

# SHORT-TERM RENTALS WORK SESSION

November 13, 2017



# DEFINITIONS

**Short-term rental** - the rental of a residential dwelling unit, or portion thereof, to paying occupants on a short-term basis, generally less than 30-days.

**Non-hosted rental** – the rental of an entire house.

**Hosted rental** – a rental in which the host is present, such as the rental of a bedroom.

# BACKGROUND & REGULATIONS

Short-term rentals are typically advertised and booked online through a listing service such as Airbnb, VRBO, HomeAway, Widmu, etc.

Property owners would be required to obtain a business license.

The City's 14% Transient Occupancy Tax would apply to short-term rentals.

The City has responded to four complaints about short-term rentals and issued Cease & Desist letters to the property owners.

# ZONING CODE

Short-term rentals are not expressly enabled in the Zoning Code, and are therefore prohibited.

Recent revisions to the Zoning Code for Accessory Dwelling Units (ADUs) added language to prohibit short-term rentals of ADUs.

It is recommended that the Zoning Code be revised to reflect City Council policy on short-term rentals.

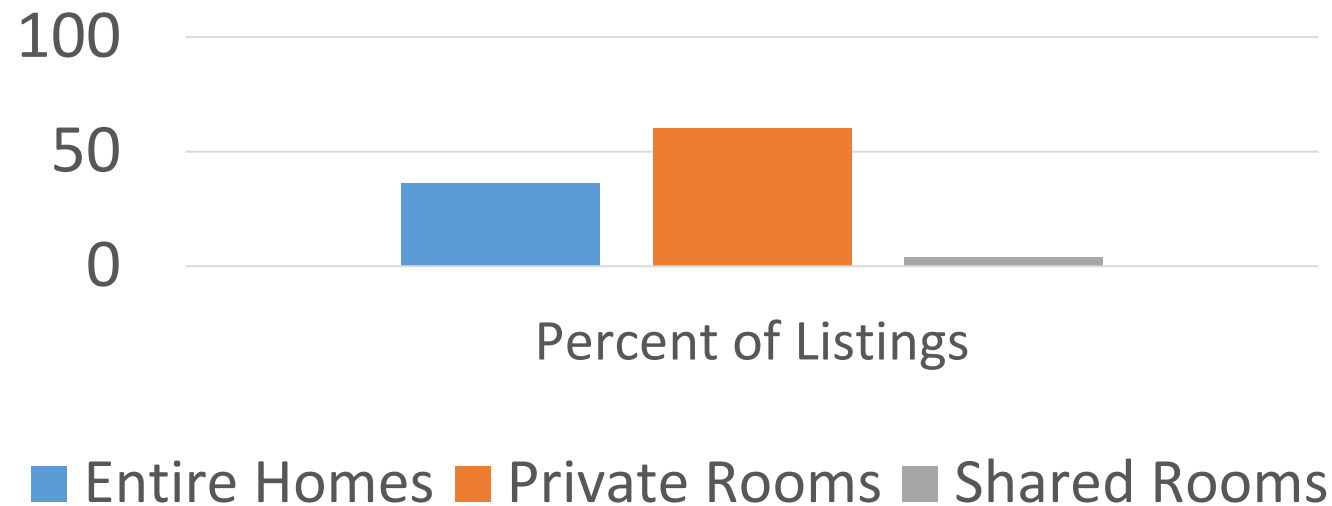


# WHERE ARE SHORT TERM RENTALS CONCENTRATED IN THE BAY AREA?

Source: Host Compliance  
Q4 2016

# SHORT-TERM RENTALS IN SAN LEANDRO

There are approximately 75 short-term rental listings in San Leandro.



# OTHER ALAMEDA COUNTY CITY POLICIES

|            | Short-Term Rentals Permitted? | Special Permit Required? | How are short term rentals permitted?<br>How are they prohibited?   |
|------------|-------------------------------|--------------------------|---|
| Oakland    | No <sup>+</sup>               | -                        | Does not enforce prohibition but collects taxes; issue under review   |
| Emeryville | Yes                           | Yes                      | 90-day max un-hosted, single family detached homes only   |
| Berkeley   | Yes                           | Yes                      | 90-day max un-hosted, notice to adjacent properties required before establishment, allowed in certain zones only  |
| Hayward    | No                            | -                        | Exclusionary zoning (not explicitly listed by code – not allowed)   |
| Alameda    | No                            | -                        | Alameda has not yet addressed this issue  |
| Fremont    | No                            | -                        | Fremont has not yet addressed this issue  |
| Piedmont   | Yes*                          | No                       | Piedmont has not addressed this issue, but allows single family homes to be rented with a business license and statement of compliance. No TOT collected. Single room (hosted) rentals for less than 30 days in Single Family Zones are prohibited. |
| Union City | Yes*                          | No                       | Code does not address - short term rentals allowed and tax collected  |
| Newark     | No                            | -                        | Exclusionary zoning (not explicitly listed by code – not allowed)   |

\*Not expressly permitted by Code but interpreted as allowed.

<sup>+</sup>Oakland's Code prohibits short term rentals, but prohibition is not enforced.



# CONSIDERATIONS

Housing Availability

Financial Benefit to Homeowners

Nuisances and Neighborhood Character

Safety

Business License and Tax Collection

Enforcement



# REQUEST FOR DIRECTION

## Summary:

- The City does not have a substantial number of short-term rentals.
- Non-hosted short-term rentals can impact the availability of housing.
- Short-term rentals can assist residents with the high cost of housing.

## Questions:

- **Does the City want to prohibit non-hosted short-term rentals?**
- **Does the City want to allow hosted short term rentals?**
- **If so, does the City want to impose a 30, 60 or 90-day annual cap?**