

ITEM NO. 9 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 508 FLORIDA ST (BJP)

SUP-18-00556: Consider a Special Use Permit for a non-owner occupied short-term rental located at 508 Florida St in RM24 (Multi-Dwelling Residential) Zoning District. Submitted by Carrie Jackson on behalf of Jose Velasco, property owner of record.

STAFF PRESENTATION

Becky Pepper presented the item.

APPLICANT PRESENTATION

Guy Neighbors said it seemed dangerous to rent rooms to different people. He felt the number of cars should be more of an issue than the number of people staying in the building. He said he had not seen an instance where people were using a short-term rental as a party houses. He said guests and hosts were rated through sites such as Airbnb.

Carrie Jackson asked if the occupancy number included children or just adults. She said the property was kept in beautiful condition in order to get good ratings. She said bad ratings would mean they would receive no guests.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Pepper said the occupancy limit was four unrelated people in RM24 zoning district. She said a family of six, for example, did not have to meet that unrelated occupancy limit.

McCullough said minors under the age of 18 did not count toward the occupancy. He said occupancy limits existed for long-term rentals and not created for the short-term rental use.

Commissioner Butler asked for the definition of family.

McCullough said essentially related by blood, marriage, adoption, or legal relation.

Commissioner Willey said Planning Commission had a robust discussion on the topic in 2018. She said she was in favor of the special use permit.

ACTION TAKEN

Motioned by Commissioner Carttar, seconded by Commissioner Sands, to approve a Special Use Permit, SUP-18-00556, for a non-owner occupied *Short Term Rental* use located at 508 Florida Street and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Per Section 20-554(3)(i) of the Land Development Code, all properties containing a *Short-Term Rental* Use shall comply with the occupancy limits of the zoning district in which the property is located. The subject property is zoned RM24 (Multi-Dwelling Residential) District, which allows a maximum number of 4 unrelated occupants per dwelling unit.
2. Per Section 20-901 of the Land Development Code, the maximum number of available guest rooms associated with the non-owner occupied *Short-Term Rental* use may not exceed the number of off-street vehicle parking spaces available on the property. The off-street parking available for the subject property is 2 spaces; therefore, the maximum number of guest rooms that may be rented on a short-term basis is 2.

3. Per Section 20-554(3)(iii), the dwelling unit and site shall remain residential in appearance and characteristics. Internal or external changes that will make the dwelling unit and site appear less residential in character or function are prohibited. Examples of such prohibited alterations include, but are not limited to: construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.
4. Per Section 6-13A04(a) of the City Code, a short-term rental license is required to be obtained annually from the Planning and Development Services Department. If the short-term rental license lapses for a period more than 12 consecutive months, the special use permit will be assumed to be abandoned. Reinstatement of the use will require review and approval of a new special use permit application.

Unanimously approved 9-0.

DRAFT