

MEMORANDUM

DATE: November 18th, 2025

TO: Planning Commission

PLANNING COMMISSION MEETING

November 18th, 2025

Pre-Meeting – 2:30 p.m.

Meeting – 3:30 p.m.

City Council Chambers

Agenda

Planning Commission

City of Decatur, AL

November 18th, 2025

Time: 3:30 PM

City Council Chambers

Gary Borden, *Vice Chairman*; **Larry Wayne**, *Secretary*; **Barry Bullard**; **Frances Tate**; **Ross Terry**; **Eddie Pike**; **Myrna Burroughs**; **Forrest Temple**, **Steven Mosher**

CALL MEETING TO ORDER

Public Meeting

Annexations

- A. Annexation 382-25
- B. Annexation 383-25

Pugh Wright McAnally
Gary Borden

PAGE NO.

3-6
7-9

Pre-zoning

- A. Prezoning 1433-25
- B. Prezoning 1434-25

Pugh Wright McAnally
Pugh Wright McAnally

PAGE NO.

10-13
14-16

Minor Plat

- A. Minor Plat: Rhodes Ferry

Pugh Wright McAnally

PAGE NO.

17-20

Consent Agenda

Site Plans

- A. Site Plan 719-25

Pugh Wright McAnally

PAGE NO.

21-24

Certificates

- A. Certificate 3655-25

Pugh Wright McAnally

PAGE NO.

25-28

Final Plat

- A. Final Plat: Foxwood Add.4
- B. Final Plat: Valley Park Ph. II

Pugh Wright McAnally
Pugh Wright McAnally

PAGE NO.

29-32
33-36

Other Business

Other Business

- A. Performance Bond: Foxwood Add.4
- B. Performance Bond: Valley Park Ph.II
- C. Bond Release: Hollon Meadows
- D. Vacation 558-25
- E. Resolution: Short Term Rental

Pugh Wright McAnally
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Pugh Wright McAnally
Pugh Wright McAnally
Pugh Wright McAnally

PAGE NO.

37-40
41-44
45-48
49-52
53-57

PUBLIC HEARING

ANNEXATIONS

Annexation 382-25

FILE NAME OR NUMBER: Annexation 382-25

ACRES: 6.67 +/- acres

CURRENT ZONE: Unincorporated

APPLICANT: River City Fabrication Mechanical Inc.

LAND OWNER: River City Fabrication Mechanical Inc.

LOCATION AND/OR PROPERTY ADDRESS: West of 370 McEntire LN SW

REQUEST: Annex 6.67 +/- acres into Decatur City Limits

PROPOSED LAND USE: Industrial

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

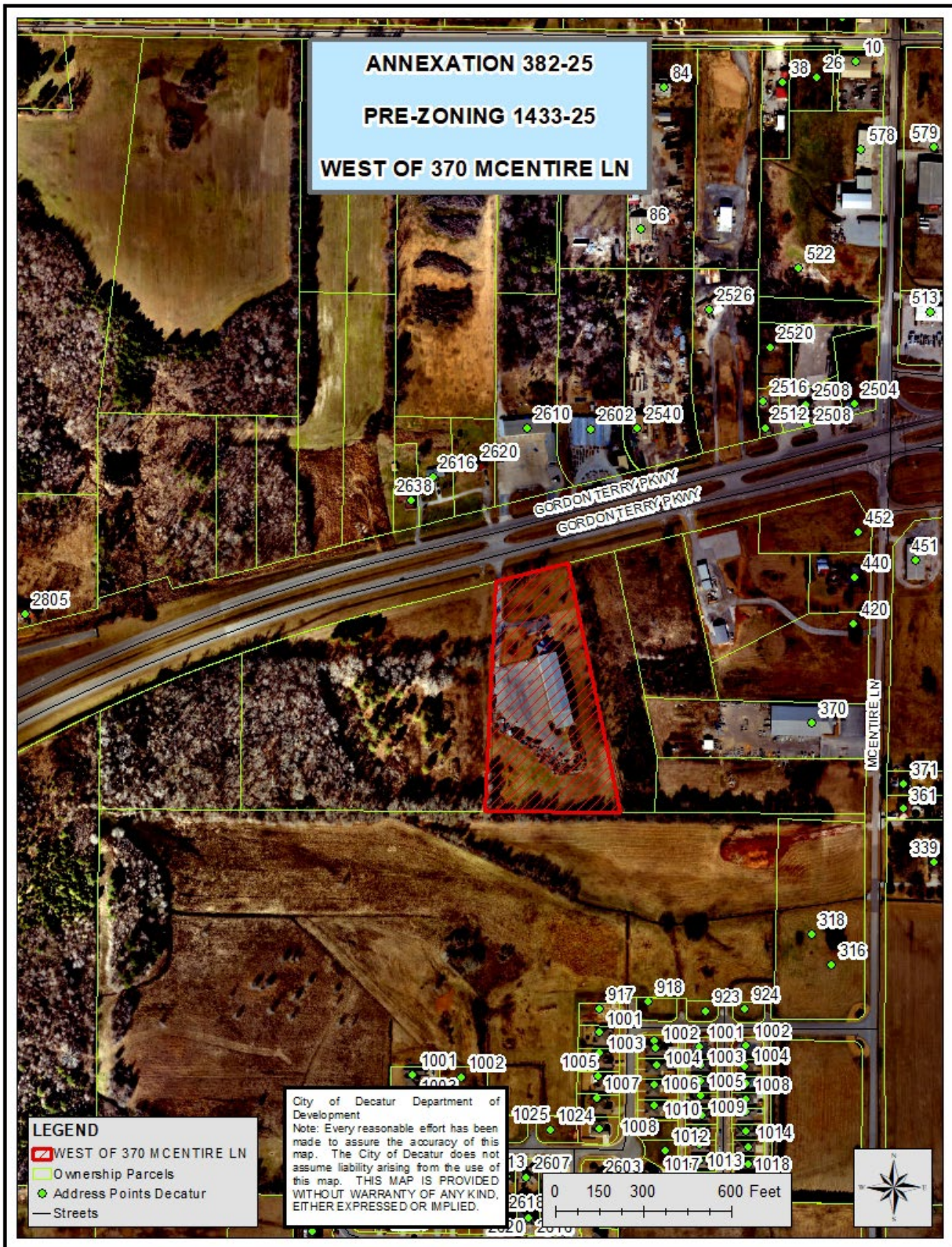
ONE DECATUR STREET TYPOLOGY: Gordon Terry Parkway is a Principal Arterial

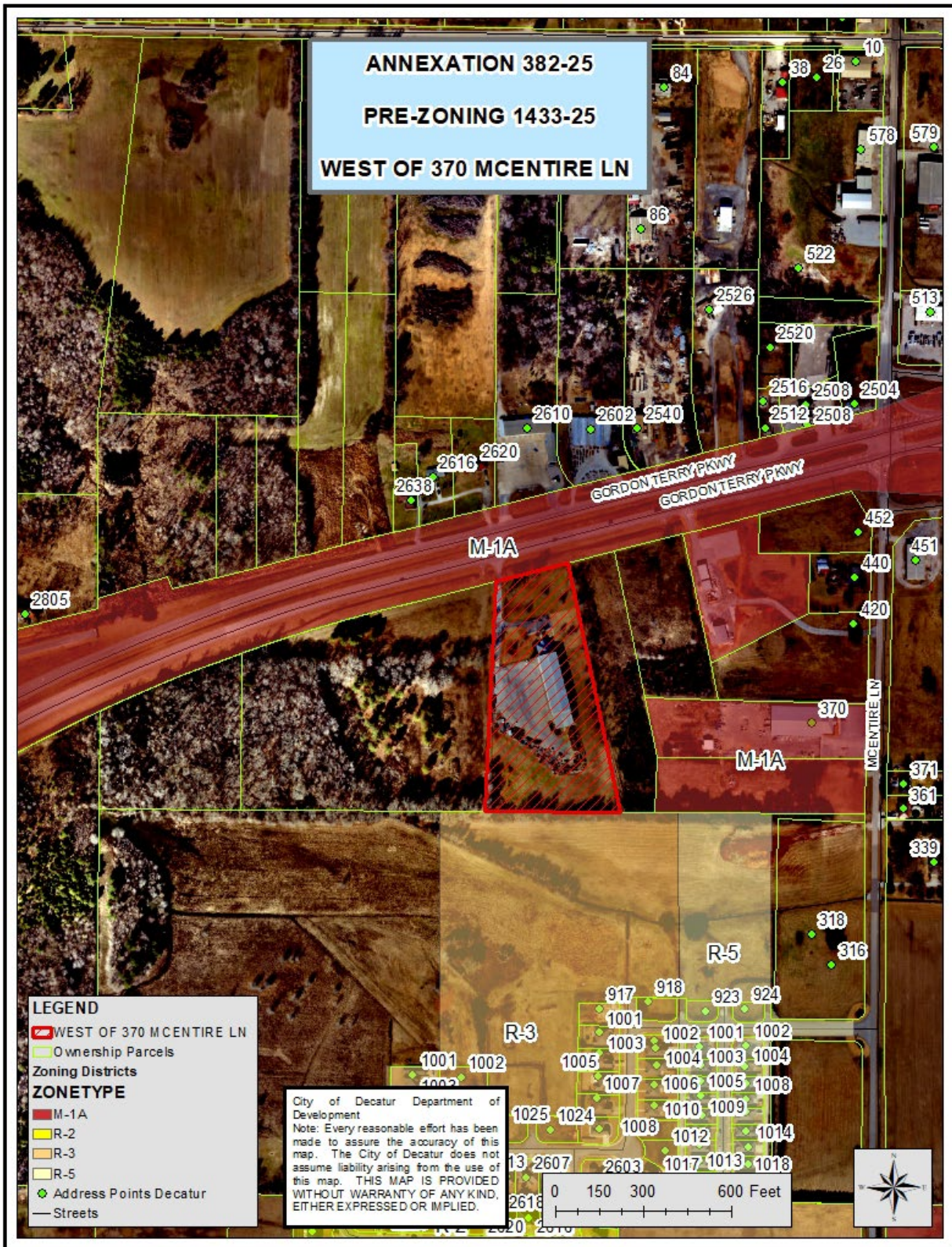
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

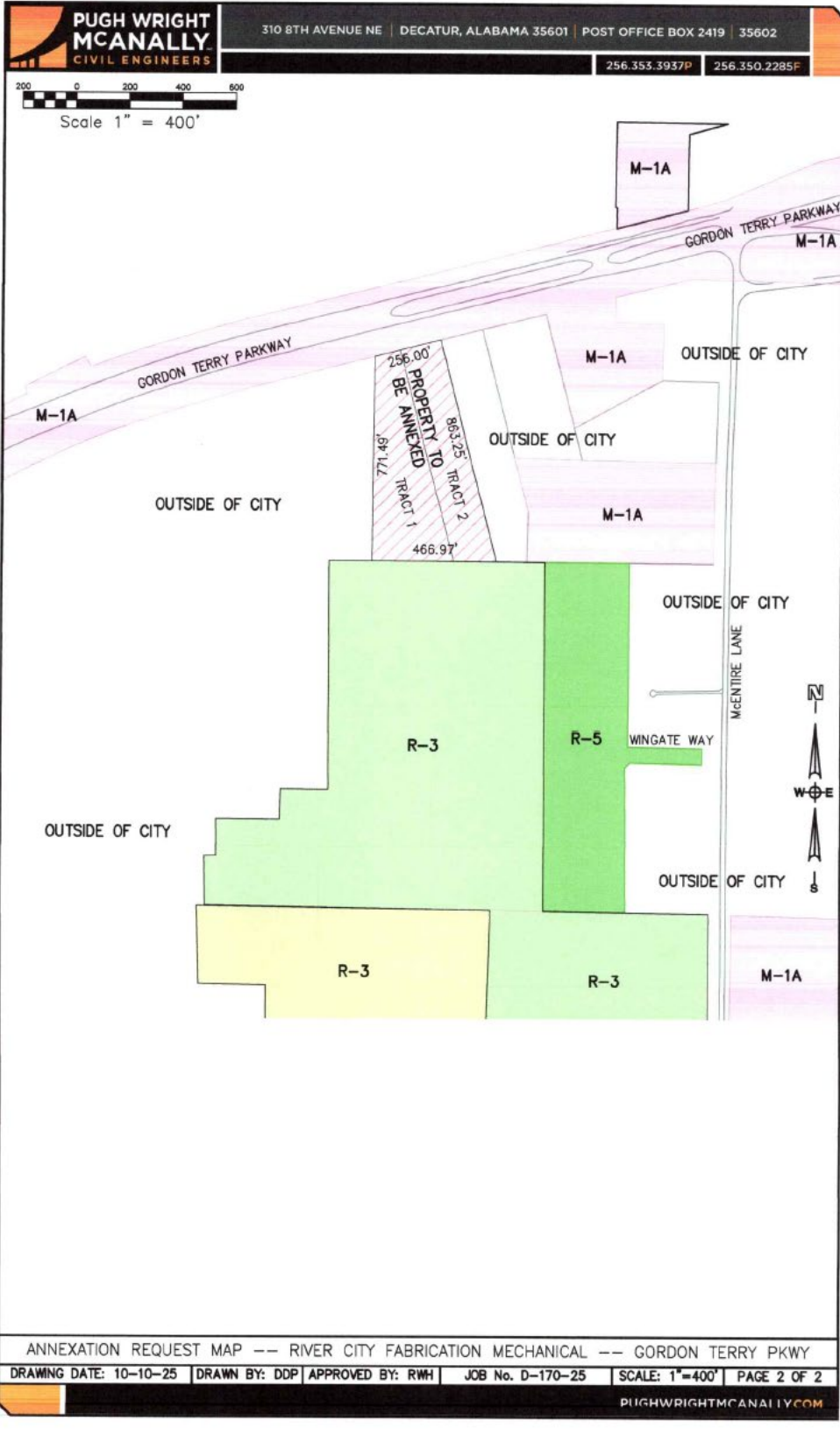
Conditions to be met:

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. Wastewater is available. (DU-Wastewater)







Annexation 383-25

FILE NAME OR NUMBER: Annexation 383-25

ACRES: 2.38 +/- acres

CURRENT ZONE: Unincorporated

APPLICANT: Gary Borden (Decatur Utilities)

LAND OWNER: Decatur Utilities Wastewater Department

LOCATION AND/OR PROPERTY ADDRESS: 505 16th Ave NW

REQUEST: Annex 2.38 +/- acres into the City Limits

PROPOSED LAND USE: Industrial

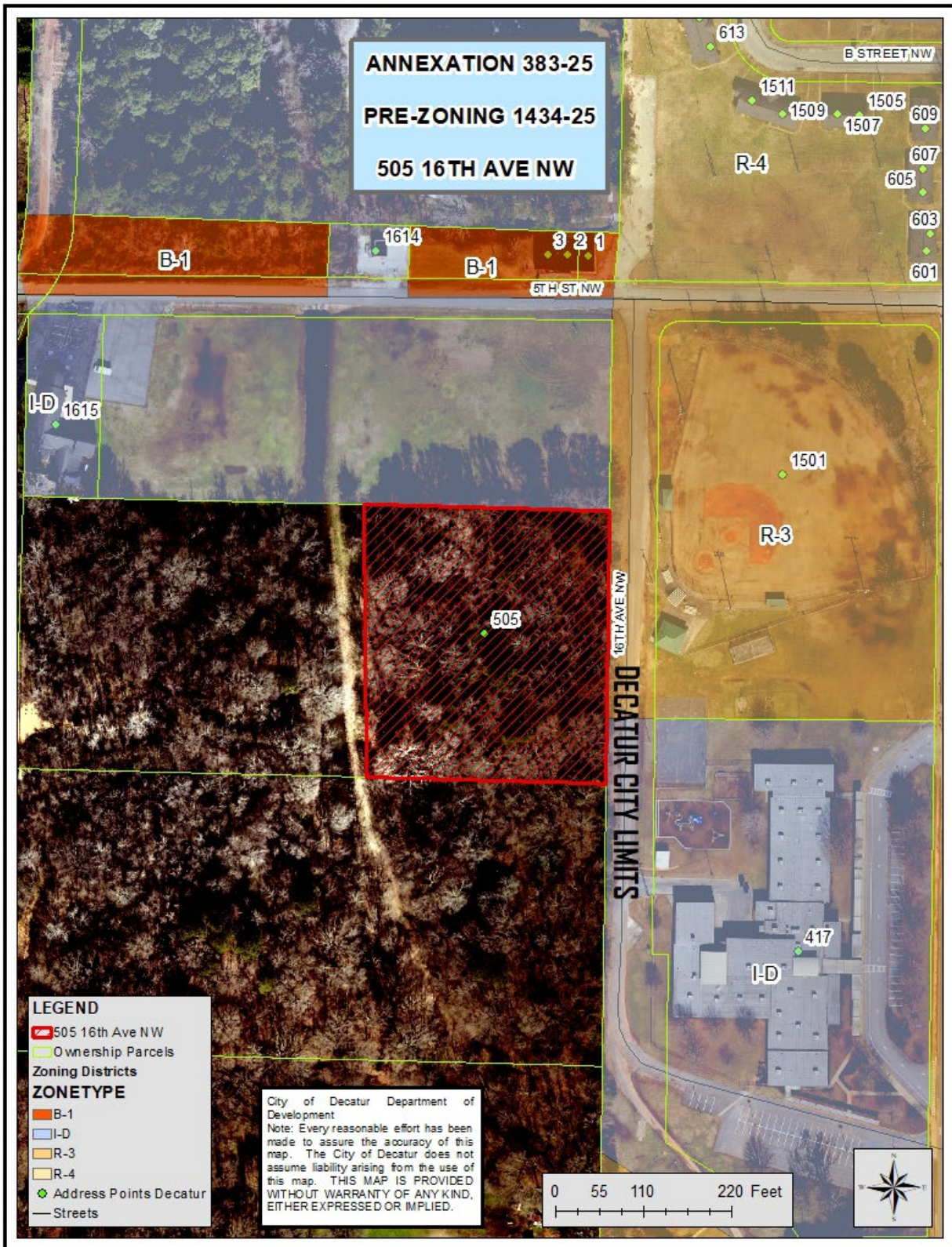
ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: 16 Ave NW is a local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.



PRE-ZONINGS

PRE-ZONING 1433-25

FILE NAME OR NUMBER: Pre-Zoning 1433-25

ACRES: 6.67 +/- acres

CURRENT ZONE: Unincorporated

APPLICANT: River City Fabrication Mechanical Inc.

LAND OWNER: River City Fabrication Mechanical Inc.

LOCATION AND/OR PROPERTY ADDRESS: West of 370 McEntire LN SW

REQUEST: Pre-zone 6.67 +/- acres to M-1A (Expressway Commercial)

PROPOSED LAND USE: Industrial

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

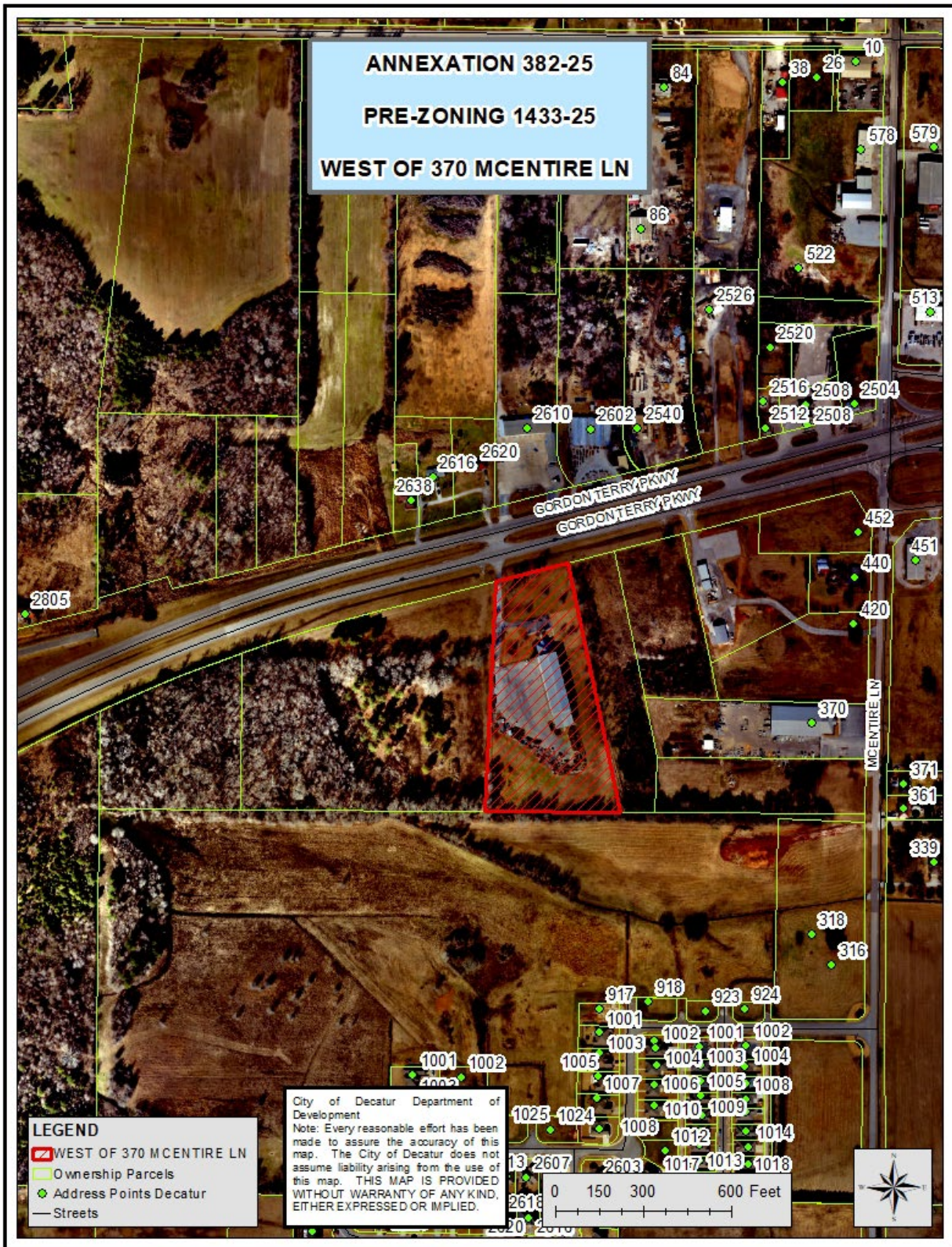
ONE DECATUR STREET TYPOLOGY: Gordon Terry Parkway is a Principal Arterial

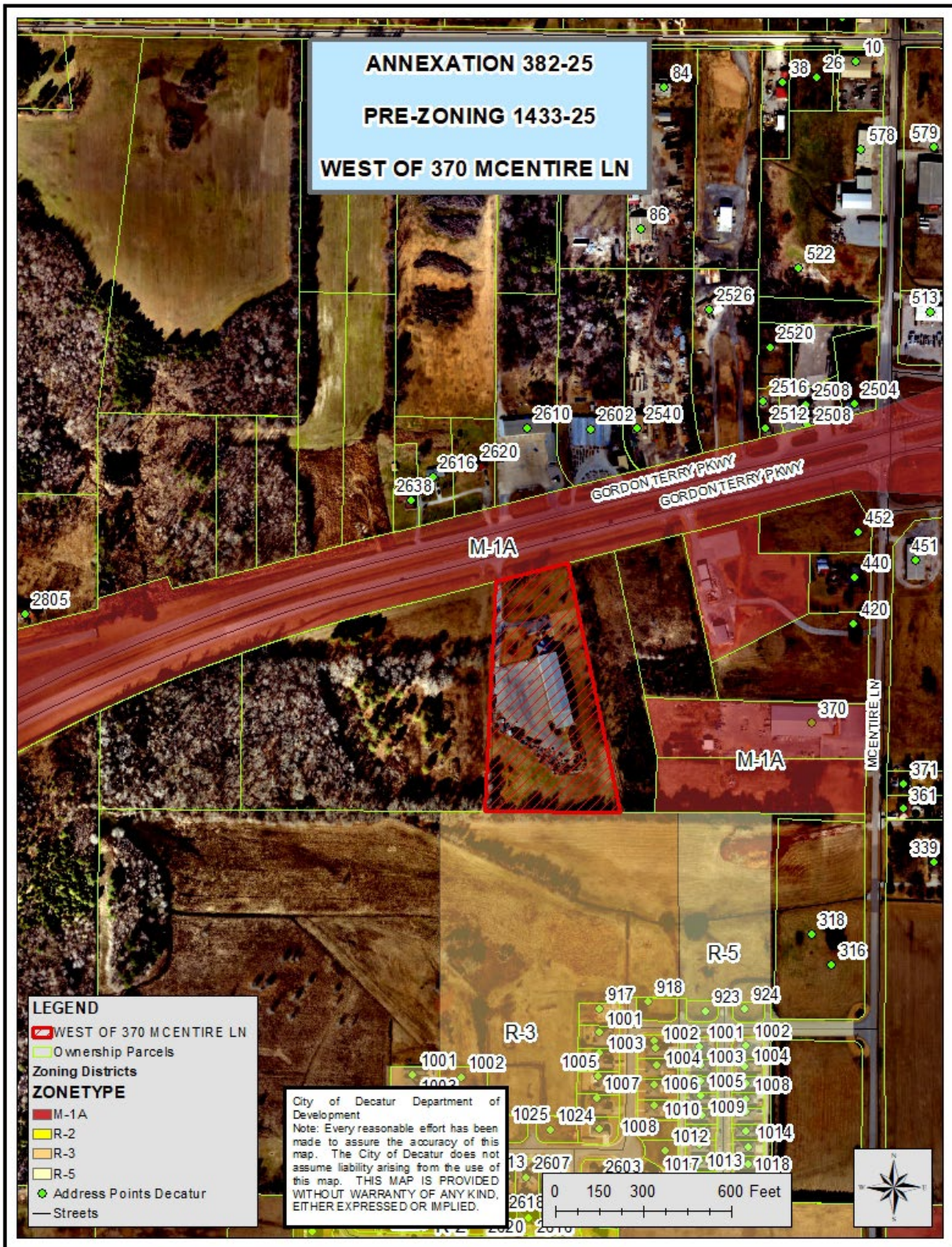
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

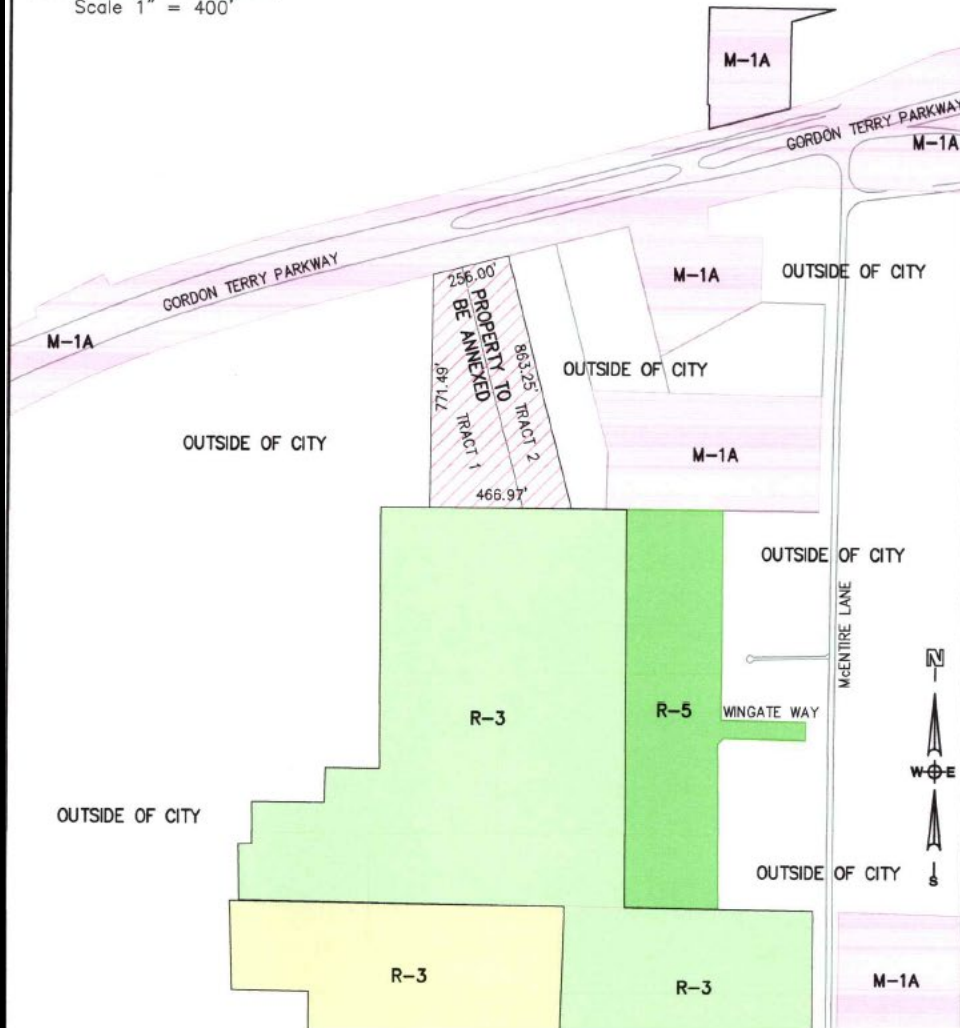
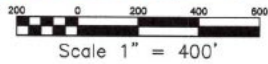
Conditions to be met:

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. Gas and Water are available (DU)







ANNEXATION REQUEST MAP -- RIVER CITY FABRICATION MECHANICAL -- GORDON TERRY PKWY

DRAWING DATE: 10-10-25 | DRAWN BY: DDP | APPROVED BY: RWH | JOB No. D-170-25 | SCALE: 1"=400' | PAGE 2 OF 2

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PRE-ZONING 1434-25

FILE NAME OR NUMBER: Pre-Zoning 1434-25

ACRES: 2.38 +/- acres

CURRENT ZONE: Unincorporated

APPLICANT: Gary Borden (Decatur Utilities)

LAND OWNER: Decatur Utilities Wastewater Department

LOCATION AND/OR PROPERTY ADDRESS: 505 16th Ave NW

REQUEST: Pre-Zone 2.38 +/- acres to I-D (Institutional)

PROPOSED LAND USE: Wastewater Lift Station

ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: 16th Ave NW is a local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.



MINOR PLATS

MINOR PLAT: THE WATERFRONT AT RHODES FERRY

FILE NAME OR NUMBER: Replat of Lot 2 & a Portion of Lot 7, The Waterfront at Rhodes Ferry

ACRES: 1.81 +/- acres

CURRENT ZONE: B-5 (Central Business District)

APPLICANT: Waterfront Owners Association

LAND OWNER: Waterfront Owners Association

LOCATION AND/OR PROPERTY ADDRESS: 300 Market Street NE

REQUEST: Approve Minor Plat

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Riverfront Mixed Use

ONE DECATUR STREET TYPOLOGY: Market Street is a local Street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

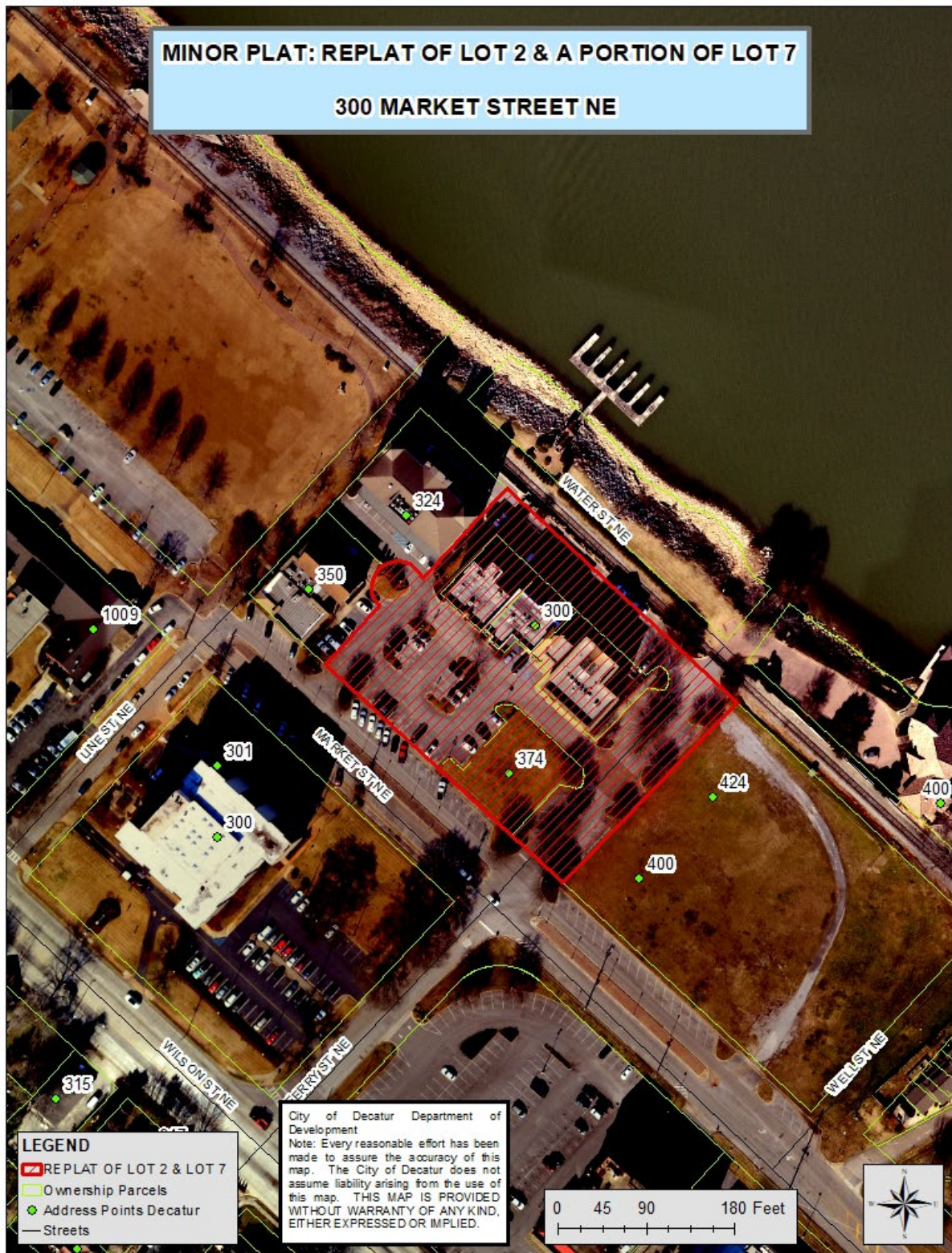
Conditions to be met:

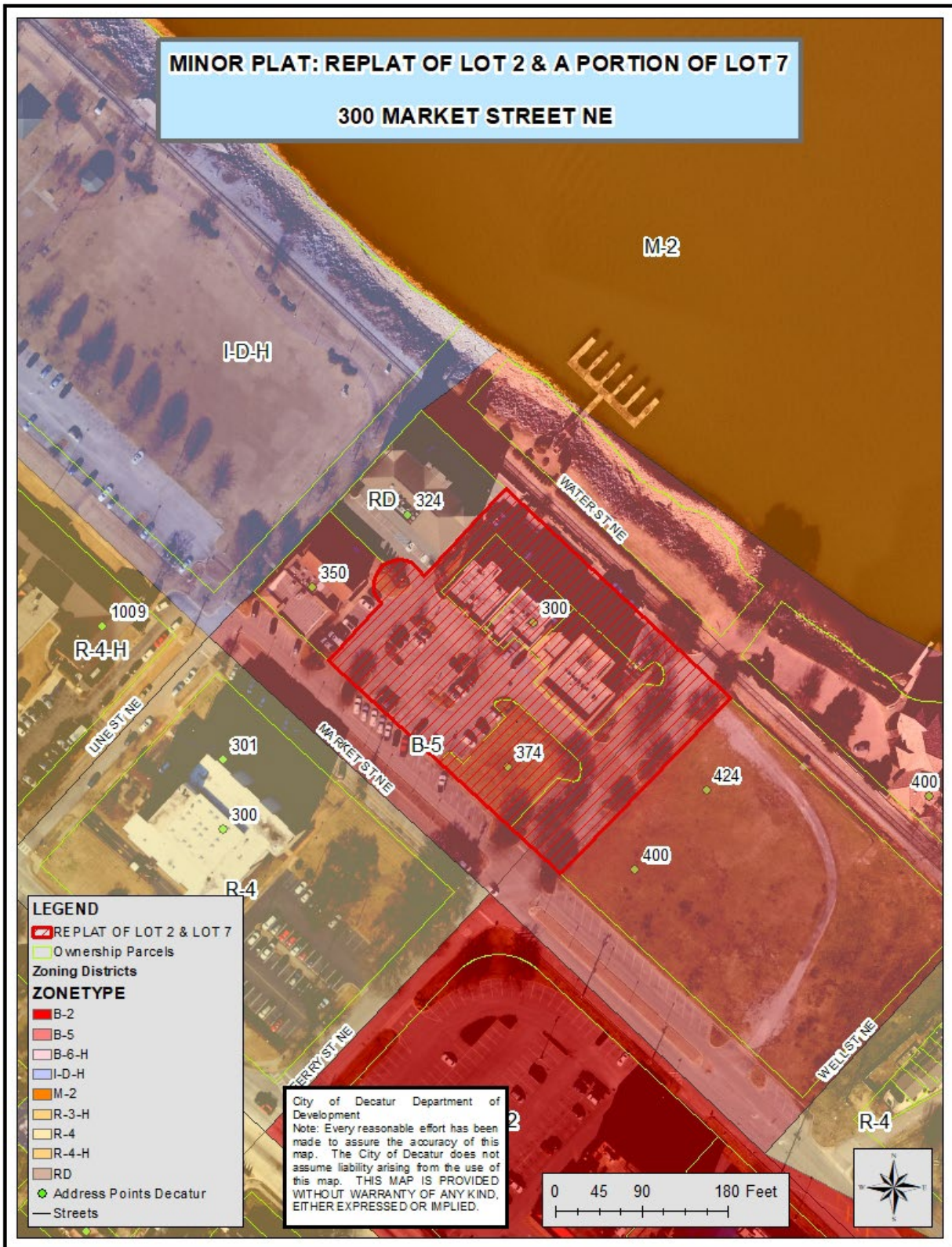
1. Please show existing gas, water, and wastewater easements (DU)

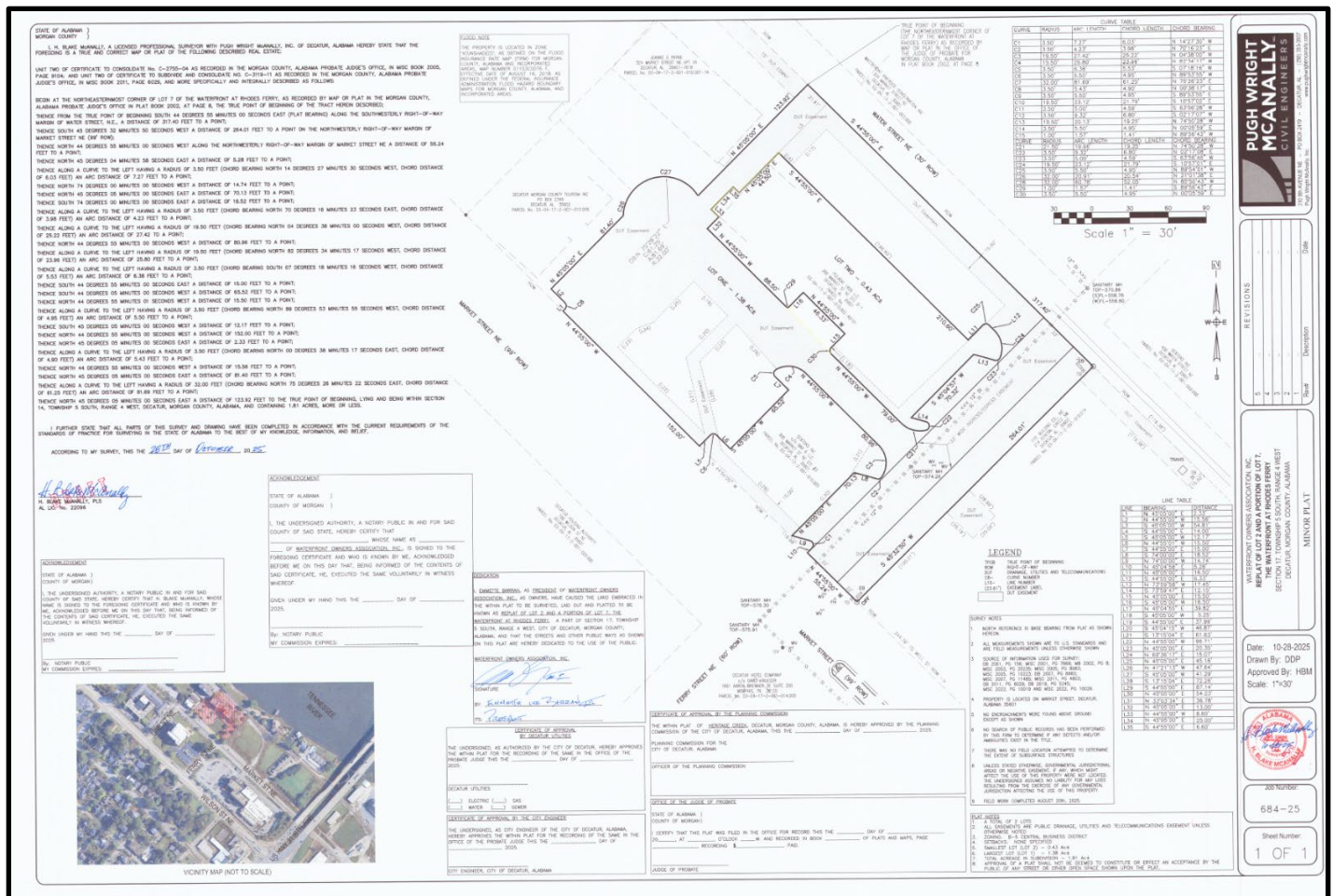
Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.

MINOR PLAT: REPLAT OF LOT 2 & A PORTION OF LOT 7

300 MARKET STREET NE







CONSENT AGENDA

SITE PLANS

SITE PLAN 719-25

FILE NAME OR NUMBER: Site Plan 719-25

ACRES: 10.92 +/- acres

CURRENT ZONE: M-1A (Expressway Commercial)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Hilton LivSmart Hotel

LOCATION AND/OR PROPERTY ADDRESS: 2251 Old Moulton Road

REQUEST: Approve site plan to construct a hotel

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Community Commercial & Flex Employment

ONE DECATUR STREET TYPOLOGY: Old Moulton Road SW Minor Arterial

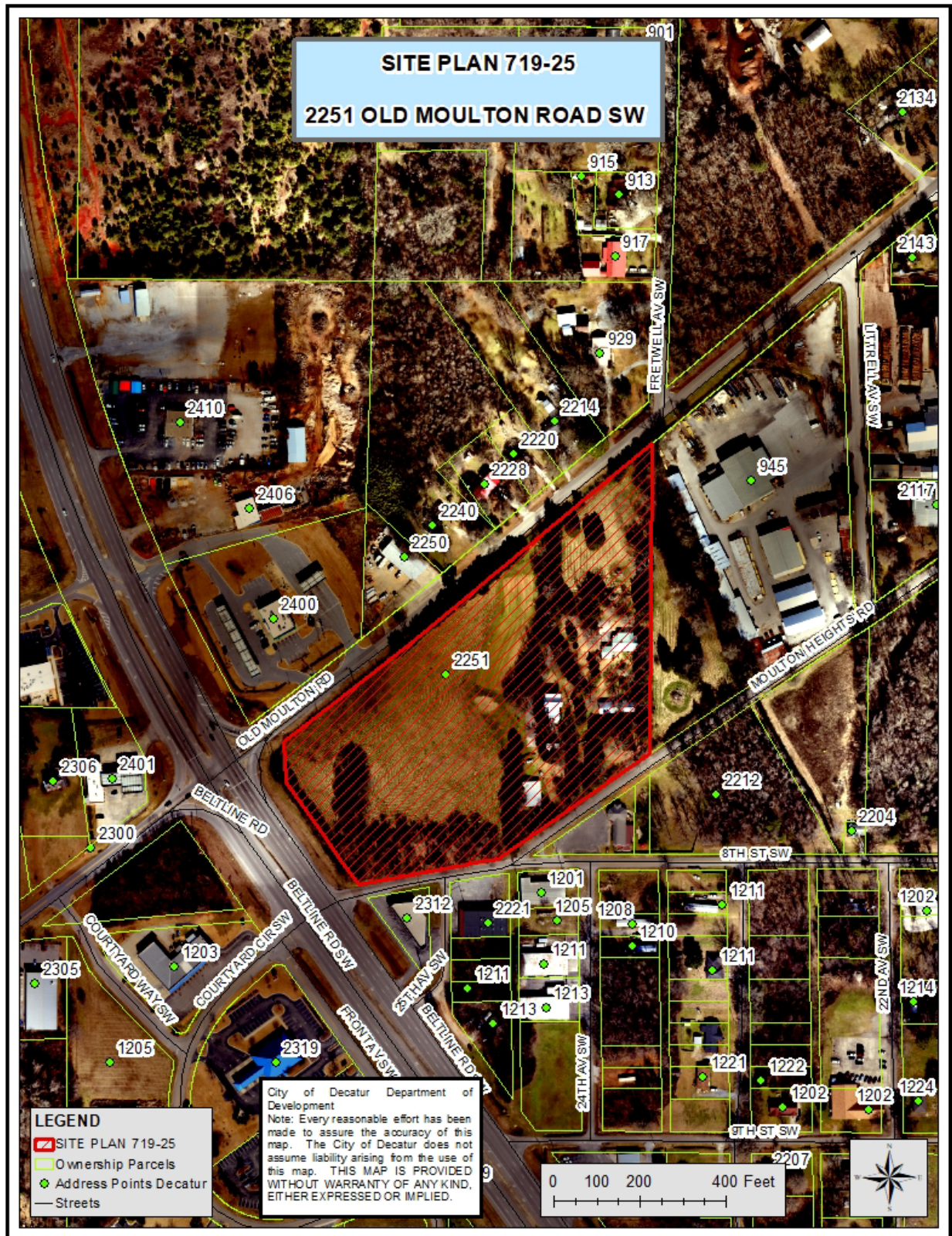
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

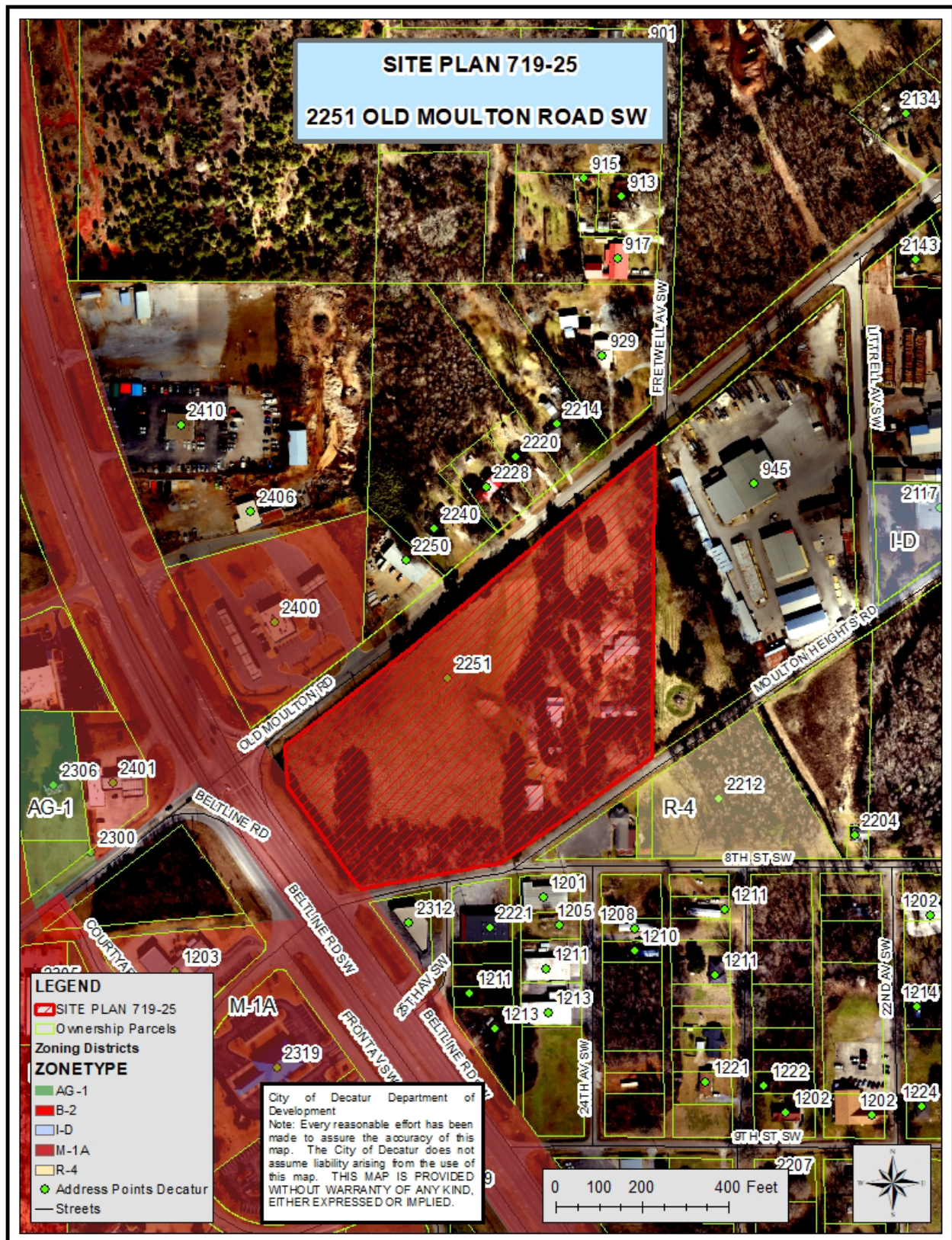
Conditions to be met:

1. A main extension will be required for service (DU)
2. Please ensure that the sewer main extension is made into an easement (DU)

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. Coordinate with Decatur Utilities for installation of gas main (DU)





CERTIFICATES

CERTIFICATE 3655-25

FILE NAME OR NUMBER: Certificate 3655-25

ACRES: 1.19+/- acres

CURRENT ZONE: R-5 (Patio Homes)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Jonathan & Allison Henderson

LOCATION AND/OR PROPERTY ADDRESS: 2504, 2506, & 2508 Legacy Cove SE

REQUEST: Consolidate three parcels into one

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Riverfront Mixed-Use

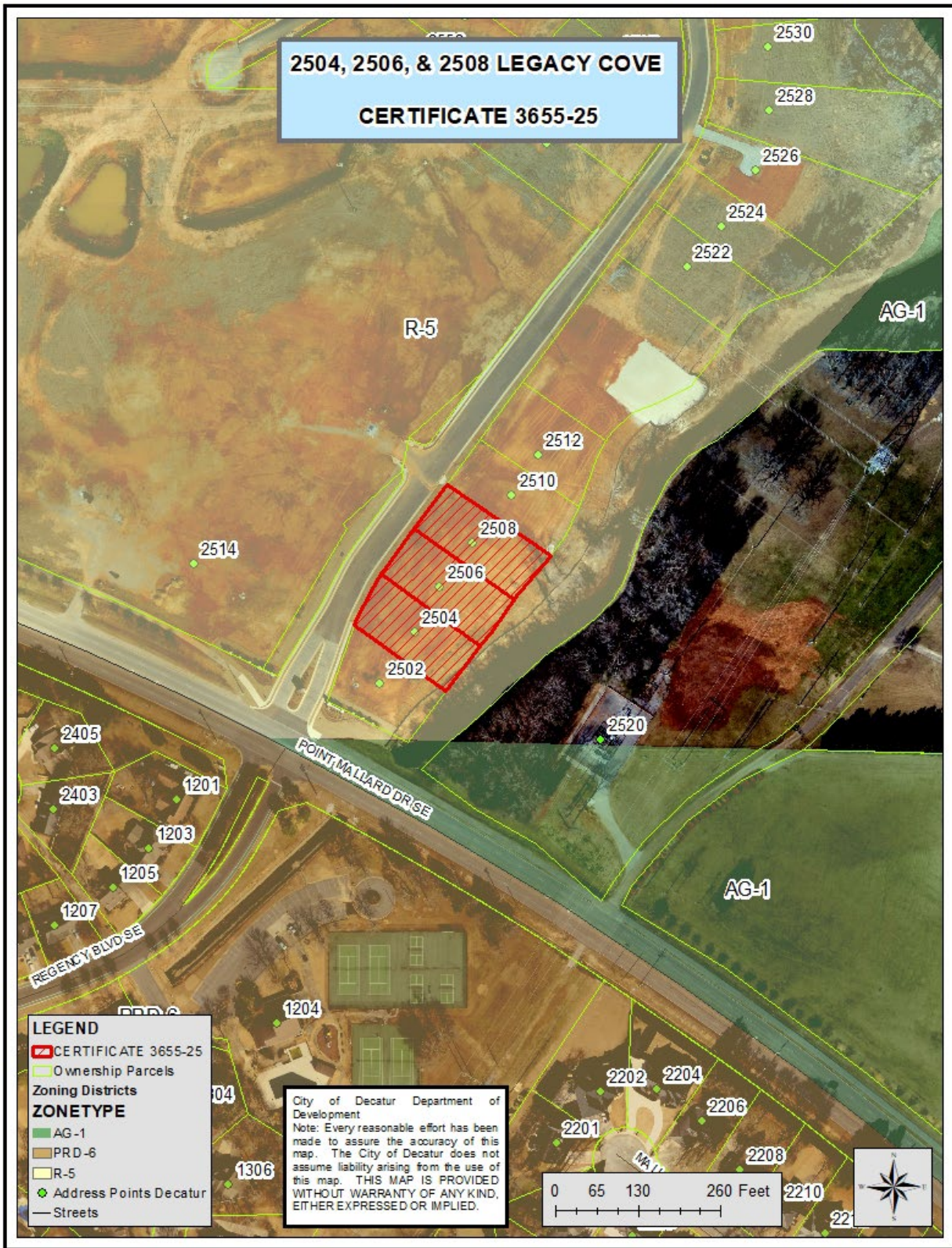
ONE DECATUR STREET TYPOLOGY: Legacy Cove is a local street

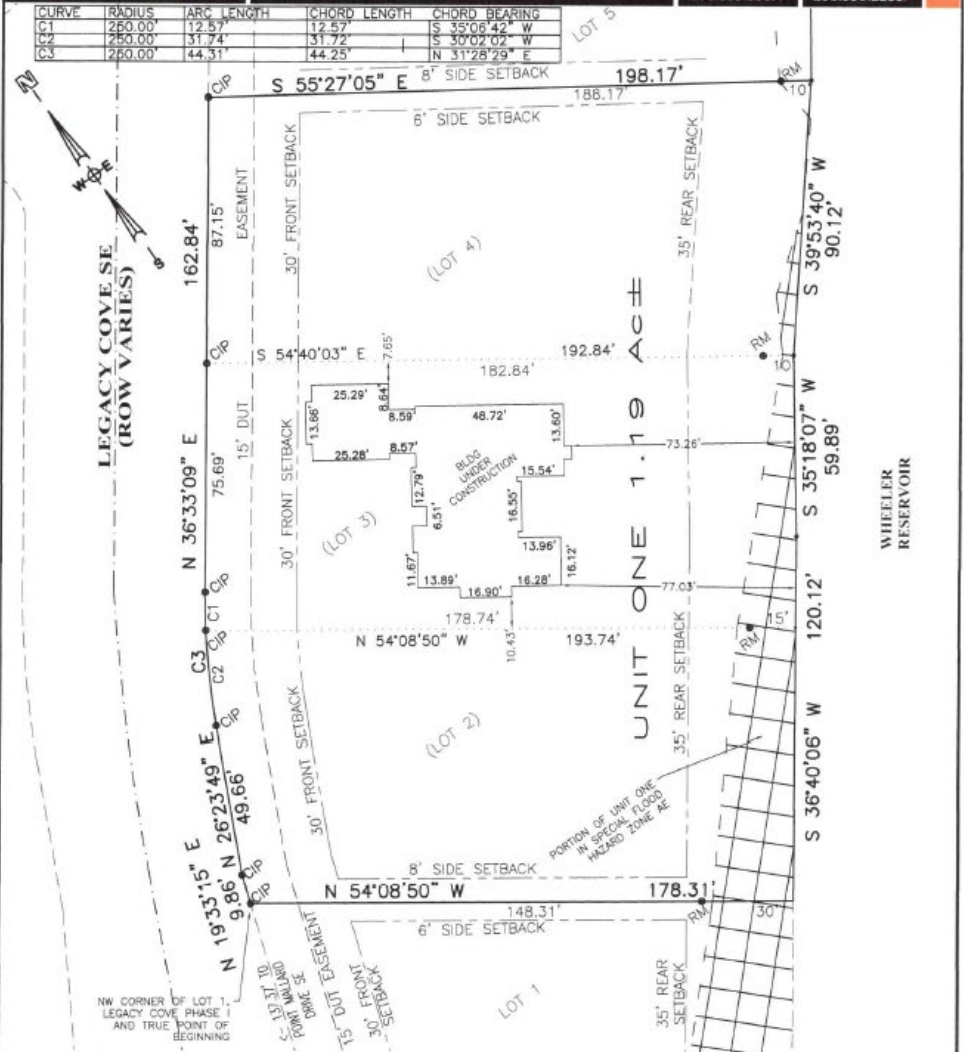
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.

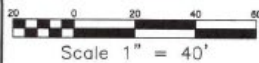






GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID--WEST ZONE (NAD1983) AS DETERMINED BY GNSS OBSERVATIONS.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2021, PG 33
4. PROPERTY ADDRESS IS ON LEGACY COVE, SE, DECATUR, AL 35601
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED IN OCTOBER, 2025.



LEGEND

CIP CAPPED IRON PIN
RM REFERENCE MARKER
DUT DRAINAGE, UTILITIES AND TELECOMMUNICATIONS

CERTIFICATE TO CONSOLIDATE -- JONATHAN HENDERSON -- LEGACY COVE, DECATUR, AL

DRAWING DATE: 10-24-2025 DRAWN BY: DDP APPROVED BY: RWH JOB No. S-195-25 SCALE: 1"=40' PAGE 3 OF 3

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FINAL PLATS

FINAL PLAT: FOXWOOD ADDITION 4

FILE NAME OR NUMBER: Foxwood Addition 4

ACRES: 27.38 +/- acres

CURRENT ZONE: R-3 (Single-Family)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Foxwood Farms Subdivision Partners LLC.

LOCATION AND/OR PROPERTY ADDRESS: North of Foxwood Subdivision Phase 3

REQUEST: Approve final plat to construct 68 residential lots on 27.38 acres +/-

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Low Residential

ONE DECATUR STREET TYPOLOGY: Emma St, Lakota Dr, & Seminoles St SE are Local Streets.

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

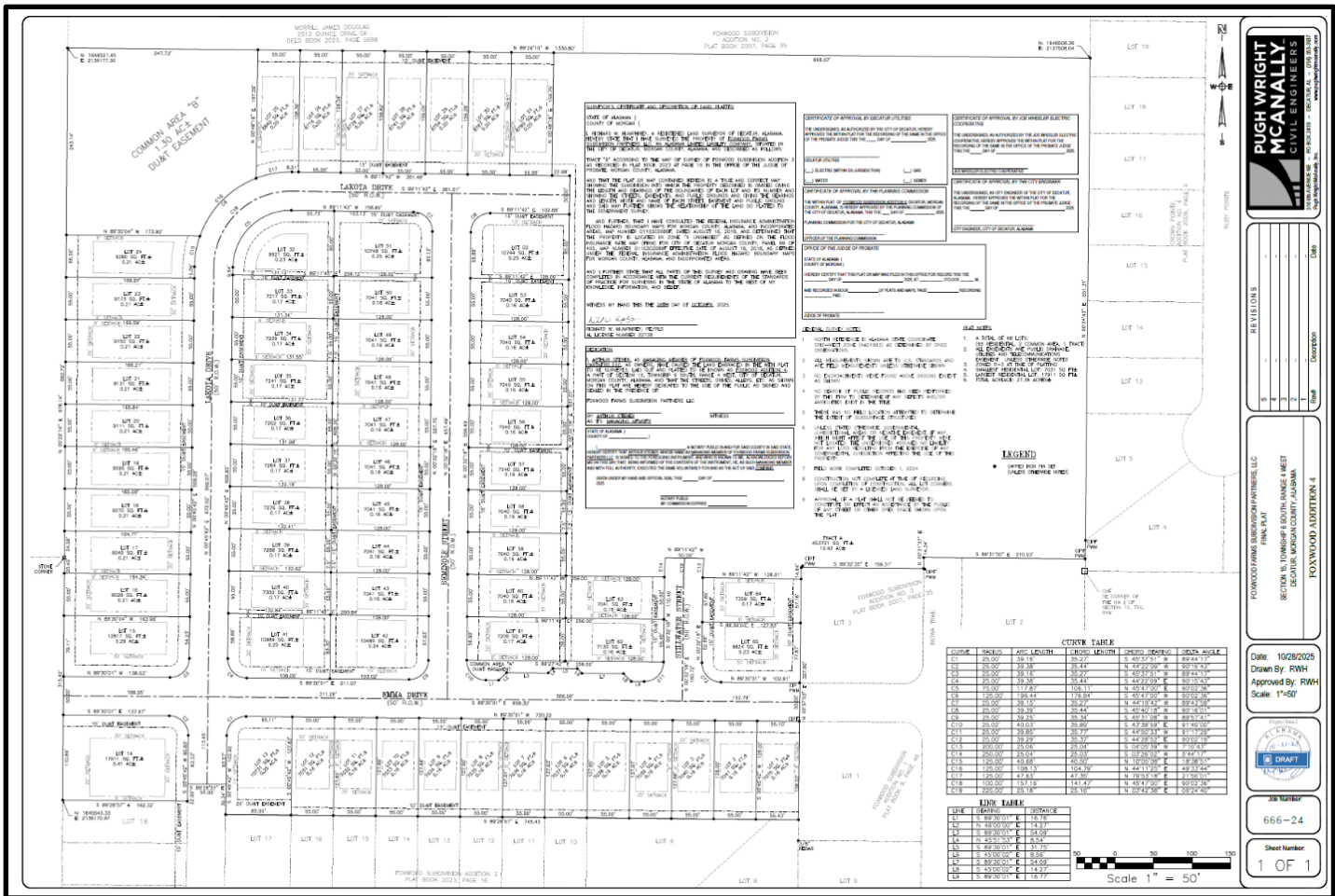
1. Please label the easements between lots 50 & 51 (Engineering)

Point of Information:

1. Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.
2. Please ensure that payment for the street signs has been completed before the City can accept the public improvements.







FINAL PLAT: VALLEY PARK PHASE II

FILE NAME OR NUMBER: Final Plat: Valley Park Phase II

ACRES 10.43 +/- acres

CURRENT ZONE: R-3 (Single-Family)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Wilshire Development Alabama, LLC

LOCATION AND/OR PROPERTY ADDRESS: East of Valley Park Phase I

REQUEST: Subdivide 10.43 +/- acres into 32 lots

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Flex Employment & Low Residential

ONE DECATUR STREET TYPOLOGY: Clear Creek Road is a local street

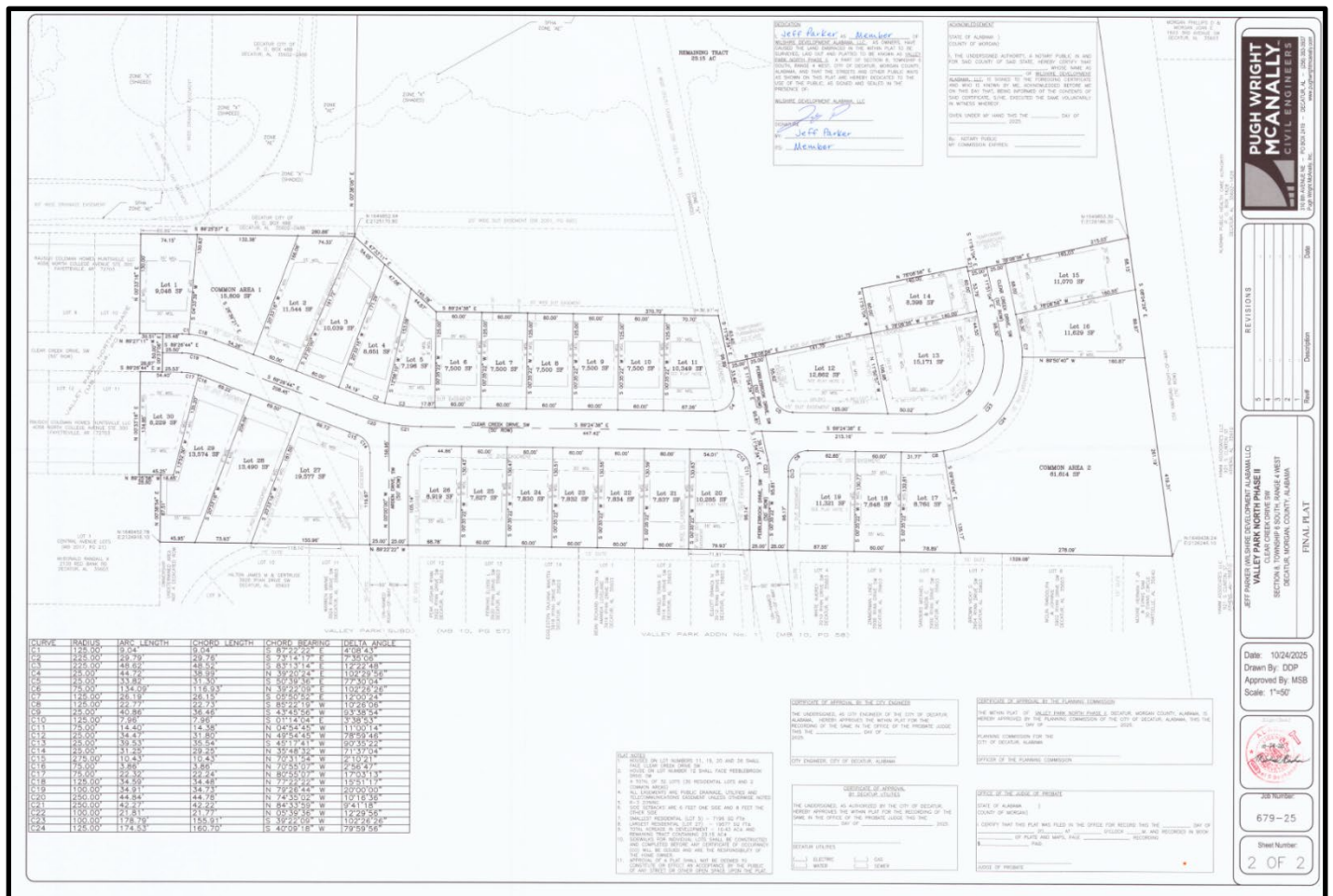
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.







OTHER BUSINESS

BONDS

PERFORMANCE BOND FOXWOOD ADDITION 4

FILE NAME OR NUMBER: Performance Bond: Foxwood Addition 4

ACRES: 27.38 +/- acres

CURRENT ZONE: R-3 (Single-Family)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Foxwood Farms Subdivision Partners LLC.

LOCATION AND/OR PROPERTY ADDRESS: North of Foxwood Subdivision Phase 3

REQUEST: Accept Performance Bond in the amount of \$202,530 (Street Paving, Curb & Gutter, & Electrical)

PROPOSED LAND USE: Residential

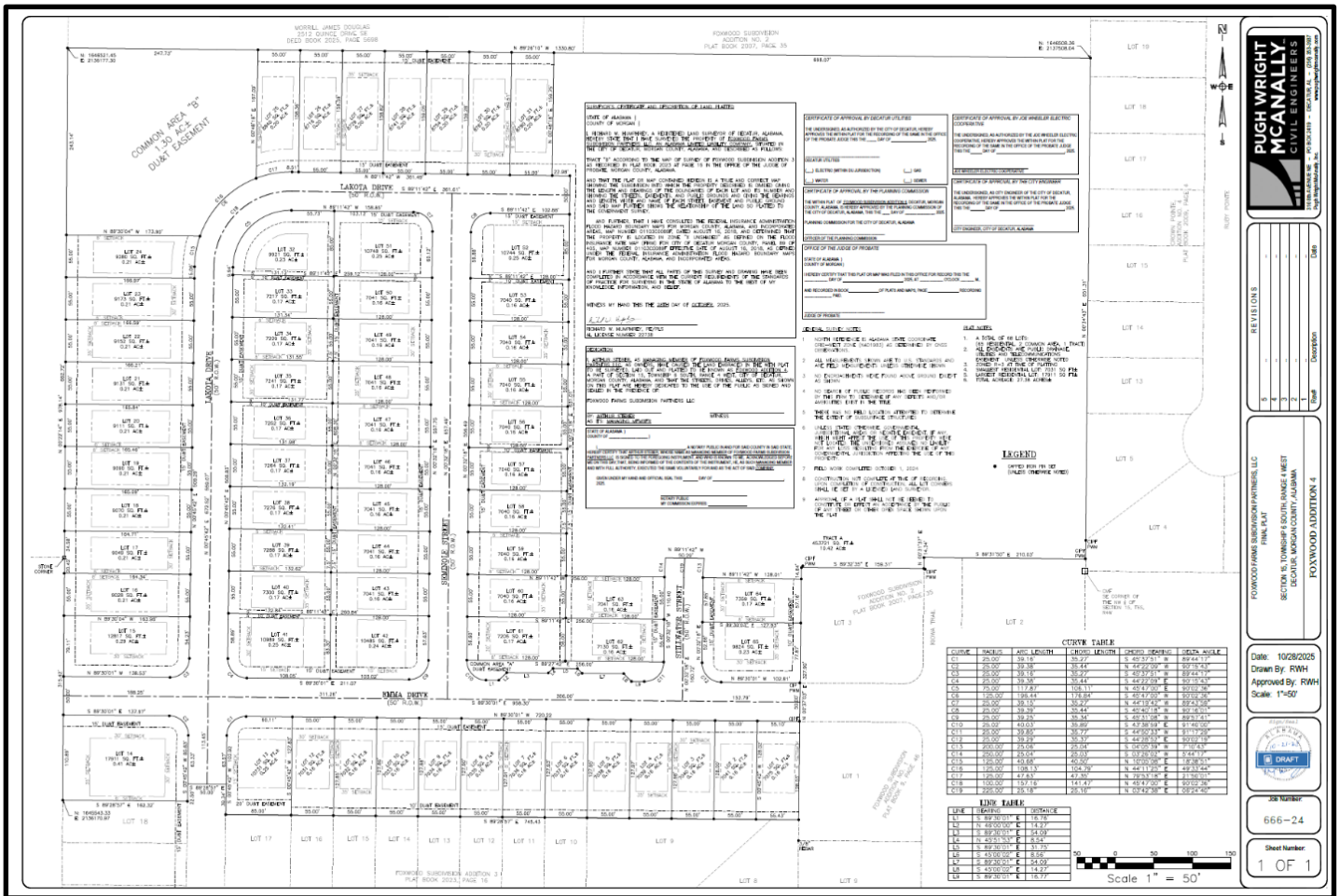
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.







PERFORMANCE BOND VALLEY PARK II

FILE NAME OR NUMBER: Performance Bond: Valley Park Phase II

ACRES 10.43 +/- acres

CURRENT ZONE: R-3 (Single-Family)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Wilshire Development Alabama, LLC

LOCATION AND/OR PROPERTY ADDRESS: East of Valley Park Phase I

REQUEST: Accept Performance Bond in the Amount of \$87,000

PROPOSED LAND USE: Residential

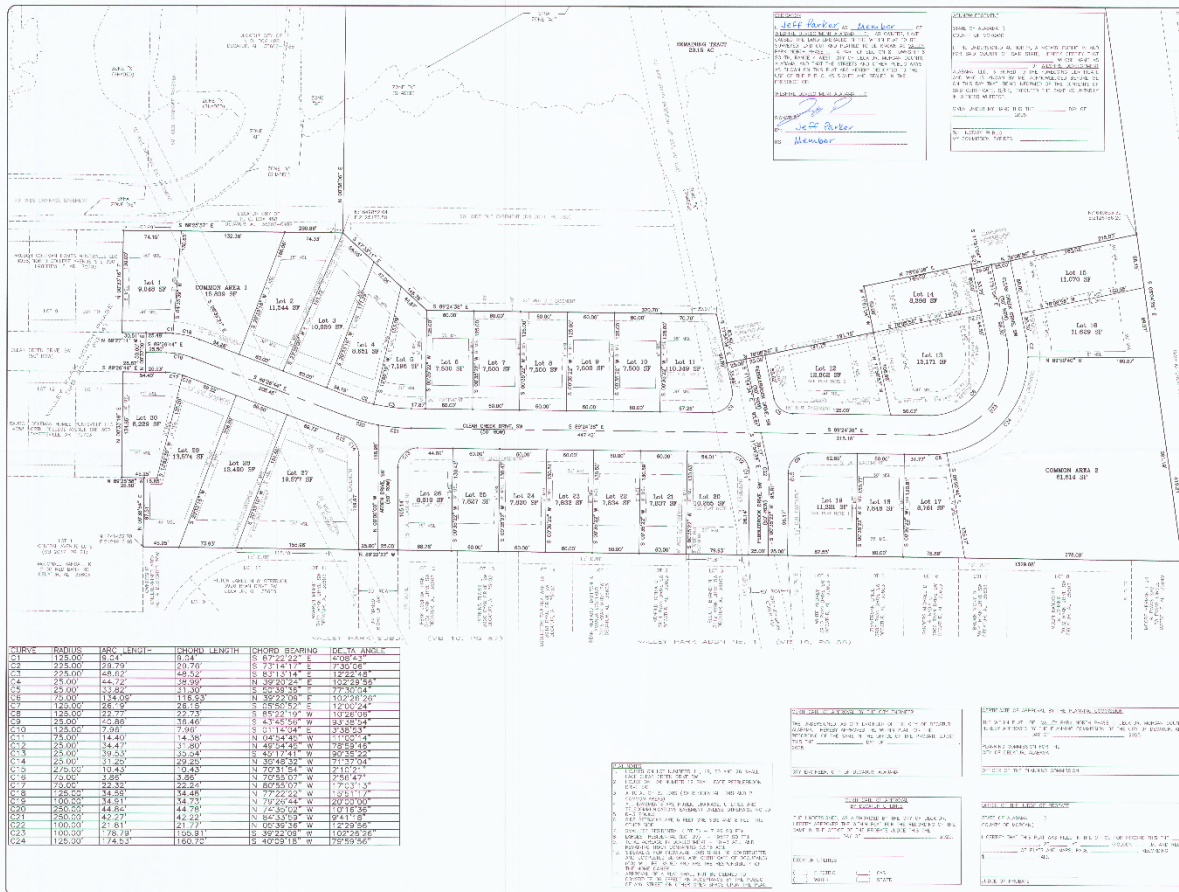
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.







REVISIONS	
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1

JEFF WRIGHT, P.E.
 PUGH WRIGHT MCANALLY
 CIVIL ENGINEERS, INC.
 10000 N. 100th Ave., Suite 100
 Greenwood, MN 55223
 (763) 434-1111
 FAX (763) 434-1112
 WWW.PWMCI.COM

Date: 10/24/2005
 Drawn By: DDP
 Approved By: MSB
 Scale: 1"=50'



679-25
 2 OF 2

Surveyed by: [Name], [Date], [Time]

PERFORMANCE BOND RELEASE: HOLLON MEADOWS

FILE NAME OR NUMBER: Performance Bond Release: Hollon Meadows

CURRENT ZONE: R-5 (Patio Homes) & R-6 (Semi-Attached)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Davidson Homes

LOCATION AND/OR PROPERTY ADDRESS: East of Deere Road SE

REQUEST: Release Performance Bond in the amount of \$788,464.50

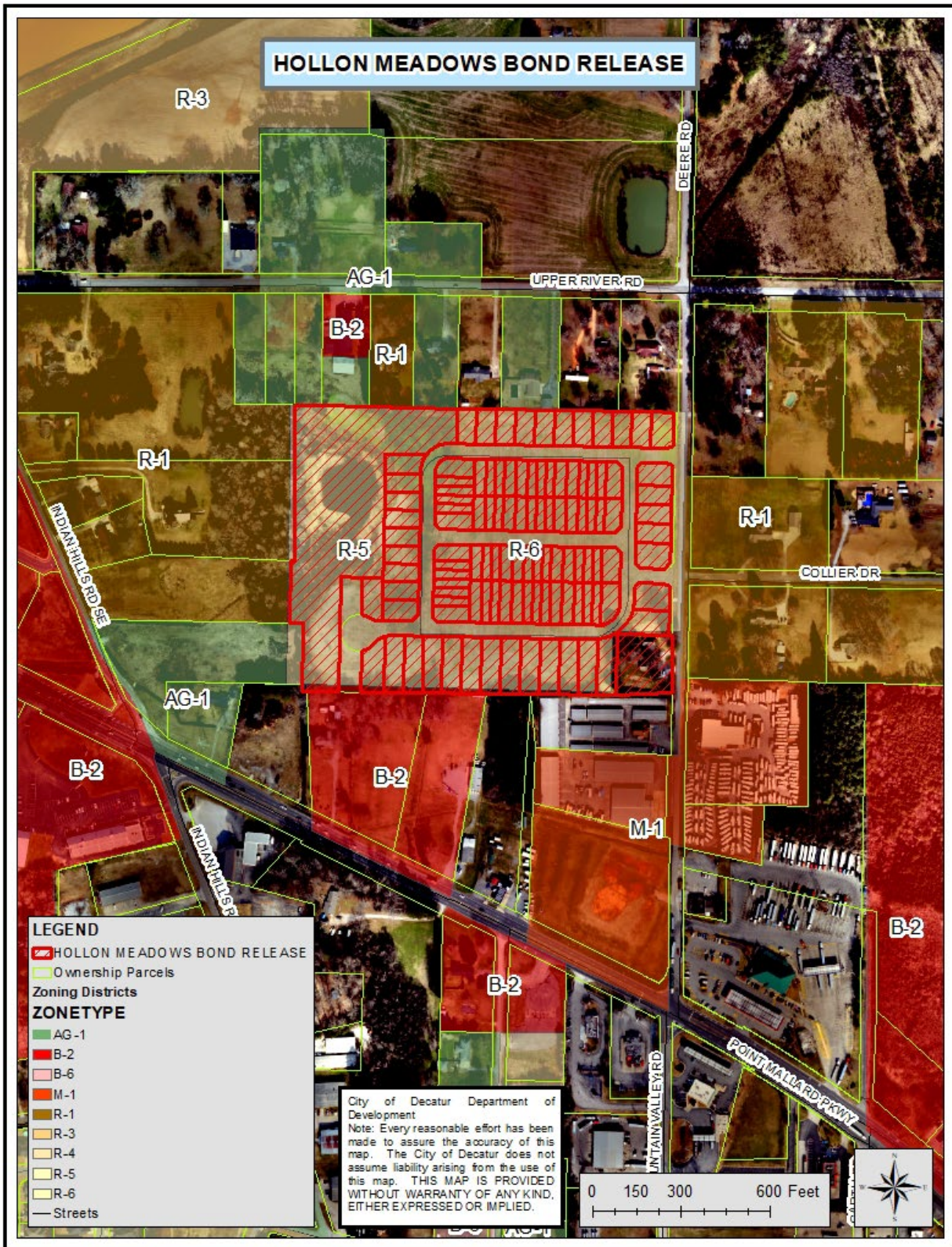
PROPOSED LAND USE: Residential

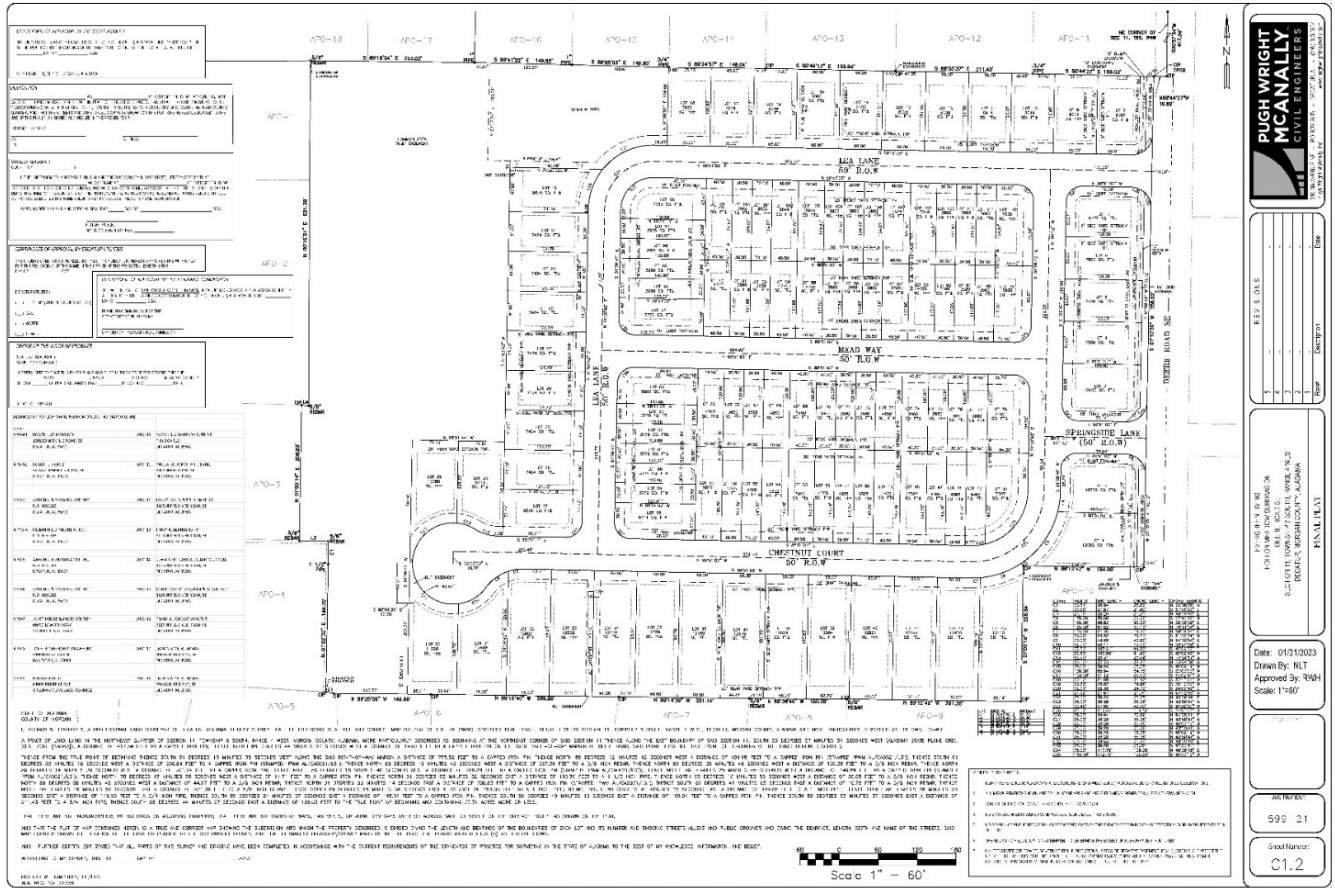
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.







VACATIONS

VACATION 558-25

FILE NAME OR NUMBER: Vacation 558-25

CURRENT ZONE: R-5 (Patio Homes)

APPLICANT: Pugh Wright McAnally

LAND OWNER: Habitat for Humanity

LOCATION AND/OR PROPERTY ADDRESS: Moulton Heights Road

PROPOSED LAND USE: Residential

REQUEST: Vacate 0.01 +/- Acres of a Drainage, Utilities, and Telecommunications Easement

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Mixed Neighborhoods & Low Residential

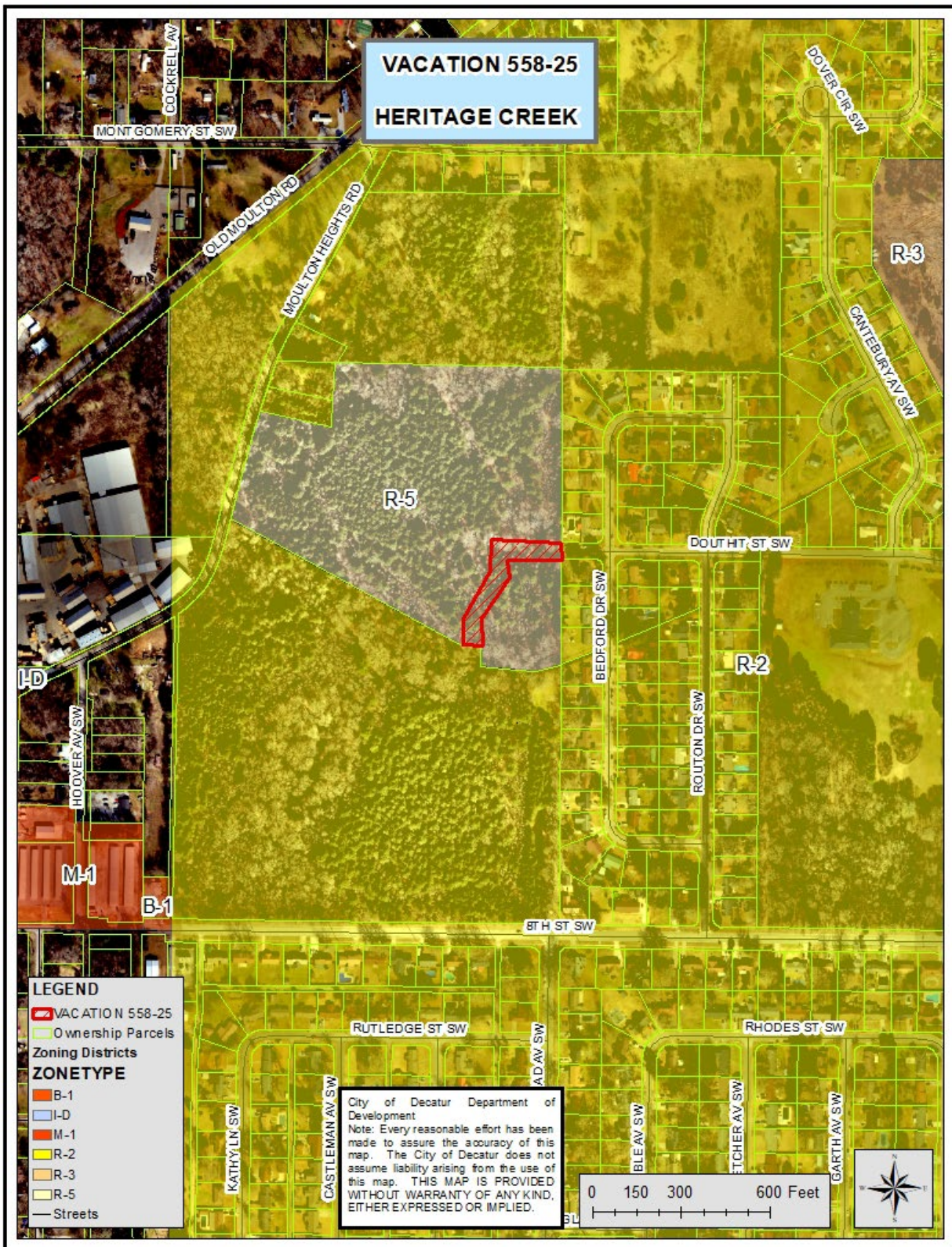
ONE DECATUR STREET TYPOLOGY: Moulton Heights Road is a local street

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

Conditions to be met:

Point of Information: Any relocation of utilities will be at the owner's expense, and any relocation needs to occur before construction.





TRACT ONE
(MISC 2023, PAGE 8702)

THRASHER SUBD

DOUTHIT ST SW
(50' ROW)

TRUE POINT
OF BEGINNING

WESTMEAD ADDN #6

N 00°12'07" E

N 00°11'17" E
878.82'

N 00°11'17" E
39.92'

CIPF

MNF

TRACT ONE
(MISC 2023, PAGE 8702)

TRACT TWO
(MISC 2023, PAGE 8702)

RRSF (DISTURBED) AT
THE SOUTHEAST CORNER
OF SECTION 23, T5S, R5W



Scale 1" = 50'

DRAINAGE, UTILITIES AND TELECOMMUNICATIONS EASEMENT VACATION -- HABITAT FOR HUMANITY -- DECATUR, AL

DRAWING DATE: 10-22-2025 | DRAWN BY: DDP | APPROVED BY: RWH | JOB No. D-187-25 | SCALE: 1"=50' | PAGE 7 OF 7

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SHORT-TERM RENTAL

Add under Section 25-4.2.4(e)(6)(ii) Tourist home

(ii) Tourist home

- (a) The intent of this section of the zoning ordinance is to provide a set of use regulations that will allow short-term rental dwellings within the city limits and establish standards for their use while also minimizing the impact on surrounding residential areas. Short-term rental regulations shall apply to Tourist Homes and Homestays as defined in Section 25-8.3.
- (b) Short-term rental certificate application procedures:
 - (1) No person or entity shall rent, lease, or otherwise exchange for compensation all or part of a dwelling unit as a short-term rental unit without first obtaining a Short-term rental certificate from the Planning Department.
 - (2) Short-term dwelling units must obtain a valid business privilege license from and remit all taxes due to the City of Decatur Revenue Department.
 - (3) All applications for a short-term rental certificate are unique to each individual property being applied for and are issued to the current owner of the property and are not transferrable.
 - (4) Applications for a short-term rental certificate shall be reviewed to ensure they comply with the regulations listed below.
 - (i) Applicants for a short-term rental certificate shall submit, on an annual basis, an application for a short-term rental certificate to the Planning Department. The application shall be accompanied by a non-refundable application fee in the amount of \$100.00. Such application shall include:
 - (a) The address of the unit to be used as a short-term rental;
 - (b) Proof of ownership of the property being applied for by the applicant;
 - (c) The name, address, telephone number and email address of the short-term rental agent, which shall constitute his or her 24-hour contact information;
 - (1) Agent address must be within Decatur City Limits to ensure that they are nearby and available to respond to any violations of these regulations. The address may be a commercial property if the property is managed by a real estate or property management company.
 - (d) The short-term rental agent's signed acknowledgement that he or she has reviewed this chapter and understands its requirements;
 - (e) The number and location of parking spaces allotted to the premises;
 - (f) The short-term rental agent's agreement to use his or her best efforts to assure that use of the premises by short-term rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
 - (g) Proof of insurance coverage for the property that includes liability coverage appropriate for the use of the property as a short-term rental unit;
 - (h) Copy of a utility bill showing said utilities are in the name of the applicant;
 - (i) Initial application shall be accompanied by certification that the owner and/or rental agent has attended and completed an education course approved by the City of Decatur on the operation of short-term rentals;
 - (j) Any other information that this chapter requires the short term rental agent to provide to the city as part of an application for a short-term rental license. The Director or his or her designee shall have the

authority to obtain additional information from the applicant as necessary to achieve the objectives of these regulations.

- (ii) Approval of a Short-term Rental Certificate shall require an inspection of the property by a City of Decatur Building Inspector and Fire Marshal to ensure safety and compliance with all applicable building and fire codes. Including but not limited to: fire extinguisher, appropriately located smoke alarm, map placed in room for location of unobstructed ingress/egress, etc.)
 - (a) Should any violations be identified during the inspections, proof that the violations have been addressed will be required prior to issuance of the Short-term Rental Certificate. The inspector that identified the violation must sign off that every violation identified has been corrected.
- (iii) No short-term rental unit shall be permitted in a Residential Zoning District in a location where there are already 3 or more short-term rental units within a 1,000 foot radius of a point placed at the center of the dwelling being applied for.
 - (a) Short-term rental units located in a Commercial Zoning District within the 1,000 foot radius shall not count toward the total for the density requirement.
 - (b) A short-term rental unit will be considered within the 1,000 foot radius if any part of the dwelling (not including accessory structures) falls within the 1,000 foot radius.
- (iv) No short-term rental unit shall be permitted in a Residential Zoning District if it would create a situation where there are more than 2 contiguous properties holding a Short-term Rental Certificate.
 - (a) Short-term rental units located in a Commercial Zoning District shall not be subject to this requirement.
 - (b) For the purposes of this section, properties shall be considered contiguous if they border each other on either side or if they are located directly across the street from one another.
 - (c) If a property is located behind the property being considered, having frontage on a different street, it will not count as a contiguous property.
- (v) Notice of approval of a new short-term rental certificate shall be mailed to all adjacent property owners. This notice shall include the following information:
 - (a) Property address of approved short-term rental dwelling;
 - (b) Map identifying said property;
 - (c) A copy of this section of the City Code;
 - (d) Maximum occupancy allowed;
 - (e) Number of parking spaces provided;
 - (f) Contact information of applicable City Departments where violations of any part of this ordinance can be reported for investigation;
 - (g) And, any other information deemed appropriate by The Director.
- (vi) Applications for renewal of short-term rental certificates shall be submitted to the Planning Department by October 1st of each calendar year for processing. Once application is received, yearly Fire Marshal inspection will be scheduled and conducted before issuance of renewal certificate for the next calendar year.
 - (a) Applications for renewal received after October 1st shall be subject to a \$25 late fee penalty.
 - (b) If application for renewal is not received by the Planning Department by October 31st of each calendar year, the currently issued short-term rental certificate shall be subject to revocation and loss of ability to operate until renewal application is received and approved by the Planning Department.
 - (c) Renewals are not subject to yearly Building Inspection unless a registered complaint of a violation of any items included in the initial building inspection is received within the previous calendar year.
 - (d) A yearly self-inspection shall be required to be submitted by the property owner upon application for renewal on forms provided by the Planning Department.

- (vii) Before a Short-term Rental Certificate and Business License can be renewed, the owner shall submit to an audit to determine the number of nights which the owner has rented the premises in the previous calendar year. 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.
 - (a) It is the responsibility of the property owner to maintain adequate records of the rental history of the property in order to comply with this requirement. If this requirement cannot be satisfied, the certificate will not be renewed.
- (viii) The provisions of this Subsection shall be in addition to any criminal, civil, or legal remedy established by law that may be pursued to address violations of this ordinance.
 - (a) A violation of any provision of this section relating to short-term rentals by the property owner, rental agent, a renter, or a renter's guest(s) shall result in a fine to the holder of the short-term rental certificate of \$1,000 per occurrence.
 - (b) Notification of a violation by a renter or a renter's guest(s) shall be provided by phone to the number of the 24 hour contact given at the time of application. The owner or rental agent shall respond to the notice of this violation within 30 minutes and shall promptly notify the renter of the violation and take such action as is necessary to correct the action and prevent a recurrence.
 - (c) Upon discovery of the operation of a short-term rental unit without first obtaining a Short-Term Rental Certificate, notice shall be given to the property owner to cease operations and remove any advertisement until such time application can be made to and approved by the Planning Department. Failure to cease operation after receiving notification shall result in a monetary fine of \$1000 plus \$20 per day until operations have ceased or a Short-Term Rental Certificate and Business License is issued, whichever happens first.
- (ix) If 3 or more founded, registered complaints with any city department, where the complainant leaves both name and address, are received on a short-term rental property, or violations of this ordinance that result in citation, within one twelve (12) month period, the Short-term Rental Certificate shall immediately be revoked.
 - (a) A complaint shall be considered a founded, registered complaint if it is not deemed to be a frivolous or inaccurate complaint upon further investigation by a staff member of the relevant City Department conducting the investigation.
 - (b) If any criminal activity conducted by the holder of the short-term rental certificate on any individual property for which they hold a certificate results in formal charges, all Short-Term Rental Certificates issued to said holder shall immediately be revoked.
 - (c) Notice of each complaint or violation shall be mailed to the certificate holder identifying the complaint or violation, any corrections needed relating to the complaint or violation, and a time period in which to make the corrections. Failure to make said corrections within the specified time period shall result in revocation of the Short-Term Rental Certificate.
 - (d) Any complaint or violation subject to this section may be appealed to BOZA within 30 days of notification of the violation for final determination of validity.
 - (e) In the case of a certificate being revoked subject to this section, the certificate holder may appeal to BOZA within 30 days of the revocation for reinstatement.
 - (f) Following a notice of repeal of the Short-Term Rental Certificate and/or a denial of an appeal for reinstatement by BOZA, operation of the short-term rental shall cease immediately and the property shall not be allowed to obtain another Short-term Rental Certificate for a period of no less than 3 years from the time it was revoked unless and until the property's ownership changes and the new property owner applies for a new certificate.

- (g) Should a new owner of a property whose certificate has been revoked in the previous 3 year period apply for a new Short-term Rental Certificate, proof that ownership has changed will be a requirement for approval of the certificate.
- (x) Applications for short-term rental certificates shall begin being accepted upon adoption of this ordinance.
 - (a) Monetary fines for violations of any part of this ordinance shall be imposed 90 days after the effective date.
 - (b) Any operator of a short-term rental found to have violated any provisions of this ordinance within the first 90 days of the effective date of this ordinance shall be given written notice identifying the violation and any corrective actions required to be taken.
- (c) Requirements for operation of a short-term rental property:
 - (1) A dwelling must be located on the site, able to be occupied.
 - (2) The property must be located in a zoning district where short-term rentals are permitted, or in a district where short-term rentals are a special exception use with a BOZA variance to allow the use.
 - (3) Tents, recreational vehicles, or accessory structures are prohibited from being used for a short-term rental.
 - (4) Meals shall not be provided by the operator of the short-term rental property to a paying guest as an amenity of the rental.
 - (5) Short-term rental properties must abide by any covenants or HOA requirements agreed to upon the purchase of the property.
 - (6) No commercial events, such as concerts, weddings, or other large events are permitted.
 - (7) Short-term rentals shall not adversely affect the residential character of the surrounding neighborhood.
 - (8) Short-term rentals shall not be obnoxious, offensive, or detrimental to neighboring properties by reason of dust, smoke, vibration, noise, odor, effluence, or appearance.
 - (9) Occupancy is limited to 2 times the number of bedrooms available for rent. Children under the age of 6 do not count towards the maximum guest occupancy.
 - (10) Total occupancy at any time on the licensed property shall not exceed one and one-half times the calculated occupancy based on the number of bedrooms available for rent.
 - (11) Total number of bedroom available for rent in any short-term rental unit in any residential zoning district shall not exceed four, unless proof can be provided that the original construction of the dwelling unit exceeded four bedrooms.
 - (12) A minimum of 2 off-street parking spaces are required for each short-term rental unit.
 - (i) Additionally, a minimum of 1 parking space shall be provided per bedroom in the dwelling unit.
 - (ii) On-street parking shall not be used to meet the minimum parking spaces required by this section.
 - (iii) The total number of vehicles shall not exceed the minimum number of parking spaces required.
 - (iv) Any trailered vehicle parked on the premises of a short-term rental unit must be parked off-street.
 - (13) The total occupancy allowed and number of parking spaces provided shall be published in the listing for the short-term rental.
 - (14) Any animals kept at a short-term rental unit must comply with all City laws and regulations on the keeping of animals (see Chapter 4 of the City Code).
 - (15) A short-term rental property shall not be occupied for a period of less than 1 night.
 - (16) Short-term dwelling units shall not be rented to one person or group for a period of more than 29 consecutive days.

Insert under Section 25-4.3.4(i) Homestay

- (i) Homestay
 - (a) Homestays must comply with all regulations for short-term rentals listed under Tourist homes in Section 25-4.2.4(e)(6)(ii).
 - (b) In addition to the requirements listed in the above referenced section for Tourist homes, the following shall apply to all Homestays:
 - (1) Only a single room may be rented in any single family dwelling licensed as a short-term rental
 - (2) A bathroom, either full or three-quarter bath, shall be made available and be accessible at all times during the duration of a booking
 - (3) The renter of a homestay shall have access to at least one common area of the dwelling outside of the rented room during the duration of the booking