



CITY COUNCIL MEETING & PUBLIC HEARING AUGUST 19, 2024

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
5:00 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **EXECUTIVE SESSION**
5. **WORK SESSION ITEMS**
 - A. **Downtown Parking Management Update**
City Council discussion of the future process and phases of downtown parking management. This item is for discussion purposes only and no formal action will be sought or taken.
 - B. **Short Term Rental**
City Council discussion of a potential short term rental ordinance. This item is for discussion purposes only and no formal action will be sought or taken.
6. **PUBLIC COMMENT**
7. **ADJOURNMENT**



STAFF REPORT

Department: Community & Economic Development

Submitted By:

Meeting Date: August 19, 2024

AGENDA ITEM:

Short Term Rental

City Council discussion of a potential short term rental ordinance. This item is for discussion purposes only and no formal action will be sought or taken.

STAFF RECOMMENDATION:

This item is for discussion purposes only and no formal action will be sought or taken.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

This item is to provide an update on short term rental regulation progress. Staff, in coordination with the City Attorney, held a public comment meeting last year in order to hear concerns from the public regarding short term rentals. Mayor and City Council previously discussed this item during a work session on July 15, 2024.

ALTERNATIVES:

ATTACHMENTS:

- Short Term Rentals Work Session Presentation

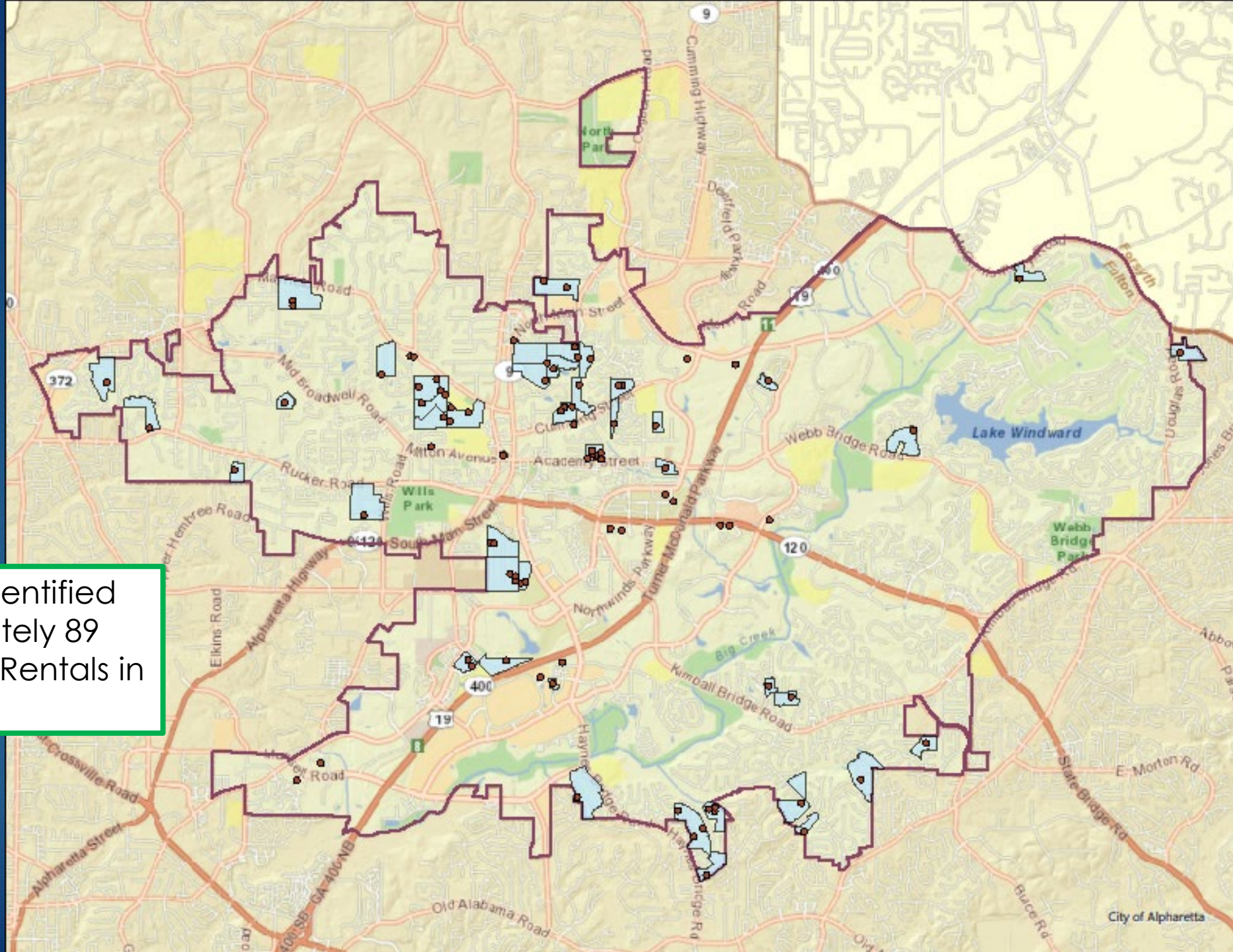


Short-Term Rentals

ALPHARETTA CITY COUNCIL

AUGUST 19, 2024

Staff has identified approximately 89 Short-term Rentals in the City



Prior Proposal

- ▶ Council previously considered designating Short-term Rentals as a **conditional** use in the AG district, and prohibited in all other districts.
- ▶ In addition to the Conditional Use Review Criteria set forth in Section 2.2a of the Unified Development Code, the proposal contemplated additional criteria for the City Council to consider including:
 - (1) Overnight occupancy;
 - (2) Daytime occupancy;
 - (3) The number of bedrooms;
 - (4) The capacity of the paved or impervious surface parking lot;
 - (5) Lot size;
 - (6) Distance from the structure to be used as a Short-term Rental from all neighboring property lines; and
 - (7) Sewer capacity and/or size and condition of the on-site septic system, as applicable.
- ▶ The original zoning proposal was paired with a permitting ordinance, which would impose operation regulations on Short-term rentals.

Stakeholder Meeting

- ▶ The City hosted a meeting with stakeholders, who provided input regarding their concerns with the proposed regulations.
- ▶ Feedback was provided both by Short-term Rental owners/operators, as well as City residents affected by Short-term Rentals.
- ▶ Feedback regarding operational regulations significantly aligned with the proposed ordinance.
- ▶ Owners/operators voiced concern with limiting the number of Short-term Rentals to be operated by an individual, as well as the narrowed zonings where Short-term Rentals could be operated.
- ▶ Residents expressed frustration regarding the possible change to the character of neighborhoods. They want to retain a sense of community where they know their neighbors.

Proposed Regulations

- ▶ Revise the UDC to authorize short-term rentals in residential districts, but with a 5% rental cap in platted subdivisions
- ▶ Revise the Code of Ordinances to require a license for short-term rentals with operational requirements

Proposed Revisions to the UDC

- ▶ Add a definition for “Short-term Rental”
 - ▶ An accommodation for transient guests, rented for the purpose of overnight lodging for a period of less than thirty (30) days. For the purposes of this definition, a Short-term Rental shall include all housing types but shall exclude Bed and Breakfast establishments and Boarding Houses as they are defined by this Code. Short-term Rentals shall not constitute a Home Occupation as defined by this Code.

Proposed Revisions to the UDC

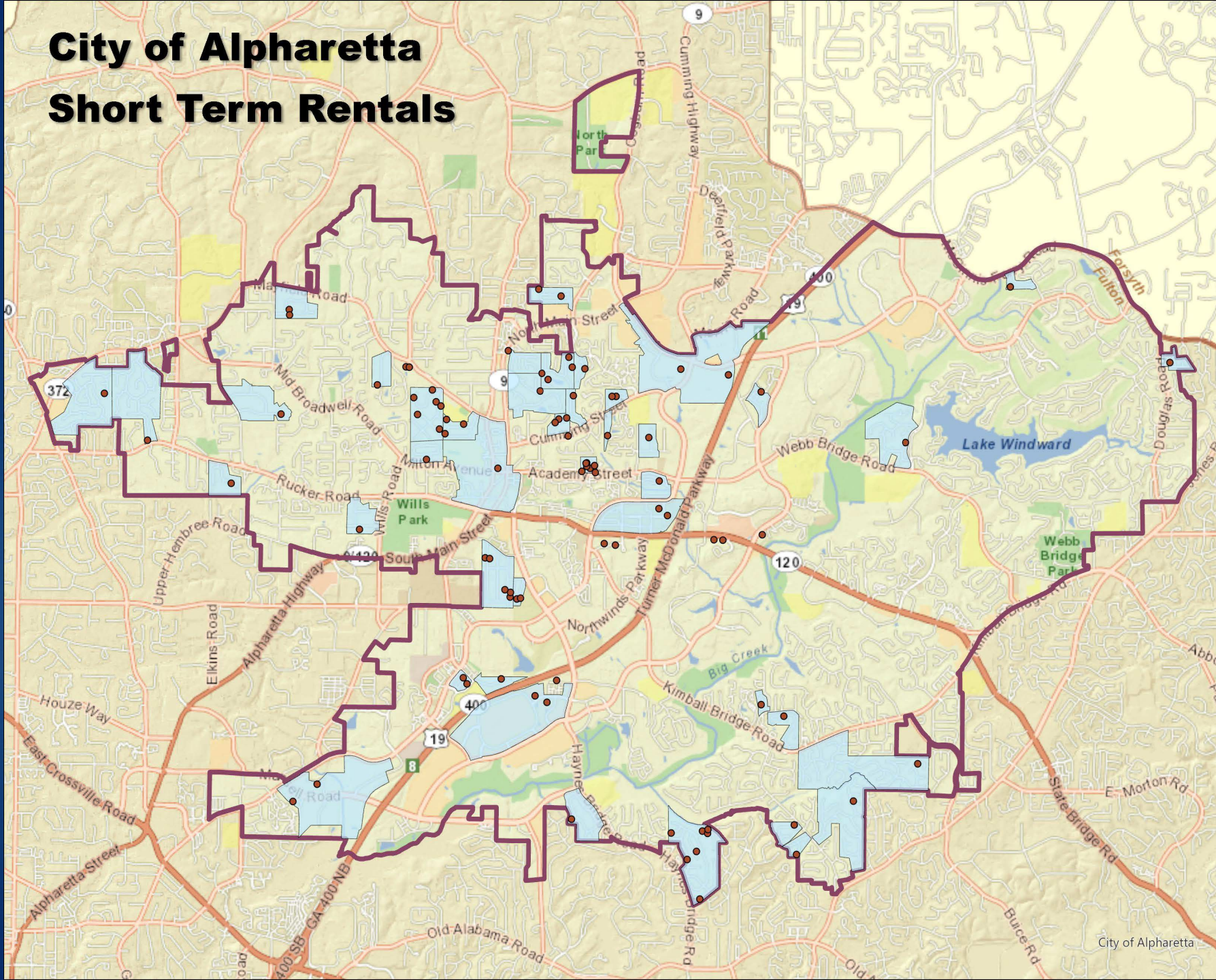
- ▶ Identify Short-term Rental as a permitted use in all residential districts
- ▶ Provide for a cap on the number of Short-term Rentals in platted subdivisions
 - ▶ One Short-term Rental per subdivision, or 5% of the total number of residential lots, whichever is greater
- ▶ Variances to the rental cap may be submitted for consideration by the City Council

Short-term Rentals

- ▶ There are approximately 295 properties classified as residential that are not in a subdivision of record
- ▶ Staff has identified six (6) subdivisions that currently exceed the proposed 5% rental cap

City of Alpharetta

Short Term Rentals



Subdivision	# STRs	Total Lots	% STR
Village Green	7	52	13.5%
Jackson Lake	4	58	6.9%
Coldridge Forest	8	118	6.8%
Milton Estates	6	94	6.4%
Dania Hills	1	17	5.9%
Meadow Brook Hills	3	57	5.3%
Henderson Village	1	22	4.5%
Crabapple Trace	2	50	4.0%
Hillcrest	1	28	3.6%
Vantage Point	2	56	3.6%
Alpha Park	5	141	3.5%
Sterling Heights	1	31	3.2%
Wood Brooke East	1	34	2.9%
Crabapple Chase	1	35	2.9%
Eastwood	1	37	2.7%
Milton Manor	1	41	2.4%
Woodbrooke	1	41	2.4%
Westwood Park	2	88	2.3%
Gatewood	2	92	2.2%
Selbridge Mill	1	47	2.1%
Arrowood	1	48	2.1%
Calumet	1	48	2.1%
Charlotte Estates	1	48	2.1%
Dunmoor	1	52	1.9%
Berkshire Manor	6	329	1.8%
Planters Ridge	2	124	1.6%
Winthrop Park	1	72	1.4%
Summerfield	1	77	1.3%
Kimball Point	1	81	1.2%
The Artisan	1	94	1.1%
Preserve at North Pointe	1	112	0.9%
Bluffs	1	136	0.7%
Mannings Ridge	1	151	0.7%
Caravelle at Windward Park	1	187	0.5%
Woodlands at Webb Bridge	1	209	0.5%
Northfarm	1	251	0.4%
Tuxford	1	375	0.3%

Proposed Licensing Ordinance

- ▶ Requires a short-term rental license on an annual basis
- ▶ Establishes qualifications for the issuance of a license
- ▶ Subjects short-term rentals to various operational requirements
- ▶ Provides for the suspension or revocation of a license
- ▶ Provides for violations and penalties

Applications

- ▶ Required on an annual basis
- ▶ Information provided:
 - ▶ Property information
 - ▶ Owner information
 - ▶ Local contact person
 - ▶ Number of bedrooms
 - ▶ Occupancy calculations
 - ▶ Acknowledgment of all regulations
 - ▶ Verification of on-site septic or sewer service

Operational Requirements

- ▶ Occupancy must be memorialized by written agreement
- ▶ Overnight occupancy (11PM – 7AM) limited to 2 persons per bedroom plus 2 additional persons.
 - ▶ If serviced by sewer, 2 additional persons per residents
 - ▶ In no case shall overnight occupancy exceed 15 persons
 - ▶ Individuals under 2 years of age do not count toward maximum occupancy
- ▶ Daytime occupancy shall not exceed the overnight occupancy plus 4 additional guests.
- ▶ Vehicles are limited to 1 per bedroom, or the capacity of the parking lot, whichever is greater.

Operational Requirements

- ▶ All rentals must be to a “responsible person” as defined in the ordinance.
 - ▶ An occupant of a short-term rental who is at least twenty-one (21) years of age and who is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.
- ▶ Prior to permitting occupancy, the owner must:
 - ▶ provide information about short-term rental regulations to the responsible person
 - ▶ require written confirmation from the responsible person of their agreement to comply

Operational Requirements

- ▶ Notice to be posted in the Short-term rental:
 - ▶ Owner and local contact person information
 - ▶ Name and address of the nearest hospital
 - ▶ Maximum number of overnight occupants and daytime guests
 - ▶ Maximum number of vehicles and designated parking areas
 - ▶ Trash pickup information
 - ▶ Noise regulations
 - ▶ Copy of the short-term rental license

Operational Requirements

- ▶ Life Safety
 - ▶ Bedrooms must comply with safety codes in effect as of the date a CO was issued
 - ▶ Bedrooms, hallways, and common areas must have a smoke detector that meets IRC standards
 - ▶ Each floom must have a carbon monoxide detector and fire extinguisher
 - ▶ House number must be visible from the street

Other Requirements

- ▶ Occupation taxes
- ▶ Timely payment of all property taxes
- ▶ Apartments are not eligible
- ▶ Local Contact person:
 - ▶ Must be available to respond to the location 24/7 within 3 hours
 - ▶ May be a managing agency
 - ▶ Contact information must be kept current with City

Suspension or Revocation of a License

- ▶ Suspension, revocation, or forfeiture of an issued license is possible following notice and an opportunity for a hearing before City Council based on:
 - ▶ Violation of the short-term rental ordinance or noise regulations
 - ▶ The applicant provided fraudulent information in the application
 - ▶ The short-term rental does not meet the licensing requirements
 - ▶ The short-term rental was used as a rental during a period of suspension

Violations and Penalties

- ▶ 1st violation: fine up to \$250 and a warning
- ▶ 2nd violation: fine up to \$500 and a license suspension between 30 and 90 days
- ▶ 3rd violation: fine up to \$1000, revocation of the license, and neither the owner nor local contact person can reapply for a license for 12 months.

- ▶ Each day a short-term rental is marketed or rented for overnight accommodation without the necessary short-term rental license constitutes a separate violation.