



Board Report

File #: PC 20-035, **Version:** 1

Project: REF100042/REF130043 SHORT-TERM RENTAL ORDINANCES

Proposed CEQA Action: TBD, pending Board policy direction (CEQA Guidelines section 15262)

Public hearing to consider recommendations to receive policy direction from the Board of Supervisors for vacation (short-term) rental regulations.

RECOMMENDATION

It is recommended that the Planning Commission:

- Consider draft ordinances prepared to reflect public input and Planning Commission direction to date;
- Provide direction on draft regulations for vacation (short-term) rentals to present to the Board of Supervisors and request Board provide policy direction on those draft regulations; and
- Adopt a resolution recommending that the Board of Supervisors consider and provide policy direction on draft ordinances amending Monterey County Code, Titles 7, 20 and 21 relative to vacation (short-term) rentals.

SUMMARY

In April 2019, RMA released three draft ordinances to amend the Monterey County Code, Titles 7, 20 and 21 related to Vacation Rentals (also known as short-term rentals) in the unincorporated areas of Monterey County. The associated environmental analysis for the draft ordinances was also released.

These draft ordinances, as well as public comments submitted and the environmental analysis was presented to the Planning Commission in July 2019. Staff presented policy options in response to public comment and the Commission provided direction on the ordinances before forwarding them to the Board of Supervisors for consideration.

Today, RMA offers revised draft ordinances that incorporate all feedback received to date. Staff is asking the Commission to adopt a resolution recommending that the Board of Supervisors consider draft ordinances prepared to reflect public input and Planning Commission direction to date and provide direction to staff on draft ordinances to amend the Monterey County Code, Titles 7, 20 and 21 (**Exhibit A**). The intent is to receive policy direction from the Board of Supervisors, which will inform the CEQA review. Once CEQA has been completed, staff will return to the Planning Commission for a final recommendation to the Board.

DISCUSSION

A detailed summary of the Planning Commission's July 24, 2019 discussion and outcomes, and presents staff recommendations and options considered is included as **Exhibit B**. Staff prepared revised Draft Ordinances that modify Monterey County Code (MCC) as follows:

- Amend Title 7, including amending Section 7.02.060 (Business Licenses) and adding Chapter 7.110 (Vacation Rental Operation Permits) - **Exhibit C**;
- Amend Title 20 (Coastal Zoning), including adding Section 20.64.290 (Regulations for Vacation Rentals) and amending other sections of Title 20 in relation to vacation rentals - **Exhibit D**; and
- Amend Title 21 (Inland Zoning) including amending Section 21.64.280 (Administrative permits for

transient use of residential property for remuneration), adding Section 21.64.290 (Regulations for Vacation Rentals), and amending other sections of Title 21 in relation to vacation rentals - **Exhibit E**.

As a next step, RMA will present the Commission's recommendations on proposed vacation rental ordinances to, and request policy direction from, the Board of Supervisors. Staff will explain California Environmental Quality Act (CEQA) considerations with respect to the proposed ordinances. The intention is to obtain Board policy direction for staff to develop final draft ordinances, allowing staff to finalize the project description to be used for environmental analysis. Staff then plans to make a CEQA determination and return to the Commission with the recommended final draft ordinances and CEQA analysis.

OTHER AGENCY INVOLVEMENT

This process started in 2012 with multiple community meetings. Over the years, staff has received input from various agencies and stakeholders. RMA also received input from all of the Land Use Advisory Committees as well as the Agricultural Advisory Committee.

The Resource Management Agency, Treasurer-Tax Collector, Office of the County Counsel, Fire Agencies, and the Environmental Health Bureau participated in preparation of the proposed amendments to the ordinances. Staff met with California Coastal Commission staff and discussed ordinance development for the Coastal Zone.

Prepared by: Melanie Beretti, RMA Property Administration/Special Programs Manager (831) 755-5285

Reviewed by: John Dugan, RMA Deputy Director of Land Use and Community Development

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

The following attachments are on file with the RMA:

Exhibit A - Draft Resolution

Exhibit B - Discussion

Exhibit C - Exhibit C - Title 7 amendment to Ch. 7.02.060 and addition of Ch. 7.110

Exhibit D - Coastal Zoning Title 20 amendments and additions

Exhibit E - Inland Zoning Title 21 amendments and additions

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