

SAN LUIS OBISPO

17.08.140 Homestay rentals. **SHARE**

A. Purpose and Intent. The purpose of these regulations is to allow owner-occupied homestay rentals in the city with reasonable standards to preserve neighborhood character and quality of life.

B. Definitions.

1. Bed and Breakfast Inn. A building or group of buildings providing less than fifteen bedrooms or suites that are rented for overnight lodging, with a common eating area for guests.

2. Homestay. An owner-occupied dwelling unit where bedrooms are provided for compensation for fewer than thirty consecutive days with a maximum of four adult overnight guests.

3. Owner Occupancy. A lawfully permitted dwelling that is occupied by the owner(s) named on the property deed as their primary residence and is occupied by them for the major portion of the year.

4. Responsible Party. A person over the age of eighteen who is designated by the owner of the property as a point of contact for the homestay rental in the event the owner-occupier is not on the property at all times during the rental to answer for the maintenance of the property and conduct and acts of homestay guests. The responsible party's contact information must be provided to homestay guests and adjacent neighbors and stated on the application.

5. Vacation Rental. A dwelling or part of a dwelling where lodging is furnished for compensation for fewer than thirty consecutive days without concurrently being occupied by the property owner. Vacation rentals are not allowed in the city of San Luis Obispo.

C. Permit Required. The operation of a homestay requires a homestay permit through an administrative approval by the community development director, who may add, delete, or modify conditions to further the intent of the ordinance codified in this section. Any request to waive or modify subsection (D)(4) of this section shall require an administrative use permit.

D. Application Requirements.

1. Operators of homestays in all zones are required to obtain a homestay permit and a business license.

2. The operator of the homestay shall pay transient occupancy tax and tourism business improvement district tax as required by the San Luis Obispo Municipal Code.

3. The operator of the homestay must annually provide verification of primary residence through the homeowner's property tax exemption or other appropriate documentation.
4. The operator of the homestay must provide a site plan with at least one on-site parking space in addition to their required residential parking. Parking in a driveway that has a minimum depth of twenty feet from the back of sidewalk and is made available during rentals shall meet the definition of a parking space.
5. The operator of the homestay must provide the name and contact information of a responsible party in the application if the owner-occupier anticipates he or she may not be on the premises at all times during the homestay rental.

E. Performance Standards.

1. Homestays shall comply with the property development and performance standards listed in Chapters 17.18 and 17.19.
2. All building and fire code regulations shall be met.
3. The number of overnight guests shall be limited to four adults. Bedrooms shall meet the minimum size requirements as defined in the building code.
4. At all times when a homestay rental is occurring, the owner or responsible party must be within a fifteen-minute drive of the property. The owner or responsible party must be available via telephone twenty-four hours a day, seven days a week, to respond to complaints regarding the homestay. Contact information for the owner and responsible party must be provided to homestay guests, adjacent neighbors and stated on the application.
5. Upon sale or transfer of the home for which a homestay permit has been granted, a new homestay application shall be required within sixty days of the transfer. Failure to submit a new application as required within sixty days shall result in the termination of the existing permitted use.
6. The homestay shall be limited to only the owner-occupied dwelling unit on the property.
7. Homestays are not permitted in guest houses or guest quarters.
8. Any advertisements for the homestay shall include the business license number. On-site advertising of the homestay is prohibited.

F. Revocation of a Permit.

1. Violation of these requirements and standards shall constitute grounds for revocation of the homestay permit.

2. At any time, the permit can be referred to an administrative review hearing if determined by the community development director upon receipt of substantiated written complaints from any citizen, code enforcement officer, or police department officer, which includes information and/or evidence supporting a conclusion that a violation of the permit, or of city ordinances or regulations applicable to the property or operation of the homestay, has occurred. At the time of the permit review, to ensure compliance with applicable laws and conditions of permit, conditions of approval may be added, deleted or modified, or the permit may be revoked.

G. Appeal. Appeal procedures for this section shall be as provided by Chapter 17.66 (Appeals). (Ord. 1611 § 4, 2015)