

DRAFT for Discussion

10/16/2024

Definitions:

Short-Term Rental (STR). Rental of a Principal Single-family Dwelling Unit or portion thereof for a term of thirty (30) consecutive calendar days or less.

Uses:

In AE and RF districts: to the list of uses, add:

Conditional Uses

- + Short-Term Rental, subject to Section 12.14.

New “Section 12.14. Short-Term Rentals”

Purpose

~~To provide owners with flexibility to rent their Principal Single-Family Dwelling Unit short term, intermittently or under on-site supervision, while avoiding erosion of the General Plan objectives of preserving rural character and natural resources by preventing density increase and limiting conversion to full-time commercial operations.~~

To provide local, permanent, resident homeowners the opportunity to intermittently rent their Principal Single Family Dwelling Unit under on-site supervision. Further this section 12.14 is intended to limit short term rental use so as to be consistent with the General Plan objectives of preserving the Canyon’s rural character and natural resources and preventing density increase and commercialization of properties in Bridger Canyon.

Standards:

1. A Short-Term Rental shall meet **one of** the following criteria:

a. Operation of the Short-Term Rental is limited to two periods of ~~60~~ **90** contiguous days per calendar year, which may be combined to one contiguous ~~120~~ **180**-day period; and the Short-Term Rental comprises a portion of a Principal Single-Family Dwelling Unit in which the owner resides and the owner or owner’s representative is on site during the rental period. For purposes of this section, an Accessory Dwelling Unit does not constitute a portion of a Principal Single Family Dwelling Unit; or

b. Operation of the Short-Term Rental is limited to two periods of ~~60~~ **90** contiguous days per calendar year, which may be combined to one contiguous ~~120~~ **180**-day period; and the Short-Term Rental comprises a Principal Single-Family Dwelling Unit or a parcel in its entirety, and the owner resides on the same or **the** immediately adjacent parcel, subject to the limitation in 2.h.

~~d. The owner can demonstrate operation of the Short-Term Rental with a Public Accommodation License per § 50-51-201, MCA, prior to [fixed date xx-xx-xx, date of Part 1 Admin adoption, or date of this adoption~~

2. The Short-Term Rental’s property owner shall:

a. Provide the Planning Department proof of a valid Public Accommodation license for the Short-Term Rental prior to its operation. The owner must maintain a valid Public Accommodation license at all times during which the Short-Term Rental is in operation.

b. Provide the Planning Department and all renters with a current point of contact for a natural person or persons residing in Gallatin County, Montana. If this contact changes, the owner shall promptly provide the Planning Department with the up-to-date point of contact prior to further operation.

- c. For all Short-Term Rental advertisements, list the valid Public Accommodation license number and specify maximum occupancy consistent with parking, septic capacity, and other applicable standards.
- d. Limit published check-in times to not later than 8pm.
- e. Inform guests of any restrictions on use of the Short-Term Rental or real property, including but not limited to private covenants, speed limits on adjacent roads, bans on burning, and fireworks restrictions.
- f. Prohibit and prevent guests from creating any nuisances in relation to the Short-Term Rental or in the neighborhood, including but not limited to trespassing, speeding, improper garbage disposal, banned burning, harassment of wildlife, and excessive noise, including use of amplified sound.
- g. Prohibit guests from creating noise which emanates across property lines from 10 pm to 7 am MST.
- h. Limit the number of Short-Term Rentals on adjacent parcels to one (1).
- i. Limit Short-Term Rental lodging to inside the Principal Single-Family Dwelling Unit.
- j. Not allow Use of a Short-Term Rental for purposes other than lodging (including, but not limited to: weddings, concerts, fundraisers, or other similar functions, or operation as a Special Events Facility).
- k. Have no more than one Short-Term Rental in the district.

3. Advertising

- a. Advertising of a Short-Term Rental shall be presumptive evidence of the owner's operation or intent to operate the Short-Term Rental.
- b. Advertisements offering Use of a Short-Term Rental for purposes other than lodging shall be presumptive evidence of the owner's operation or intent to operate the Short-Term Rental for purposes other than lodging.

4. Term

At its discretion, the Commission may limit the permit to the present owner (not run with the land), set a definite term, or add other conditions it deems necessary.

5. Revocation

- a. Violation of the Standards in Section 12.14 is grounds for revocation of the Short-Term Rental permit.
- b. Following revocation, a new permit may not be applied for or issued until 3 years have elapsed without further violation.