

The below information includes key points regarding how some other communities are regulating short term vacation rentals.

Location	Dates	Key Points	Notes
Nashville, TN	Approved 11/26/15	<ul style="list-style-type: none"> • Ordinance places a cap on the percentage of non-owner occupied single and two family STR properties allowed to legally operate in each census tract of the county. No more than 3% of the single-family or detached two-family residential units within each census tract shall be permitted as non-owner-occupied short-term rental use as determined by the Zoning Administrator. • The Nashville government website still includes the 3% rule and includes a table to determine if this threshold has been met • There is a cap on the number of non-owner occupied (Type 2) short-term rental properties allowed in each census tract of Davidson County. • The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. 	<p>Lawsuit – The 3% cap per neighborhood was challenged in October, 2016. A judge ruled in favor of plaintiff, but ruled the cap constitutional if the ordinance was re-written to be less vague. The city has not published a new ordinance; however, they built out their website to calculate the 3% rule for each user.</p>
Austin, TX	Effective 5/5/16	<ul style="list-style-type: none"> • Type 2 (rented under 30 days, not part of a multifamily residential use, is not owner occupied and is not associated with an owner occupied principal residential unit) • A short-term rental (type 2) use may not be located on a lot that is within 1000 feet of a lot on which another short term rental (type 2) use is located unless the license: was issued on or before 11/23/15, is not suspended after 11/23/15, is renewed timely • For a short-term rental use regulated under Section 25-2-789 (short term rental (type 2) regulations), no more than 3% of the single family, detached residential units within the census tract of the property are short term rental • Short term rental (type 3) regulations, located in a non-commercial zoning district, no more than 3% of the total 	<p>Type 2 STRs (Are not owner-occupied or associated with an owner-occupied principal residence) are no longer being licensed as of this year and will be phased out of all residential areas by 2022. Click Here to View Ordinance</p> <p>From an NPR news article – “So last year the council voted to ban these so-called Type 2 rentals. Current licensed operators will be phased out. And that has triggered lawsuits and legislative action in response.” The lawsuits are still in the courts regarding the full ban.</p>

		<p>number of dwelling units at the property and no more than 3% of the total number of dwelling units located within any building or detached structure at the property are short-term rental (Type 3) uses as determined by the Director</p> <ul style="list-style-type: none"> • Short term rental (type 3) regulations, located in a commercial zoning district, no more than 25% of the total number of dwelling units at the property and no more than 25% of the total number of dwelling units located within any building or detached structure at the property are short-term rental uses as determined by the director • Maximum Occupancy: An occupancy limit of no more than 10 adults or six unrelated adults 	
Durango, CO	Effective 7/1/04	<ul style="list-style-type: none"> • Requires a distance buffer between vacation rentals • A second round of code amendments in 2009 increased distance buffer between rentals from 300 feet to 500 feet in the EN-1 and EN-2 neighborhoods. • Vacation rentals are not allowed on the same street segment as an existing permitted vacation rental • Caps in residential zones; no cap on mixed use of commercial districts; no challenges in the EN-1, EN-2, EN-MF, RM, and RH zones, not more than one vacation rental home shall be located on all properties or lots that abut any street segment. For corner lots, this standard applies to both street segments that abut that corner lot and only one vacation rental is permitted on the corner lots that abut the intersection. Vacation rental homes that were legally established and have been legally maintained prior to the effective date of this LUDC, shall be considered as the allowed unit for that applicable street segment. • A second vacation rental home may be allowed on a street segment with a conditional use permit if, in addition to the other applicable standards of this LUDC, it is demonstrated that: The second vacation rental home must be the primary residence for the property owner and the vacation rental home use is part-time, the limits of which 	

		will be established as part of the conditional use permit process. The second vacation rental home is located on a street segment with more than five separate residential parcels fronting on the street segment; in no case shall a second vacation rental home be allowed on a street segment with 5 or fewer residential parcels fronting on it.	
Portland, OR	Ordinance dated 2/13/15	<ul style="list-style-type: none"> • Cap. The number of dwelling units in a multi-dwelling structure or a triplex that can have an accessory short-term rental is limited to 1 unit or 25 percent of the total number of units in the structure, whichever is greater 	According to the Portland Press Herald – 3/27/17 – “The ordinance to take effect 1/1/18 caps the number of short-term units in non-owner-occupied buildings at 300 and requires hosts to pay registration fees.” This is not shown in the currently published ordinance.
Knoxville, TN	Drafted 4/27/17, currently under review by the Knoxville Legal Department	<ul style="list-style-type: none"> • Maximum Occupancy. The number of Transients in a Short Term Rental Unit shall not exceed the sum of two (2) Transients per bedroom plus two (2) additional Transients; provided, however, that the maximum occupancy of the Short Term Rental Unit shall not exceed 12 persons, including Transients and any other individuals residing in or otherwise using the Short Term Rental Unit. 	
New Orleans, LA	Approved 12/1/16, Effective 4/1/17	<ul style="list-style-type: none"> • Allowed only in certain zoning areas (reference Appendix A) • Study on Short Term Rentals recently completed • New Orleans City Council voting on 10/20/2016 on Planning Commission recommendations • Proposed regulations would ban whole-house rentals everywhere except commercially zoned districts, and allows short-term rentals only in owner-occupied homes. The recommendations keep in place earlier regulations that allow people to rent out their homes for 30 days a year, which many residents take advantage of during Mardi Gras and Jazz Fest 	
Asheville, NC	Adopted 11/17/15	<ul style="list-style-type: none"> • The City of Asheville allows two types of paid overnight lodging accommodations within a home or apartment for 	

	<p>Revised 5/17/16</p>	<p>under 30 days.</p> <ul style="list-style-type: none"> • Distinguishes between Homestay and STR • A homestay is the rental of a room or rooms in a private home. A permanent resident must be staying in the home during the time of the homestay. Homestays can be permitted in residentially-zoned areas if they meet the regulatory requirements of the zone district. • Overnight rental of an entire dwelling unit is called a short-term rental (STR), and these types of uses are prohibited in all residential districts. STRs can only be permitted in commercially zoned areas and will require a change of use permit. 	
<p>Beaufort, SC</p>	<p>Adopted 7/26/11</p>	<ul style="list-style-type: none"> • Short term rentals are permitted in all residential zoning districts with the exception of the Traditional Beaufort Residential District, The Point or where prohibited by covenants • Non-owner occupied requires special exception • Owner occupied is a conditional use" 	

Appendix A

Where are Short Term Rentals allowed?

The Comprehensive Zoning Ordinance allows specific Short Term Rental types in specific zoning districts. The list below provides a summary of all zoning districts and what is allowed in each. If there is a "P" in the Use Table, that type of Short Term Rental is a permitted use and a license must be obtained to operate legally. If there is a "C" that means the use must receive specific approval as a Conditional Use. If the space is blank, the use is not allowed. To find the zoning of your property, please visit property.nola.gov.

Zoning District Designation	Accessory STR	Temporary STR	Commercial STR
IR-RE	P		
M-MU	P		P
VCR-1			
VCR-2			
HMR-1	P	P	
HMR-2	P	P	
HMR-3	P	P	
VCC-1			
VCC-2			
VCE			P
VCE-1			
VCS			
VCS-1			
VCP			
HMC-1	P	P	P
HMC-2	P	P	P
HM-MU	P	P	P
HU-RS	P	P	
HU-RD1	P	P	
HU-RD2	P	P	
HU-RM1	P	P	
HU-RM2	P	P	
HU-B1A	P	P	C
HU-B1	P	P	P
HU-MU	P	P	P
S-RS	P	P	
S-RD	P	P	
S-RM1	P	P	
S-RM2	P	P	
S-LRS1	P	P	
S-LRS2	P	P	

Zoning District Designation	Accessory STR	Temporary STR	Commercial STR
S-LRS3	P	P	
S-LRD1	P	P	
S-LRD2	P	P	
S-LRM1	P	P	
S-LRM2	P	P	
S-B1	P		P
S-B2	P		P
S-LB1	P	P	P
S-LB2	P	P	P
S-LC	P	P	P
S-LP	P		
S-LM	P	P	P
C-1	P	P	P
C-2	P	P	P
C-3	P	P	P
MU-1	P	P	P
MU-2	P	P	P
EC	P	P	P
MC	P	P	P
MS	P		
LS	P	P	P
LI	P	P	
HI	P		
MI	P		
BIP	P		
CBD-1	P	P	P
CBD-2	P	P	P
CBD-3	P	P	P
CBD-4	P	P	P
CBD-5	P	P	P
CBD-6	P	P	P
CBD-7	P	P	P