

The Asheville resident's guide to short-term rentals

Current City of Asheville Regulations: The City of Asheville's Unified Development Ordinance (UDO) allows property owners to rent their residential unit for less than 30 days if the building is located in a non-residentially zoned area that permits lodging. For example, someone who owns a condominium in the Central Business District can allow guests to rent their unit on a short-term basis if they make application to change the use from a residential unit to a lodging unit. *Property owners are not allowed to rent their property for less than 30 days in residentially zoned districts.*

Frequently Asked Questions

Q) Does Asheville allow short-term rentals?

A) Yes – Short term rentals are permitted in zoning districts that allow lodging. Lodging is not generally allowed in residential districts. Homestays and bed and breakfasts are a specific exception to this rule.

Q) Do property owners of short-term rentals pay taxes to the City?

A) The City does not collect sales and lodging taxes for any use.

Q) How would I know if my neighbor has a legal homestay?

A) You could contact the City of Asheville's Development Services Department at (828) 259-5846 to determine if they have requested a change of use from a single-family home to a homestay.

Q) What are the building code requirements that homestays have to meet?

A) Homestays, like bed and breakfasts, have modest building code requirements that take into consideration the fact that the owner lives in the home. Those requirements depend on the unique features of the structure including construction type, layout, and number of potential guests.

Q) What happens to property owners in residentially zoned properties who are illegally renting their homes for less than 30 days?

A) Once the City's Development Services staff is made aware of the violation they follow up to verify the complaint. If the staff determines that the property is being rented for less than 30 days, the property owner is issued a Notice of Violation. If they do not stop renting, they receive a daily fine in the amount of \$100 per day. The property owner can appeal the staff's decision to the Board of Adjustment.

DISCLAIMER: THIS GUIDE IS NOT AN ORDINANCE OR STATUTE, BUT ONLY AN EFFORT TO PROVIDE THE PUBLIC WITH A GENERAL SUMMARY. THE UDO AND NORTH CAROLINA LAW STILL CONTROL AND PROVIDE THE SPECIFIC REGULATIONS RELATING TO SHORT TERM RENTALS.

Definitions

Bed and Breakfast: A bed and breakfast is an owner-occupied home with at least 3,500 square feet and offering four or more guest rooms for less than 30 days. Bed and breakfasts are often found in residential neighborhoods.

Homestays: A homestay, as defined in the UDO, is an owner-occupied single-family home with more than 2,500 square feet, and offering one to three guest rooms. This use allows the owner to rent rooms in the home for less than 30 days as long as the owner resides in the home on a full-time, permanent basis.

Non-Residential Zoning: Non-residential zoning is a designation that allows non-residential uses, such as commercial, industrial or institutional uses. In some instances, certain residential structures may exist in these zoning districts by right. If used for residential purposes, these structures are required to only comply with residential building code requirements. Residential structures converted for non-residential uses must comply with a higher building code standard for safety reasons.

Residential Zoning: Residential zoning is a designation that allows single-family and/or multi-family dwellings by right, depending on the zone. Some non-residential structures may be permitted in these zoning districts (such as churches, schools, and libraries).

Short-Term Rental: Short-term rental is the renting of property for overnight stays less than 30 days. The owner does not reside in the home.

UDO: The City of Asheville adopted the Unified Development Ordinance that regulates development and land use activities in the City.