

Short-Term Rental (Vacation Home)

Building uses are regulated under the City's Zoning Code as well as the California Building and Fire Codes.

Zoning Code: Land uses are defined and regulated by the City of Irvine Zoning Code. Due to the transient nature of occupancy (less than 31 days), short-term rentals are considered a *hotel use* which is **prohibited** in all residential zones in which single family homes are found and the majority of zones in which multi-family developments are found.

Some multi-family developments, i.e. apartments and condominiums, exist or could be constructed in the *3.1 Multi-Use, 5.0 IBC Mixed Use, 5.1 IBC Multi-Use, and 8.1 Trails and Transit Oriented Development zones* (Zoning inquiries by address and Citywide zoning maps are available at [Zoning](#)). In each of these zones a hotel use is subject to a **Conditional Use Permit (CUP)** which is considered through a discretionary review by the Planning Commission via a public hearing. (Information on the CUP process is available at [Development Assistance Center](#)).

Building and Fire Codes: The California Building and Fire Codes establish minimum standards for the protection of life, health and safety as well as accessibility for disabled individuals. Higher standards apply for hotels versus apartments or condominiums. These differences are due to the transient and public nature of the guests. Therefore, should a conditional use permit be granted, a **Certificate of Occupancy** would be required **before** the short-term rental (hotel) use may commence. A Certificate of Occupancy is issued at the successful completion of all building modifications made under an approved plan and building permits necessary to conform to these higher standards.

Summary: The Zoning Code regulates land use to promote harmonious and compatible uses while the Building and Fire Codes seek to ensure minimum standards are met based on relative risks and public versus private use. Due to economic considerations, development generally conforms to the lowest standards allowed by code; thus any change necessitating a higher standard will likely entail modifications to the building. It is therefore important that before embarking on a venture to establish a short-term rental (hotel) use, that both Zoning (land use) and Building and Fire Code implications be carefully analyzed and understood.