



## Board Report

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File #: PC 18-078, Version: 1

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### **REF100042/REF130043 SHORT-TERM RENTAL ORDINANCES**

- a. Receive a report on Advisory Committee outreach and staff's preliminary analysis of consistency of the proposed short rental regulations with local Land Use Plans; and
- b. Conduct a public workshop and provide direction to staff for drafting of County short term rental ordinances.

**Proposed CEQA Action:** Categorically Exempt from the California Environmental Quality Act per Section 15306 of the CEQA Guidelines.

### RECOMMENDATION

It is recommended that the Planning Commission:

- a. Receive a report on Advisory Committee outreach and staff's preliminary analysis of consistency of the proposed short-term rental regulations with local Land Use Plans; and
- b. Conduct a public workshop and provide direction to staff for drafting of ordinances regulating short-term rentals for overnight accommodations in residential areas in the unincorporated area of Monterey County.

### SUMMARY

Since January 2018, per Planning Commission direction, staff has attended 12 of the 13 Land Use Advisory Committees (LUACs) and Design Review Committees to gather public input on short-term rental (STR) ordinance development and conducted preliminary evaluation for land use plan consistency. Additionally, staff attended the Agricultural Advisory Committee (AAC) meeting in February 2018 and is scheduled to attend the Ad Hoc Subcommittee of the Agricultural Advisory Committee July 9, 2018, to discuss the ordinance development and to gather feedback specific to agriculturally zoned properties. The information received from the Ad Hoc Subcommittee meeting will be presented to the Planning Commission at the workshop. The feedback identified policy areas for further development within the draft ordinances.

At this workshop, staff will describe the outcomes and key policy topics identified through this outreach and evaluation. Key policy issues identified include:

- Home Stays: concern over unlimited number of homestays.
- Private Roads: concerns with hazards and nuisances on private roads, parking, liability, maintenance, security and emergency vehicle access.
- Water: concerns over increased water use.
- Density Limits: concerns over number of STRs in any given area.
- Visitor Serving Unit Caps: characterization of STR as visitor serving units in areas with unit caps.
- LUP Consistency: consideration for consistency with the Big Sur and Del Monte Forest Land Use Plans.
- Agricultural Consistency: consideration of integrating regulations for agricultural zoned properties.
- Stakeholder Outreach: multiple groups/organizations have presented opportunities and issues to consider.
- Code Compliance: enforcement during and after ordinance development.

Staff has developed recommendations and policy options to address these issues. Staff requests the Planning Commission consider these recommendations and provide direction to staff to be used in further developing final draft STR ordinances, tentatively planned for introduction to the Commission in fall 2018 subject to and following environmental review.

Once a final draft of STR ordinances are written, staff will conduct environmental review of the proposed ordinances. If environmental impacts and mitigation of such impacts are identified, staff may modify the proposed regulations to incorporate mitigation. Staff has considered potential impacts in recommending limits on rooms/use/frequency for ministerial approval and when a discretionary permit is required.

#### OTHER AGENCY INVOLVEMENT

Resource Management Agency; County Counsel; Environmental Health Bureau have participated in the preparation of these regulations and reports. Staff has met with California Coastal Commission staff to discuss ordinance development for the Coastal Zone. Staff has also met with all of the active Land Use Advisory Committees.

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Reviewed by: Melanie Beretti, Special Programs Manager (831) 755-5285

Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

- Attachment 1 - Discussion
- Attachment 2 - Map of advertised STRs
- Attachment 3 - Neighboring Counties Farm Stay Policy summary
- Attachment 4 - Minutes and Correspondence regarding STR LUAC Presentations
- Attachment 5 - Correspondence
- Attachment 6 - Preliminary Draft STR Ordinance
- Attachment 7 - Monterey County Code Section 21.64.320 - Regulations relating to applications involving use of private roads.
- Attachment 8 - Planning Commission Letter to Board of Supervisors regarding STR Code Enforcement

cc: Freda Escobar and Liz Gonzalez, RMA Permit Center; Planning Commission; Nicki Fowler and Roger Van Horn, Environmental Health Bureau; Water Resources Agency; Katie Butler, California Coastal Commission; Josh Bowling, RMA-Code Compliance; Wendy Strimling and Brian Briggs, County Counsel; Mary Zeeb, Treasure/Tax Collector; Jacqueline R. Onciano, RMA Chief of Planning; Neville Pereira, RMA Building Official; John Dugan, Deputy Director of RMA Land Use Division; Dorothy Priolo, Monterey Regional Fire Deputy Fire Marshal; Monterey County Sheriff's Office; District 5, Supervisor Adams; STR Public Distribution List; Land Use Advisory Committees; Agricultural Advisory Committee; Planning File REF100042 - Inland/REF130043 - Coastal