



MEETING AGENDA



District 1
Matthew Wilson

District 2
Raevan Howard
Alternate

District 3
Norman Crow

District 4
Lee Busby

District 5
Kip Tyner
Member

District 6
John Faile
Chairperson

District 7
Cassius Lanier
Vice Chairperson

Council Administration and Policy Committee Meeting Agenda

Tuesday, January 17, 2023 Daugherty Conference Room 4:00 p.m.

TOPIC	PRESENTER	SUPPORTING MATERIAL
Approval of Minutes		
NEW BUSINESS		
1. 2023 City Council Legislative Agenda	Scott Holmes	
2. Create Concrete Finisher job classification	Selvin Greene LaShonda Herbert	2-4
3. Tall grass code amendment	Will Smith	5
4. Short-term rental zoning text amendment	Ashley Crites	6-15
ADJOURN		

CONCRETE FINISHER

SUMMARY

The purpose of this classification is to perform manual work functions and/or operate light equipment associated with the construction, maintenance and repair of city sidewalks, concrete floors, roads or curbs.

ESSENTIAL FUNCTIONS

The following duties are normal for this classification. The omission of specific duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned. Specific duties listed may not be required for all positions within this classification, but are determined by the normal requirements for the particular position.

Operates equipment, squad truck, dump truck, machinery and tools used in construction, maintenance projects.

Inspects equipment prior to use and ensures necessary equipment repairs are made; performs maintenance tasks necessary to keep machinery, equipment, and tools in good working condition

Inspects job site for possible hazards prior to operating equipment.

Sets up safety work zone at job site using traffic cones and warning signs; flags traffic as assigned; leaves job site in a safe condition for the public at the end of the day.

Constructs and sets forms for concrete; pours and finishes cement and/or lays bricks/cement block to construct and/or repair sidewalks, streets, curbs, gutters, flume ditches, sink holes, cement pipe, catch basin boxes, retainer walls, manholes, and storm drain lids.

Performs manual work functions associated with construction, maintenance, and repair of city sidewalks, concrete floors, roads or curbs.

Perform necessary functions for repair of sinkholes and storm drainage infrastructure, and assist other Departmental crews and City Operations as assigned.

Places forms that hold concrete to ensure the required depth and pitch is achieved.

Monitors the effect heat, wind and cold have on curing concrete to ensure high-quality results.

Removes edges on expansion joints and sides.

Installs anchor bolts, steel plates, cuts and ties steel and other fixtures in freshly poured concrete.

Polishes surfaces using smoothing materials, abrasive tools, and surfacing machines.

Aligns forms for sidewalks, curb and gutters.

Waterproofs, damp-proofs and restores concrete surfaces

Forms, pours and finishes concrete for curbs, sidewalks, S-types inlets and builds storm boxes.

Compacts materials using power vibrators to create leveled bases.

Finishes concrete surfaces with rough or smooth pattern depending on project specifications

Signals concrete truck drivers and moving chutes to facilitate pouring concrete onto forms.

Casts and spreads concrete to patch voids

Applies hardening and sealing compounds to cure the surface of concrete

Must accomplish the essential functions of the job, with or without reasonable accommodations, in a timely manner.

Gathers equipment, tools and materials for use on projects or at work sites.

Transports, loads and unloads various equipment, supplies, and/or materials used in projects to/from work sites.

Communicates via telephone and/or two-way radio; provides information; takes and relays messages; responds to requests for service.

Must meet regular attendance requirements.

Must be able to maintain good interpersonal relationships with staff, co-workers, managers and citizens.

MARGINAL FUNCTIONS

Performs other related duties as required.

MINIMUM QUALIFICATIONS

High school diploma or GED preferred; two years of work experience as a concrete laborer or mason. Must possess and maintain a valid Alabama driver's license. Must obtain and maintain a valid Alabama Commercial Driver's License (CDL), Class B, within twelve months of date of hire. This job classification is considered to be safety-sensitive and is subject to pre-employment and random drug screens.

MINIMUM REQUIREMENTS TO PERFORM ESSENTIAL JOB FUNCTIONS

The following requirements are normal for this classification. Specific requirements may not apply to all positions within this classification, but are determined by the normal requirements for the particular position.

PHYSICAL REQUIREMENTS: Must be able to operate a variety of light equipment, machinery and tools, grinders, shovels, rakes, packers, air compressors, and related power and hand tools. Must have the ability to stand and kneel for long periods. Physical demand requirements for some positions within this classification may at times be at levels of those for heavy work.

DATA COMPREHENSION: Requires the ability to compare and/or judge the readily observable functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people, or things which may include work orders, maps, and operational manuals.

INTERPERSONAL COMMUNICATION: Requires the ability to speak with and/or signal people to convey or exchange information, including giving/receiving assignments and/or directions to/from co-workers, assistants, managers, or supervisors as well as communicating with the general public.

LANGUAGE ABILITY: May require ability to read a variety of informational documentation, directions, instructions, and methods and procedures. Requires the ability to write basic job related documentation and reports with proper format, punctuation, spelling and grammar, using all parts of speech. May require ability to speak with others with poise, voice control, and confidence using correct English and well-modulated voice.

INTELLIGENCE: Requires the ability to learn and understand basic mechanical and operational principles and techniques, to understand departmental policies and procedures, to make independent judgments in absence of supervision, and to acquire and be able to expound on knowledge of topics related to primary occupation.

VERBAL APTITUDE: Requires the ability to record and deliver information, to explain procedures, and to follow verbal and written instructions.

NUMERICAL APTITUDE: Requires the ability to add and subtract, multiply and divide, and determine time and weight.

FORM/SPATIAL APTITUDE: Requires the ability to visually inspect items for proper length, width, and shape using job related equipment which may include standard measuring devices.

MOTOR COORDINATION: Requires the ability to coordinate hands and eyes in using light equipment and to operate a motor vehicle.

MANUAL DEXTERITY: Requires the ability to handle a variety of items, light equipment, motor vehicles, control knobs, switches, etc. Must have the ability to use one hand for twisting motion or turning motion while coordinating other hand with different activities. Must have average levels of eye/hand/foot coordination.

COLOR DIFFERENTIATION: May require the ability to discern color.

INTERPERSONAL TEMPERAMENT: Requires the ability to deal with and relate to people beyond giving and receiving instructions. Must be able to adapt to and perform under moderate stress when confronted with an emergency.

PHYSICAL COMMUNICATION: Requires the ability to talk, express, or exchange ideas by means of spoken words and/or hear and perceive nature of sounds by ear.

Pursuant to Tuscaloosa City Code, Chapter 19, Section 19-54 (b) (3) c. and Alabama Act 2006-233 Section 3 (c), I approve this Classification Specification.


Walter Maddox, Mayor

12/15/2022
Date

Sec. 13-68. - Abatement.

(a) Deadline for removal. If after the expiration of seven (7) days from any notice to cut the weeds, grass or other vegetation or to remove bamboo, downed trees and/or limbs in violation of [section 13-67](#) or litter, trash, construction debris or storm debris in violation of [section 13-67.1](#) or from the issuance of any citation or summons and complaint pursuant to [section 13-67](#) or [section 13-67.1](#), the weeds, grass or other vegetation are not cut, or the downed trees or limbs are not removed or the litter, trash, construction debris or storm debris is not removed the city may do such work at the expense of the owner or other person having charge or control thereof, which charge shall be a lien on the lot or parcel of land to be collected as all debts are collected, or liens enforced.

(b) Bamboo removal shall include, but not be limited to, cutting to ground level and removing the cut bamboo along with removing the rhizomes and/or poisoning or cutting any regrowth until the bamboo rhizomes are eliminated.

(c) Notice. Notice shall include either a citation or summons, written notice mailed to the property owner or oral notice to the property owner or written notice posted on the property if the address of the property owner is not known.

(d) Repeat offenses in a calendar year. A violation of any kind may result in a citation or summons. However, upon a third offense for unlawful growth of vegetation on a property within a calendar year, a citation or summons to Municipal Court shall be issued to the person owning, residing on or having charge or control of said property.

(e) ~~(d)~~ Appeal. Any person receiving a notice or citation as referenced in subsection (a) who disagrees that there is a violation of [section 13-67](#) or [section 13-67.1](#) may appeal the requirement to cut weeds, grass or other vegetation, or to remove downed trees or limbs or to remove litter, trash, construction debris or storm debris to the city council within five (5) business days by filing written notice of appeal to the city clerk. Abatement of the property shall be stayed during an appeal pending final decision of the council.

Short-Term Rental Amendments – 12/20/2022

Sec. 24-91. – Special exceptions.

(35.5) *Short-term rental of dwelling*

PRIMARY

- a. Property must be within the city limits.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

DISCRETIONARY

- a. ~~The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights. At least one off street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.~~
- b. ~~The board may consider whether or not short-term rental is the primary or accessory use of the dwelling. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.~~
- c. ~~The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.). The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.~~
- d. ~~At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property. The board may consider the characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).~~

- e. ~~The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty five (45) nights that a dwelling may be used as a short term rental.~~
 - f. ~~The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.~~
 - g. ~~In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.~~
- (35.6) *Short-term rental of dwelling, historic district*

PRIMARY

- a. Property must be part of a locally designated historic district as defined in Section 24-221 and Chapter 20, Article II, Division 1.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

DISCRETIONARY

- a. ~~The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.~~
- b. ~~The board may consider whether or not short-term rental is the primary or accessory use of the dwelling. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.~~
- c. ~~The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the~~

number of nearby short-term rental licenses, topography, access, etc.). ~~The board may, in its discretion, establish a cap on the number of nights per calendar year exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.~~

- d. ~~At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property. The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.~~
 - e. ~~The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).~~
 - f. ~~The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.~~
 - g. ~~In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.~~
- (35.7) *Short-term rental of dwelling, more than forty-five (45) nights per calendar year*

PRIMARY

- a. Property must be within the city limits of Tuscaloosa.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.
- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

DISCRETIONARY

- a. ~~The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.~~

- b. ~~The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.~~ **The board may consider whether or not short-term rental is the primary or accessory use of the dwelling.**
- c. ~~The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.~~ **The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.).**
- d. ~~The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).~~ **At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.**
- e. ~~The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty five (45) nights that a dwelling may be used as a short term rental.~~ **The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.**
- f. ~~In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.~~ **The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.**
- g. **In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.**

(35.8) *Short-term rental of dwelling, condominium or multifamily exceeding license cap*

PRIMARY

- a. Property must be within the city limits of Tuscaloosa.
- b. A dwelling must be located on the site, able to be occupied.
- c. All building and fire codes must be met.
- d. No commercial events, such as concerts, weddings, or other large events are permitted.
- e. No on-site signage shall be permitted promoting or identifying the short-term rental.

- f. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

DISCRETIONARY

- a. ~~The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property.~~
 The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.
- b. ~~The board may consider whether or not short-term rental is the primary or accessory use of the dwelling. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.~~
 The board may consider whether or not short-term rental is the primary or accessory use of the dwelling. The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures.
- c. ~~The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.). The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.~~
 The board may consider the characteristics of the neighborhood and/or surrounding properties (underlying zoning district, surrounding land uses, the number of nearby short-term rental licenses, topography, access, etc.). The board may consider whether or not the property is permanently occupied and leased in its entirety to one party for periods of not less than thirty (30) consecutive nights.
- d. ~~At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).~~
 At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property. The board may consider the physical characteristics of the neighborhood and/or surrounding properties (topography, access, etc.).
- e. ~~The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.~~
 The board should determine to its satisfaction that the short-term rental of the dwelling will not be detrimental to the neighborhood or surrounding properties, taking into account the physical relationship of the proposed use to the surrounding structures. The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental.
- f. ~~The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.~~
 The board may, in its discretion, establish a cap on the number of nights per calendar year under or exceeding forty-five (45) nights that a dwelling may be used as a short-term rental. In cases of renewal, the board may consider the number of complaints, violations, and other departures from code that a property has experienced.
- g. In cases of renewal, the board may consider the number of verified complaints, violations, and other departures from code that a property has experienced.

ARTICLE XXII. – SHORT TERM RENTALS

Sec. 24-370. Statement of intent.

The intent of the short-term rental article is to provide a set of use regulations that will allow short-term rental dwellings within the city limits and establish minimum standards for their use while also minimizing incompatibility with surrounding residential areas. These standards provide additional protection for the substantial investment, both private and public, being made while promoting a mix of lodging options that support the city's tourism base and local economy, upholding the health, safety, and welfare of the public.

(Ord. No. 8814, § 4, 5-21-19)

Sec. 24-371. Applicability.

A. Property affected by this article.

1. All property located within the corporate limits of the city.

B. Additional Tourist Overlay (TO) District established:

1. TO Downtown-Campus District.

- a. Generally, its boundaries are described as: south of the centerline of the Black Warrior River, west of the centerline of McFarland Boulevard East, the northern right-of-way line of 15th Street, east of the centerline of TY Rogers Jr. Avenue, thence northward from this point to the centerline of ~~Nicks Kids~~ 28th Avenue, north of the centerline of Stillman Boulevard, east of the centerline of 29th Avenue, thence northward from this point to the centerline of the Black Warrior River.

(Ord. No. 8814, § 4, 5-21-19)

Sec. 24-372. Permitted and conditional uses.

A. *Permitted uses:*

1. Within the TO Downtown-Campus District, short-term rental of dwellings is permitted by right, subject to the following provisions:
 - a. A dwelling must be located on the site, able to be occupied.
 - b. All building and fire codes must be met.
 - c. No commercial events, such as concerts, weddings, or other large events are permitted.
 - d. Occupancy is limited to the number of available parking spaces. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property ~~and shall be counted based on the~~

required number of spaces per applicable codes at the time of the construction or substantial reconstruction of the dwelling.

- e. The short-term rental shall adhere to all parking regulations as outlined in Article IX of the Zoning Ordinance.
 - f. The short-term rental shall comply with all applicable sign regulations as outlined in Article X of the Zoning Ordinance.
 - g. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.
 - h. No dwelling unit shall be used as a short-term rental in excess of forty-five (45) nights per calendar year.
 - i. Condominiums and apartment buildings will be limited to a license cap of one hundred fifty (150), and documentation from the condominium association or property manager will be required to issue a license.
 - j. Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the owner as rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed for a period of not less than one (1) year from the date of expiration.
2. Outside of the TO Downtown-Campus District, short-term rental of condominium and apartment buildings is permitted by right, subject to the following provisions:
- a. A dwelling must be located on the site, able to be occupied.
 - b. All building and fire codes must be met.
 - c. No commercial events, such as concerts, weddings, or other large events are permitted.
 - d. Occupancy is limited to the number of available parking spaces. At least one off-street parking space should be provided for every two (2) adults counting towards the occupancy limit. Parking spaces may be provided on driveways or within a parking area on the property and shall be counted based on the required number of spaces per applicable codes at the time of the construction or substantial reconstruction of the dwelling.
 - e. The short-term rental shall adhere to all parking regulations as outlined in Article IX of the Zoning Ordinance.
 - f. The short-term rental shall comply with all applicable sign regulations as outlined in Article X of the Zoning Ordinance.
 - g. A short-term rental property shall not be occupied for a period of less than twenty-four (24) hours.

- h. No dwelling unit shall be used as a short-term rental in excess of forty-five (45) nights per calendar year.
- i. Condominiums and apartment buildings will be limited to a license cap of one hundred (100).
- j. Documentation from the condominium association or property manager will be required to issue a license.
- k. Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed for a period of not less than one (1) year from the date of expiration.

B. *Conditional uses:*

1. Within property part of a locally designated historic district as defined in Section 24-221 and Chapter 20, Article II, Division 1, the zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling subject to the following:
 - a. ~~Approvals will be granted for a period of three (3) years unless otherwise specified by the Zoning Board of Adjustment for a shorter period.~~ Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed.
 - b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed for a period of not less than one (1) year from the date of expiration.
2. Outside of the TO Downtown-Campus District and for property inside the city limits, the zoning board of adjustment may, as a special exception subject to the primary

and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling subject to the following:

- a. ~~Approvals will be granted for a period of three (3) years unless otherwise specified by the zoning board of adjustment for a shorter period.~~ Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed
- b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed for a period of not less than one (1) year from the date of expiration.
3. Condominiums and apartments will be limited to a license cap of one hundred fifty (150) inside the TO Downtown Campus District and one hundred (100) outside the TO Downtown-Campus District. The zoning board of adjustment may, as a special exception subject to the primary and discretionary warrants for the use as outlined in Section 24-91, approve the short-term rental of a dwelling within an apartment or condominium that would exceed the license cap subject to the following:
 - a. ~~Approvals will be granted for a period of three (3) years unless otherwise specified by the Zoning Board of Adjustment for a shorter period.~~ Approvals will be granted on a probationary status for one (1) year, not to exceed thirty (30) nights in the year unless otherwise specified by the Zoning Board of Adjustment. After an initial approval by the Zoning Board of Adjustment, the owner shall submit to an audit by Urban Development Staff of any verified complaints and violations. If there have been no verified complaints and violations, the business license can be administratively renewed for short-term rental without any changes to the limits placed on the number of adults and vehicles assigned to the approval, though the nights per year may be increased to the maximum allowed by code. If there have been verified complaints and violations, the owner shall re-apply to the Zoning Board of Adjustment for a special exception prior to the license being renewed.
 - b. Before a business license can be renewed for short-term rental, the owner shall submit to an audit by City staff to determine the number of nights which the

owner has rented the premises. In the event that the owner has not rented the premises within the keeping of the spirit of the ordinance, the business license shall not be renewed **for a period of not less than one (1) year from the date of expiration.**

(Ord. No. 8814, § 4, 5-21-19)

DRAFT