

Board of Supervisors

April 25, 2023

Vacation Rentals

BACKGROUND

- Referral No. 2023.05 – February 28, 2023
 - Consider a stay or moratorium on issuance of administrative permits for transient use of residential property for remuneration
- Preliminary Analysis - March 21, 2023
 - Limit by District or Geography?
 - Exemption for permits in process?
- Other options available

DATA - INLAND

- **Applications for Permits**
 - 21 pending
 - 29 approved
 - 24 Pre-applications
 - Carmel Valley - 5 approved; 7 pending; 10 pre applications
 - Greater Monterey - 16 approved; 9 pending; 4 pre applications
 - Toro - 1 approved; 2 pending; 2 pre applications
 - Other areas – 3 approved; 0 pending; 4 pre applications
- **Advertised**
 - Carmel Valley – 132
 - Greater Monterey – 73
 - Toro – 36
 - Other - 64

OPTIONS

- Interim Ordinance:
 - County may adopt as an urgency measure an interim ordinance that **prohibits any uses** that may be in conflict with a contemplated proposals being studied to protect the public safety, health, and welfare.
 - Ordinance updates in progress
 - EIR anticipated to be released July 2023 followed by consideration of ordinances by Planning Commission and Board
- Board Referral:
 - Consider a stay or moratorium on **issuance of administrative permits** for transient use of residential property for remuneration.
 - Review of Permits controlled by Zoning Ordinance
 - Discretionary decisions based on facts and circumstances in each case

CURRENT ZONING REGULATIONS

- Transient Use of Residential Property for Remuneration (21.64.280) - Inland only
 - Administrative Permit Required
- Administrative Permit (21.70)
 - Refer to Zoning Administrator
- Zoning Administrator (21.04)
 - Refer to Planning Commission
 - Significant public policy
 - Changes in the nature of community
- All permits require CEQA determination

SIGNIFICANT PUBLIC POLICY

- Over 40 comments received on today's agenda item
- Over 60 comments received on Notice of Preparation for the EIR on Vacation Rental Ordinance updates
- Common objections to individual permits for Vacation Rentals in residential neighborhoods
 - Noise
 - Access
 - Hazards
 - Water/Sewer
 - Traffic
 - Housing
 - Safety

STAFF RECOMMENDATION

- Implement existing regulations (No ordinance required):
 - Find that short term vacation rentals constitute a significant public policy issue in District 5
 - All Administrative Permits will be referred to the Planning Commission for review
 - Planning Commission will review each application on its own merits
 - Permits may be approved or denied
 - Planning Commission decision is appealable to the Board
 - No ban on applications or decisions on those applications
- **Alternative** return for consideration of an Interim Ordinance that bans short-term rentals by Planning area within District 5