



City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Scott W. Huth, City Manager
Prepared by Adam Birnbaum, Planning Manager

DATE: September 8, 2015

SUBJECT: Policy Discussion and Direction to Staff Regarding a Code Amendment to Address the Rental of Residential Properties, Both Long-Term and for Durations of 30 Days or Less (Short-Term Rentals)

REQUESTED ACTION/RECOMMENDATION:

Direct staff to prepare a code amendment and provide policy direction on parameters to be included in the ordinance.

EXECUTIVE SUMMARY:

At its July 20, 2015 meeting, the City Council received public testimony and conducted preliminary discussions on the perceived impacts of short-term rentals and options for addressing such concerns. No action was taken, other than to direct staff to schedule an agenda item for further City Council review and prepare a work plan. The purpose of this agenda item is to provide an additional opportunity for public input and Council discussion about if, and in what manner, the City should accommodate and regulate short-term rentals. This report provides:

1. A recap of concerns that have been raised at Council meetings, to staff and in the local press about short-term rentals;
2. A review of existing City Municipal Code sections regarding residential rentals;
3. Information on the number and location of short-term rentals in Del Mar;
4. A review of concerns about short-term rentals raised in other coastal and vacation-oriented communities;
5. Information on how other jurisdictions address short-term rentals, including their regulations, policies and permitting requirements; and
6. Discussion of the need for the Municipal Code to distinguish and address both long-term and short-term rentals.

This report also includes, as Attachment A, a worksheet to help facilitate the City Council's discussion on the policy issues related to short-term rentals.

City Council Action:

DISCUSSION / ANALYSIS:

Notes:

- 1) The information in this report is based on a variety of sources, including research of news articles, websites of various jurisdictions, correspondence from interested parties and discussions with professionals who serve as agents for properties used as short-term rentals.
- 2) For purposes of this report the term “short term” rental also includes “vacation rentals,” “holiday homes,” and other rentals of residential properties, or portions thereof, for periods of 30 days or less.

BACKGROUND

Short-Term Rentals, also called vacation rentals, are common in visitor-destination areas such as beach communities. The basic concept is that the owner of a residence rents the home, or portion thereof, generally for a period of 30 days or less. They are often seen as a more flexible and lower-cost alternative to hotel lodging.

Existing Zoning Limitations and Definitions

Generally, unless a use is included amongst a list of allowed uses in a zoning district, it is not a permitted use. Currently, none of the City’s zoning districts either defines or lists short-term rentals as an allowed use, although none of the residential zones expressly prohibits the rental of a dwelling. In some cases, such as those code sections related to the City’s Housing Element, the rental of a dwelling is specified as an allowed use. Some residential zones also list the renting of one room to not more than one person” as an allowed use but with no reference to duration. The term “transient” is not defined in the zoning code but is defined in the City’s Code Chapter on Transient Occupancy Taxes as a period of “thirty consecutive calendar days or less”

Regardless of existing Code parameters and limitations, a number of residential units in Del Mar have been operated as short-term rentals, a practice which likely predates the City’s incorporation. But there has been a marked increase in such use over the last decade. In most cases, the rental is offered for the entirety of a structure, rather than for a bedroom or other portion of a home. Attachment C includes a map with information on the number and general locations of short-term rentals being operated in the community. The information is based on advertisements posted at properties and the *VRBO* and *airbnb* websites. The research shows that there are roughly 130 dwellings in the City advertised in the *VRBO* website as being available at some point in the year for short-term rentals and another 13 structures listed on the *airbnb* website. The sites are scattered in various zones but with the highest concentration in the City’s North Beach area. Attachment D includes pictures of some on-site short-term rental advertising.

Recent Concerns Expressed by Community Members

In the past few months, a number of community members have expressed concerns about the impacts of short-term rentals on the character of their respective neighborhoods. The primary concerns raised include: 1) noise; 2) trash; 3) parking; and 4) an overall change to the feeling of an area when homes are consistently occupied by visitors to the community rather than by residents. These concerns have been: expressed directly to staff; included in letters in local newspapers; and presented during oral communication at a recent City Council meeting.

The issues related to short-term rentals are not unique to Del Mar. The concerns noted above have also been raised in many other jurisdictions in the state, the nation and even internationally. The overall concern involves the behavior of short-term tenants who are in “vacation mode,” with particular concerns about noise and parking impacts.

Concerns have also been raised that, because of their potential revenue generation, properties are being purchased and “purposed” specifically for short-term rentals, with a resulting decrease in the community’s stock of (long-term) rental housing. As a related note, efforts in other communities to regulate and limit short-term rentals have faced opposition from owners of property who rely on the short-term rental’s income stream.

Types of Short-Term Rentals and Common Operation/Advertising Practices

Typically, short-term rentals fall into two categories: 1) the rental of the whole of a residence for limited period; and 2) the rental of bedroom or other portion(s) of a home, also for a limited duration. There are a variety of methods being used to advertise and operate short-term rentals. Some property owners do their own advertising, leasing and management. Others use a website for advertising and booking (hosting platform), but handle their own management. Others use an agency to manage all of these functions.

Short-term Rental Standards Used by Other Jurisdictions

Attachment B includes a matrix with information about the rules, or lack thereof, on short-term rentals applied by other popular visitor-serving destinations. The information categories in the matrix include:

1. Whether short-term rentals are an allowed use;
2. Authorization/Permit processes;
3. Applicable manner and use requirements and limitations; and
4. Notes on the status of regulations or on any particular issues that have arisen in that community

Although not the particular scope of this agenda item, the matrix also includes a column indicating whether the jurisdiction applies a Transient Occupancy Tax (TOT) on short-term rentals.

ANALYSIS

Policy Direction

As noted, the purpose of this agenda item is for the City Council to receive continued public input on the issue of short-term rentals. The worksheet in Attachment A is intended both to help the Council focus its discussion and to go through the process of providing the specific policy direction on issues such as where and when these uses would be allowed and standards for how they operate and function. The worksheet lists what seem to be the most pertinent policy questions, along with suggestions for alternative approaches on how a draft ordinance might be structured to address those issues.

Good Neighbor Policies

As part of their efforts to address concerns about the impacts of short-term rentals, some cities, including Carlsbad, Rancho Mirage, Palm Springs and La Quinta have adopted what are commonly termed: Good Neighbor Policies. These policies lay out general *Do's and Don'ts* for owners, operators and tenants to avoid impacts on immediate neighbors and on the community in general. Copies of those Good Neighbor Policies are included in Attachment E.

Although Good Neighbor Policies have shown to be helpful, they are not, in and of themselves enforceable. Staff, therefore, suggests using a combination of a Del Mar Good Neighbor Policy and a regulatory ordinance. The former could be adopted by resolution. The later would be adopted by an ordinance at public hearing(s). The ordinance could include a clause that owners, operators and tenants of short term-rentals acknowledge that they have read and agree to abide by the Good Neighbor Policy. Although the primary focus of the Good Neighbor Policy would be to address the potential impacts related to short-term rentals, it could also be crafted and used to express the community's expectations for neighborly behavior for all homes of all types.

Clarifying Regulations for Long-Term vs. Short-term Rentals

In addition to drafting regulations regarding short-term rentals, staff is recommending that any such code amendment also clarify the allowances and limitations of long-term rentals. Staff is not suggesting that particular regulations are necessary for long-term rentals, but it would be helpful to amend the City's code to define and distinguish the two rental types and codify zoning allowances.

California Coastal Commission Considerations

The Coastal Commission has taken the position that regulations adopted by local jurisdictions to flatly prohibit short-term rentals or to require unduly long minimum stays are inconsistent with Coastal Act provisions on accommodating coastal visitors. Although the City's existing Local Coastal Program (LCP) contains a wide set of policies on providing coastal access opportunities, it is silent on the issue of short-term rentals.

However, unless a suggested code amendment included either a prohibition on short-term rentals or a lengthy minimum stay, it is unlikely that an LCP amendment would be required.

Process for Code Amendments

Amendments to the Zoning Code, Title 30 of the Del Mar Municipal Code, require review by the Planning Commission with a recommendation to the City Council. Amendments to modify or create new chapters in other portions of the Code do not require Planning Commission review. If Council direction is given to proceed with a set of amendments to accommodate and regulate short-term rentals, both zoning and non-zoning code chapters would likely be involved. For continuity, the entire code amendment package could be processed to include a Planning Commission recommendation. This would allow an additional venue for public input and vetting of the issues.

Previous City Council Review/Action on Short-Term Rentals

At its May 3, 2010 meeting, the City Council introduced an ordinance to define, accommodate and regulate short-term rentals. However, at a subsequent meeting, held on June 21, 2010, the Council determined not to adopt the ordinance.

On July 20, 2015, the City Council received public testimony and conducted preliminary discussions on the issue of short-term rentals. Staff was directed to return to the Council with a work plan, which is discussed herein as moving forward with a set of Code amendments, based on policy direction for the amendments provided by the Council.

FISCAL IMPACT:

Other than the demand on staff resources, there is no fiscal impact associated with providing direction to pursue a code amendment on the issue of property rentals.

ENVIRONMENTAL IMPACT:

Discussion about setting a future agenda item is not a project, as defined under the California Environmental Quality Act.

ATTACHMENTS:

- Attachment A - Policy Discussion Worksheet
- Attachment B - Matrix on Short-term Rental Regulations/Processes
- Attachment C - Information on Short-term rentals in Del Mar
- Attachment D - Pictures of properties in Del Mar with short-term rental advertisements
- Attachment E - Examples of "Good Neighbor Policies"

Short-Term Rental Policy Discussion Worksheet

The following list of topics is intended to help facilitate City Council discussion on whether a code amendment should be pursued and, if so, to provide preliminary policy direction on the types of standards, requirements and procedures staff should include in a draft ordinance.

1. Issue: Should the Municipal Code be amended to allow and regulate short-term rentals? If so, consider questions 2-9.

2. Issue: Locations in which short-term rentals would be allowed

Should short-term rentals be allowed in:

- A. Only certain geographic areas of the community?
- B. Any residential zone?

Should short-term rentals be allowed in:

- A. Single family homes,
- B. Duplexes, and/or
- C. Multi-family structures?

Notes: Some of the previous comments received included suggestions that short-term rentals be allowed only in near-shore areas. Others suggested that they not be allowed in areas zoned for single-family use. If both parameters were applied, it would severely limit the area in which they could operate.

3. Issue: Minimum durations of stay

Should there be a minimum duration for lease of a short-term rental?

Common minimum-stay durations set by other communities include:

- A. Three days
- B. Five days
- C. Seven days
- D. 30 days

4. Issue: Maximum occupancy limits

Should there be maximum tenant occupancy?

Notes: Frequent approaches include a limit of occupancy based on a standard of not more than two persons per bedroom. Some jurisdictions apply the per bedroom limitation plus an overall maximum on the number of persons, regardless of the number of bedrooms in the home. Some jurisdictions include overnight occupancies and limits on the number non-leasing visitors.

5. Issue: Limits on frequency in which a structure may be offered for short-term lease

Should there be a limit on the number of days per week, month or year that a structure may be used as a short-term rental?

Note: Approaches used by some other jurisdictions include monthly and/or yearly caps.

6. Issue: Short-term rental of portions of structures

For rentals of portions of a home, should there be a limitation that portions of residences be available only when the home-owner is present?

Notes: The intent of the requirement for owner's presence is to foster neighborly behavior. The airbnb website generally offers three types of lease agreements: a) entire structure; b) private room; and c) shared room.

7. Issue: City Authorization/Permit Required

Should a short-term rental be subject to prior receipt of a City permit or other form of authorization?

- A. If so, should there be an annual renewal requirement?
- B. Should the authorization be:
 - 1) Ministerial, wherein approval is granted if the application complies with the quantifiable standard of review?; or
 - 2) Discretionary, where approval is subject to case-by-case review?
- C. Should owners/operators be subject to, or exempt from, receipt of a separate Business License or other permit fee?

Note: If the standards in the ordinance are clear, requiring a discretionary review (item B above) would seem inappropriate.

8. Issue: Enforcement

Should violation of a short-term rental ordinance carry penalties such as:

- A. Fines
- B. Hearing for possible revocation of permit (if such ultimately required)
- C. Forfeiture of right to operate the short-term rental for a specified period

Notes: If a new set of code requirements is established for short-term rentals there may be an increase in potential violations, with a resulting need to allocate staff resources for education and effective enforcement. A deposit system could be applied wherein the City could draw against the deposit, as necessary, to offset the costs of enforcing a violation of the short-term rental approval. The deposit system would also provide an incentive for property owner, manger and tenant compliance with the short-term regulations.

9. Issue: Good Neighbor Policy

- A. In addition to regulatory standards, should a Good Neighbor Policy be established?
- B. Should the Policy be applicable solely to short-term or all homes?

10. Assumed measures for inclusion in code amendment

If direction is given to proceed with a code amendment, it is recommended and assumed that the following topics would be addressed in a draft ordinance.

- A. Requirement that emergency 24-hour contact information of the owner, operator and manager (as applicable) be posted conspicuously, both at the interior and exterior of the structure, with requirement for response within 45 minutes
- Compliance with City's noise regulations
- B. Requirement that adequate trash collection bins be available and that applicable trash-collection schedules be observed
- C. In-home posting of any established Good Neighbor Policy adopted by the City, with distribution to owners, leasing/booking agents, operators and tenants
- D. Requirements related to the availability of on-site parking spaces, including a prohibition or limitations on over-sized vehicles

2015 Survey on Short-Term Rentals

Jurisdiction	Allowed use? Definition /Location Restrictions	Permit Process	Requirements and Limitations	Issues, Status, Problems	Transient Occupancy Tax (TOT) required?
Big Bear, City	Allowed Use: Single-family and multi-family residential districts. Transient private home rental (specific to homes in residential neighborhoods). Definition: "A dwelling unit, including either a single family detached or multiple family attached unit, rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days (other than on-going month-to-month tenancy granted to the same renter for the same unit)".	Secure a business license and register to pay TOT, pay for processing fee, undergo an inspection.	<ul style="list-style-type: none"> •Display Identification signs in and out of the building with name of the agency/person that can be reached on a 24-hour basis •Maximum number of occupants in the unit •Maximum number of vehicles parking on the site •Notify where trash needs to be disposed •Compliance with all health and safety codes required •Maximum number of person is 1 per 200 sq. ft. of building area excluding the garage •Occupancy can't exceed 16 people •Multiple site maintenance requirements for health and safety purposes •Parking must be on-site with 1 space per bedroom •No overnight on-street parking permitted 	Current movement by long time property owners to eliminate due to the explosion of vacation rentals in existing year-round neighborhoods.	10% of rent collected
Carlsbad, City	Allowed Use: Yes, in residential zones within the portion of the City in the California coastal zone. Definition: "rental of any legally permitted dwelling unit as that term is defined in Chapter 21.04, Section 21.04.120 of this code, or any portion of any legally permitted dwelling unit for occupancy for dwelling, lodging or sleeping purposes for a period of less than 30 consecutive calendar days in any residential zoning district".	Permit and Business License required	<ul style="list-style-type: none"> •Owner available 24/7 days to respond within 45 minutes to complaints •STVR Permit posted within plain view •No amplified sound after 10 p.m. or before 10 a.m. 		Yes -10%, collected TOT paid on a quarterly basis + \$1 per room per night Carlsbad Tourism Business Improvement District assessment.
Carmel, City	Allowed Use: No, Prohibited. Rentals of less than 30 days prohibited.	N/A	N/A	Dealt with by Code Enforcement. Pressure from time to time to offer but no recent changes to code.	N/A
Coronado, City	Allowed Use: No, Prohibited. However, Short-term vacation rentals are permitted in motels, certain lodging houses and a multi-family residential zone in their Orange Avenue Corridor Specific Plan. Definition: "Renting, letting, subletting, leasing or subleasing of a dwelling unit or a habitable unit for a period of 25 consecutive calendar days or less".	N/A	N/A		Yes - 10% of rent collected
Encinitas, City	Allowed Use: Yes, a short-term rental is only allowed for single-family and duplex uses in residential zones. The Zoning Code prohibits transient uses in residential zones with the exception of single-family and duplex uses. A condominium project or an apartment. [Prop. F – 8% short-term] Definition: "any structure or portion of any structure of occupancy for dwelling, lodging or sleeping purposes of 30 consecutive days or less".	The application fee is \$150 annually; each applicant must submit an application each year for each unit. No business registration is required. Applicants are required to submit a site plan and floor plan documenting the number of bedrooms and on-site parking spaces.	<ul style="list-style-type: none"> •Maximum of two persons per bedroom with an additional two occupant's •Display 24-hour phone number outside for complaints. •Number of cars specified by each permit •First violation in 12-month period \$250 fine and warning, fines increase on subsequent violations. First fine cost \$1,000 and possible permit revocation 		Yes - 10% of rent collected
Hermosa Beach, City	Allowed Use: Yes, allowed in commercial zones.	Permit Required	<ul style="list-style-type: none"> •Short term rentals of less than 30 days are not allowed except in commercial zones when all permits have been obtained 		No, because 30 day duration is not considered transient.
Imperial Beach, City	Allowed Use: Yes, in C-1, C-2 and MU-2 Zones (Beach front area). Definition: "Commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days".	Short-term rental permit required (\$100) + Business License	<ul style="list-style-type: none"> •7 day minimum rental •Present proof that the CC&R's do not prohibit the short-term rental of dwelling units •Limit overnight occupancy to a specific number, with the number of occupants not to exceed that permitted by the provisions of Uniform Housing Code •Limit unreasonable noise or disturbances, disorderly conduct, or violations of provisions of the IBMC or any state law pertaining to the same •Post a notice in a location which is clearly visible that with a phone number available 24/7 to respond to complaints 		Yes - 13% of rent collected
Indian Wells, City	Allowed Use: Yes, in residential zones.	Permit Required + Business License	<ul style="list-style-type: none"> • Register with the City's STVR database •Local contact person available 24/7 for the purpose of responding within 1 hour to complaints •Maximum occupancy shall not exceed two (2) persons per bedroom with an exception for children under the age of six between the hours of 11:00 p.m. through 6:00 a.m. • Minimum stay of seven (7) consecutive days 		11.25% of rent collected
Laguna Beach, City	Allowed Use: Yes, in a variety of residential and commercial zones. Definition: A room or suite of rooms used for the residential use and occupancy of one family rented to person(s) other than the owner for a period of thirty (30) consecutive days or less.	Permit Required + Business License + A valid Transient Occupancy Registration Certificate	<ul style="list-style-type: none"> •Overnight occupancy of Short-Term Lodging Units shall be limited to a specific number of occupants, and the number of occupants shall not exceed that permitted by the Building and Fire Codes. •Occupants shall not create unreasonable noise and disturbances, engage in disorderly conduct or violate any laws, including those laws pertaining to collection and disposal of refuse, the consumption of alcohol or the use of illegal drugs. •Short Term Lodgings structures containing three or more units shall also collect a Business Improvement Assessment to the City. 		10% of rent collected

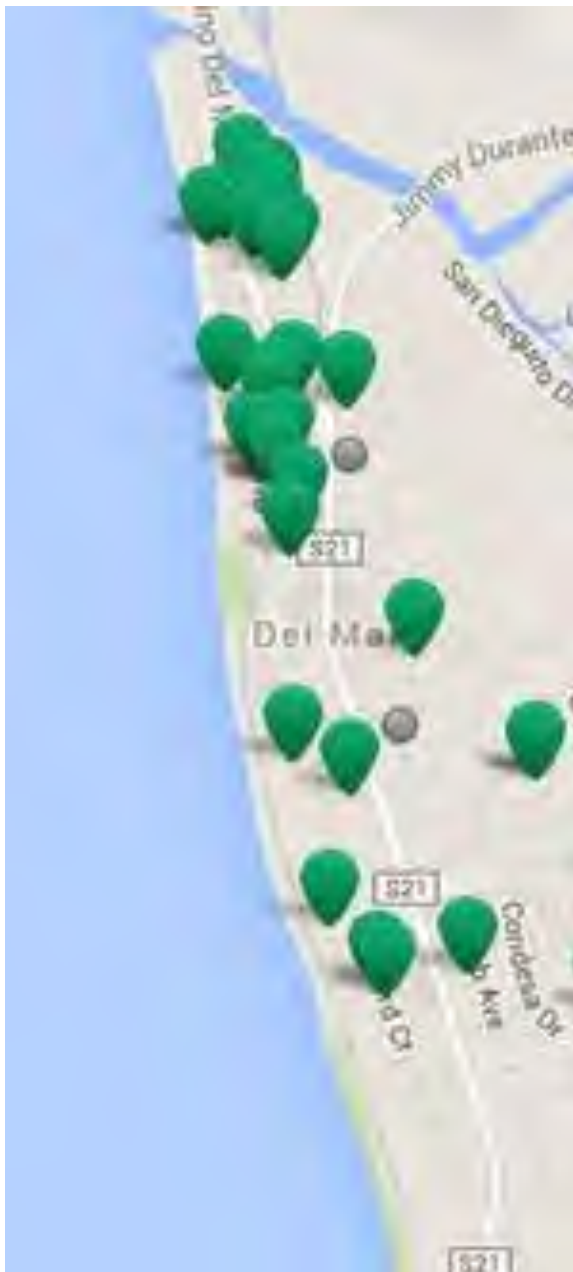
Jurisdiction	Allowed use? Definition /Location Restrictions	Permit Process	Requirements and Limitations	Issues, Status, Problems	Transient Occupancy Tax (TOT) required?
La Quinta, City	Allowed Use: Residential areas. Definition: A privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days; except any private dwelling house or other individually owned single-family dwelling house unit rented only once in a calendar year.	Permit Required + Application Fee(\$25)	<ul style="list-style-type: none"> •Owner shall use reasonable business practices to ensure that the short-term vacation rental unit is used in a manner that complies with all applicable laws, rules, and regulations pertaining to use •The number of occupants shall be limited depending on the number of bedrooms •Local contact available 24/7 to respond within 45 minutes •Ensure that the occupants of the short-term vacation rental unit do not create unreasonable disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to use and occupancy of STVR •No amplified sound shall be used outside between the hours of 10 p.m. and 1 p.m. •Trash and refuse shall not be left stored in public view, except in proper containers •No advertising signs on premises 		12% of rent collected
Napa, City	Allowed Use: Yes, any zoning district. Definition: "Residential dwelling that allow for the lodging of guest for period of fewer than 31 days".	Vacation Rental Permit	Misc. Requirements	Adopted April 7, 2009	10% of rent collected
Napa, County	Allowed Use: No, vacation rentals prohibited.			Dealt with by Code Enforcement	
Oceanside, City	No current regulation.	Business License	<ul style="list-style-type: none"> •Required to have a business license •Pay Oceanside's 10 percent hotel room tax and a 1.5 percent fee to the tourism marketing district •Any stay over 30 days is not considered a vacation rental and does not pay the room tax or marketing district fee 		10% of rent collected + 1.5% Fee to the tourism marketing district
Pacific Grove, City	Allowed Use: No, prohibited. STVR were allowed for a period of time but City Council passed an urgency ordinance prohibiting issuance of new permits for short term rentals.			Ordinance under consideration	8% of rent collected
Paso Robles, City	Allowed Use: Single-family, multi-family and mixed use facilities. Definition: "Transient occupancy of a residential structure in either a single-family, multi-family or mixed use facility".	Conditional Use Permit from the Planning Commission, business license and TOT registration	<ul style="list-style-type: none"> •No more than two (2) persons per bedroom •Two (2) off street parking spaces per residence •No advertising signs on-site •Compliance with City health and safety requirements •Designation of a local property manager or owner available 24 hours a day •Inspection by the fire marshal prior to use of residence as a vacation rental 		10% of rent collected
Saint Helena, City	Allowed Use: No, vacation rentals prohibited.			Dealt with by Code Enforcement	30 days or less. Levied at a rate of 10% or 8% depending on location of rental unit
San Diego, City	Allowed Use: No Current Regulation. Proposed Definition: "The incidental transient occupancy of a dwelling unit for any time period of less than 30 consecutive calendar days".	N/A	Proposed <ul style="list-style-type: none"> •The number of occupants, shall not exceed reasonable occupancy standards of two per bedroom plus two •Display notice within plain view of the general public •The local contact person shall be available 24/7 •Upon notification of a disturbance, the host shall respond within 60 minutes •Failure to respond to two or more complaints regarding transient violations is grounds for penalty •If advertising online, the host must list their TOT certificate number within the advertisement 		10% of rent collected
San Francisco, City	Prohibits rental of homes for 30 days or less but portions of home may be rented on short term basis if occupants present.			Regulations have been shifting	
San Luis Obispo County, Cambria Area	Allowed Use: Yes, within all residential areas. No vacation rentals shall be located within 200 linear feet of a parcel on the same block on which is located any residential vacation rental or other type of visitor serving accommodation that is outside the commercial land use category. Definition: "A residential vacation rental is the use of an existing residence as a rental for transient use. This does not include the rental of the entire residence for periods of thirty days or longer".	Zoning clearance, business license, TOT registration	<ul style="list-style-type: none"> •Can't exceed one tenancy in 7 day period •May only be used as a vacation rental •Maximum number of occupants can't exceed 2 persons per bedroom plus an additional person •Must comply with the parking requirement of the zoning district •Unit can't change residential character of the area • No advertising signs on-site •Compliance with all county health and safety standards •Local contact/manager must be identified and submitted to the Sheriff's substation, local fire agency and property owners within 300 feet 	Occasional complaint by both homeowners and hoteliers.	12% of rent collected
Santa Cruz, City	The Ordinance is silent on this issue and allows rental of single-family homes as vacation homes so long as they remain as single-family dwellings.	Assessor's Office collects TOT tax.	Response by County Sheriff to complaints only. No second kitchens or other additions which would make it a second unity.	Occasional complaints.	
Santa Monica, City	Allowed Use: Yes, any zoning district. Definition: "Rental of any dwelling unit, in whole or in part, within the City of Santa Monica, to any person(s) for exclusive transient use of 30 consecutive days or less, whereby the unit is only approved for permanent residential occupancy and not approved for transient occupancy or Home-Sharing as authorized by Chapter 6.20 of the SMMC".	Development plan requirement/planning commission consideration, business permit and TOT registration.	<ul style="list-style-type: none"> •Ban on the rental of entire units as vacation rentals •The Home-Sharing Ordinance also legalized the short term rental of a portion of a person's home when the host lives on-site throughout the visitor's stay and when the host obtains a business license •Hosts are also required to collect and remit TOT if not collected and remitted by the hosting platform" •No advertising on site •Information related to emergency exit routes must be provided to occupants 		14% of rent collected

Jurisdiction	Allowed use? Definition /Location Restrictions	Permit Process	Requirements and Limitations	Issues, Status, Problems	Transient Occupancy Tax (TOT) required?
Solana Beach, City	Allowed Use: Allowed use in residential zoning districts for a period of seven to 30 consecutive days. Definition: "Rental of any structure or any portion of any structure for occupancy for dwelling, lodging or sleeping purposes for more than seven but no more than 30 consecutive calendar days in duration in a residential zoning district, including detached single-family residences, condominiums, duplexes, twinplexes, townhomes, and multi-family dwellings".	Short-Term Vacation Rental Application for each unit in which you purpose to conduct a Short-Term Vacation Rental. New Permit = \$110 Yearly Renewal = \$17 Duplicate Permit = \$17	<ul style="list-style-type: none"> Rental for less than seven consecutive calendar days in duration in within all residential zoning districts is prohibited Rentals of more than 30 consecutive days in duration in residential zoning districts are not required to obtain a short-term vacation rental permit Owner/agent shall ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable noise or disturbances Owner/owner's agent shall upon notification of complaint prevent a recurrence or such conduct by those occupants or guests shall respond to within 24 hours 		13% of rent collected
Solvang, City	Allowed Use: No vacation rentals in residential districts. Allowed in the tourist commercial districts only. Definition: "Transient occupancy of a residential structure in a residential district".	Development plan requirement/planning commission consideration, business permit and TOT registration.	<ul style="list-style-type: none"> On-site parking On-site manager 	The community would like to see visitors in their hotels.	9% of rent collected
Sonoma, City	Historic Overlay District	Use Permit	<ul style="list-style-type: none"> Similar to existing Napa regulations Manager on-site, etc. 	Occasional complaints.	10% of rent collected
Sonoma, County	Allowed Use: Vacation rentals not specifically allowed. Definition: "A property with a dwelling unit or guest house intended for permanent occupancy that is occupied by any person other than the primary owner for transient use; or is otherwise occupied or utilized on a transient basis. Vacation rental does not include a bed and breakfast inn permitted and operated in accordance with this Code, or occasional home exchanges that are not otherwise subject to TOT.	Zoning / Use Permit / Culture or Special Event	<ul style="list-style-type: none"> Maximum of five (5) guestrooms or sleeping rooms Maximum overnight occupancy of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of twelve (12) persons On-site parking shall be provided (Number of spaces determined by # of guest rooms or sleeping rooms) *On-street parking may be considered Must meet the General Plan Noise Standards contained below No amplified sounds unless specifically permitted by a Cultural or Special Event Permit, or Use Permit Owner must maintain a Transient Occupancy Tax License and remain current on all required reports and payments 	The County is currently reviewing this issue as it impact's their Housing Element Update. Dealt with by Code Enforcement.	10% of rent collected

Jurisdiction	Allowed use? Definition /Location Restrictions	Permit Process	Requirements and Limitations	Issues, Status, Problems	Transient Occupancy Tax (TOT) required?
South Lake Tahoe, Nevada	<p>Allowed Use: No restrictions.</p> <p>Definition: "Vacation home rental" means one or more dwelling units, including either a single-family, detached or multiple-family attached unit, rented for the purpose of overnight lodging for a period of not less than 1 night and not more than 30 days other than on-going month-to-month tenancy granted to the same renter for the same unit".</p>	<p>Application submittal with number of bedrooms, maximum number of overnight occupants (which is calculated according to a formula), and number of on-site parking spaces. Requires the listing of a local contact person. A \$75 initial application fee (\$50 yearly renewal and change of ownership fee), plus a drawing or photograph showing the parking.</p>	<ul style="list-style-type: none"> •Max overnight occupancy is 2 persons per bedroom & 4 additional persons per residence •Overnight vehicles limited to on-site parking spaces •Contact info, copy of the permit and ordinance posted in public view •Post a 24/7 contact number to respond to complaints •Post max number of permitted occupants •Post max number permitted vehicles, and location of on-site parking spaces •Notify where trash needs to be disposed •Occupant may be cited and fined for creating a disturbance or for violating other provisions of the ordinance <p>Failure to comply – 1st: warning, 2nd: \$250 penalty, 3rd: \$500 penalty, 4th \$1,000 and/or suspension or permit, 5th: permit may be revoked. Within 12 month period a business license and bed tax required. Failure to comply - 1st: warning, 2nd: \$250 penalty, 3rd \$500 penalty, 4th \$1,000 and/or suspension or permit, 5th: permit may be revoked. Within 12 month period a business license and bed tax required.</p>	<p>Little year-round residential use of properties. Strong Property Management presence.</p>	<p>9% for accommodations at lodging and camping facilities in unincorporated areas of County</p>
Telluride Colorado, Town	<p>Allowed Use: Yes, allowed in the majority of the in-town residential districts, Hillside Transitional and Developing Historic Residential and Medium density.</p> <p>Definition: Short term rental is defined as a rental of 29 days or fewer.</p>	<p>Subject to a Business Permit</p>	<ul style="list-style-type: none"> •No more than twenty-nine (29) days, total in a calendar year •The structure contains only one (1) dwelling unit, or the dwelling to be rented is the primary structure when more than one (1) dwelling exists on a lot •The dwelling unit to be rented contains no more than four (4) bedrooms •There is a clearly-defined trash storage area and an adequate number of trash containers provided •Representative within the Town of Telluride, who is available 24/7 via phone to manage the property during any period the property is occupied •Name, address, and phone number of the owner representative shall be listed on the business license which is on file at Town 	<p>Mostly seasonal vacation rentals (winter, some summer). Hard to monitor. Requires neighborhood vigilance.</p>	<p>12% of rent collected</p>
Yountville, Town	<p>Allowed Use: No, prohibited. No vacation rentals in SF residential, old town historic, mixed or master planned residential.</p>			<p>Dealt with by Code Enforcement</p>	<p>10% of rent collected</p>

The map below gives a general sense of the locations of properties in Del Mar for which short-term rentals are advertised. The map is a screen-shot from the **VRBO** (Vacation Rental By Owner) web site at a scale that shows the area from the San Dieguito River mouth south to the City's southern boundary. This is but one website where short-term advertisements are posted but a review of others include many of the same properties, so only the VRBO-listed sites are shown. Using the **VRBO** website, the scale available to show this large an area does not pinpoint many of the properties within the Del Mar city limits other listed on the web site. When applying a zoom-ed in scale, 130 properties are identified.

Screen-shot from VRBO website



Screen-shot from **airbnb** website – 13 sites identified















Welcome to Carlsbad



PLEASE READ

Safety Information

In Case of Emergency Call 9-1-1

Police non-emergency number 760-931-2197

Good Neighbor Guidelines

Noise

Please keep any music or other noise to an appropriate level and in a manner that is courteous to neighbors, respecting their right to enjoy their homes in peace and quiet. The surrounding neighbors have access to a 24/7 contact number that they may call to file a complaint. The homeowner or an appointed contact will be expected to respond to complaints about the operation of the property and related disturbances within 45 minutes or the City of Carlsbad Police Department may be called.

Trash

Rental properties should be kept clean with no visible trash. Please keep all trash containers out of street view except when at the curb on collection days. And, please ensure guests know about and adhere to the neighborhood trash collection schedule.

Parking

Please adhere to all posted parking regulations and engage good neighbor practices regarding parking on or around the rental property. Vehicles should be parked in approved carports, garages, and driveways. Renter's vehicles should not block a neighbor's driveway and ideally should not be parked in front of a neighbor's house. Keep in mind you are renting in a residential neighborhood.

Oversized Vehicle Parking

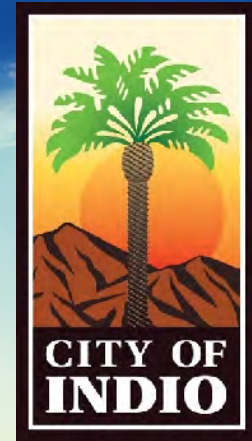
Generally, oversized vehicles (RVs, boats, trailers) may not park on City of Carlsbad streets between the hours of 2 a.m. and 5 a.m.



BE ADVISED!

**CITY OF INDIO RESIDENTS
CAN CALL THE VACATION
RENTAL HOTLINE TO RE-
PORT INFRACTIONS OF THE
RULES OUTLINED IN THIS
BROCHURE**

**CITY OF FESTIVALS
100 CIVIC CENTER MALL
INDIO, CA 92201
(760) 391-4000
WWW.INDIO.ORG**



**CITY OF INDIO
THE CITY OF FESTIVALS**

**COMPLAINT HOTLINE
(760) 883-1838**

**City of Indio Code
Title III, Chapter 37
Requires All Vacation Rental
Owners To:**

- 1. Post a current business li-
cense in the vacation rental
home**
- 2. Post a current vacation rental
certificate in the vacation
rental home**
- 3. Collect and remit a '1' % tran-
sient occupancy tax unless
the renter occupies the
home for more than 30 con-
secutive days**



**GOOD NEIGHBOR
BROCHURE
FOR
VACATION
RENTERS**

CITY OF INDIO

PLEASE READ THIS BROCHURE CAREFULLY AS WE WANT YOU TO ENJOY YOUR STAY IN THE CITY OF FESTIVALS.

LOUD MUSIC, RAMBUNCTIOUS PARTIES, STREETS FILLED WITH CARS PARKED IN FRONT OF NEIGHBORS' HOMES, WILL NOT BE TOLERATED.

THE CITY STRICTLY ENFORCES ITS NOISE CONTROL AND SHORT-TERM RENTAL ORDINANCES. VIOLATORS WILL BE CITED.

IF YOU KEEP IN MIND HOW YOU WOULD LIKE YOUR NEIGHBORS TO BEHAVE WHEN YOU ARE AT HOME, YOUR STAY SHOULD BE FREE OF TROUBLES AND FULL OF ENJOYABLE MEMORIES.

OCCUPANCY LIMITS

The owner shall limit the overnight occupancy of the short-term rental, to two people plus two people per bedroom within each short-term vacation rental period (Code of Indio Title III, Chapter 37 (Ordinance 1607))

RULES OF VACATION PROPERTY RENTAL

NOISE/MUSIC/CROWDS

City ordinance 95C stipulates that the use or operation of any sound production or reproduction device, radio receiving set, musical instrument, drums, phonograph, television set, loud speakers, sound amplifier or other similar machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet, or comfort of any reasonable person of normal sensitivity in any area of the city is prohibited.

Remember you are renting in a residential neighborhood. Keep any music to an appropriate level. Residents are not on vacation and should not be expected to be subjected to your personal taste in music. The surrounding neighbors have access to a Complaint HOTLINE that they may call to file a complaint. The homeowner or an appointed agent will be expected to respond to any complaint within 45 minutes or the Police will be called. City ordinances governing short-term rentals and noise control are strictly enforced.

The Police and Code Enforcement Officers carry decibel meters and can monitor your sound levels. Failure to comply with any City ordinance may result in a citation, fine, or imprisonment. In the case of multiple short-term rental violations, home owners can lose their short-term rental privilege.

PARKING

Renters and their daytime guests should park in the garage, in the driveway or directly in front of their rental property. Keep in mind you are renting in a neighborhood. Respect the neighbors and they will respect you. Renter's vehicles blocking a neighbor's driveway or parked up and down a street often result in the greatest number of complaints about a renter. Use the garage and the driveway of the rental property as your primary parking area.

DOGS

Indio requires that all dogs be on leashes whenever they are in un-enclosed areas or on public streets. When walking your dog you are required to pick up and dispose of their waste. Barking dogs in the backyard of rental homes often result in neighbor complaints.

TRASH

Trash & refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days.

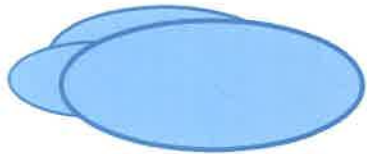
HOW MANY IS TOO MANY?

Please check with the person who rented you the unit as to the maximum number of overnight occupants and the maximum number of daytime occupants permitted to stay there. Limits have been established for both.

Compliance with these rules will assure that you and your neighbors will both enjoy your stay. We're glad you're here!

WHAT ELSE SHOULD I KNOW?

It is important to be a good neighbor – whether you're at home or on vacation. Please keep in mind that you may be cited or fined by the City, or even evicted by the owner, for creating a disturbance or for violating other provisions of the City's Vacation Rental Ordinance. The surrounding neighbors have been given a 24-hour number to call should they need to file a complaint.



Good Neighbor Brochure

For Vacation Rentals



City of Palm Springs
3200 E. Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, Ca. 92263-2743

Phone 760.323.8299
www.palmspringsca.gov



CITY OF PALM SPRINGS



WELCOME TO PALM SPRINGS

Palm Springs is world-famous for the special welcome people experience here while on vacation. We are pleased you have chosen to spend your vacation in our City. There is so much to see and do. Or, if you choose, just sit back, relax and do nothing at all.

Like many of our visitors, you have decided to rent a house or a condominium for your own special experience. That's great. There are many benefits to doing that.

Perhaps the greatest benefit is the pleasure of residing – even for a short stay – in one of our residential neighborhoods. You will be among many permanent residents who value the look and feel of a quiet and safe place to live. They, and the City, will look to you for your help in preserving that special sense of peace and quiet. In short, being a vacation renter also means being a good neighbor.

WHAT YOU NEED TO KNOW

This brochure is intended to highlight a few ways you can be a good neighbor during your stay in Palm Springs.

WHO'S MAKING ALL THAT NOISE?

Please do not create noise or disturbances or engage in disorderly conduct. Consider how you would want your neighbors to behave in your own neighborhood. Chances are your Palm Springs neighbors will expect the same of you while you're here. A little consideration goes a long way.

Keep in mind that amplified music is not allowed outside of your vacation rental unit. So, please, don't bring the speakers outside and crank up the music, even if you think everyone will enjoy your excellent taste in music.

A call from the neighbors to the City will bring the Police to your door. So please, keep the noise down. Our officers can issue you a citation if you violate the City's noise ordinance.

WHOSE CAR IS THAT?

Please, also be mindful of where you park. Park in the garage, on the driveway, in your assigned space or as close to where you are staying as possible. But in any case, don't block anyone's driveway. Your car could be towed.

PUPPY LOVE

Palm Springs requires that all dogs be on leashes whenever they are outside, except in the City's Dog Park. Also, we expect everyone to pick up after their pet. Never leave your pet unattended in a vehicle; it is illegal all year long. And just like at home, a barking or whining dog disturbs the neighbors.

WHOSE TURN IS IT TO TAKE OUT THE TRASH?

Palm Springs residents recycle as much as they can and we hope you will too. If you have a blue recycling cart where you are staying, please use it to recycle metal, paper, glass and plastic products.

Please do not store trash and refuse within public view, except in proper containers for the purpose of collection. If you are staying in a house, Palm Springs Disposal Services will pick up your trash and empty your recycling cart on your scheduled collection day(s). Please do not leave trash or recycling at the curb.

VACATION RENTAL DWELLING

GOOD NEIGHBOR RULES

This home is available for short term rental by virtue of a permit which may be revoked if renters violate parking, occupancy, and general noise limitations. Because these rentals are permitted within residential neighborhoods, all renters should minimize their potential impacts on the neighboring properties by following rules of common decency and respect for your neighbors. These would include but they are not limited to:

- No excessive noise at any time. Although the City's noise ordinance regulates loud, disturbing, and unnecessary noise; renters should always consider how their actions are impacting the neighboring property owners.
- Only utilize the off-street parking that is provided for the rental. In many areas, on-street parking is very limited and utilizing this parking can have a negative impact on the surrounding residents.
- In general, be considerate of the residents that live around the rental dwelling you are staying in. Treat your neighbors the way you would like to be treated if you lived next door. Keep in mind that an agreement to rent a dwelling in Seaside is a privilege and it is not an authorization to annoy, disturb, or disrupt the local residents.