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# SHORT TERM OCCUPANCY AND HOME SHARING USE

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COUNCIL MEMBER  
BARBARA BRY,  
DISTRICT 1

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## My Proposed Ordinance:

- Short Term Occupancy is defined as any rented or leased residence for any time period less than 30 days
- Short term occupancy shall not be permitted in the RE, RS, RX, RT or RM zones unless explicitly codified in muni code
  - Codify
    - §141.0316 Primary Residence
      - Get a permit
      - Pay Taxes
      - Tell your neighbors
      - Max 90 days
    - § 141.0317 Home Sharing Accommodations
      - Get a permit
      - Pay Taxes
      - Reside on-site

## The History:

- Smart Growth and Land Use March 24, 2017
  - Home Sharing Allowed
  - Whole home rental—No determination
- City Attorney Memorandum
  - Issued March 15, 2017
  - Short-term vacation rentals are not specifically defined, expressly permitted, or listed in any of the zone use categories, including residential or commercial and are therefore illegal.

## Next Steps:

- San Diego City Council Meeting Tentative October 23<sup>rd</sup>

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San Diego Municipal Code RE, RS, RX, RT or RM zones<sup>1</sup>

“The purpose of the **RE zones** is to provide for **single dwelling units** on large lots with some accessory agricultural uses. It is intended that this zone be applied to areas that are rural in character, where the retention of **low density residential** development is desired.”

“The purpose of the **RS zones** is to provide appropriate regulations for the development of **single dwelling units** that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that **allow reasonable use of property while minimizing adverse impacts to adjacent properties.**”

“The purpose of the **RX zones** is to provide for **both attached and detached single dwelling units** on smaller lots than are required in the RS zones. It is intended that these zones provide **an alternative to multiple dwelling unit developments where single dwelling unit developments could be developed at similar densities.** The RX zone provides for a wide variety of residential development patterns.”

“The purpose of the **RT zones** is to provide for **attached, single-dwelling unit residential development on small lots with alley access.** It is intended that these **zones provide for more urbanized, single-unit living** at densities that are historically more typical of multiple-unit zones. The RT zones provide transition opportunities between single-unit neighborhoods and higher density multiple-unit neighborhoods and in some instances may replace multiple-unit zones at similar densities. The RT zones are intended to be applied on subdivided blocks with alleys that are within or close to highly urbanized areas, transit areas, and redevelopment areas.”

“The purpose of the **RM zones** is to provide for **multiple dwelling unit development** at varying densities. The RM zones individually accommodate developments with similar densities and characteristics. Each of the RM zones is intended to establish development criteria that consolidates common development regulations, accommodates specific dwelling types, and responds to locational issues regarding adjacent land uses.”

Find your zone here: <https://www.sandiego.gov/development-services/zoning>

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<sup>1</sup> <http://docs.sandiego.gov/municode/MuniCodeChapter13/Ch13Art01Division04.pdf>