

Exhibit A

Items in red are added; Strikethrough items are removed.

The Zoning Ordinance of Burke County proposed as amended in the following ways:

(1) Article 2.0 Definitions be amended by adjusting the following definitions:

Short-Term Rental

~~Dedicated Short-Term Rental~~

The rental of a primary residential dwelling unit that is ~~not owner-occupied or~~ used as a primary residential dwelling unit ~~to~~ **by** transient guests for a duration not to exceed thirty (30) consecutive days per rental period.

~~Owner Occupied Short-Term Rental~~

~~The rental of a primary residential dwelling unit by a transient guest for a duration not to exceed (30) consecutive days, for a maxim of ninety (90) days per calendar year. A principal residential dwelling unit is a residence that is occupied by the property owner (to offer the unit for short-term rental) for a cumulative minimum of 275 days per calendar year.~~

(2) The Table of Uses be amended by adding:

Short-Term Rental PAGE (72)

	R-1	R-2	R-3	R-MU	PRMU	CON
Dedicated Short-Term Rental	X	X	X	X	X	X
Owner Occupied Short-Term Rental	X	X	X	X	X	X

(3) Section 5.1 Accessory Dwelling Unit, (j) be amended:

~~(j) Accessory Dwellings shall not use used as Short-Term Rentals.~~

(4) **5.4 SHORT-TERM RENTALS** be amended as follows:

“The intent of this article is to establish minimum operational and safety standards for the use of residential dwelling units as ~~Owner-Occupied and Dedicated STRs~~ **Short-Term Rentals**.

Unless otherwise specified, the requirements and provisions of this section shall apply to all **Short-Term Rentals** ~~Owner-Occupied and Dedicated STRs~~. This article does not apply to other types of lodging uses defined within this ordinance such as hotels, motels, or bed & breakfast establishments. **In addition, only a single Short-Term Rental may be permitted per parcel.**

STR Permit

The property owner/operator is required to obtain a permit, issued from the Zoning Administrator or their designee before a residential dwelling may be advertised or used as a **Short-Term Rental** ~~an Owner-Occupied or Dedicated STR~~.

Permit Fee

The property owner/operator shall pay a **designated fee, as outlined with the approved Burke County Fee Schedule** ~~one hundred (\$100) dollar permit fee. Renewable once per calendar year.~~

Zoning Compliance Permit Regulations

A STR Short-Term Rental in a residential structure is subject to the following compliance permit regulations: A **STR Short-Term Rental** in a residential structure **dwelling, as permitted through North Carolina Building Code**, is subject to the following compliance permit regulations:

1. ~~Owner-Occupied STRs~~ **Short-Term Rentals** are allowed within the following zoning districts: R-1, R-2, R-3, R-MU, PRMU, CON.
2. ~~Dedicated STRs are allowed within the following zoning districts: R-1, R-2, R-3, R-MU, PRMU, CON.~~
3. ~~Dedicated STRs are hereby considered a “special use” within the following overlay zoning district: Lake Overlay.~~
4. A **STR Short-Term Rental** permit shall be assigned to each residential dwelling unit ~~as Owner-Occupied or Dedicated STRs~~.
5. If ~~an~~ **any Short-Term Rental** ~~Owner-Occupied STR~~ ceases to pay occupancy taxes within a calendar year they must acquire a new permit.
6. Upon the adoption of this ordinance, it shall be a violation of the Burke County Zoning Ordinance to operate ~~any an Owner-Occupied or Dedicated STRs~~ **Short-Term Rental** without a valid zoning permit.
7. ~~All STRs existing before the adoption of this ordinance shall have one (1) year to come into compliance and obtain the proper permits.~~
7. Grounds for Denial: Burke County may deny an application for a **Short-Term Rental** STR permit if any of the following has occurred:

A. The property owner submits an incomplete application or

B. The proposed **Short-Term Rental** STR fails to meet a specified standard set forth in this ordinance. A property owner may appeal the denial of a **Short-Term Rental** STR permit to the Board of Adjustment pursuant to the **Article 8, Administration & Appeals of this Ordinance**.

Dedicated STR Operational Requirements

The following operational requirements shall apply to all Dedicated STRs in Burke County: The following operational requirements shall apply to all **Short-Term Rentals** Dedicated STRs in Burke County:

1. **Maximum Overnight Occupancy.** The overnight occupancy shall not exceed two (2) persons per bedroom, **plus two (2) additional persons**. The occupancy limit shall be posted prominently within the STR **Short-Term Rental** Unit and be included in property listings on the hosting platforms. **The number of bedrooms calculated is attributed to the review of current Burke County Tax Card records for the property or dwelling. Applications that list false information, or information not valid with Burke County Tax information for bedrooms listed, may result in the denial of an application or permit.**
2. **Designated Responsible Party.** Operators of a permitted ~~Dedicated STR~~ **Short-Term Rental** shall designate a local responsible party who is available to respond to complaints or other issues arising from the use of the STR **Short-Term Rental**. The responsible party shall be available 24-hours during all times that the property is rented.
3. **Contact Information.** The name, telephone number, and email address of the ~~designee~~ **designated responsible person** shall be available to the renter. ~~Such~~ The designee shall ~~reside within twenty-five (25) miles of the STR property and~~ be available to respond to complaints associated with the **Short-Term Rental** ~~within sixty (60) minutes of the receipt of said complaint.~~ A designee's repeated failure to timely respond to complaints may result in the revocation of the STR **Short-Term Rental** permit. The designee may be the property owner if ~~he/she satisfies these requirements.~~
4. **Parking.** A minimum of one (1) off-street parking space for each bedroom is required. No on-street parking shall be allowed.
5. **Noise.** The noise regulations set forth within the Burke County Code of Ordinances shall apply as enforced by the **Burke County Sheriff's Department**.
6. **Trash and Recycle Disposal.** The dates and instructions for trash and recycling collection shall be posted prominently within the STR **Short-Term Rental**. Waste may not be placed in trash bags at the curb, or within a designated right-of-way. All trash is required to fit into trash receptacles as maintained at the property.
7. **Signs.** No sign advertising for a STR **Short-Term Rental** shall be posted on the property.
8. **Taxes.** STR **Short-Term Rental** owners are responsible for paying all necessary state sales tax, personal property taxes, and the transient occupancy tax as established by state law.
9. **Maximum Rental Duration.** The maximum rental duration shall be ~~eighty-nine (89)~~ **thirty (30)** consecutive days.
10. **Safety Requirements.** The following safety requirements shall be the responsibility of the property owner **as to maintain the safety for any rental occupants**. ~~An initial inspection to ensure compliance with these requirements shall be performed by the Zoning Administrator or their designee prior to the~~

issuance of a permit. An annual inspection by the Zoning Administrator or their designee shall be performed to ensure that the rental remains in compliance with these requirements

a. Property owners shall install at minimum of one (1) smoke detector on each floor within the dwelling unit and in each bedroom. Property owners are responsible for changing the batteries annually or when put on notice that a detector needs replacement batteries.

b. Property owners shall provide one (1) wall-mounted fire extinguisher, ~~visible~~ **to be located from in close proximity** to the kitchen area.

c. Property owners shall install a minimum of one (1) operable carbon monoxide detector located on each floor of the dwelling unit. The property owner shall inspect the carbon monoxide detector every six (6) months to ensure it is functioning properly.

d. Property owners shall remove all double-keyed deadbolt locks. A double-keyed deadbolt lock is a lock that can be locked with a key from the interior of the dwelling unit.

e. Property owners should ensure that all exit doors and windows within the dwelling unit can easily be opened in the event of an emergency.

f. Property owners shall ensure that the property address is easily visible from the street by using reflective address numbers.

g. The address of the STR **Short-Term Rental**, with all contact data for the Designated Responsible Party, shall be posted conspicuously within the STR **Short-Term Rental** unit.

~~Owner Occupied STR Operational Requirements~~

~~The following operational requirements shall apply to all Owner Occupied STRs in Burke County:~~

~~1. Maximum Overnight Occupancy. The overnight occupancy shall not exceed two (2) persons per bedroom. The occupancy limit shall be posted prominently within the STR Unit and be included in property listings on the hosting platforms.~~

~~2. Parking. A minimum of one (1) off-street parking space for each bedroom that is to be rented is required. No on-street parking shall be allowed.~~

~~3. Signs. No sign advertising a STR shall be posted on the property.~~

~~4. Taxes. STR owners are responsible for paying all necessary state sales tax, personal property taxes, and the transient occupancy tax as established by state law.~~

~~5. Maximum Rental Duration. The maximum rental duration shall be eighty nine (89) consecutive days.~~

~~6. Safety Requirements. The following safety requirements shall be the responsibility of the property owner. An initial inspection to ensure compliance with these requirements shall be performed by the Zoning Administrator or their designee prior to the issuance of a permit. An annual inspection by the Zoning Administrator or their designee shall be performed to ensure that the rental remains in compliance with these requirements:~~

a. ~~Property owners shall install at minimum of one (1) smoke detector on each floor within the dwelling unit and in each bedroom. Property owners are responsible for changing the batteries annually or when put on notice that a detector needs replacement batteries.~~

b. ~~Property owners shall provide one (1) wall-mounted fire extinguisher, visible from the kitchen area.~~

c. ~~Property owners shall install a minimum of one (1) operable carbon monoxide detector located on each floor of the dwelling unit. The property owner shall inspect the carbon monoxide detector every six (6) months to ensure it is functioning properly.~~

d. ~~Property owners shall remove all double-keyed deadbolt locks. A double-keyed deadbolt lock is a lock that can be locked with a key from the interior of the dwelling unit.~~

e. ~~Property owners should ensure that all exit doors and windows within the dwelling unit can easily be opened in the event of an emergency.~~

f. ~~Property owners shall ensure that the property address is easily visible from the street by using reflective address numbers.~~

Events

Short-term rentals shall not be used to hold events. **Examples include, but are not limited to** This includes parties, weddings, reunions and large gatherings that exceed the occupancy limits of the dwelling or permit.

Enforcement

Refer to Article 8, Administration, Appeals, and Enforcement. ~~In addition to the enforcement regulations of Article 8 the following shall apply:~~

~~If a property owner receives three (3) verified complaints, relating to the use of the property as a STR within a twelve (12) month period, the STR permit may be revoked. If the permit is revoked the owner may not apply for a new permit for one (1) calendar year.~~

Verified Complaints

~~Short-term rental complaints shall be accompanied by a complaint form and submitted in person, via mail, or online on the County's website. Short-term rental complaints shall be verified by the Zoning Administrator or their designee. All STR complaints will be investigated within seventy-two (72) hours or within three business days of receipt.~~