

SHORT-TERM RENTAL TEXT AMENDMENT Q&A

Buncombe County Government is considering text amendments to Zoning regulations for short-term rentals (STRs). **The proposed changes will only apply to the unincorporated areas of the County, not those areas within the City of Asheville or other municipalities located throughout the County. Buncombe County has no statutory authority to pass zoning regulations for any of the incorporated municipalities.**

Q: WHAT ARE THE CURRENT COUNTY POLICIES & REGULATIONS ON STRS?

A: The Zoning Ordinance currently allows STRs in all zoning districts except the Airport district and defines them as any rental that is less than 30 days in length. Currently, the definition of STRs requires a minimum stay of at least two (2) days.

Q: WHAT CHANGES TO STR REGULATIONS ARE BEING PROPOSED BY PLANNING STAFF?

A: Suggested amendments include Zoning standards for newly created STRs:

1. Limit new STRs to commercial districts (NS, CS, EMP, PS, CR) and allow grouped STRs in Open Use with a Special Use Permit
2. Change the definition of an STR to only allow them in single-family detached units
3. Decrease the maximum size house that can be used for an STR
4. Clarify the definition of an STR.
5. Prohibit STRs in Manufactured Home Parks and in projects that receive county incentives (i.e. affordable housing developments).
6. Create Special Requirements for STRs, such as parking and other standards, trash receptacles, life safety information, etc.

Q: WHAT WOULD HAPPEN TO STRS THAT ALREADY EXIST BEFORE THE RULES CHANGE?

A: Legal STRs which exist before the changes, and which do not meet the new requirements, could continue to operate without having to meet additional standards based on the following:

1. Apply for a Zoning permit to grant legal status to the STR
2. Unit must be rented a minimum of two (2) nights every 180 days to remain grandfathered

Q: ARE THESE PROPOSED CHANGES GUARANTEED TO HAPPEN?

A: No. The proposal is a first draft from County staff that is being reviewed by the Planning Board during public meetings. The Board may recommend changing, adding, or removing some or all of the proposed changes. After the Planning Board makes a recommendation, the Board of Commissioners will review and make their own decision about whether and/or what changes to make.

Q: WHAT IS THE PROCESS FOR MAKING THESE CHANGES?

A: (1) Planning staff present proposed changes, research, and a summary of the Comprehensive Plan guidance to the Planning Board (PB) at a public meeting. (2) The PB holds additional public meetings to review, have discussions, request more information or changes, and hear public comment. (3) The PB holds a public hearing to recommend which changes they want to propose to the Commissioners. (4) The Commissioners review the recommended changes, have discussions, request more information or changes, and hear public comment. (5) The Commissioners will then decide next steps and ultimately will hold a public hearing(s) to take formal action. Only the Commissioners can adopt text amendments which will become zoning law through the adoption of an ordinance.

Q: HOW CAN I SHARE MY COMMENTS ABOUT THE PROPOSED CHANGES?

A: Comments can be emailed to planninginfo@buncombecounty.org and will be forwarded to the Planning Board members. The public may provide comments in person during a public meeting/hearing of the Planning Board or Board of Commissioners. Upcoming Planning Board meeting dates, times, and locations can be found at the following website: engage.buncombecounty.org/h8003, or by calling 828-250-4830.

SUGGESTED DRAFT TEXT AMENDMENTS

This table summarizes suggested amendments to the Zoning Ordinance Text related to Short-term Rentals.

SUMMARY OF PROPOSED TEXT AMENDMENTS	
1	Limit the use of dwelling units for the purpose of short-term rentals or grouped complexes of STRs to commercial zoning districts (NS, CS, EMP, PS, CR). In Open Use District, allow grouped complexes of STRs as a Special Use Permit **grouped complexes means more than two (2) STR's**
2	Change the definition of short-term rental to allow only single-family detached units to be rented short-term.
3	Lower the maximum gross floor area that a single unit can be for a short-term rental.
4	Clarify the definition of a short-term rental to state that it includes those which are rented for a minimum of two days and no greater than 30 days.
5	Create Special Requirement (SR) standards for new short-term rentals in the commercial areas where they are allowed <ul style="list-style-type: none"> • Minimum parking requirements per guest room • Solid waste management requirements • Minimum spacing between units • Require a bathroom • Maximum number and size of exterior signs • Owner or operator distance from STR unit • Address posting requirements • Fire Marshal requirements for access roads • Shared driveway access agreement • Buffering standards for multiple STR units • Limit on event sizes unless Event Center permit received • Capacity of unit must match approved septic system size • Clarify that STRs must be in a permanent, habitable structure
6	Provide a zoning permit process to grant legal, non-conforming status to pre-existing short-term rentals to allow them to remain in operation.
7	To maintain legal, non-conforming status the structure must be rented as a short-term rental for a minimum of two nights every 180 days.
8	Indicate that an existing non-conforming short-term rental that is transferred by deed shall end the grandfathering status of the use for a short-term rental.
9	Prohibit short-term rentals in Manufactured Home Parks
10	Prohibit short-term rentals in developments that receive a county incentive, such as a PUD, COD, density bonus program, etc.
11	Create a definition of detached structure.