

# Attachment 3

- b. Incidental uses such as pinball or video game machines, pool tables, or laundry facilities.
- c. The display of vehicles for sale.

H. Removal of Tanks Upon Cessation or Change of Use. If, for any reason, a service station ceases to sell gasoline for more than one hundred fifteen out of one hundred twenty days, all gasoline pumps and signs shall be removed from the site and all gasoline storage tanks shall be removed or treated in compliance with federal and state regulations, subject to the approval of the fire department.

#### **17.44.205 Short-term rentals.**

This section provides standards for short-term rentals where allowed by Article 2 (zones, allowable land uses, and zone standards).

A. Purpose. This section provides standards for vacation rental homes and hosted short-term rental units as an alternative to hotels, motels, and bed and breakfast inns and establishes a minor use permit requirement and permit procedures for vacation rental homes. The intent of this section is to minimize impacts on surrounding residential areas and to protect the residential character of the neighborhoods.

##### **B. Standards for Hosted Short-Term Rental Units.**

1. No more than two rooms per property shall be rented at the same time;
2. A hosted short-term rental unit shall require a business license;
3. The owner or manager of a hosted short term rental unit shall be subject to applicable transient occupancy taxes, pursuant to Chapter 3.16 of the Grass Valley Municipal Code;
4. The owner or manager shall reside in the home and shall occupy the hosted short term rental unit during rental periods;
5. The owner or manager shall post up-to-date information in the rented room to assist renters in dealing with natural disasters, power outages, and other emergencies;
6. Food services provided to renters shall comply with county environmental health requirements;
7. No exterior signs advertising the business shall be allowed on the property;
8. Off-street parking shall be provided as required by Section 17.36.040 (number of parking spaces required) for a hosted short-term rental unit;
9. Renters shall comply with the noise regulations in Chapter 8.28 of the Grass Valley Municipal Code; and,
10. The hosted short-term rental shall operate without unduly interfering with the surrounding residential neighborhood.

##### **C. Standards for Vacation Rental Homes.**

1. The property owner of a vacation rental home shall obtain approval of a minor use permit pursuant to Section 17.72.060 of the Grass Valley Municipal Code.
2. A vacation rental home shall require a business license;
3. The owner or manager of a vacation rental home shall be subject to applicable transient occupancy taxes, pursuant to Chapter 3.16 of the Grass Valley Municipal Code;
4. The owner or manager must live within thirty miles of the vacation rental home. The owner shall provide to the city as part of the minor use permit, the name and telephone number

of the local contact person who shall be responsible for responding to questions or concerns about the operations of the vacation rental home. The local contact person shall be available to accept and immediately respond to telephone calls on a twenty-four-hour basis at all times the vacation rental home is rented or occupied;

5. The owner shall post up-to-date information in the rented room to assist renters in dealing with natural disasters, power outages, and other emergencies;

6. No exterior signs advertising the business shall be allowed on the property;

7. Off-street parking shall be provided as required by Section 17.36.040 (number of parking spaces required) for a vacation rental home;

8. A vacation rental home with five or more guest rooms, or capacity for ten or more total occupants, including permanent residents, shall meet current fire and building codes, and accessibility requirements;

9. Renters shall comply with the noise regulations in Chapter 8.28 of the Grass Valley Municipal Code; and,

10. The vacation rental home shall operate without unduly interfering with the surrounding residential neighborhood.

D. Violations; Revocation of Permit; Penalties. The following steps are intended to provide a streamlined compliance and permit revocation process for persons violating the provisions of this section. This process is intended to protect residential neighborhoods from conditions that can negatively impact the general health, safety and welfare of the city's residents that are created when persons fail to abide by the rules, requirements, and regulations of their minor use permit and the Municipal Code. To the extent the provisions of this section conflict with provisions elsewhere in the Grass Valley Development Code, the provisions in this section shall control and take precedence.

1. Violations and Noncompliance. Failure by the permittee to comply with any requirement imposed by this section or any requirement or condition imposed by the minor use permit ("MUP") shall constitute a violation of the MUP and shall be grounds for its suspension, non-renewal, and/or revocation, in the city manager's discretion, depending on the nature or severity of the violation, the permittee's failure to correct a noticed violation, or on repeated violations by the permittee, even if such violations are corrected.

2. Notice of Violation. Upon discovery that a violation exists, the city manager shall issue a notice of violation to the permittee, which notice shall describe the nature of the violation and the date on which it occurred and cite the specific permit requirement or code section is alleged to have been violated. Said notice of violation shall be personally served or sent by U.S. certified mail. The permittee shall have ten days of the date of the notice within which to correct the violation(s), unless in the discretion of the, the nature of the violation requires the permit be immediately suspended.

3. Right to Appeal. The right to appeal shall terminate on the tenth calendar day after the date of the notice or, if the tenth day falls on a day that City Hall is closed, on the next business day. An appeal shall be filed with the city clerk and be accompanied by the filing fee identified in the city's planning fee schedule.

4. Appeal Hearing and Rules of Evidence.

a. The city manager or designee shall hold the hearing during ordinary business hours in a room in City Hall;

b. Oral evidence shall be taken only under oath or affirmation. The city manager or designee shall have authority to administer oaths and to receive and rule on admissibility of evidence.

5. Following a hearing with the city manager where a permit is revoked, the owner may reapply for a new permit no sooner than one year after the date of revocation. Revocation shall not constitute a waiver of the fees and taxes due under the MUP at time of revocation.

6. Penalties.

a. Each day in which the property is used in violation of any part of this chapter shall be considered a separate violation.

b. Any person who violates any provision of this section is guilty of a misdemeanor.

c. Any short-term rental establishment operated, conducted or maintained contrary to the provisions of this section shall be unlawful and declared to be a public nuisance, and the city may, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such short-term rental establishments and restrain and enjoin any person from operating, conducting or maintaining a short-term rental establishment contrary to the provisions of this section.

d. The penalties set forth herein are cumulative and in addition to all other remedies, violations and penalties set forth in this chapter, or in any other ordinances, laws, rules or regulations of the City of Grass Valley, Nevada County, and the State of California, including, without limitation, administrative enforcement pursuant to Chapter 1.14 of this Code.

**17.44.210 Single dwellings.**

Single dwellings, including mobile/manufactured homes permitted in compliance with Government Code Section 65852.3 in residential and neighborhood zones shall comply with the following design standards. These requirements do not apply to mobile/manufactured homes within mobile home parks, unless these requirements are included in the conditions of approval of a mobile home park.

A. Design and Development Standards.

1. Facade Width. The street-facing facade of each single dwelling shall be a minimum of twenty feet wide, exclusive of garage.

2. Exterior Materials. Exterior materials shall conform to the standards of the Grass Valley Building Code.

3. Foundations. Foundations shall be along the perimeter of the structure and be of concrete or masonry material. Exterior materials shall extend to the foundation.

4. Roof Design and Materials.

a. Roofing materials shall comply with the building code.