

VACATION

POLICY DIRECTION
RENTALS
WORKSHOP



BOARD OF SUPERVISORS

November 17, 2020

Agenda Item No. 17

SCOPE OF WORKSHOP

- Purpose of Regulation (Land Use)
- Regulation Overview
- Policy Issues
- Board of Supervisors Direction

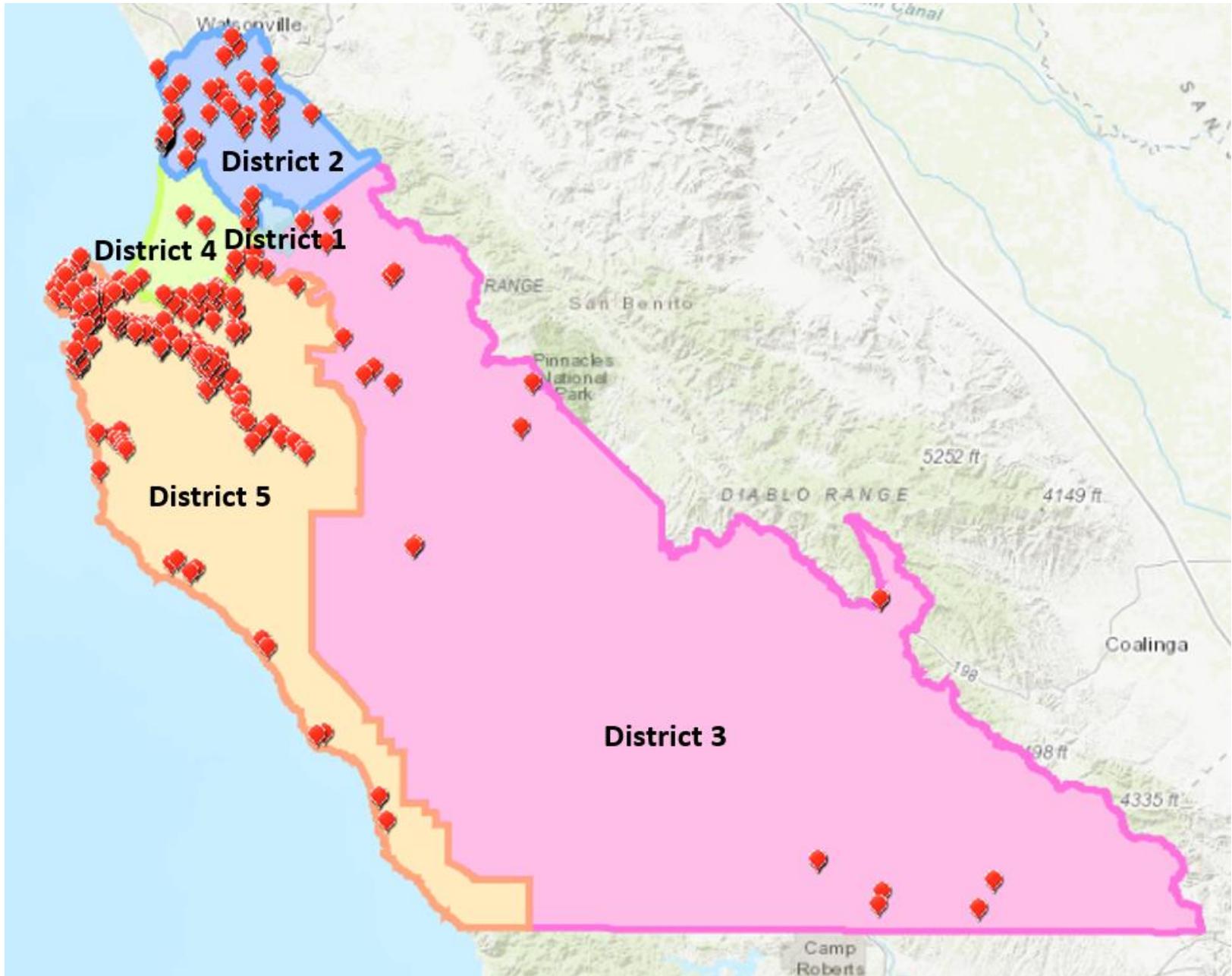
VACATION

RENTALS POLICY DIRECTION WORKSHOP



PURPOSE OF REGULATION

ADVERTISED VACATION RENTALS



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- Provide regulations, standards and circumstances under which vacation rentals may be allowed in certain residential areas.
- Protect sense of safety, security and peaceful enjoyment of residences.
- Safeguard reputation of Monterey County and economic benefits of tourism.

VACATION

PODIUM DIRECTION RENTALS WORKSHOP



REGULATION OVERVIEW

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- Title 7
 - Business License Requirement
 - Vacation Rental Operation Permit
- Title 20
 - Vacation Rentals – Uses Allowed
 - Coastal Vacation Rental Regulations
- Title 21
 - Zoning Districts – Uses Allowed
 - Inland Vacation Rental Regulations

REGULATION OVERVIEW: LIMITED VACATION RENTAL (*HOMESTAYS*)

A Residential Property rented as a Vacation Rental by the Principal Resident that meets all the following criteria:

1. Concurrently occupied by the Principal Resident;
2. Rented as a Vacation Rental for not more than twenty (20) times per 12-month period;
3. Rented as a Vacation Rental for not more than a total of one hundred forty (140) days per 12-month period; and
4. Makes not more than two (2) or more bedrooms available for rent as a Vacation Rental.
5. Exception: Except the Residential Property may be rented as a Limited Vacation Rental without concurrent occupancy of the Principal Resident for up to, but not more than, three (3) times of the twenty (20) times per 12-month period.

REGULATION OVERVIEW: COMMERCIAL VACATION RENTAL

A Residential Property rented as a Vacation Rental that meets one or more of the following criteria:

1. Rented as a Vacation Rental more than three (3) times per 12-month period while not concurrently occupied by the Principal Resident;
2. Rented as a Vacation Rental for more than twenty (20) times per 12-month period while concurrently occupied by the Principal Resident;
3. Rented as a Vacation Rental for more than a total of one hundred forty (140) days per 12-month period; or
4. Makes three (3) or more bedrooms available for rent as a Vacation Rental.

REGULATION OVERVIEW: SUMMARY OF DRAFT ORDINANCES

VACATION RENTAL TYPE	USE / CDP	VR OPS PERMIT	BIZ LIC.	AREAS PROHIBITED	VISITOR SERVING COUNT
Limited VR	No	Yes	Yes	DMF LUP	Yes
Commercial VR	Yes	Yes	Yes	BSC LUP; DMF LUP; CAR LUP-LDR Zones	Yes
“Hotels”	No Change	N/A	Yes	No Change	No Change

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POLICY DIRECTION RENTALS WORKSHOP



POLICY ISSUE DISCUSSION

POLICY ISSUES

- Affordable Housing
- Character & Intensity
- Applying Build Out Limitations
- Support, Monitoring & Enforcement
- Unique Neighborhoods

POLICY ISSUES: OVERARCHING QUESTION

- *Are the definitions and limitations provided for Limited Vacation Rentals sufficient to consider the use to have an equivalent impact on the neighborhood or infrastructure as an existing residential unit, such that Limited Vacation Rentals do not require a discretionary approval and would be subject only to a ministerial Vacation Rental Operation Permit?*

ISSUE I: AFFORDABLE HOUSING

- Are the draft regulations sufficient to protect:
Long-term residential housing? Affordable housing?
 - Limited VRs restricted to principal residences, limited occupancy and frequency of rentals
 - Commercial VRs require Use/Coastal Development Permit, up to 3 5-Year terms
 - VRs prohibited in ADUs and deed restricted units
 - VRs limited to one per legal lot

ISSUE 1: AFFORDABLE HOUSING OPTIONS

- Option 1: Comprehensive Study
- Option 2: Limited-scope Study
- Option 3: Suggest regulation changes
- Option 4: No changes

ISSUE 2: CHARACTER & INTENSITY

- Are the draft regulations sufficient to ensure Vacation Rentals are consistent with the character and intensity of a residential use?
 - Principal Resident Occupancy Requirement for Limited VRs
 - Maximum Occupancy Limitation
 - Regulated Frequency and Duration of Use
 - Vacation Rental Operation Permit Requirement
 - Land Use Permit with Term Limit for Commercial VRs
 - Limitation or Prohibition of VRs Based on Location ¹⁶

INLAND	PLANNING AREA	ALLOWED VACATION RENTAL USES	ADDITIONAL LIMITATIONS
	Cachagua	Commercial & Limited Allowed with Permit(s)	N/A
	Carmel Valley	Commercial & Limited Allowed with Permit(s)	Subject to Visitor Serving Unit Limitation
	Central Salinas Valley	Commercial & Limited Allowed with Permit(s)	N/A
	Greater Monterey Peninsula	Commercial & Limited Allowed with Permit(s)	N/A
	Greater Salinas	Commercial & Limited Allowed with Permit(s)	N/A
	North County	Commercial & Limited Allowed with Permit(s)	N/A
	South County	Commercial & Limited Allowed with Permit(s)	N/A
Toro	Commercial & Limited Allowed with Permit(s)	N/A	

COASTAL	PLANNING AREA	ALLOWED VACATION RENTAL USES	ADDITIONAL LIMITATIONS
	Big Sur	Limited Allowed with Permit(s)	Limited Vacation Rentals Subject to Visitor Serving Unit Limitation. Commercial Vacation Rentals Prohibited
	Carmel	Commercial & Limited Allowed with Permit(s)	Commercial Vacation Rentals Prohibited in LDR
	Del Monte Forest	N/A	Commercial & Limited Vacation Rentals Prohibited
North County	Commercial & Limited Allowed with Permit(s)	Subject to Visitor Serving Unit Limitation in Moss Landing	

ISSUE 2: CHARACTER & INTENSITY OPTIONS

- Option 1: Comprehensive Analysis
- Option 2: Limited-scope Analysis
- Option 3: Suggested regulation changes
- Option 4: No changes

ISSUE 3: BUILDOUT LIMITATIONS

- Should the draft regulations require *all* Vacation Rentals be subject to buildout limitations?
- If counted, what is the appropriate accounting method?
 - Growth Management Tool
 - Land Use & Zoning
 - Density & Allowed Uses

ISSUE 3: BUILDOUT LIMITATION OPTIONS

- Option 1: Commercial VRs
 - 1.a: Count as proposed 0.5 unit per bedroom (max 2.5 units)
 - 1.b: Count as 1 unit
 - 1.c: Do not count
- Option 2: Limited VRs
 - 2.a: County a proposed 0.19 unit per bedroom (max 0.48 unit)
 - 2.b: Count as 1 unit
 - 2.c: Do not count
- Option 3: Suggested regulation changes

ISSUE 4: ENFORCEMENT

- Are the draft enforcement regulations sufficient to implement a successful program? What is desired framework for an effective enforcement program?
 - Vacation Rental Operation Permit
 - Fines increased and associated with advertised rental rate (ARR)
 - Advertisement must include: Permit No.; Max Occupancy; Quiet Hours; and ARR

ISSUE 4: ENFORCEMENT OPTIONS

- Regulations
 - Option 1: No change.
 - Option 2: Suggest regulations change
- Vacation Rental Enforcement Program
 - Expectation for Monitoring & Enforcement
 - Workforce Support
 - Funding Mechanism

ISSUE 5: UNIQUE NEIGHBORHOODS

- Should unique neighborhoods be addressed differently?
 - Applicant acknowledgement the VR does not violate any covenants, conditions or other restrictions

ISSUE 5: UNIQUE NEIGHBORHOODS OPTIONS

- Option 1: No change
- Option 2: Provide direction on provisions for unique neighborhoods.

CLOSING SUMMARY

- Issue 1: Are the draft regulations sufficient to protect availability & affordability of long-term housing?
- Issue 2: Are the draft regulations sufficient to ensure consistency with character & Intensity of residential uses?
- Issue 3: Should the draft regulations require all Vacation Rentals be subject to unit caps?
- Issue 4: Are the draft enforcement regulations sufficient to implement a successful program? What is desired framework for an effective enforcement program?
- Issue 5: Should unique Neighborhoods be addressed differently?

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