

18.42.190 - Vacation Rental Units

A. Purpose. This Section provides requirements and standards for the operation of vacation rental units. These standards are intended to ensure that vacation rental units are compatible with and do not adversely impact residential or commercial uses.

B. Applicability. The provisions of this Section shall apply to all vacation rental units. This Section does not apply to legally established hotel/motel or bed and breakfast uses, which are regulated separately.

C. Application requirements. In addition to the information and materials required for a Minor Use Permit application by this Development Code, the review authority may require additional information to ensure compliance with this Section.

D. Limitations on use.

1. Location.

- a. Vacation rental units shall be located only within the Central Business District (CBD), and shall be limited only to second or third floors above a commercial use.
- b. Vacation rental units shall only be permitted within a legal dwelling unit, as defined in § 18.100.020(D).

2. Operating standards.

- a. The maximum quantity of vacation rental units shall be determined by Council resolution. Permit application shall be reviewed and approved on a first-come, first-served basis. The City shall maintain a waiting list for new permits, once all authorized permits are awarded.
- b. The maximum quantity of vacation rental units allowable per property shall be determined by Council resolution.
- c. The maximum occupancy permitted for a vacation rental unit shall be limited to 2 persons per bedroom, plus 1 person (not including children under age 12). The maximum occupancy shall be stated as an approval condition of a permit authorizing a vacation rental unit.
- d. The maximum number of vehicles permitted for guests of a vacation rental unit shall equal the number of bedrooms in the unit. The maximum number of vehicles shall be stated as a condition of the vacation rental unit permit.
- e. All advertisement listings for vacation rental units shall include the following:

- i) City of Fort Bragg Business License number and Minor Use Permit number;
 - ii) Maximum permitted occupancy, as stated on the approved permit; and
 - iii) Maximum vehicles permitted, as stated on the approved permit.
- f. Vacation rental units shall have a property manager who is available 24 hours per day, 7 days per week during all times that the property is rented or used on a transient basis. Operation of a vacation rental unit without a property manager shall be considered a violation of this Section. The name and contact information of the property manager shall be provided to any interested party upon request.
- g. A permit authorizing a vacation rental unit shall be revoked under any of the following conditions:
- i) The City processes 3 or more code enforcement cases against the property within a 2-year period;
 - ii) The vacation rental unit is found to be noncompliant with any portion of the zoning ordinance or the terms of the permit approving the use;
 - iii) Failure to maintain a business license for the use;
 - iv) Abandonment of the use for a period of 12 months or more (demonstrated by a lack of payment of transient occupancy taxes); or
 - v) Any instance of transient occupancy tax fraud or transient occupancy tax delinquency of more than 3 months.
- h. A permit for a vacation rental unit shall transfer with the sale of the property, provided the new owner complies with all permit conditions and the provisions of this zoning ordinance.

(Ord. 930, § 2, passed 06-12-2017)