



Land Use Services Department
Planning Division

BOARD OF SUPERVISORS HEARING

County Code Amendments relating to Short Term Residential Rentals

Agenda Item #113

June 14, 2022



Amend Short-Term Residential Rental Ordinance and Fees

- Amending the Development Code relating to Short-Term Residential Rental provisions (Chapter 84.28)
- Amending Section 16.0215C of the County Code to modify fees relating to short-term rental (STR) permits

Review Planning Commission Actions

Discussion of Various Specific Elements of Proposed Ordinance

June 2017

Board of Supervisors (Board) adopts STR ordinance for the Mountain Region

November 2019

Board expands STR ordinance to the Desert Region and refines STR permit/use, and management requirements

June 2021

Board increases STR fines and penalties and enhances enforcement

- The Board authorized additional resources to enforce the STR program in the 2021-22 budget
- Increased enforcement with fines and penalties resulted in STR hosts/guests becoming more compliant
- Complaints began trending downward
- Unpermitted rentals were required to come into compliance or remove their listings on rental websites

In August of 2021, a community survey was distributed to obtain feedback from both STR hosts and residents.

- The County received 2,000+ responses
- Main concerns from residents were:
 - Loss of neighborhood feel
 - Noise
 - Trash

On February 3, 2022, the Planning Commission considered the proposed STR Ordinance. They raised concerns regarding:

- Limitations on the number of STR's someone may own
- Limits on number of STR's per parcel
- Accessory Dwelling Units
- Two-night stay requirements
- Parking and occupancy standards

On March 3, 2022, the Planning Commission again considered the proposed STR Ordinance. They recommended approval of proposed ordinance with a 4-0 vote and made the following policy changes to the staff recommendation:

- Eliminated the proposed restriction on the number of STR permits a person or business may hold
- Included Accessory Dwelling Units as valid for STR permits
- Modified the minimum two-night stay to exclude owner-occupied properties

- **Presented for Board consideration is the proposed STR ordinance**
 - Proposed Changes to STR Permit Requirements by Planning Commission
- **The following items are for the Board's specific consideration:**

Key Topics for Discussion

- STRs Per Parcel
- Occupancy Limits
- Accessory Dwelling Units
- Property Owner Notifications
- Permit Number Display Requirements
- Two-Night Weekend Minimum
- Ownership Limits/Business Entity
- Permit Fees

Topics for Future Consideration*

- Hosting Platform Requirements
- Permitting Pathways for Exceptions
- Eviction Ban
- Applicability to Valley Areas
- Cap on County Permits Issued

*Changes to these items would require re-consideration by the Planning Commission

Maximum Number of STR's per Parcel

- One STR/parcel < 2 acres in size
- Two STRs/parcel > 2 acres in size

Occupancy Standards/Limits – based on number of bedrooms; Maximum 12 people

- Two-bedroom: 4 occupants
- Three-bedroom: 6 occupants
- Four-bedroom: 8 occupants
- Five-bedroom: 10 occupants
- Allowance for 2 children under 18 year of age to be added to above occupancy totals; 12 maximum remains

Program Applicability

- Single Family Residences, Accessory Dwelling Units, Condominiums, Guest Houses, Duplexes
- Program prohibits: Alternative Shelters, triplexes, fourplexes, and apartments

Property Owner Notifications

- Surrounding Property Owners notified of new STR application

Hosting Platform Permit Number Display Requirements

- Hosts shall display the County STR permit number on the hosting platform

Two-Night Weekend Minimum

- Minimum rental period of two consecutive nights on Friday and Saturday
- Does not apply to owner-occupied properties

Ownership Limits/Business Entity

- Allows the following to obtain an STR: a person, corporation, partnership, personal or family trust, LLC or LLP
- No limit on the number of STR permits the above entities may obtain
- STR permits do not transfer with the property and changes in ownership require the new owner to obtain a new permit

Proposed Fee Revisions:

- Application fee - \$600 for 1 year permit
- Renewal fee - \$600
 - Change from a 2-year permit to 1-year
 - Permit fee - \$285
 - Surrounding property owner notification fee - \$485
 - Noise Monitoring Device Purchase/Installation one-time fee credit - \$150
 - Rewards hosts for the use of noise monitoring equipment

Hosting Platform Requirements

- Currently the proposed ordinance does not include language that requires hosting sites to decline the acceptance of STR bookings if the property does not have a valid STR permit
 - Changes to this would require re-consideration by the Planning Commission

- **Eviction Ban**

- Limit the landlord's ability to evict a tenant for the purposes of establishing an STR
 - Language not included in the current draft ordinance
 - Including this would require re-consideration by the Planning Commission

- **Applicability of the STR Ordinance Countywide**

- Expand the applicability of the STR Ordinance to the Valley area, in addition to the Mountain and Desert areas that are already subject to the Ordinance
 - Language not included in the current draft ordinance
 - Including this would require re-consideration by the Planning Commission

Consider Implementing Cap on Number of STR Permits Issued

- Could be with annual permit, total permits, or based on a metric or measure
- If desired, a future change to the Ordinance can be proposed
- Including this would require re-consideration by the Planning Commission

Permitting Pathways for Minor Exceptions

- Pathway for permitted structures that fall outside of our current STR ordinance (e.g. large mansions in the mountains, or ADUs such as casitas that are co-located near the main house on parcels under 2 acres) to be issued exception permits for non-standard requirements
 - If desired, a future change to the Ordinance can be proposed
 - Including this would require re-consideration by the Planning Commission

- **Conduct a public hearing** to consider an ordinance amending Section 16.0215C and Chapter 84.28 of the County Code relating to STR fee program and regulations;
- **Adopt the findings** recommended by the Planning Commission;
- **Make alterations**, if necessary, to the proposed ordinance;
- **Approve** introduction of the proposed ordinance;
- **Schedule Ordinance for Final Adoption on Tuesday, June 28, 2022;** and
- **Direct** the Clerk of the Board of Supervisors to file a Notice of Exemption.