

**Short-term Vacation Rentals, Contra Costa County
Kensington Municipal Advisory Council (KMAC) meeting**

CONTRA COSTA
COUNTY

Background: The Kensington Municipal Advisory Council (KMAC) held a special December 5 meeting to discuss potential regulation of short term rentals in unincorporated Contra Costa County.

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DEPARTMENT OF
CONSERVATION
& DEVELOPMENT

About 25 members of the public attended, along with 5 KMAC members, Patrick Tahara (Chair), Chris Brydon, Julie McCarter, Jessica Marantz, and Lloyd Cowell. Melissa Homes-Snyder couldn't attend, but provided written input.

The Kensington Property Owner's Association (KPOA) submitted a survey it conducted on short term rentals and Accessory Dwelling Units (ADU's).

KPOA survey and KMAC County MAC surveys attached. (Not all submitted yet.)

Summary of public comments:

Owner-occupancy

A majority of people speaking at the meeting support allowing short-term rentals as long as the owner is on the property, or owner-occupied rentals. There was some talk of possible exceptions for owner-occupancy, for example if a host is on vacation for a short period of time and partners with a neighbor as co-host.

There was an openness to this, as long as it was only for limited time periods, with owner-occupancy a prevailing requirement.

Many expressed the feeling that owner-occupancy will mitigate many potential problems such as rowdy, unruly or disrespectful guests. Owner-occupancy builds in accountability.

A couple of people spoke about a current short-term rental in Kensington that's the source of lots of noise, congestion, and trash problems, and that the owner lives in Singapore, with his nearest relative (daughter) in New York. Overwhelming support for regulating to prevent this type of scenario.

Concern about parking

Many people expressed concern about parking and new demands for parking short-term rentals bring, especially in Kensington with narrow, steep, windy roads and existing parking issues. General support for parking requirements. But there was also sympathy for short-term rental situations with ample parking either because of location or because the home-owner doesn't utilize all of his/her space.

Discussion of using discretionary review for a parking requirement, and some support for this.

Registry/enforcement

Taxes/fees

Strong support for a short-term rental registry as a way for the County to tack and regulate. Many questions about how this will work, including how enforcement will work: how and by whom. In general, people felt any new policy must include enforcement or the policy is weak and rentals could get out of hand.

Overwhelming support for (TOT) taxes and County fees, with several people saying County revenues from short-term rentals should be used to fund regulation and enforcement, so the program doesn't draw from other funds.

Time limits

Mixed view on time limits, with some supporting something like 90 days a year, but others saying if there are no other problems and the owner is present, time limits matter less. Agreement that without time limits the community could start to feel like a hotel zone, with short-term rentals popping up all over the place, all the time. Most people want a policy that is the least disruptive to the community, while allowing property owners this right. People spoke of the sense of "permanence" as a positive community value.

Special events

Strong support for not allowing special events or parties.

Accessory Dwelling Units (ADU's)

Most of this KMAC discussion was general, and didn't specifically address ADU's. There was some interest in a second meeting to consider the discussion including more specifics. But the Kensington Property Owners (**KPOA**) presented the results of its survey on using ADU's for short-term rentals (previously submitted to Aruna Bhat and attached), which reflected a majority of respondents said they wouldn't want to live near an ADU used for short-term rentals and support a discretionary review process for rentals of less than 30 days (short term). The survey also found support for an off-street parking requirement.

One resident and KPOA member said she thinks short term rentals of any length shouldn't be allowed in ADU's, stating this isn't a benefit to the community and doesn't help the state with its goal of creating more housing.

Question about how the County will address existing, unpermitted illegal in-law units and ADU's used currently as short- or long-term rentals.

Request for more data

Many people said it would be helpful if the County could collect and compile data on the estimated number of current short-term rentals in CCC and specifically Kensington; policies and ordinances of other jurisdictions, including counties. People felt this information would make for a more informed discussion.

Some said the County should consider a short-term rental ordinance that differentiates between newly constructed AUD's, since the state's new law, in-

home/interior rental spaces, and already existing ADU's historically used as rentals.
Note: Berkeley and Santa Cruz make this distinction.

A few speakers (2-3) said they're against all short-term rentals under any circumstance

KMAC members are open to revisiting; believe this is an important issue to the community