



FREQUENTLY ASKED QUESTIONS

Proposed Home Sharing Pilot Program (Owner-Occupied Home Sharing Ordinance)

As discussed at the February 23, 2016 City Council workshop, staff intends to prepare a separate, subsequent ordinance for Council consideration that would create a new type of STR permit to allow “home sharing”. This handout describes the general framework for the proposed home sharing pilot program. Staff expects that the home sharing ordinance will be ready for Council Consideration in July or August, 2016. You may submit your comments on this draft handout to STRComments@anaheim.net.

**COMMENT PERIOD EXTENDED!
SUBMIT COMMENTS BY AUGUST 12th, 2016**

What is Home Sharing?

Home sharing allows the sharing of a “Host’s” primary residence for the purpose of providing temporary lodging, for compensation, for periods of 30 consecutive days or less.

How do I know if I am considered a “Host”?

A Host is the legal owner of a home-sharing property who occupies the property as his or her primary residence. A Host may not be a corporation, Limited Liability Company, or Limited Partnership.

What is the home sharing pilot program?

Under the City of Anaheim’s home-sharing pilot program, a home-sharing permit may be issued for a 12-month period. Prior to conclusion of the pilot program’s first year, staff would report back to the City Council with recommendations on whether to continue, expand or modify the program.

How many home sharing permits will the City issue?

A maximum of 50 home sharing permits may be issued during the pilot program. Home sharing permit applications will be processed and issued on a first come, first served basis.

Will home sharing permits be allowed in my neighborhood?

Home sharing permits will only be allowed as an accessory use under the following conditions:

Properties with one dwelling - For properties with one dwelling unit, home sharing may be allowed within the same dwelling. However, no more than half the number of bedrooms in the home may be used for home sharing purposes. Only bedrooms may be used for the Host’s sleeping accommodations or for home sharing sleeping rooms.

Properties with two dwellings - For properties with two dwellings, the short term rental of one of the units is allowed, as long as the legal property owner occupies the other dwelling. All bedrooms in the home sharing unit may be permitted for sleeping accommodations. Non-bedrooms may not be used for sleeping accommodations. Second Units permitted pursuant to AMC 18.38.230, developed with the purpose of providing housing pursuant to State Law, may not be used for home-sharing.

Properties with more than two-dwellings – Home sharing is not allowed.

Will home sharing permit holders be required to pay transient occupancy taxes?

Yes.

Do I need a business license if I am a home sharing permit holder?

Yes.

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How many home sharing permits can I apply for?

A maximum of one permit. No person(s) or family trust may apply for, or register for, more than one home-sharing permit, or otherwise operate more than one home-sharing property in the City of Anaheim.

Can I have more than one booking at a time at my home sharing home?

No. A Host may not rent the allowed portion of his/her home or home sharing dwelling unit for the purposes of home-sharing to more than one group of guests at any given time.

What is the occupancy limit of a shared home?

The owner shall limit occupancy of a short-term rental property to a specific number of occupants. The maximum number of occupants includes the Host and permanent residents of the home. The following table sets forth the maximum number of occupants:

Number of Bedrooms	Total Occupants*
0-Studio	2
1	4
2	7
3	9
4	11
5	13
6	15
7	17
8	19

*Refer to fire safety requirements based on maximum occupancy.
Note: For any dwelling having more than eight (8) bedrooms, the maximum number of occupants shall not exceed nineteen (19) persons. If the short-term rental permit limits occupancy to a number less than that shown on the table, the limit in the permit shall govern.

Can I rent my home for special events if I have a home sharing permit?

No. At no time shall a home sharing property be used for activities in excess of the established occupancy limits or for weddings, receptions, parties, commercial functions, advertised conferences, or other similar assemblies that are separate from the purpose of lodging.

Are there any requirements that apply if I use a hosting platform to advertise my home under the City's home sharing program?

As part of your application to the City, you are required to provide the City with a list of all hosting platforms that you will use to advertise the shared unit. A hosting platform may not list or advertise a short-term rental for which the City has not issued a permit.

What are the requirements if I decide to advertise my home sharing rental?

All advertising appearing in any written publication or on any website that promotes the availability or existence of a home-sharing rental shall include the City-issued permit number (REG ID#) as part of the rental offering. No

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person shall advertise the use of a dwelling as a rental unless the City has approved a home sharing permit. A hosting platform shall not otherwise facilitate the occupancy of a home-sharing rental if the occupancy will violate any ordinance, regulation or law of the City.

Will my home be inspected by a City representative if I apply for a home sharing permit?

Yes. The City has the authority to conduct inspections of the rental property as the Planning Director deems necessary or prudent to ensure compliance with the provisions of the home sharing permit program.

Do I need to provide parking for my household and my (home sharing) guests?

Yes. The home sharing property must have a minimum of two (2) off-street parking spaces for home sharing occupants. The parking spaces shall conform to the provisions of Section 18.42.030 (Residential Parking Requirements) of Chapter 18.42 (Parking and Loading); or as modified by the Planning Director through review of the available on-site parking. The number of vehicles attributed to the Host, permanent residents, and the home sharing occupants shall not exceed the number of available off-street parking spaces.

What are “quiet hours”?

The hours between 10:00 p.m. and 9:00 a.m. are considered to be “quiet time,” where all activities at the home-sharing rental property shall be conducted inside of a home so that no outdoor activity will disturb the peace and quiet of the neighborhood adjacent to a home-sharing rental or cause discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

What are the prohibited activities during “quiet hours”?

While engaged in home sharing, occupants of the home shall not engage in outdoor activities on a property between the hours of 10:00 p.m. and 9:00 a.m. that involve the use of swimming pools, hot tubs, spas, tennis and paddleboard courts, play equipment and other similar and related improvements.

Am I required to post any signs advising my home-sharing occupants of the “quiet hours”?

Yes. The property owner is required to post signs of a size, type and at a location (or locations) acceptable to the Planning Director near all doors leading to the exterior of a short-term rental unit, advising occupants of “quiet time.”

Are there special fire and safety requirements that apply specifically to home-sharing properties?

The property and home-sharing unit must be in compliance with all applicable codes regarding fire, building and safety, health and safety, and all other relevant laws, regulations and ordinances prior to permit issuance or renewal.

Am I required to install fire sprinklers in my home sharing rental?

An automatic fire sprinkler system approved by the State Fire Marshal shall be installed in a dwelling having an occupancy permitted of more than 10 occupants. If an owner agrees to a restriction in the home sharing permit limiting the occupancy to ten or fewer occupants, even though the bedroom count would allow more occupants, the automatic sprinkler system requirement shall not apply.

May I be required to make other safety modifications to my home?

Yes. Exiting from a home-sharing unit shall be provided by way of exterior exit doors from each bedroom unless (1) occupants are able to exit from their bedrooms without entering a hallway through a door into an adjoining

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bedroom that has an exit to the exterior of the dwelling, or (2) occupants are able to exit from their bedrooms through a hallway or to an adjoining room; however, a door is required in the hallway, which hallway door shall open in the direction of travel and have a self-closure and be a 1-3/8 inch solid core. The Anaheim Fire Department will assist homeowners in understanding and complying with these requirements.

Will I be cited if my occupants violate the home sharing permit laws?

Yes, the property owner and/or the occupant may be cited if there is a verified violation.

Can my home sharing permit be revoked?

Yes. Two verified major violations within a 12-month period may result in permit revocation. Examples of "major" violations are: violation of prohibitions on outdoor activities; exceeding occupancy limitations; Host not being present at the permitted home sharing location during a verified disturbance; etc.

What happens if my occupants cause many violations that are considered "minor"?

The home sharing permit may still be revoked because two minor violations of the same type or four minor violations of different types within any continuous period of twelve months counts toward one major violation. Two major violations would be cause for the City to start the revocation process.

What happens if I am not present when my occupants violate home sharing and/or city laws?

A home-sharing permittee is primarily responsible for ensuring that his/her occupants comply with local laws. It is a "major" violation if the home sharing permit holder is not present when a verified disturbance takes place at the property.

What is a "minor" violation?

A "minor violation" is any violation of any law, ordinance, resolution, or permit condition regulating home-sharing permits that does not constitute a "major violation" as set forth by a home sharing ordinance.

Are there other regulations that regulate home sharing permits?

Other regulations applicable to non-owner-occupied short term rentals also apply to hosted, home-sharing rentals.

How will I know if there is a home sharing permit operator near me?

The home sharing permit holder is required to provide the owners and occupants of properties contiguous to and directly across the street (or alley or other right-of-way) from the home sharing property with the following information: name and telephone number explaining that they are available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the use, condition, operation or conduct of occupants of a home sharing rental unit.

How will the City decide who to issue the limited 50 home sharing permit to?

After adoption of the ordinance establishing the pilot program, home sharing permits will be available on a first come, first served basis. The City will accept no more than 50 home sharing permit applications, and will establish a waiting list of 10 that will be used only if any of the 50 applications do not meet the program requirements.