

Exhibit A – Proposed Ordinance

The following sections of the South San Francisco Municipal Code shall be amended (with text in ~~strikeout~~ indicating deletion and double underline indicating addition). Sections and subsections that are not amended by this Ordinance are not included, and shall remain in full force and effect.

A. Revise Chapter 20.620.004 “Lodging” definitions (Commercial Use Classifications) as follows:

20.620.004 Commercial Use Classifications

Lodging.

Bed and Breakfast. A residential structure that is in residential use with one or more bedrooms dedicated for rental ~~rented~~ for overnight lodging and where meals may be provided. This use type specifically excludes short-term vacation rental, as defined by this section.

Short-Term Vacation Rental. A residential structure that is rented to a transient occupant for a period of less than 30 days. The full residential structure, or a portion of it, can be rented to a transient occupant in a short-term vacation rental use. This classification includes both hosted rentals (the primary resident, or host, is present in the dwelling unit that is being used as a short-term rental) and non-hosted rentals (the host is not present in the dwelling unit that is being used as a short-term rental).

B. Revise Chapter 20.350, Standards and Requirements for Specific Uses and Activities, to add a section to include performance standards for short-term vacation rentals, as follows:

20.350.040 Short-Term Vacation Rentals

Short-term vacation rental uses shall be located, developed, and operated in compliance with the following standards:

- A. **Type of Residence.** Must be located and operated in a single-unit dwelling.
- B. **Number of Uses.** Short-term vacation rental uses shall be permitted in no more than one single-unit dwelling per lot.
- C. **Permit Required; Duration of Permit.** Any short-term vacation rental must apply for a short-term vacation rental permit on a form approved by the Chief Planner. The short-term vacation rental permit for a short-term vacation rental is valid for one year from date of issuance.
- D. **Residency Requirements.** Only permanent residents (owner or tenant) of the dwelling unit are eligible to operate a short-term vacation rental use.
- E. **Transient Occupancy Limits.**
 - a. **Hosted Rentals:** If the host is onsite, the number of transient occupants must be limited to 2 or fewer.
 - b. **Non-hosted Rentals:** If the host is offsite, the number of transient occupants must be limited to 2 persons/bedroom, plus 2 additional persons.

- F. **Limit on Duration.** The aggregate number of days for transient occupancy of a non-hosted short-term vacation rental is capped at 90 per term of the permit. There is no annual cap for hosted short-term vacation rentals.
- G. **Local Contact Information.** The permit holder shall keep on file with the City the name, telephone number, and email address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of a short-term vacation rental. This information shall be posted in a conspicuous location within the rental dwelling. The local contact person shall be available 24 hours a day to accept telephone calls and respond physically to the short-term vacation rental within one hour when the unit is occupied.
- H. **Noise.** The short-term vacation rental use must comply with the adopted noise standards for the district in accordance with section 8.32.030 of this code.
- I. **Conduct.** The permit holder must ensure that transient occupants of the short-term vacation rental do not engage in disorderly conduct, or violate code provisions or state law.
- J. **Safety.** All short-term vacation rentals must comply with all applicable building laws, including, but not limited to, providing working smoke detectors, carbon monoxide detectors, contain working heating, and otherwise satisfy all applicable requirements of the California Building Standards Code.
- K. **Health and Safety Information.** Hosts shall provide local health and safety information to renters, including locations of local hospitals and clinics, and non-emergency police contact information.
- L. **Commercial Activities.** Any commercial use beyond a permitted short-term vacation rental is prohibited. No Special Event as defined by section 6.48 of this code can be conducted as part of a short-term vacation rental.
- M. **Advertising.** All advertising (print or digital) for a short-term vacation rental shall include the number of the permit granted for the use.
- N. **Business License.** The permit holder shall obtain a city business license in accordance with Chapter 6.16 of this code.
- O. **Applicable Taxes.** The permit holder shall collect and remit all applicable City Taxes, including but not limited to Transient Occupancy Taxes and Conference Center Taxes in accordance with Chapter 4.20 of this code, as required.
- P. **Consistency with Other Agreements.** A short-term vacation rental use must be permitted by applicable HOA bylaws; Covenants, Conditions and Restrictions (CC+Rs); and rental agreements.

C. **Update Table 20.080.002 – Land Use Regulations, Residential Districts, as indicated below:**

TABLE 20.080.002: LAND USE REGULATIONS—RESIDENTIAL DISTRICTS					
<i>Use Classification</i>	<i>RL-1.3</i>	<i>RL-5,6, and 8</i>	<i>RM-10, 15, and 17.5</i>	<i>RH-30 and 35</i>	<i>Additional Regulations</i>
Commercial Use Types					
Lodging	<i>See sub-classifications below</i>				
<i>Bed and Breakfast</i>	MUP	MUP	MUP	MUP	See Section 20.350.010 Bed and Breakfast Lodging
<u><i>Short-Term Vacation Rental</i></u>	<u>P (7)</u>	<u>P (7)</u>	<u>P (7)</u>	<u>P (7)</u>	<u>See Chapter 20.350 Short- Term Vacation Rental</u>
Limitations: <ol style="list-style-type: none"> Only in single-unit detached structures. Limited to facilities serving a maximum of 10 victims and may not be located within 300 feet of any other domestic violence shelter. Subject to state licensing requirements. Only on parcels with access from arterial streets. Minor Use Permit required when located within an existing building. Conditional Use Permit required for new construction. Limited to sites with a maximum gross site area of 6,500 square feet and located on an arterial street. <u>Short-term vacation rental permit required (see Chapter 20.350 Short-Term Vacation Rental).</u> 					

D. Update Table 20.100.002 - Land Use Regulations—Downtown Districts, as indicated below:

Use Classification	DMX	DRL	DRM	DRH	Additional Regulations
Commercial Uses					
Lodging	<i>See sub-classifications below</i>				
<i>Bed and Breakfast</i>	MUP	MUP	MUP	MUP	See Section 20.350.010 Bed and Breakfast Lodging
<i>Hotels and Motels</i>	C	-	-	-	
<u>Short-Term Vacation Rentals</u>	<u>P (11)</u>	<u>P (11)</u>	<u>P (11)</u>	<u>P (11)</u>	<u>See Chapter 20.350 Short-Term Vacation Rental</u>
Limitations: <ol style="list-style-type: none"> 1. Permitted if existing. New units not allowed. 2. Limited to sites with a maximum gross site area of 4,000 square feet. 3. Prohibited on the ground floor except residential uses located south of Baden Avenue, banks, and walk-in offices which are subject to approval of a Use Permit. 4. Permitted if retail, restaurants, personal services, or other active pedestrian-oriented use is located on the ground floor, otherwise Minor Use Permit is required. Minor Use Permit may only be approved if the Review Authority first finds that, based on information in the record, it is infeasible to locate retail, restaurants, personal services, or other active pedestrian-oriented use on the ground floor. 5. Limited to facilities serving a maximum of 10 victims and may not be located within 300 feet of any other domestic violence shelter. 6. Subject to state licensing requirements. 7. Clinic uses may not occupy the ground floor, except along Grand Avenue, west of Maple Avenue, which are subject to the approval of a conditional use permit. 8. Living space may not occupy ground floor. 9. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 10. Limited to single-family detached units. 11. <u>Short-term vacation rental permit required (see Chapter 20.350, Short-Term Vacation Rental).</u> 					

E. Update Section 20.240.03 – Land Use Permitted, as indicated below:

The following uses are permitted subject to the regulations contained in this chapter, the Terrabay specific plans and applicable sections of the South San Francisco Municipal Code and subject to further approvals as required.

A. Terrabay Residential District (Residential Parcels).

1. Public and private open space areas.
2. Habitat conservation areas.
3. Public and private parks, playgrounds, tot lots, recreation/community buildings, and fire stations.
4. Schools.
5. Day care centers.
6. Public and private utilities, and facilities.
7. Single-unit detached dwellings consisting of 125 units in the Park and 135 units in Woods East and Woods West (collectively) neighborhoods only.
8. Townhomes consisting of 175 units in the Village neighborhood in two, three and four unit clusters only.
9. One condominium/apartment tower consisting of 112 one, two and three bedroom units in the Peninsula Mandalay Tower only.
10. Single- unit paired residential units consisting of 70 single-family units attached in 35 structures, paired in two side-by-side attached units (i.e., side by side duplex design) in the Mandalay Point neighborhood only.
11. Home occupations.
12. Accessory buildings and uses.
13. Short-term vacation rental, subject to the approval a short-term vacation rental permit and per the requirements of Chapter 20.350, Short-Term Vacation Rental.

F. Update Table 20.250.003 – Land Use Regulations for Transit Village Sub-districts, as indicated below:

TABLE 20.250.003: LAND USE REGULATIONS FOR TRANSIT VILLAGE SUB-DISTRICTS					
<i>Uses Permitted</i>	<i>TV-C</i>	<i>TV-R</i>	<i>TV-RM</i>	<i>TV-RH</i>	<i>Additional Regulations</i>
RESIDENTIAL USE CLASSIFICATIONS					
Single-Unit Dwelling	See sub-classifications below				
<i>Single-Unit Attached</i>	-	-	P	P	
Multi-Unit Residential	P(1)	P(1)	P	P	
COMMERCIAL USE CLASSIFICATIONS					
Lodging	See sub-classifications below				
<i>Hotels and Motels</i>	C	-	-	-	

TABLE 20.250.003: LAND USE REGULATIONS FOR TRANSIT VILLAGE SUB-DISTRICTS					
<i>Uses Permitted</i>	<i>TV-C</i>	<i>TV-R</i>	<i>TV-RM</i>	<i>TV-RH</i>	<i>Additional Regulations</i>
<u>Short-Term Vacation Rental</u>	-	-	<u>P (4)</u>	<u>P (4)</u>	<u>See Chapter 20.350 Short-Term Vacation Rental</u>
Specific Limitations: <ol style="list-style-type: none"> Not permitted as a principal ground floor use on a street where retail storefronts occupy 50 percent of more of the building frontage. Customer service offices are permitted on the ground level, and other offices are permitted on the second floor or when conducted as an accessory use with a permitted use on the site, occupying no more than 25 percent of the floor area. Additional office space may be allowed with a Use Permit, upon finding that such use will not conflict with adjacent street level retail uses. Permitted as a secondary use on the second floor, occupying no more than 25 percent of the total building area. <u>Short-term vacation rental permit required (see Chapter 20.350, Short-Term Vacation Rental).</u> 					

G. Update Table 20.280.003 Land Use Regulations Downtown Station Area Specific Plan Sub-Districts, as indicated below:

Uses Permitted	DTC	GAC	DRC	TO/RD	LCC	LNC	Additional Regulations
Lodging	<i>See sub-classifications below</i>						
<i>Bed and Breakfast</i>	-	MUP (5)	C	-	MUP	MUP	See Section 20.350.010 Bed and Breakfast Lodging
<u>Short-Term Vacation Rental</u>	<u>P (8)</u>	<u>P (8)</u>	<u>P (8)</u>	<u>P (8)</u>	<u>P (8)</u>	<u>P (8)</u>	<u>See Chapter 20.350 Short-Term Vacation Rental</u>
Limitations: <ol style="list-style-type: none"> Permitted if existing. New units not allowed. Limited to facilities serving a maximum of 10 victims and may not be located within 300 feet of any other domestic violence shelter. Prohibited on the ground floor except residential uses located south of Baden Avenue, banks and walk-in offices which are subject to approval of a Use Permit. Subject to licensing requirements. Limited to upper stories unless at least 50 percent of the ground floor street frontage is occupied by food service uses. Must be located at least 1,000 feet from any other social service facility. Clinic uses may not occupy the ground floor along Grand Avenue, except on properties located west of Maple Avenue, which are subject to the approval of a conditional use permit. <u>Short-term vacation rental permit required (see Chapter 20.350, Short-Term Vacation Rental.)</u> 							

8. Update Table 20.330.004: Required On-Site Parking Spaces, as indicated below:

TABLE 20.330.004: REQUIRED ON-SITE PARKING SPACES	
<i>Land Use Classification</i>	<i>Required Parking Spaces</i>
Commercial Use Classifications	
Lodging	
<i>Bed and Breakfast</i>	1 per room for rent in addition to parking required for residential use.
<i>Hotels and Motels</i>	1 per each sleeping unit, plus 2 spaces adjacent to registration office. Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use. See Subsection 20.330.006(C) Airport-Oriented Hotels and Motels.
<u><i>Short-Term Vacation Rental</i></u>	<u>At least one off-street parking space required for use by the short-term vacation rental transient occupants. The required parking for the existing residential use or driveway parking may be used to provide this parking space.</u>