



DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

DATE: October 4, 2016
TO: Planning Commission
FROM: Terry Wahler, Senior Planner
SUBJECT: Agricultural Preserve Review Committee (APRC) recommendations on Residential Vacation Rental Ordinance (LRP2015-00007) and Adelaida Residential Vacation Rental Ordinance (LRP2015-00017).

Presently, residential vacation rentals are not listed as an allowable use in the County's Rules of Procedure to Implement the Land Conservation Act of 1965. As a result, the County does not allow for residential vacation rentals to be established on contracted land. The Department has referred the proposed ordinance to the Agricultural Preserve Review Committee (APRC) to determine whether vacation rentals should be allowed on contracted land and, if so, what restrictions should be applied to ensure consistency with the Williamson Act.

The APRC discussed residential vacation rentals and related issues on contracted land on March 7th, June 20th, September 12th and October 3, 2016. The Committee supported the allowance of vacation rentals on contracted land with a Zoning Clearance, Business License and the required payment of transient occupancy tax. The APRC also recommended that any site requesting a vacation rental be in compliance with their existing contracts, have a designated site manager, and have limitations on tenancy and occupancy.

The following is the APRC recommendations to the Planning Commission and Board of Supervisors from the October 3, 2016 meeting:

1. Amend Table 2 "Agricultural and Compatible Uses for Lands Subject to Land Conservation Contracts and Farmland Security Zone Contracts" within the county's Rules of Procedure to Implement the Land Conservation Act of 1965 to include Residential Vacation Rentals as a listed use.
2. Amend Table 2 of the county's Rules of Procedure to add Footnote 12 as followings:

Residential Vacation Rentals are allowed on properties subject to land conservation contracts in existing permitted residences if the criteria listed below can be met. In the Inland area residential Vacation Rentals are subject to Title 22 and are processed as a Zoning Clearance. In the Coastal Zone Residential Vacation Rentals are subject to Title 23 and are processed as Minor Use Permit/Coastal Development Permits (including TOT and business license).

- a) Properties must be in compliance with the provisions of their contracts (when entered into) and have current and ongoing agricultural use as required by the Williamson Act.

- b) Residential Vacation Rentals must have an on-site resident manager (or other designated manager), be incidental to and in support of the primary agricultural enterprise and be consistent with the 3 Principles of Compatibility in the Williamson Act [Government Code Section 51238.1.(a) through (c)].
- c) One Residential Vacation Rental is allowed per land conservation contract. A Residential Vacation Rental is not allowed in addition to a Bed and Breakfast (one or the other but not both). Farm Support Quarters cannot be used for Residential Vacation Rentals.
- d) Guest occupancy (including private parties) is limited to a maximum of 12 overnight guests with the total day time guests and visitors not to exceed 18 people, excluding children under 5 years of age. Properties with a single residence are limited to 120 days of transient occupancy and no more than 4 tenancies per month. Properties with two or more residences (one vacation rental) are allowed no more than 4 tenancies per month.
- e) Temporary events are not allowed unless authorized under the appropriate land use permit as required by the respective Land Use Ordinance (Title 22 or Title 23).