

Short-Term Rental Regulation Discussion

***Contra Costa County
Board of Supervisors
February 2018***

Background

On September 19, 2017, the Board gave DCD staff initial feedback on which regulatory elements should be considered when drafting a short-term rental ordinance. Staff was also directed to report back after seeking community input.

Since that meeting, staff has collected feedback from the County's Municipal Advisory Councils (MACs) and began communication with Airbnb regarding a Voluntary Collection Agreement (VCA), which is a mechanism for Airbnb to collect Transient Occupancy Taxes (TOT) on behalf of Airbnb hosts.

COMMUNITY FEEDBACK RESULTS

Attachment 1: Summary Results of Public Input on Short-Term Rentals Percent Support

		Municipal Advisory Councils ¹	Individual Respondents	KPOA ²
1.	<u>Allow non-hosted rentals?</u>	25% (37% were split)	8%	
2.	<u>Require rental to be property owner's principal residence (e.g. no rental of ADU's)?</u>	37% (12% were split)	92%	71%
3.	90-day per year rental limit?	43% (28% were split)	42%	
4.	Require a notification to neighbors?	75% (12% were split)	92%	
5.	Limit the number of vehicles?	86% (14% were split)	54%	62%
6.	Limit the number of guests?	100%	100%	
7.	<u>Require a Land Use Permit for all exceptions?</u>	25% (25% were split)	92%	78%
8.	Require a business license?	62% (37% were split)	92%	
9.	Include performance standards and revocation language?	86%	100%	
10.	Prohibit special events?	87% (12% were split)	91%	
11.	Require payment of a Transient Occupancy Tax?	62% (25% were split)	92%	
12.	Require a ministerial permit to operate?	50% (33% were split)	78%	

¹ Split means the council was evenly divided between support and non-support.

² The Kensington Property Owners Association (KPOA) did not specifically respond to the questionnaire. Rather the KPOA submitted a report summarizing their independent survey results. Responses to questions similar to those posed by the County are shown here. For item 7., the KPOA question pertained to the more narrow question of whether a land use permit should be required to rent an ADU short term.

KEY ELEMENTS OF POTENTIAL REGULATION

Attachment 2: Individual MAC Questionnaire Results

		Alamo	Bethel Island	Byron	CCCentre	Disco Bay CSD	El Sobrante	Kensington	Knightsen TAC
1.	<u>Allow non-hosted rentals?</u>	Yes	No	Split	Split	No	No	Yes	Split
2.	<u>Require rental to be property owner's principal residence (e.g., no rental of ADU's)?</u>	No	Yes	Yes	Split	No	No	No	Yes
3.	90-day per year rental limit?	Yes	No	Split		Yes	Split	No	Yes
4.	Require a notification to neighbors?	Yes	Yes	Split	Yes	Yes	No	Yes	Yes
5.	Limit the number of vehicles?	Yes	Yes	Split	Yes		Yes	Yes	Yes
6.	Limit the number of guests?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7.	<u>Require a Land Use Permit for all exceptions?</u>	Split	No	Split	Yes	Yes	No	No	No
8.	Require a business license?	Yes	Split	Split	Yes	Yes	Split	Yes	Yes
9.	Include performance standards and revocation language?	Yes	Yes	Yes		Yes	No	Yes	Yes
10.	Prohibit special events?	No	No	No	Split	No	No	No	No
11.	Require payment of a Transient Occupancy Tax?	Yes	No	Split	Yes	Yes	Yes	Yes	Split
12.	Require a ministerial permit to operate?	Yes	Yes	Split			Split	No	Yes
13.	Prohibit all Short-Term Rentals?	No	No	No			No	No	No

REGULATORY OPTIONS OF CONCERN

1. Hosted vs. Non-hosted rentals.
2. Whether a short-term rental ordinance should only apply to principal residences (e.g., by default prohibiting the short-term rental of ADU's).
3. Whether or not to allow exception requests via the Land Use Permit process.

NEXT STEPS

1. Upon acceptance of general Board direction, staff will begin preparation of a Draft Short-Term Rental Ordinance.
2. The Draft Short-Term Rental Ordinance will be presented to the County Planning Commission for review and recommendations to the Board of Supervisors.
3. Board considers Short-Term Rental Ordinance, VCA Agreement and any update to TOT Ordinance.