



Short Term Rental Regulations

On June 18, 2020, the Brisbane City Council adopted urgency Ordinance 656, immediately implementing permitting requirements and operational standards for short term rentals (STRs) in Brisbane. The Ordinance required hosts to obtain a STR permit by September 16, 2020 (90 days from the date of the ordinance's adoption) to host STRs, subject to the rules in this handout. On September 3, 2020, the Council adopted Ordinance 655, making the urgency ordinance regulations permanent in [BMC Chapter 17.35](#).

STRs are rentals of rooms in a home for **less than 30 consecutive days**; rentals for 30 or more consecutive days are not regulated by the City.

What's Allowed?

- Homeowners may host short term rentals (STRs) if the home is their **permanent residence** (they live there at least 275 days out of the year)
- STRs must be **"hosted,"** where the host is on the property during the rental
- STRs must be in a **single-family home**
- **Up to two rooms** in the home may be used for STRs (**one parking space required per room** on the property)

What's Prohibited?

- STRs can't be hosted by **long-term renters**.
- **"Unhosted"** or "entire home" rentals, where the host isn't on the property during the rental, are **prohibited**.
- STRs are **not allowed in apartment buildings** or **accessory dwelling units**.
- Hosts can't rent **more than two rooms**.
- Hosting STRs **without a STR permit** from the City is prohibited.

What's the Permit Process?

Applying for the Permit

Homeowners who qualify to host rentals can apply for a STR permit on the City's website. The application is web-based and requires an internet connection and web browser to complete. If you need assistance with your permit application, please call the Community Development Department at (415) 508-2120 or email planning@brisbaneca.org to arrange for assistance (please note City Hall closure dates and health screening requirements are in place during the COVID-19 pandemic).

Make sure you have these documents in a digital format (image file or PDF) to upload with your application:

- ✓ Proof of homeownership (like a property tax bill, or income tax homeowner exemption document)
- ✓ Three documents proving the home is your permanent residence (like utility bills, bank/credit card statements, driver's license, vehicle registration receipt, etc.)
- ✓ Proof of short term rental insurance with coverage of at least \$500,000

- ✓ Floor plan of the home showing where the rooms to be rented are located in the home (may be hand drawn; does not have to be to scale)
- ✓ Site plan of the property showing the location of the home on the property, and the location and number of parking spaces (may be hand drawn; does not have to be to scale)

A planner will be assigned to your application, who will contact you to confirm the status of your application within 10 days of submittal and walk you through the permit process. If they need more information from you to process the application, they will let you know at that time. An application fee of **\$323** will be due once the planner confirms your application can be processed.

Neighbor Noticing and Zoning Administrator Action on Permit

Once the City has all the information required to process your application, the Zoning Administrator will mail a notice of the application to neighbors (including property owners and occupants) of homes in the neighborhood. Neighbors can send written comments on your application to the Zoning Administrator within 21 days of the notice date.

After the 21-day notice period ends, the Zoning Administrator will approve the application if it meets these findings:

- ✓ The application meets all operating standards and requirements of the ordinance;
- ✓ The dwelling unit complies with life safety standards as certified by the applicant and confirmed by an on-site inspection by Building Department and/or North County Fire Authority staff; and
- ✓ The dwelling unit is not the subject of an active code enforcement action or administrative citation from the City in the past year.

Permit Approved? Great! Now What?

If your permit is approved, you can begin hosting short term rentals! Keep the following rules in mind when creating your STR listing and while hosting:

- + Obtain a business license from the Finance Department and pay Transient Occupancy Tax (TOT) quarterly.
- + Include your approved permit number in all listings for your rental on any listing website.
- + Provide the STR “Good Neighbor” policies to your guests. Be a good neighbor by abiding by check-in and check-out times (between 7 AM and 10 PM) and making sure STR renters do not host events or parties and abide by quiet hour policies (between 10 PM and 7 AM).
- + If you’re renting two rooms, both rooms must be rented to the same party; do not book individual rooms to different rental parties.
- + Make sure the STR occupancy doesn’t exceed two people per room (kids excluded) in the evening (after 10 PM), and four people per room (kids excluded) in the daytime (after 7 AM).

The City wants property owners to be able to enjoy the economic use of their property and welcomes visitors to Brisbane, while also making sure our residential neighborhoods remain safe and enjoyable for long-term residents. Remember that permits can be suspended or revoked in event of violations of the City’s STR regulations.