

Joint Committee Discussion Topics

Relative to the scenarios presented, the Joint Committee is requested to offer input on:

- **Does the proposed framework meet the proposed goals for this scenario?**

Per Oct 2019 Council Resolution, a framework that “creates tiers for different types of [STRs] and disincentivizes the most impactful uses...by:

- *limiting the number of housing units that can be converted for [STR] purposes and*
- *ensuring that those conversions are contributing to the city’s efforts to preserve and expand permanently affordable housing, while also*
- *preserving some flexibility and ability to earn greater income for Burlington homeowners, and*
- *recognizing that some supply of [STRs] benefits the Burlington economy...”*

- **Are there some scenarios wherein an off-site host would be acceptable?**






- **Is Housing Replacement vs. an alternative fee/tax more appropriate to achieve goals?**

- **Any other comments/input on the proposed framework for these scenarios?**

Flexibility for host More permissive




Limit Conversion More restrictive

	Scenario 1: Renting my own home occasionally as an STR		Scenario 2: Renting my own home for several months at a time		Scenario 3: Renting bedroom(s) as STR within the home I live in		Scenario 4: Renting an ADU or 1/2 of a duplex, I live in the other unit		Scenario 5: Renting a unit(s) in a building with 3+ units, when I live on the property		Scenario 6: Renting more 4+ unit(s) in a building as STRs, and/or I don't live on the property	
Zoning For all scenarios: <ul style="list-style-type: none"> Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year Parking space(s) not required in new parking district per ZA-20-04 	 Whole Unit STR	1 parking space per rented unit	If rental "term" 30+ days, NOT considered an STR. Renting a housing unit does not require a Zoning Permit.	 Partial Unit STR (Bed & Breakfast)	1 parking space per rented room	Whole Unit STR 1 parking space per rented unit		1 parking space per rented unit	 Whole Unit STR	1 parking space per rented unit	 Hotel/Motel	
	Permitted Use in: N/A	Conditional Use: In all zoning districts		Permitted Use: - Up to 2 rooms in residential zones - Up to 5 rooms in mixed use zones	Conditional Use: - 3 rooms in RL zones - 3-5 rooms in residential & institutional zones		Permitted Use: N/A	Conditional Use: In all zoning districts	Permitted Use: In mixed use districts Conditional Use: In residential districts	# of STR in Bldg: - 1 STR in Bldgs up to 3 units - 2 STR in Bldgs up to 5 units - 3 STR in Bldgs w/ 6+ units	Permitted Use: In mixed use zoning districts No limit to # of rented units.	Prohibited Use: In residential zoning districts
Rental Duration Host's "primary residence" means that the host lives in/at the unit/property for at least half the year	<ul style="list-style-type: none"> Individual rental "terms" are less than 30 days No limit to number of nights rented as STR as long as continues to be host's primary residence 		<ul style="list-style-type: none"> Individual rental "terms" are more than 30 days 		<ul style="list-style-type: none"> Individual rental "terms" are less than 30 days No limit to number of nights rented as STR as long as continues to be host's primary residence 		<ul style="list-style-type: none"> Individual rental "terms" are less than 30 days No limit to number of nights rented as STR as long as host's primary residence 		<ul style="list-style-type: none"> Individual rental "terms" are less than 30 days No limit to number of nights rented as STR as long as host's primary residence 		<ul style="list-style-type: none"> Individual rental "terms" are less than 30 days No limit to number of nights rented Not required to be host's primary residence 	
Housing Code Requirements	<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Chapter 18 		<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Chapter 18 		<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Chapter 18 Owner-occupied homes with 1 or 2 rented rooms are exempt from rental registration & annual housing inspection 		<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Chapter 18 		<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Chapter 18 		<ul style="list-style-type: none"> "Minimum Housing" and rental registration not applicable because not "residential" Building code requirements will depend on number of occupants in building 	
Taxes & Fees	<ul style="list-style-type: none"> NOT required to pay Housing Replacement Fee Register as a business Pay Burlington & VT Rooms & Meals Taxes 		<ul style="list-style-type: none"> NOT required to pay Housing Replacement Fee Not required to register as a business Not required to pay Burlington & VT Rooms & Meals Taxes 		<ul style="list-style-type: none"> NOT required to pay Housing Replacement Fee Register as a business Pay Burlington & VT Rooms & Meals Taxes 		<ul style="list-style-type: none"> Register as a business Pay Burlington & VT Rooms & Meals Taxes Housing Replacement Fee if STR is replacing a long-term housing unit Not required to pay Housing Replacement if building a new unit for use as an STR 		<ul style="list-style-type: none"> Register as a business Pay Burlington & VT Rooms & Meals Taxes Housing Replacement Fee if STR is replacing a long-term housing unit 		<ul style="list-style-type: none"> Register as a business Pay Burlington & VT Rooms & Meals Taxes Housing Replacement Fee if replacing long-term housing unit(s) 	
Property Assessment NOT based on Zoning "Change of Use," but of independent analysis of activity for taxation purposes.	<ul style="list-style-type: none"> Likely assessed as "residential" Report any rental use to State of VT for Homestead Declaration 		<ul style="list-style-type: none"> Likely assessed as "residential" Report any rental use to State of VT Homestead Declaration 		<ul style="list-style-type: none"> Some configurations may be assessed as "commercial" with 120% commercial value factor Report any rental use to State of VT for Homestead Declaration 		<ul style="list-style-type: none"> Likely assessed as "residential" Report any rental use to State of VT Homestead Declaration 		<ul style="list-style-type: none"> Some configurations may be assessed as "commercial" with 120% commercial value factor Report any rental use to State of VT for Homestead Declaration 		<ul style="list-style-type: none"> Considered "commercial" by Assessor, with 120% commercial value factor Considered "commercial" for purpose of State of VT Homestead Declaration 	

Scenario 1

Flexibility for Host
More Permissive

“I want to rent my entire home as a short-term rental for part(s) of the year, but it will still be my primary residence.”


<p>Zoning</p> <p>For all scenarios:</p> <ul style="list-style-type: none"> Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year Parking space(s) not required in new parking district per ZA-20-04 	 Whole Unit STR	1 parking space/rented unit
	<p>Permitted Use in: N/A</p>	<p>Conditional Use: All zoning districts</p>
<p>Rental Duration</p> <p>Host's "primary residence" means that the host lives in/at the unit/property for at least half the year</p>	No limit to number of nights rented as STR, as long as continues to be host's primary residence	
<p>Housing Code Requirements</p>	<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Ch. 18 	
<p>Taxes & Fees</p> <p>STR's already req. by state & city to register as a biz and pay Rooms & Meals Taxes.</p>	<p>NOT required to pay Housing Replacement Fee</p>	

- Does this proposal meet the proposed goals?
- Are there some scenarios wherein an off-site host would be acceptable? *Not Applicable*
- Is Housing Replacement v. alternative fee more appropriate for this scenario? *Not Applicable*
- Any other comments/input on the proposed framework relative to this Scenario?

Scenario 6

Limit Conversion
More Restrictive

“I own a building with 3+ units, and want to rent the units as short-term rentals. I do not live in the building.”




<p>Zoning</p> <p>For all scenarios:</p> <ul style="list-style-type: none"> Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year Parking space(s) not required in new parking district per ZA-20-04 	 Hotel/Motel	1 parking space per room/unit
<p>Rental Duration</p> <p>Host's "primary residence" means that the host lives in/at the unit/property for at least half the year</p>	<p>Permitted Use in: Mixed Use districts with no limit on # of rented rooms</p> <p>Prohibited Use: Residential districts</p>	
<p>Housing Code Requirements</p>	<ul style="list-style-type: none"> Housing Code & Rental Registration not applicable because not "residential" Building code based on # occupants in Bldg. 	
<p>Taxes & Fees</p> <p>Already req. by state & city to register as a biz and pay Rooms & Meals Taxes.</p>	<p>Pay Housing Replacement Fee if replacing housing units</p>	

- Does this proposal meet the proposed goals?
- Are there some scenarios wherein an off-site host would be acceptable? *Not Applicable*
- Is Housing Replacement v. alternative fee more appropriate for this scenario?
- Any other comments/input on the proposed framework relative to this Scenario?

Scenario 3

Flexibility for Host
More Permissive

“I want to rent bedrooms as short-term rentals within my home.”




<p>Zoning For all scenarios:</p> <ul style="list-style-type: none"> • Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year • Parking space(s) not required in new parking district per ZA-20-04 	<table border="1"> <tr> <td data-bbox="736 549 1057 635">  Partial Unit STR </td> <td data-bbox="1057 549 1460 635">1 parking space/room</td> </tr> <tr> <td data-bbox="736 635 1057 849"> <p>Permitted Use:</p> <ul style="list-style-type: none"> - Up to 2 rooms in residential zones - Up to 5 rooms in mixed use zones </td> <td data-bbox="1057 635 1460 849"> <p>Conditional Use:</p> <ul style="list-style-type: none"> - 3 rooms in RL zones - 3 to 5 rooms in other residential & institutional zones </td> </tr> </table>	 Partial Unit STR	1 parking space/room	<p>Permitted Use:</p> <ul style="list-style-type: none"> - Up to 2 rooms in residential zones - Up to 5 rooms in mixed use zones 	<p>Conditional Use:</p> <ul style="list-style-type: none"> - 3 rooms in RL zones - 3 to 5 rooms in other residential & institutional zones
 Partial Unit STR	1 parking space/room				
<p>Permitted Use:</p> <ul style="list-style-type: none"> - Up to 2 rooms in residential zones - Up to 5 rooms in mixed use zones 	<p>Conditional Use:</p> <ul style="list-style-type: none"> - 3 rooms in RL zones - 3 to 5 rooms in other residential & institutional zones 				
<p>Rental Duration Host's "primary residence" means that the host lives in/at the unit/property for at least half the year</p>	<p>No limit to number of nights rented as STR, as long as continues to be host's primary residence</p>				
<p>Housing Code Requirements</p>	<ul style="list-style-type: none"> • Register annually as a rental • Meet basic Life Safety Standards in Ch. 18 • Continue current exemption from registration & inspections for owner-occupied homes with 1 or 2 rented rooms 				
<p>Taxes & Fees STR's already req. by state & city to register as a biz and pay Rooms & Meals Taxes.</p>	<p>NOT required to pay Housing Replacement Fee</p>				

- Does this proposal meet the proposed goals?
- Are there some scenarios wherein an off-site host would be acceptable? *Not Applicable*
- Is Housing Replacement v. alternative fee more appropriate for this scenario? *Not Applicable*
- Any other comments/input on the proposed framework relative to this Scenario?

Scenario 5

Limit Conversion
More Restrictive

“I own a building with 3+ units, and want to rent some of the units as short-term rentals. I live in one of the units.”


<p>Zoning</p> <p>For all scenarios:</p> <ul style="list-style-type: none"> • Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year • Parking space(s) not required in new parking district per ZA-20-04 	<table border="1"> <tr> <td data-bbox="738 596 1065 688">  Whole Unit STR </td> <td data-bbox="1065 596 1460 688">1 parking space per unit</td> </tr> <tr> <td data-bbox="738 688 1065 933"> <p>Permitted Use in: Mixed Use districts</p> <p>Conditional Use in: Residential Districts</p> </td> <td data-bbox="1065 688 1460 933"> <p>Limit to # STR in Bldg:</p> <ul style="list-style-type: none"> - 1 STR in Bldgs up to 3 units - 2 STR in Bldgs up to 5 units - 3 STR in Bldgs 6+ units </td> </tr> </table>	 Whole Unit STR	1 parking space per unit	<p>Permitted Use in: Mixed Use districts</p> <p>Conditional Use in: Residential Districts</p>	<p>Limit to # STR in Bldg:</p> <ul style="list-style-type: none"> - 1 STR in Bldgs up to 3 units - 2 STR in Bldgs up to 5 units - 3 STR in Bldgs 6+ units
 Whole Unit STR	1 parking space per unit				
<p>Permitted Use in: Mixed Use districts</p> <p>Conditional Use in: Residential Districts</p>	<p>Limit to # STR in Bldg:</p> <ul style="list-style-type: none"> - 1 STR in Bldgs up to 3 units - 2 STR in Bldgs up to 5 units - 3 STR in Bldgs 6+ units 				
<p>Rental Duration</p> <p>Host's "primary residence" means that the host lives in/at the unit/property for at least half the year</p>	<p>No limit to number of nights rented as STR Property continues to be host's primary residence</p>				
<p>Housing Code Requirements</p>	<ul style="list-style-type: none"> • Register annually as a rental • Meet basic Life Safety Standards in Ch. 18 				
<p>Taxes & Fees</p> <p>Already req. by state & city to register as a biz and pay Rooms & Meals Taxes.</p>	<p>Pay Housing Replacement Fee if replacing housing units</p>				

- Does this proposal meet the proposed goals?
- Are there some scenarios wherein an off-site host would be acceptable?
- Is Housing Replacement v. alternative fee more appropriate for this scenario?
- Any other comments/input on the proposed framework relative to this Scenario?

Scenario 4

Limit Conversion
More Restrictive

“I own a duplex/single-family home with an ADU. I want to live in one unit and use the other as a short-term rental.”

<p>Zoning</p> <p>For all scenarios:</p> <ul style="list-style-type: none"> Zoning Permit is required if STR rented 10+ consecutive days, or 30+ total days/year Parking space(s) not required in new parking district per ZA-20-04 	 Whole Unit STR	1 parking space per unit
	<p>Permitted Use in: N/A</p>	<p>Conditional Use: All zoning districts</p>
<p>Rental Duration</p> <p>Host's "primary residence" means that the host lives in/at the unit/property for at least half the year</p>	<p>No limit to number of nights rented as STR Property continues to be host's primary residence</p>	
<p>Housing Code Requirements</p>	<ul style="list-style-type: none"> Register annually as a rental Meet basic Life Safety Standards in Ch. 18 	
<p>Taxes & Fees</p> <p>Already req. by state & city to register as a biz and pay Rooms & Meals Taxes.</p>	<p>Pay Housing Replacement Fee if replacing an existing long-term housing unit</p>	

- Does this proposal meet the proposed goals?
- Are there some scenarios wherein an off-site host would be acceptable?
- Is Housing Replacement v. alternative fee more appropriate for this scenario?
- Any other comments/input on the proposed framework relative to this Scenario?

Off-site Host Approach

Potential framework for enabling some (yet limited) STRs when host does not live on property:

When Host does not live on Property:	Residential & Institutional Districts	Mixed Use Districts	Notes
Single Family Home	Not Permitted	Not Permitted	Does not prohibit host from renting own home (primary residence)
Duplex OR SF Home w/ ADU* <i>*By definition, ADUs are only permitted on owner-occupied properties.</i>	Not Permitted	Not Permitted	In all scenarios, not required that host physically be present during guest stay
Multiple Dwelling Unit building - 1 STR in Bldg up to 3 units - 2 STR in Bldg up to 5 units - 3 STR in 6+ unit Bldg	Conditional Use	Permitted Use	
Hotel/Motel/Hostel** <i>**By definition, does not require host to reside on property</i>	Not Permitted	Permitted	Need to revise definitions to eliminate inconsistencies and make uniquely different from STRs; perhaps as more general "Lodging" not to include STR's