

Home sharing 2024 Updates

City Council

November 19, 2024

Background:

Existing regulations adopted in 2019

- ***Business Licensing, Chapter 13***
 - ✓ Required a license for all home shares
 - ✓ Established license fee
 - ✓ Established an application fee for home share Special Exception (SE) cases
 - ✓ Set grounds for revocation of a license
- ***Zoning and Planning Code, Chapter 59***
 - ✓ Defined “Lodging Accommodations: Home Sharing” as a use that does not exceed 30-days per renter/guest
 - ✓ Required a Special Exception (SE) from the Board of Adjustment for home shares where:
 - the property is not the primary residence of the host, or
 - the home share is in a Historic Preservation District (“HP” zoning)



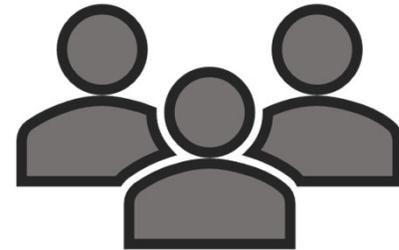
Outreach

Residents

Home sharing hosts/operators

Board of Adjustment

City staff



Background

City Council

- Introduction and Referral: June 18, 2024

Planning Commission

- Study Session: July 10, 2024
- Introduction: August 8, 2024
- Recommendation: September 12, 2024

Board of Adjustment

- Introduction: August 15, 2024
- Special Meeting: September 13, 2024
- Recommendation: October 3, 2024



Summary of Proposed Changes

Chapters 13 and 59

Changes to Chapters 13 and 59

1. Change the term “home sharing” to add “short term rental”

Proposed term: Home Sharing/Short Term Rental



Summary of Proposed Changes

Chapters 13 and 59

Changes for Chapters 13 and 59

2. Add a provision that if a host is cited/convicted for
 - violating the home sharing ordinances or conditions of a SE, or
 - if a SE has been revoked for violating conditions of the SE,

then the Board of Adjustment/Licensing staff have the discretion to deny a SE/license application or renewal for one year



Summary of Proposed Changes

Chapter 13 Businesses

Changes for all home shares:

1. Add definition of “primary residence” and clarify requirements needed to prove that the home sharing property is the “primary residence” of the host *(Ref. 13-500 (5))*
2. Set a maximum occupancy limit *(Ref. 13-516)*
 - between the hours of 11:00 p.m. and 6:00 a.m., the occupancy limit is the number of bedrooms multiplied by two plus two additional occupants
 - at any one time, there is a maximum occupancy of 16 regardless of the number of bedrooms



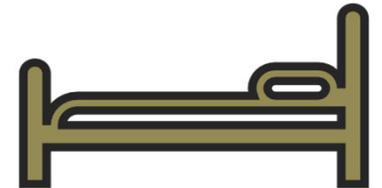
Summary of Proposed Changes

Chapter 13 Businesses

Changes for all home shares

3. Clarify that home sharing approvals do not invalidate or supersede any restrictive covenants, deed restrictions, or lease agreements *(Ref. 13-517)*
4. Set a maximum number of 10 total nights that host-occupied home shares can be rented *(Ref. 13-510 (e))*

If properties are home shared for more than 10 total night per calendar month, a Special Exception is required



Summary of Proposed Changes

Chapter 59 Zoning Code

Changes for home shares requiring a Special Exception (SE):

1. Clarify the process for revocation of a SE *(Ref. 59-4250.38.1.F.(5))*
2. Require a SE if the host-occupied home share is rented for more than 10 nights in a calendar month *(Ref. 59-9350.38.1.E.)*
3. Clarify that, in Historic Preservation Districts, the home share must be located on the same parcel as the host's primary residence and that the host's primary residence must be occupied by the host at the time of the rental *(Ref. 59-9350.38.1.E.)*
4. Reduce the maximum term for a home sharing SE from 10 years to 3 years *(Ref. 59-9350.38.1.F.)*
5. Clarify when an application will be considered a renewal application and when it will be considered a new application *(Ref. § 59-9350.38.1.F.)*
6. Specify a minimum stay of two nights *(Ref. 59-9350.38.1.J.)*

Summary of Proposed Changes

Chapter 59 Zoning Code

Changes for home shares requiring a Special Exception (SE):

7. Limit the number of home sharing SE's granted to not exceed 10% of the dwellings within any given block
(Ref. 59-9350.38.1.G.)
8. Establish an off-street parking requirement of one parking space for every four occupants *(Ref. 59-9350.38.1.H.)*
9. Authorize the Board of Adjustment to consider restrictive covenants, deed restrictions, or lease agreements
(Ref. 59-9350.38.1.I.)



Changes recommended by Board of Adjustment but not recommended by Staff

Chapter 13 Home Sharing

Changes for Chapters 13

As proof of “primary residence”, require proof of a homestead exemption for host-occupied properties.

Ordinance as proposed (Ref. 13-500 (5)):

(5) Primary residence means the dwelling unit where a host physically resides the majority of the year as established by at least three methods of identification, such as a driver’s license, automobile registration, voter registration, homestead exemption, utility bills, tax/banking documents, etc.

Response: not recommended by staff

Primary residents who rent and want to home share their property would not be able to provide a homestead exemption. The ordinance amendment as drafted contains more stringent requirements for proof of residency than the current ordinance.

Compliance & Enforcement

Request for Proposal: Consultant Support

1. Identify unlicensed home shares
2. Assist with outreach to unlicensed home shares
3. Assist with oversight of hotel tax obligations
4. Create documentation of violations for use by Municipal Courts
5. Provide a 24-hour complaint platform
6. Interface with the City's licensing and enforcement database

Schedule

City Council Introduction and Referral: June 18, 2024

Planning Commission

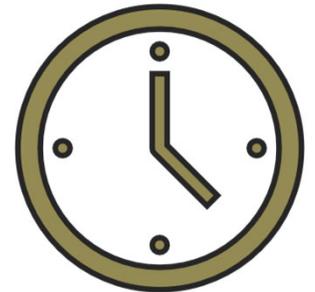
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Board of Adjustment

- Introduction: August 15, 2024
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City Council:

- Introduction: November 19, 2024
- Public Hearing: December 3, 2024
- Adoption: December 17, 2024





Home sharing 2024 Updates

QUESTIONS?

Oklahoma City Planning Department

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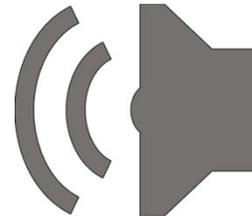
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Home sharing concerns

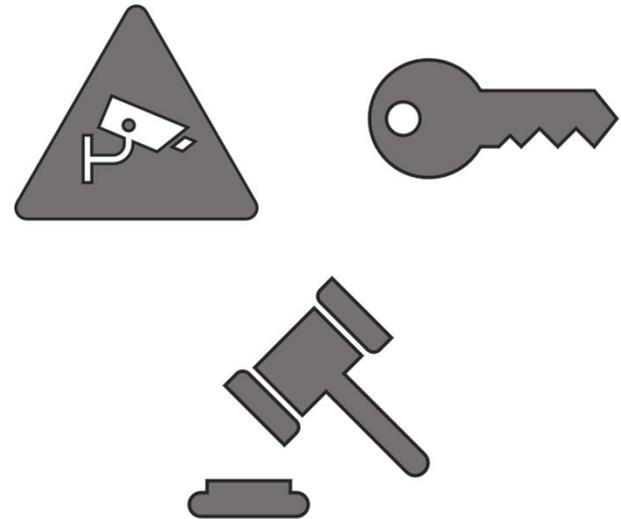
- *from residents:*

- **Noise:** Guests too loud late at night and outside
- **Parking:** Too many cars on the street
- **Events:** Parties, events, weddings that create noise and crowds on neighborhood streets
- **Sense of community:** Concentrations of home shares diminish ability to know neighbors
- **Ownership and licensing:** Owners who do not obtain a special exception permit or license
- **Enforcement:** Complaints are difficult to quantify and relate to home sharing



Home sharing concerns

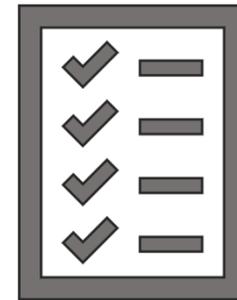
- *from hosts/operators:*
 - **Privacy and security**: Potentially dangerous for hosts/operators if contact information and property addresses are made publicly available
 - **Ownership and licensing**: Few penalties for host/operators who do not obtain a special exception permit or license



Home sharing concerns

- *from Board of Adjustment:*

- Need more specific regulations to help the Board make more consistent decisions



- *from City staff:*

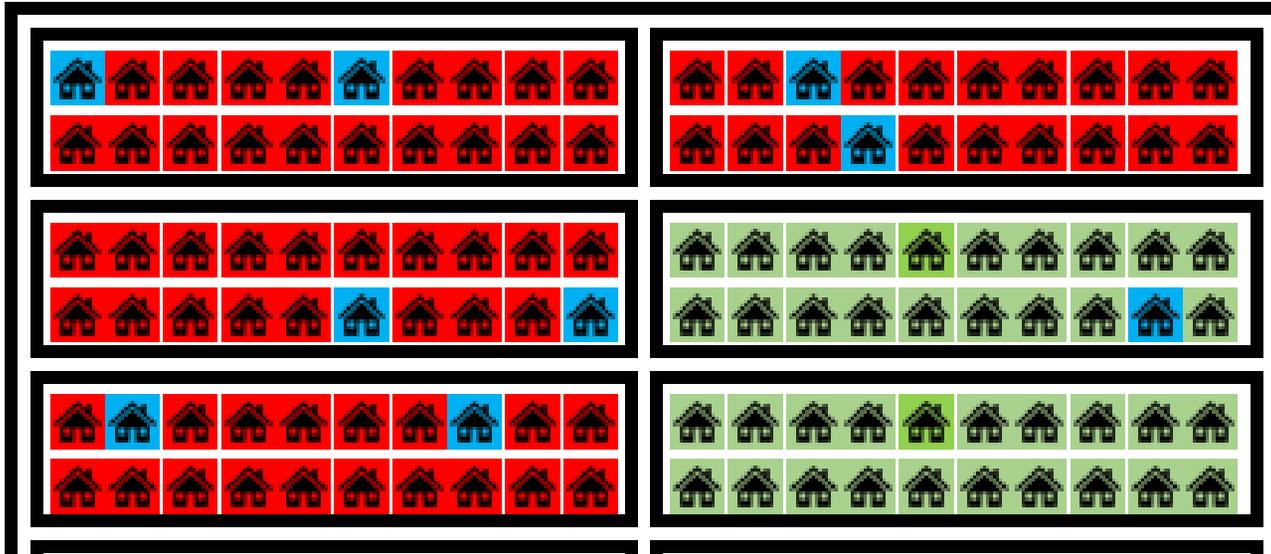
- Enforceability



HIGHLIGHTED
CHANGE
#1

Chapter 13, Businesses

Percent of Block (10%)



1. Limit the number of home sharing SE's granted to not exceed 10% of the units within any given block

Home Share:



New Home Share Not Allowed:



New Home Share Allowed:

