pursuant to Section 21.03.030. An application for a bed and breakfast short-term rental permit shall not be complete unless it is accompanied by proof of a current business license, a certificate of on-site systems approval (for on-site systems only), contact details for a local

**Commented [ME11]:** Standard concerns for a STR. Do these fit within the Administrative permit section instead?

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representative, proof of HOA rule compliance (if applicable), and a site plan and building floor plans meeting the requirements of this title.

**Commented [ME12]:** Some concerns if this might open up investigations or other actions from MoA.

**Formatted:** List Paragraph