



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

PLANNING COMMISSION

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
October 13, 2016	Airlin M. Singewald, Senior Planner (805) 781-5198 asingewald@co.slo.ca.us	County of San Luis Obispo	LRP2015-00017
SUBJECT			
Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the County Land Use Ordinance, Title 22 of the County Code, to incorporate land use regulations for Residential Vacation Rentals in the Adelaida/Willow Creek area. The requested modifications include: 1) an amendment to add new Section 22.30.510 – Residential Vacation Rentals; 2) an amendment to Section 22.06.030 – Table 2-2 to add Residential Vacation Rentals as an allowable use in specified land use categories, and 3) an amendment to Chapter 22.80 – Definitions to add a land use definition for Residential Vacation Rentals. The requested land use regulations include but are not limited to: location requirements, prohibiting temporary events unless required permits are obtained, limiting overnight occupancy and daytime visitors, on-site parking requirements, noise limits, and neighborhood notification requirements. With the exception of the location requirement, the requested amendments would apply to existing vacation rentals. The Adelaida/Willow Creek area is defined in the draft ordinance and includes approximately 71,460 acres of agricultural and rural residential land located west of Paso Robles and north of Highway 46 in the Adelaida Sub-area of the North County planning area.			
RECOMMENDED ACTION			
Recommend that the Board of Supervisors approve Land Use Ordinance Amendment LRP2015-00017 based on the findings in Exhibit A.			
ENVIRONMENTAL DETERMINATION			
This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]			
LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Various	Various	Various	All
PLANNING AREA STANDARDS:			
Not Applicable			
EXISTING USES:			
Single family dwellings			
SURROUNDING LAND USE CATEGORIES AND USES:			
Not Applicable			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:			
The project was referred to the Templeton Area Advisory Group, Cal Fire, Department of Public Works, Agricultural Commissioner, Agricultural Preserve Review Committee, San Luis Obispo County Farm Bureau, City of Paso Robles, HEAL – SLO Health Communities Work Group, Paso Robles Wine Country Alliance, the San Luis Obispo Chamber of Commerce, and various other interested parties.			
TOPOGRAPHY:		VEGETATION:	
Various		Various	
PROPOSED SERVICES:		AUTHORIZED FOR PROCESSING DATE:	
Most properties that are subject to the proposed regulations have individual wells and septic systems		July 12, 2016	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

DISCUSSION

Background

Adelaida Vacation Rental Ordinance

On July 12, 2016, the Board of Supervisors directed staff to prepare a vacation rental ordinance for the Adelaida/Willow Creek area. This area of the county has a concentration of wineries, bed and breakfast inns, event venues, and vacation rentals. With the exception of vacation rentals, all of these tourism-related land uses are subject to ordinance provisions that minimize land use conflicts and protect public safety. Some landowners have taken advantage of this regulatory gap by calling their event venues a “vacation rental” to circumvent land use standards and permitting procedures that would normally apply. While this is a growing trend throughout the unincorporated county, it is particularly concerning in the Adelaida/Willow Creek where numerous tourism-related businesses are concentrated in an area with limited infrastructure, narrow roadways, challenged fire service, and steep topography that magnifies light and noise issues.

Code Enforcement receives regular complaints from Adelaida/Willow Creek residents who experience the impacts (e.g. traffic, noise, fire safety) of wedding and event venues operating as residential vacation rentals. While these complaints often cite legitimate health and safety concerns, due to the lack of land use regulations for vacation rentals, Code Enforcement has limited authority to address these concerns. By establishing rules for vacation rentals in the Adelaida/Willow Creek area, the proposed ordinance would allow the County to address health, safety, and neighborhood compatibility impacts associated with residential vacation rentals in this rural part of the county.

The proposed ordinance would prohibit vacation rentals in the Adelaida/Willow Creek area from holding temporary events unless they obtain the required land use permits and would establish new development standards for vacation rentals to address land use compatibility issues such as noise, street parking, density, occupancy, and impacts to agriculture. The proposed ordinance would also require vacation rental owners to send 24 hour local contact information to all neighbors within a 1,500 foot radius so neighbors can attempt to resolve issues directly with the property manager before filing complaints with the County.

Inland Vacation Rental Ordinance

Prior to authorizing the Adelaida Vacation Rental Ordinance, the Board of Supervisors directed staff to prepare a vacation rental ordinance for the entire inland area of the county. In January 2016, staff released a public review draft of the Inland Vacation Rental Ordinance and met with numerous stakeholders and community groups to discuss the proposed ordinance.

Staff presented the Inland Vacation Rental Ordinance to the following groups:

- Santa Margarita Area Advisory Council
- San Luis Obispo Chamber of Commerce
- San Luis Obispo County Farm Bureau
- District 1 Community Meeting
- Templeton Area Advisory Group
- Visit San Luis Obispo
- Agricultural Preserve Review Committee

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- Agricultural Liaison Advisory Board
- Paso Wine Country Alliance
- South County Advisory Council
- Adelaida Neighborhood Meeting

During the public review period, staff received numerous responses from wedding and event-related business owners who were concerned about the economic effects of the ordinance. In response to these concerns, the Board directed staff to conduct more stakeholder outreach on the Inland Vacation Rental Ordinance and to focus on areas where vacation rental have generated the most controversy and neighborhood complaints. Based on this direction, staff temporarily put the Inland Vacation Rental Ordinance on hold, while focusing on the proposed Adelaida Vacation Rental Ordinance.

There are currently no upcoming hearings or meetings set for the Inland Vacation Rental Ordinance.

Existing Vacation Rental Regulations

In the inland area, vacation rentals are not currently a regulated land use, but they are required to obtain a business license and transient occupancy tax certificate from the County Tax Collector. The Department of Planning and Building, which is responsible for reviewing all business license requests for compliance with applicable land use regulations, currently approves vacation rentals in the inland area by issuing a Zoning Clearance.

Both the Inland and Adelaida Vacation Rental Ordinances are modeled after the County's existing vacation rental regulations in the Coastal Zone. Coastal Zone Land Use Ordinance Section 23.08.165 (Residential Vacation Rentals) establishes development standards for vacation rentals in the communities of Avila Beach, Cambria, and Cayucos. Similar to the proposed inland ordinances, this section establishes a distance limitation for vacation rentals in each of the three communities as well as parking, occupancy, and noise standards. The Coastal ordinance also contains the same neighborhood notification and complaint procedures incorporated into the proposed Inland and Adelaida Vacation Rental Ordinances.

Vacation rentals in Avila Beach, Cambria, and Cayucos that meet the applicable location requirements receive "over the counter" Zoning Clearance approval. All other vacation rentals in the Coastal Zone require Minor Use Permit approval.

Adelaida/Willow Creek Area

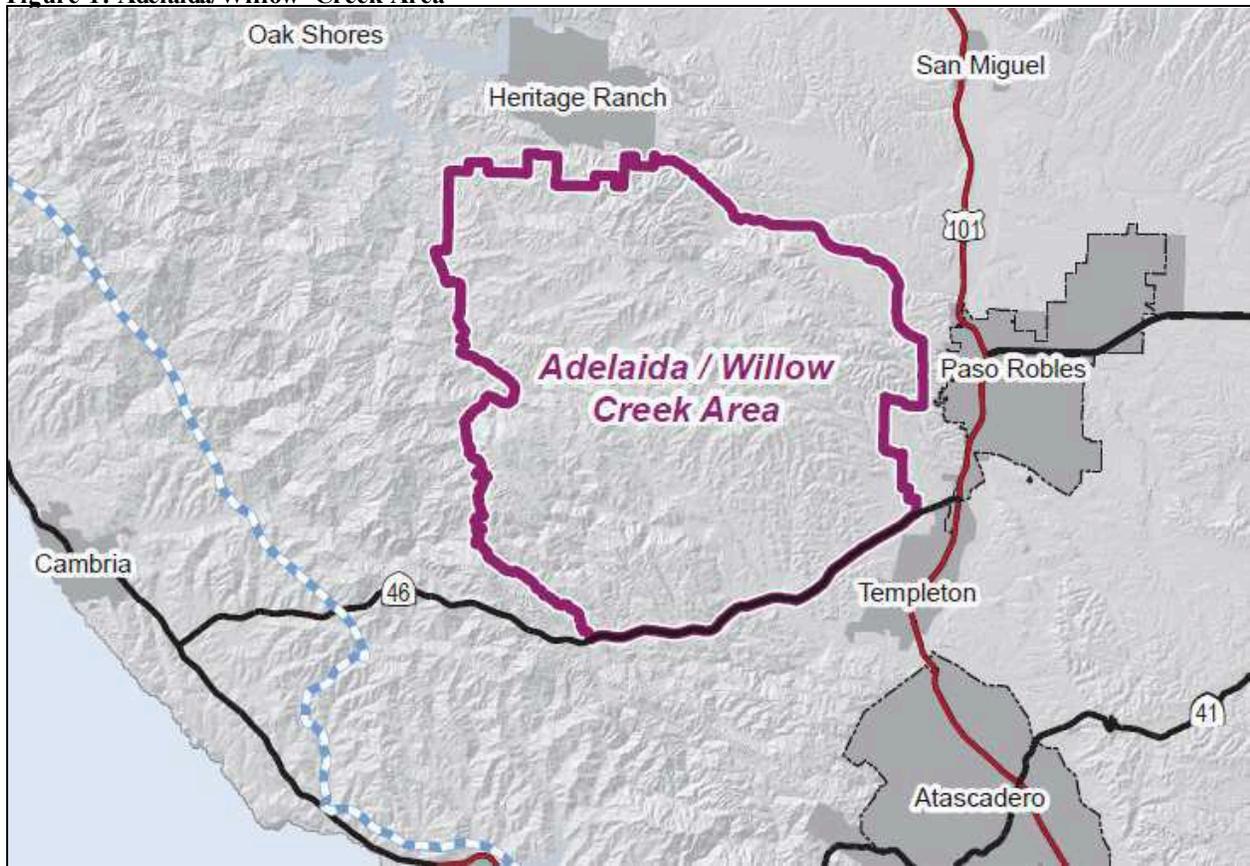
The proposed ordinance amendment would establish new land use standards for residential vacation rentals in the Adelaida/Willow Creek area of the county (see Figure 1, below). This area is an approximately 71,640 acre subset of the larger Adelaida sub-area and is defined by the following boundaries: the Salinas River sub-area boundary to the west; Highway 46 to the south; Santa Rosa Creek Road, Cypress Mountain Road, and Chimney Rock Road to the east; and the Nacimiento sub-area boundary and Nacimiento Lake Drive to the north.

With an average parcel size of 69 acres, this distinctly rural area contains a mix of rural residences, agricultural uses, and tourism-related businesses. At last count, the Adelaida/Willow Creek area contained 51 wineries/tasting rooms, 10 bed and breakfasts, 30 vacation rentals, and another 27 sites advertised as venues for weddings and other temporary events. This concentration of visitor-serving uses has resulted in land use conflicts with the approximately 500 rural residences that are also located in this part of the county.

Vacation rentals in the Adelaida/Willow Creek area have been particularly problematic because, unlike permitted wineries or event venues, they are not subject to any limitations. For example, a permitted winery with an approved special events program would be limited to holding 6 events per year with 80 attendees each and would be subject to a list of conditions of approval to address impacts such as noise, parking, and traffic. However, in the absence of regulations, a vacation rental could hold an unlimited number of events with no attendance cap or any rules to address the associated land use and public safety impacts.

Additionally, while there are only 30 permitted vacation rentals in the Adelaida/Willow Creek area, half of these vacation rentals were established just in the past two years. With 500 homes in the Adelaida/Willow Creek area, there is capacity for significantly more vacation rentals to be established in the future.

Figure 1: Adelaida/Willow Creek Area



Proposal Summary

The proposal involves amendments to three sections of Title 22 (County Land Use Ordinance):

1. Amend Article 8 (Definitions) to add a land use definition for Residential Vacation Rentals.
2. Amend Article 2 (Allowable Land Uses and Permit Requirements) to include Residential Vacation Rentals as an allowable (A2) use subject to Article 4 land use standards.
3. Amend Article 4 (Standards for Specific Land Uses) to include land use standards for Residential Vacation Rentals in the Adelaida/Willow Creek area.

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Amendments to Article 8 (Definitions)

The proposal would add the following land use definition for Residential Vacation Rentals. This definition would apply to the entire inland area of the county. The same definition already exists in Title 23 (Coastal Zone Land Use Ordinance).

Residential Vacation Rentals: A Residential Vacation Rental is the use of an entire existing residence as a rental for transient use. This definition does not include the single tenancy rental of the entire residence for periods of thirty consecutive days or longer. Rental of a room or portion of an existing residence for less than 30 days is instead subject to Section 22.30.260 (Lodging - Bed and Breakfast Facilities) or Section 22.30.270 (Lodging - Homestays). Rental of a residential vacation rental shall not exceed four individual tenancies per calendar month.

Amendments to Article 2 (Allowable Land Uses and Permit Requirements)

Table 2-2 (Allowable Land Uses and Permit Requirements) would be updated to add a new row under the heading "Residential Uses for Residential Vacation Rentals," which will be an allowable (A2) use subject to specific use standards in Section 22.30.510 in the following land use categories: Agriculture, Rural Lands, Residential Rural, Recreation, Residential Suburban, Residential Single Family, Residential Multi-Family, Office and Professional, and Commercial Retail. This would apply to the entire inland area of the county.

Amendments to Article 4 (Standards for Specific Land Uses)

The proposed amendments to Article 4 include two subsections:

- a. Permit Requirements – This subsection requires Zoning Clearance, Business License and Transient Occupancy Tax Registration for each Residential Vacation Rental. This applies to the entire inland area of the county and is the same as the Department's current procedure for authorizing vacation rentals.
- b. Adelaida/Willow Creek Area – This subsection establishes new land use regulations for residential vacation rentals for the Adelaida/Willow Creek Area only, except for parcels with direct primary access on Highway 46.

This is the part of the proposal that would establish new rules for vacation rentals in the Adelaida/Willow Creek area. These new rules would address the following issues relative to vacation rentals: location, temporary events, maximum occupancy, parking, signage, appearance, noise, enforcement and complaint procedures, neighborhood notification, right-to-farm disclosure, and effect on existing vacation rentals.

Key Standards

The goals of the proposed ordinance include: 1) protect public health and safety, 2) preserve the rural residential and agrarian character of the Adelaida/Willow Creek area, and 3) to help preserve the County's permanent housing stock.

The following describes key standards of the ordinance and how they will implement these goals:

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- Location (b.ii) – By restricting the location of vacation rentals to properties at least 1,500 feet from existing vacation rentals, this standard has the effect of limiting the overall number and intensity of residential vacation rentals in the Adelaida/Willow Creek area. This preserves the rural residential character of the overall area and protects the County's permanent housing supply from conversion to vacation rentals.
- Temporary Events (b-iii) – This standard expressly prohibits temporary events at vacation rentals (unless required permits are first obtained) and gives existing vacation rentals that are holding events 18 months to obtain the required permits. This avoids high intensity commercial uses in the rural residential Adelaida/Willow Creek area unless proper permits are obtained to address associated impacts.
- Maximum Overnight Occupancy (b-iv) – This standard limits the number of overnight guests consistent with available onsite parking but to no more than two persons per bedroom plus two additional persons. The purpose of this standard is to require occupancy of a vacation rental to be in line with expectations for a single family house.
- Maximum Number of Guests and Daytime Visitors (b-v) – This standard limits the number of guests and daytime visitors to 6 people (in addition to overnight guests), but to more than a total of 18. This standard essentially establishes the threshold for when a private party becomes a commercial temporary event.
- Number and type of dwellings allowed as vacation rentals (b-vi) – This standard states that only one vacation rental shall be established on any single parcel. The purpose of this standard is to avoid the use of residential and agricultural parcels as commercial lodging establishments with multiple rentals. This standard also protects the County's supply of affordable housing by prohibiting the use of farmworker housing as a vacation rental.
- Appearance, visibility and location (b-vii) – This standard requires vacation rentals to appear the same as a residence. The purpose of this standard is to preserve the residential character of the area.
- Signs (b-viii) – This standard prohibits advertising vacation rentals with onsite signs. The purpose of this standard is to preserve the residential character of the area.
- Noise (b-x) – This standard requires vacation rentals to comply with the noise ordinance and establishes a threshold for a noise disturbance of any noise audible from a distance of 50 feet from the property lines of the rental property. This threshold was established to allow for an evaluation of noise disturbances without a noise meter.
- Local contact person (b-xi) – This standard requires vacation rental owners to send 24 hour local contact information to all neighbors within a 1,500 foot radius so neighbors can attempt to resolve issues directly with the property manager before filing complaints with the County.
- Transient Occupancy Tax (b-xii) – This standard requires vacation rentals to obtain a TOT certificate. This is already a requirement for vacation rentals.
- Right to Farm Disclosure (b-xiii) – This standard is intended to protect agriculture by requiring rental agreements to include a right to farm disclosure so tenants are made

aware that they could be inconvenienced by light, noise, dust, pesticide spray, etc. associated with adjacent agricultural operations.

- Effect on existing residential vacation rentals (b-xiv) – This standard states that all existing vacation rentals will be subject to the ordinance except for the location requirement (as long as they obtain Zoning Clearance approval with 120 days).

PUBLIC AND STAKEHOLDER COMMENTS

The Department released a public review draft of the Adelaida Vacation Rental Ordinance on July 28, 2016. The public review draft was sent to a wide range of stakeholder groups and individuals, including those who were on the Inland Vacation Rental Ordinance interested parties list.

The Department received a total of 19 comment letters and emails on the Adelaida Vacation Rental Ordinance. About two-thirds (13) of the responses were in support of increased land use regulations for vacation rentals. These responses either supported the ordinance as proposed or recommended more strict regulations. The remaining comments were generally opposed to increased land use regulations for vacation rentals.

All comments received are attached to this staff report. The following summarizes the major themes of the comments with staff's responses.

Comments in opposition to new vacation rental regulations:

- *The tenancy limit (4 per month) is too restrictive.*

Staff response: The purpose of the ordinance is to ensure that vacation rentals operate similar to single family homes, rather than commercial lodging. The proposed tenancy limit (4 tenancies per month) is to encourage longer stays and minimize visitor turnover in residential neighborhoods. Increasing this limit would result in vacation rentals that operate more like a hotel or motel with a constant flow of new visitors coming for short stays, which is not consistent with the expectations of a residential neighborhood.

- *The 1,500-foot location requirement is not appropriate or necessary in a rural area with large parcels.*

Staff response: The primary purpose of the 1,500-foot location requirement is to limit the density of vacation rentals and associated impacts in residential neighborhoods and rural areas. The location standard will also help maintain the rural residential character of the Adelaida/Willow Creek area by ensuring that vacation rentals do not become the dominant land use. Although this area is mostly designated Agriculture, it contains approximately 500 homes and has a distinct rural residential character. If the current trend continues and many of these homes are converted to vacation rentals, the overall character of the neighborhood could change to a primarily commercial visitor-serving area.

While 1,500 feet is significantly greater than the distance limitation in Avila Beach (50 feet), Cambria (200 feet), and Cayucos (100 feet), when considering the large parcel sizes in the Adelaida/Willow Creek area, in most cases it would only affect the adjacent parcels. The average parcel size in this area is about 70 acres. A square 70-acre parcel

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would have dimensions of 1,750 feet on each side. This means, on average, the location standard would only affect parcels immediately adjacent to existing vacation rental properties.

Since the location standard limits the overall number of homes that can be used as vacation rentals, it also has the effect of preserving the supply of long-term rental housing. Without a density restriction, vacation rentals have the potential to significantly diminish the long-term housing supply since they are generally more profitable for landowners.

The location standard would not be applied to vacation rentals existing as of the adoption date of the ordinance.

- *The proposed restrictions are overly severe and will reduce income for landowners and negatively impact the tourism economy.*

Staff Response: While the proposed ordinance would establish some operational parameters for vacation rentals, the process for obtaining a vacation rental license wouldn't significantly change. The proposed ordinance would require a Zoning Clearance, Business License, and TOT certificate for a new vacation rental, which is consistent with the Department's current permitting procedure for vacation rentals. The only additional requirements would be evidence of neighborhood notification (local contact information to neighbors within 1,500 feet) and a floor plan and site plan to determine applicable parking and occupancy requirements.

The overall purpose of the ordinance is to limit commercial activities that could negatively impact adjacent rural residences. Placing limits on commercial activity will inevitably affect income for some landowners. However, the proposed ordinance would not have widespread impacts on the local tourism economy as it would not affect the majority of visitor-serving uses (wineries, tasting rooms, bed and breakfasts, and legally established events venues) in the Adelaida/Willow Creek area. In addition, the ordinance would allow all existing vacation rentals in the area to continue operating, only with added regulations to preserve the rural character of the area and protect public health and safety. Vacation rentals holding temporary events would have 18 months to obtain the necessary permits to legally operate.

- *No evidence or studies are available to show that vacation rentals negatively impact the Adelaida area. Wineries have a greater impact on the area than vacation rentals.*

Staff response: Code Enforcement receives regular complaints from residents who are concerned about the effects of unregulated vacation rentals in the Adelaida/Willow Creek area. The Department is also aware of health and safety issues associated with vacation rentals in the Adelaida/Willow Creek area. Some of these concerns are listed below:

- Traffic safety – A vacation rental is considered a residential use and should generate about the same amount of traffic as a typical single family home. However, some vacation rentals in the Adelaida/Willow Creek area hold frequent commercial events (e.g. weddings, reunions, etc.) that generate significant visitor traffic in an area with steep, narrow, and curved roadways. Since there are no land use regulations for vacation rentals, there is no limit to the number or size of “private parties” that can be held and no process for evaluating traffic safety. In

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contrast, wineries and legally permitted event venues require minor use permit approval, which involves a roadway safety analysis, limitations on the size and number of events, and other restrictions.

- Noise – The Adelaida/Willow Creek area is a rural area with low ambient noise levels and steep canyons that can magnify loud noise sources. Since vacation rentals are allowed “private parties” of any size and without any conditions to limit amplified music, they can significantly increase noise levels and negatively impact the quiet rural setting.
 - Off-site parking – Parking for “private parties” at vacation rentals can overflow on narrow streets resulting in traffic and pedestrian safety concerns.
 - Building safety – Some vacation rentals in the Adelaida/Willow Creek area are known to use agricultural buildings for public assembly related to weddings and other events. Often times these buildings are not permitted for public assembly, have not been inspected for fire or building code compliance, and lack accessibility improvements.
 - Neighborhood character – Without limits on the number of allowed tenancies or temporary events, vacation rentals in the Adelaida/Willow Creek area can operate like commercial lodging establishments and temporary event venues. This changes the character of the area from rural residential to commercial/visitor-serving and affects the quality of life for fulltime residents who experience the impacts of neighboring vacation rentals.
- *The Adelaida/Willow Creek area shouldn't be singled out.*

Staff response: While vacation rentals raise land use compatibility concerns in many parts of the county, the Adelaida/Willow Creek area is unique because of the existing concentration of visitor-serving uses, distinct rural character, and lack of resources and infrastructure to support an influx of unregulated vacation rentals. This is also the area where the Department has received the most complaints about vacation rentals operating as temporary event venues.

The Board of Supervisors has also authorized an Inland Vacation Rental Ordinance, which would apply to the entire inland part of the county.

- *Why are wineries excluded from the draft ordinance when they are generating the most visitors and causing the most impacts in the area?*

Staff response: There is already a winery ordinance in place to address neighborhood compatibility and health and safety impacts associated with new wineries and tasting rooms. All winery projects require minor use permit approval, including Cal Fire, Public Works, and Building Division review, and must provide technical reports evaluating roadway safety and noise impacts. Wineries are limited to a maximum of six special events with up to 80 people each (in addition to industry wide events), unless a greater number of events is authorized through conditional use permit approval. Vacation rentals, on the other hand, are able to hold unlimited “private parties” without any rules to address health, safety, or land use compatibility impacts.

Comments in support of new vacation rental regulations:

- *The ordinance should prohibit temporary events in the Adelaida/Willow Creek area.*

Staff response: The proposed ordinance is not intended to regulate temporary events. As with wineries, existing land use regulations are in place to address the health, safety, and land use compatibility impacts of temporary event venues.

Land Use Ordinance Section 22.30.610 (Temporary Events) allows for temporary events subject to minor use permit approval. Event venues would be subject to agency review and would be required to submit technical studies evaluating traffic safety and noise impacts. The events ordinance also requires proposed event venues to have secondary access approved by Cal Fire.

- *Existing event venues should be required to request land use permits within 6 months (rather than 18 months as proposed).*

Staff response: The 18 month time limit to apply for permits is consistent with what the County required for past ordinances (specifically, the olive oil processing ordinance). This would give vacation rentals sufficient time to honor existing contracts for “private parties.”

- *Levels of overnight and guest occupancy in the draft ordinance should be adopted.*

Staff response: The proposed ordinance would limit overnight and guest occupancy as described above (see Key Standards b-iv and b-v).

- *Enforcement protocols should be strengthened*

Staff response: The proposed enforcement protocols have been successfully implemented in the Coastal Zone.

The primary issue with enforcement is the lack of any land use regulations to enforce for vacation rentals. The proposed ordinance would establish a regulation framework for vacation rentals in the Adelaida/Willow Creek area.

In addition, the County recently entered into a contract with a consultant (Host Compliance) which will assist in identifying vacation rentals that are unlicensed or not paying TOT.

- *On-site parking should be confined to graveled areas designated for parking. The areas should be free of vegetation and of a size to accommodate the maximum number of vehicles that might be on site at any time.*

Staff response: With the proposed limit on overnight guests and day time visitors, no more than 18 people would be allowed to occupy a vacation rental property in the Adelaida/Willow Creek area. Assuming 2.5 people per vehicle, this translates to about 7 vehicles. Most parcels in the Adelaida/Willow Creek (where the average parcel size is 69 acres) have sufficient area to safely park 7 vehicles on site.

- *The ordinance should require that each property have its address easily visible from the street and that driveway right-of-way ingress and line of sight in both directions at the*

street be sufficient to minimize the potential for accidents when entering and leaving the property.

Staff response: The public hearing draft of the proposed ordinance includes a requirement that the address for each residential vacation rental be posted and clearly visible from the main access road. Since the proposed ordinance limits overnight guests and daytime visitors, vacation rentals would not generate significantly more traffic than a typical rural residence. Any vacation rental that intends to hold temporary events (i.e. have more than 18 total guests) would be required to obtain minor use permit approval (pursuant to the temporary events ordinance) and as part of the review process would have to submit a roadway safety analysis, which would include a sight distance study.

- The ordinance should require owners to maintain the appearance or upkeep of the property.

Staff response: 22.30.510(b)(vii) would require that vacation rentals remain residential in appearance. Vacation rentals would be subject to the same property maintenance standards as any other land use. The Department is not aware of any significant problems regarding property maintenance of vacation rentals in the Adelaida/Willow Creek area.

Farm Bureau Comments:

In a letter dated August 24, 2016, the San Luis Obispo County Farm Bureau made the following comments relative to the proposed ordinance:

- 1) *In Subsection b (vi), Farm Bureau recommends deleting "...and the owner must occupy one of the units as his or her primary residence as required by Section 22.30.470 (Residential – Secondary Dwellings)". This would become an issue when perhaps a ranch manager or caretaker resides on the property (not the owner). Additionally, some agriculturalists' operations are located on more than one property, and the property owner does not reside on the same property as the proposed vacation rental.*

Staff response: For secondary dwellings, existing land use regulations (22.30.470) require the landowner to occupy either the secondary or primary dwelling. Agricultural parcel at least 20 acres in size are allowed to have two primary dwellings, both of which could be rented out under existing regulations. This means a ranch manager could occupy one of the primary dwellings, while the other is used as a vacation rental.

- 2) *In Subsection b (ii), Farm Bureau recommends changing the proposed 1,500' radius of the property line to 50'. The draft ordinance pertains solely to vacation rentals, with strict guidelines much the same as motels and other lodging. Vacation rentals that wish to conduct temporary events are still bound by the County's temporary events ordinance (Section 22.30.610).*

Staff response: As described above, because of large parcel sizes in the Adelaida/Willow Creek area, the 1,500-foot limit would only affect immediately adjacent parcels in most cases. The distance limitation not only minimizes the concentration of commercial lodging in rural and agricultural areas, it also has the effect of preserving permanent housing stock in the county.

- 3) *Farm Bureau also recommends that language be added to the draft ordinance, which allows vacation rentals to operate on properties under the Williamson Act (contingent*

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upon the outcome of the APRC's meeting on September 12, 2016 with regards to whether or not vacation rentals should be allowed on Williamson Act properties).

Staff response: Currently vacation rentals are not listed as a use group in the County's Rules of Procedure to Implement the Land Conservation Act of 1965. As a result, vacation rentals are not presently allowed on Williamson Act properties.

This issue was first presented to the Agricultural Preserve Review Committee (APRC) in March 2016, when staff asked APRC to review the draft Inland Vacation Rental Ordinance. The draft Inland Vacation Rental Ordinance included a standard that expressly prohibited vacation rentals on Williamson Act contract land. This standard was partly in response to a letter from the State Department of Conservation that stated vacation rentals are not a compatible use on Williamson Act land unless they are directly related to the agricultural use of the property.

APRC discussed this and related land use issues at length and continued the item to June 20, 2016. At that meeting, staff presented additional information to the APRC and after a robust discussion the item was continued again to the September 12, 2016 meeting. At the September meeting Committee members were polled in a "straw vote" and indicated a desire to allow some form of short term residential rental on Williamson Act contracted land.

The APRC requested staff return to the next APRC meeting (October 3, 2016) to outline standards and review criteria for vacation rentals on Williamson Act contract land.

Staff's recommendation to the APRC is to amend the Rules of Procedure to allow Residential Vacation Rentals as an allowed use on Williamson Act land subject to the following standards:

- a) Properties must be in compliance with the provisions of their contracts and have current and ongoing agricultural use as required by the Williamson Act.
- b) Residential vacation rental units must have onsite resident manager and be incidental to and in support of the primary agricultural land use and 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 daytime guests and visitors not to exceed 18 people, excluding children under 5 years of age.
- 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).

This staff report was turned in before the October 3, 2016 APRC meeting. Staff will report on the outcome of the APRC meeting at the October 13, 2016 Planning Commission hearing.

An amendment to the Rules of Procedure would be processed the same as a land use ordinance amendment, with hearings before the Planning Commission and Board of Supervisors. This item would come before your Commission at a future date.

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COMMUNITY ADVISORY GROUP COMMENTS

The Templeton Area Advisory Group (TAAG) reviewed the draft ordinance on August 22, 2016 and unanimously recommended approval.

ATTACHMENTS

- Attachment 1 – Exhibit A - LRP2015-00017 Findings
- Attachment 2 – Exhibit B – Residential Vacation Rental Ordinance Public Hearing Draft
- Attachment 3 – Exhibit C – Proposed Ordinance
- Attachment 4 – Correspondence Received

**EXHIBIT A – LRP2015-00017
FINDINGS**

Environmental Determination

- A. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

Amendment

- B. The proposed amendment is consistent with the Land Use Element and other adopted elements of the general plan because the changes are consistent with the general goals of the Land Use Element.
- C. The proposed amendments are consistent with the guidelines for amendments to the Land Use Ordinance because the modifications will establish new development standards for residential vacation rentals in the Adelaida/Willow Creek area to address land use compatibility issues such as noise, street parking, density, occupancy, and impacts to agriculture and allowing residential vacation rentals subject to these new standards is compatible with present and potential adjacent land uses in the affected land use categories.
- D. The proposed amendment will protect the public health, safety and welfare of the area residents by allowing for development that is compatible with the existing development of the surrounding area because existing and future vacation rentals would be required to comply with development standards to address traffic, parking, and noise impacts. The proposed amendments would also require vacation rentals that are holding commercial events to obtain the required land use permits. The permitting process for temporary events would require an evaluation of traffic safety and noise impacts and compliance with building and fire codes.

Attachment 3
Attachment 2

Exhibit B - LRP2015-00017

Proposed Land Use Ordinance Changes
For Residential Vacation Rentals
(Public Hearing Draft - September 2016)

Note: New text is shown as underlined text; proposed deleted text is shown with a strikethrough.

I. **Proposed amendment to Article 8, Section 22.80.030, to add the definition of Residential Vacation Rentals:**

Residential Vacation Rentals (land use). A Residential Vacation Rental is the use of an entire existing residence as a rental for transient use. This definition does not include the single tenancy rental of the entire residence for periods of thirty consecutive days or longer. Rental of a room or portion of an existing residence for less than 30 days is instead subject to Section 22.30.260 (Lodging - Bed and Breakfast Facilities) or Section 22.30.270 (Lodging - Homestays). Rental of a residential vacation rental shall not exceed four individual tenancies per calendar month.

II. **Proposed amendments to Article 2, Section 22.06.030, to add Residential Vacation Rentals as an allowable use in identified land use categories.**

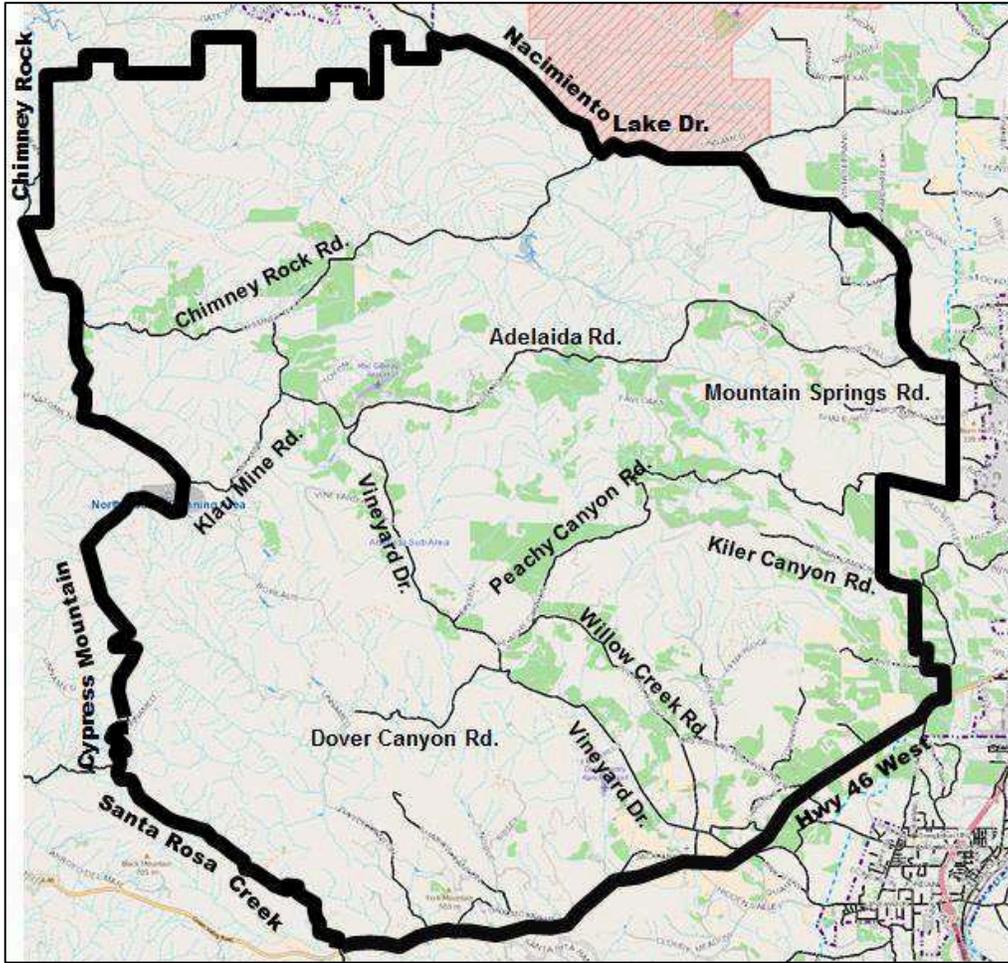
Table 2-2 (Allowable Land Uses and Permit Requirements) would be updated to add a new row under the heading “Residential Uses for Residential Vacation Rentals,” which will be an allowable (A2) use subject to specific use standards in Section 22.30.510 in the following land use categories: Agriculture, Rural Lands, Residential Rural, Recreation, Residential Suburban, Residential Single Family, Residential Multi-Family, Office and Professional, and Commercial Retail.

III. **Proposed amendments to Article 4 to create a new Section 22.30.510 establishing land use standards for Residential Vacation Rentals.**

22.30.510. Residential Vacation Rentals: Rental of a residential vacation rental shall not exceed four individual tenancies/occupancies per calendar month. The first day of each tenancy determines the month assigned to that tenancy.

- a. Permit Requirements. Zoning Clearance, Business License and Transient Occupancy Tax Registration is required for each Residential Vacation Rental.
- b. Adelaida/Willow Creek Area. The following additional requirements apply to Residential Vacation Rentals in the Adelaida/Willow Creek Area shown in Figure _____, below. These requirements do not apply to Residential Vacation Rentals on parcels with direct primary access (i.e. an existing driveway) on Highway 46.

Figure : Adelaida/Willow Creek Area



- i. **Purpose.** The Adelaida/Willow Creek Area is an agricultural and rural residential area with limited infrastructure, narrow roadways, challenged fire service, and topography that magnifies noise and light issues. There is also a concentration of wineries, bed and breakfast inns, lodging, and events in the area. Tailored residential vacation rental standards are necessary to address these unique neighborhood compatibility and community character issues.
- ii. **Location.** No residential vacation rental shall be located on a site within a 1,500 foot radius of the property line of a site containing a permitted vacation rental. This requirement may be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required.
- iii. **Temporary Events.** Temporary events are not allowed on any site containing a residential vacation rental unless they are authorized under Section 22.30.610 (Temporary Events). Vacation rentals holding temporary events as of the effective date (INSERT) of this section shall be subject to the standards of this section, and owners of such venues shall request the required land use permits within 18 months of the effective date specified above. If the required land use permit has not been requested within the time frames set forth in this section, the penalties of Chapter 22.74

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(Enforcement) of this Title shall apply.

- iv. **Maximum Overnight Occupancy.** Maximum overnight occupancy for residential vacation rentals shall not exceed the number of occupants that can be accommodated consistent with the on-site parking requirement set forth in subsection hereof, and shall not exceed two persons per bedroom plus two additional persons, excluding children under five (5) years of age. The Zoning Clearance shall specify the maximum number of occupants allowed in each individual vacation rental.
- v. **Maximum Number of Guests and Daytime Visitors.** The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, or eighteen (18) persons, whichever is less, excluding children under five (5) years of age. Daytime visitors shall not be on the property during quiet hours (10:00 PM – 7:00 AM). Vacation rentals with larger numbers of guests and visitors may only be allowed subject to approval under Section 22.30.610 (Temporary Events).
- vi. **Number and type of dwellings allowed as vacation rentals.** No more than one residential vacation rental shall be established on any single parcel. Farm support quarters and/or caretaker dwellings shall not be used as residential vacation rentals. On parcels that contain secondary dwellings, only one of the dwellings shall be used as a residential vacation rental and the owner must occupy one of the units as his or her primary residence as required by Section 22.30.470 (Residential – Secondary Dwellings). On parcels that contain two primary dwellings, only one of the dwellings shall be used as a residential vacation rental.
- vii. **Appearance, visibility and location.** The residential vacation rental shall not change the residential character of the outside appearance of the building, either by the use of colors, materials, lighting, or by the construction of accessory structures or garages visible from off-site and not of the same architectural character as the residence; or by the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in residential areas. The address for each residential vacation rental shall be posted and clearly visible from the main access road.
- viii. **Signs.** Availability of the rental unit to the public shall not be advertised on site.
- ix. **On-site parking required.** All parking associated with a residential vacation rental shall be entirely on-site, in the garage, driveway or otherwise out of the roadway, in accordance with subsection , above. Tenants of residential vacation rentals shall not use on-street parking at any time.
- x. **Noise.** All residential vacation rentals shall comply with the standards of Section 22.10.120 et seq. (Noise Standards). No residential vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings. In addition, property owners and/or property managers shall insure that the occupants of the residential vacation rental do not create loud or unreasonable noise that disturbs others and is not in keeping with the character of the surrounding neighborhood. Loud and unreasonable noise shall be evaluated through

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field observations by a County Sheriff, County Code Enforcement or other official personnel, based upon a threshold of noise disturbance related to the residential vacation rental use that is audible from a distance of 50 feet from the property lines of the rental property.

- xi. **Local contact person.** All residential vacation rentals shall designate a local property manager. The local property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives in the Adelaida sub-area, the property owner may designate themselves as the local contact person. All the requirements enumerated in this section shall continue to apply.
- (1) A notice shall be submitted to the Department of Planning and Building, the local Sheriff Substation, the main county Sheriff's Office, and the local fire agency; and supplied to the property owners within a 1,500 foot radius. Distances shall be measured as a radius from the exterior property lines of the property containing the residential vacation rental unit. This notice shall state the property owner's intention to establish a residential vacation rental and shall include the name, address and phone number of the local contact person and the standards for noise, parking and maximum number of occupants. A copy of the notice, a form certifying that the notice has been sent and a list of the property owners notified shall be supplied to the Planning and Building Department at the time of application for the Zoning Clearance, Business License and Transient Occupancy Tax Certificate for the residential vacation rental.
- (2) The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection. In addition, the standards for parking, maximum occupancy and noise shall be posted inside the residential vacation rental unit and shall be incorporated as an addendum to the vacation rental contracts.
- xii. **Transient Occupancy Tax.** Each residential vacation rental unit shall meet the regulations and standards set forth in Chapter 3.08 of the County Code, including any required payment of transient occupancy tax for each residential vacation rental unit. The Transient Occupancy Tax Certificate number shall be included in all advertising for the residential vacation rental.
- xiii. **Right to Farm Disclosure.** For residential vacation rentals near agricultural land, all rental agreements for individual tenancies shall include the following disclosure language: "The County of San Luis Obispo recognizes the statewide policy to protect and encourage agriculture. Sections 3482.5 and 3482.6 of the California Civil Code and Chapter 5.16 of the San Luis Obispo County Code protect certain, pre-existing agricultural production and processing operations ("agricultural operation") from nuisance claims. If your rental property is near an agricultural operation in the unincorporated area of the County you may at times be subject to one or more inconveniences and/or discomfort arising from that operation. Such inconveniences may include (depending upon the type of agricultural operation protected), but are not necessarily limited to, the following: noise, odors, fumes, dust, legal pesticide use,

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fertilizers, smoke, insects, farm personnel and truck traffic, visual impacts night time, lighting, operation of machinery and the storage, warehousing and processing of agricultural products or other inconveniences or discomforts associated with the protected agricultural operations. For additional information pertaining to this disclosure and the Right to Farm Ordinance, or concerns with an agricultural operation, please contact the San Luis Obispo County Agricultural Commissioner's Office."

xiv. **Effect on existing residential vacation rentals.** Each individual vacation rental in existence on the effective date of this section shall be subject to a Zoning Clearance, Business License, Transient Occupancy Tax Registration, and all standards set forth in this section except subsection b.ii regarding location, provided the owner submits evidence showing that the vacation rental was in existence prior to [INSERT DATE]. Zoning Clearance, Business License, and Transient Occupancy Tax Registration shall be requested from the county within 120 days of the effective date specified above. If the Zoning Clearance, Business License, and Transient Occupancy Tax Registration have not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title shall apply.

xv. **Complaints.** Complaints about possible violations of these standards should first be directed to the local contact person. If the local contact person is unavailable or fails to respond, the complaining party should contact the County Sheriff's Department (Dispatch). Sheriff Dispatch will attempt to reach the local contact person. If Sheriff Dispatch is unable to reach the local contact person because the contact person is not available or because current contact information has not been provided to the Sheriff's Department, the Sheriff's Department will inform County Code Enforcement staff.

During normal business hours, complaints may also be submitted to County Code Enforcement staff. County staff will attempt to reach the contact person or will visit the property as appropriate. Complaints about alleged violations shall be documented by a County Code Enforcement Officer. County staff shall prepare a written report which describes the nature of the violation, when it occurred and how it came to the attention of County officials. In some cases, a report may also be written by the Sheriff's deputy responding to the complaint.

xvi. **Violation - vacation rental.** It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties (including fines) and process for addressing a violation of this section are set forth in Chapter 22.74 of this Title (Enforcement). Additional penalties for violation of this section may include revocation of the Zoning Clearance and Business License. Violations that will cause the processing of Zoning Clearance revocation include, but are not limited to:

- (1) Failure to notify County staff when the contact person, or contact information, changes.
- (2) Violation of the residential vacation rental tenancy standards as set forth above.
- (3) Violation of the residential vacation rental maximum occupancy, parking and noise requirements as set forth above.
- (4) The inability of County staff or the Sheriff's Dispatch to reach a contact person.
- (5) Failure of the local contact person, or property owner, to respond to the complaint.

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Three verified violations of subsection , as determined by a County Planning and Building staff person, within any consecutive six month period, shall also be grounds for revocation of the Zoning Clearance. Signed affidavits by members of the community may be used to verify violations. Revocation of the Zoning Clearance shall follow the same procedure used for land use permit revocation as set forth in Section 22.74.160 of the County Land Use Ordinance. The Director of Planning and Building will hold the initial revocation hearing.

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Exhibit C – LRP2015-00017

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE, SECTIONS 22.06.030 AND 22.80.030 AND ADDING A NEW SECTION 22.30.510 RELATED TO RESIDENTIAL VACATION RENTALS

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.06.030 (Table 2-2) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding Residential Vacation Rentals before Secondary Dwellings as follows:

LAND USE (1) (2)	PERMIT REQUIREMENT BY L.U.C. (3)						Specific Use Standards
	AG(9)	RL	RR	RS	RSF	RMF	
RESIDENTIAL USES							
Residential Vacation Rentals	A2	A2	A2	A2	A2	A2	22.30.510

LAND USE (1) (2)	PERMIT REQUIREMENT BY L.U.C. (3)							Specific Use Standards
	OP	CR	CS	IND	OS	REC	PF	
RESIDENTIAL USES								
Residential Vacation Rentals	A2	A2				A2		22.30.510

SECTION 2: Section 22.80.030 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding a new land use definition for Residential Vacation Rentals before Resource Extraction Well as follows:

Residential Vacation Rentals (land use). A Residential Vacation Rental is the use of an entire existing residence as a rental for transient use. This definition does not include the single tenancy rental of the entire residence for periods of thirty consecutive days or longer. Rental of a room or portion of an existing residence for less than 30 days is instead subject to Section 22.30.260 (Lodging - Bed and Breakfast Facilities) or Section 22.30.270 (Lodging - Homestays). Rental of a residential vacation rental shall not exceed four individual tenancies per calendar month.

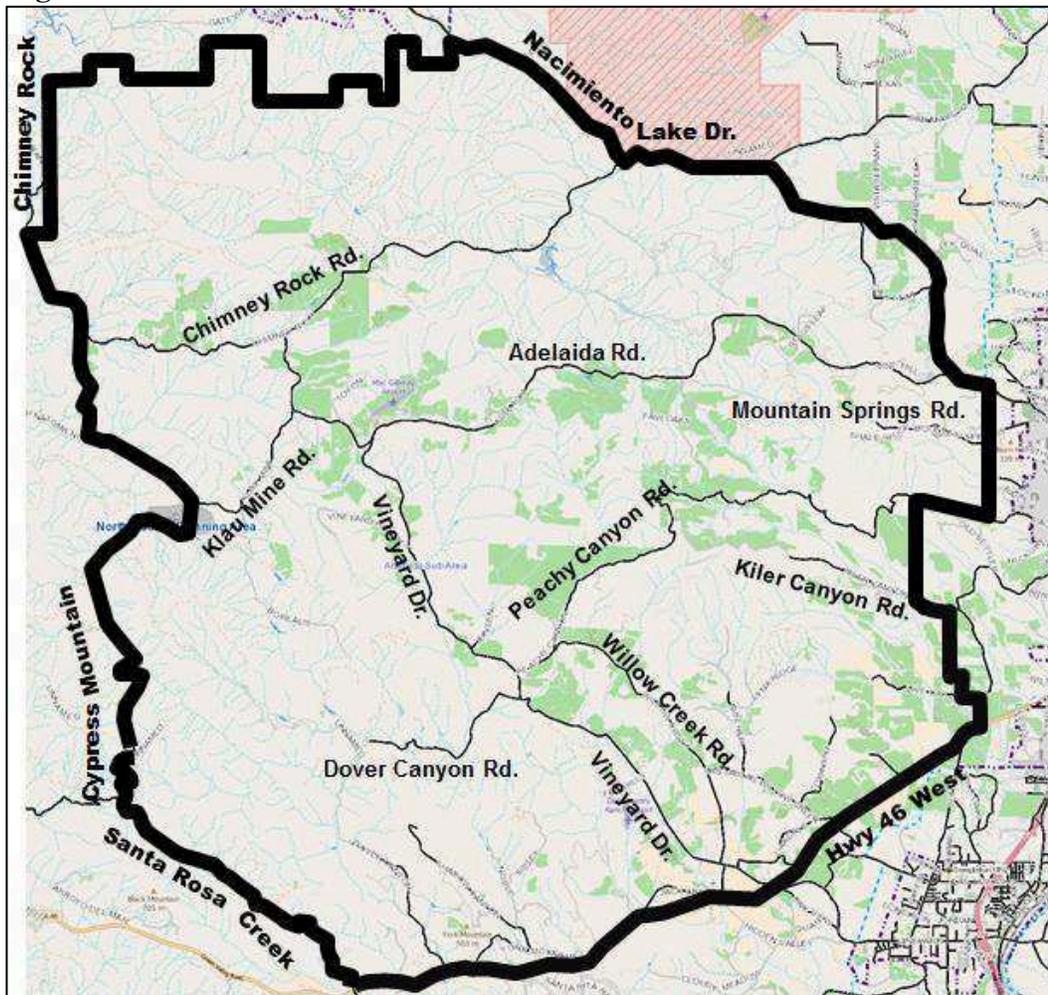
SECTION 3: Chapter 22.30 (Standards for Specific Land Uses) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding a new Section 22.30.510 as follows:

Residential Vacation Rentals: Rental of a residential vacation rental shall not exceed four individual tenancies/occupancies per calendar month. The first day of each tenancy determines the month assigned to that tenancy.

- a. **Permit Requirements.** Zoning Clearance, Business License and Transient Occupancy Tax Registration is required for each Residential Vacation Rental.

- b. **Adelaida/Willow Creek Area.** The following additional requirements apply to Residential Vacation Rentals in the Adelaida/Willow Creek Area shown in Figure 30-1, below. These requirements do not apply to Residential Vacation Rentals on parcels with direct primary access (i.e. an existing driveway) on Highway 46.

Figure 30-1: Adelaida/Willow Creek Area



- i. **Purpose.** The Adelaida/Willow Creek Area is an agricultural and rural residential area with limited infrastructure, narrow roadways, challenged fire service, and topography that magnifies noise and light issues. There is also a concentration of wineries, bed and breakfast inns, lodging, and events in the area. Tailored residential vacation rental standards are necessary to address these unique neighborhood compatibility and community character issues.
- ii. **Location.** No residential vacation rental shall be located on a site within a 1,500 foot radius of the property line of a site containing a permitted vacation rental. This requirement may be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required.
- iii. **Temporary Events.** Temporary events are not allowed on any site containing a residential vacation rental unless they are authorized under Section 22.30.610 (Temporary Events). Vacation rentals holding temporary events as of the effective date (INSERT) of

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this section shall be subject to the standards of this section, and owners of such venues shall request the required land use permits within 18 months of the effective date specified above. If the required land use permit has not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title shall apply.

- iv. **Maximum Overnight Occupancy.** Maximum overnight occupancy for residential vacation rentals shall not exceed the number of occupants that can be accommodated consistent with the on-site parking requirement set forth in subsection b.ix hereof, and shall not exceed two persons per bedroom plus two additional persons, excluding children under five (5) years of age. The Zoning Clearance shall specify the maximum number of occupants allowed in each individual vacation rental.
- v. **Maximum Number of Guests and Daytime Visitors.** The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, or eighteen (18) persons, whichever is less, excluding children under five (5) years of age. Daytime visitors shall not be on the property during quiet hours (10:00 PM – 7:00 AM). Vacation rentals with larger numbers of guests and visitors may only be allowed subject to approval under Section 22.30.610 (Temporary Events).
- vi. **Number and type of dwellings allowed as vacation rentals.** No more than one residential vacation rental shall be established on any single parcel. Farm support quarters and/or caretaker dwellings shall not be used as residential vacation rentals. On parcels that contain secondary dwellings, only one of the dwellings shall be used as a residential vacation rental and the owner must occupy one of the units as his or her primary residence as required by Section 22.30.470 (Residential – Secondary Dwellings). On parcels that contain two primary dwellings, only one of the dwellings shall be used as a residential vacation rental.
- vii. **Appearance, visibility and location.** The residential vacation rental shall not change the residential character of the outside appearance of the building, either by the use of colors, materials, lighting, or by the construction of accessory structures or garages visible from off-site and not of the same architectural character as the residence; or by the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in residential areas. The address for each residential vacation rental shall be posted and clearly visible from the main access road.
- viii. **Signs.** Availability of the rental unit to the public shall not be advertised on site.
- ix. **On-site parking required.** All parking associated with a residential vacation rental shall be entirely on-site, in the garage, driveway or otherwise out of the roadway, in accordance with subsection b.iv, above. Tenants of residential vacation rentals shall not use on-street parking at any time.
- x. **Noise.** All residential vacation rentals shall comply with the standards of Section 22.10.120 et seq. (Noise Standards). No residential vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings. In addition, property owners and/or property managers shall insure that the occupants of the residential vacation rental do not create loud or unreasonable noise that disturbs others and is not in keeping with the character of the surrounding neighborhood.

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Loud and unreasonable noise shall be evaluated through field observations by a County Sheriff, County Code Enforcement or other official personnel, based upon a threshold of noise disturbance related to the residential vacation rental use that is audible from a distance of 50 feet from the property lines of the rental property.

- xi. Local contact person.** All residential vacation rentals shall designate a local property manager. The local property manager shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives in the Adelaida sub-area, the property owner may designate themselves as the local contact person. All the requirements enumerated in this section shall continue to apply.
- (1) A notice shall be submitted to the Department of Planning and Building, the local Sheriff Substation, the main county Sheriff's Office, and the local fire agency; and supplied to the property owners within a 1,500 foot radius. Distances shall be measured as a radius from the exterior property lines of the property containing the residential vacation rental unit. This notice shall state the property owner's intention to establish a residential vacation rental and shall include the name, address and phone number of the local contact person and the standards for noise, parking and maximum number of occupants. A copy of the notice, a form certifying that the notice has been sent and a list of the property owners notified shall be supplied to the Planning and Building Department at the time of application for the Zoning Clearance, Business License and Transient Occupancy Tax Certificate for the residential vacation rental.
- (2) The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection. In addition, the standards for parking, maximum occupancy and noise shall be posted inside the residential vacation rental unit and shall be incorporated as an addendum to the vacation rental contracts.
- xii. Transient Occupancy Tax.** Each residential vacation rental unit shall meet the regulations and standards set forth in Chapter 3.08 of the County Code, including any required payment of transient occupancy tax for each residential vacation rental unit. The Transient Occupancy Tax Certificate number shall be included in all advertising for the residential vacation rental.
- xiii. Right to Farm Disclosure.** For residential vacation rentals near agricultural land, all rental agreements for individual tenancies shall include the following disclosure language: "The County of San Luis Obispo recognizes the statewide policy to protect and encourage agriculture. Sections 3482.5 and 3482.6 of the California Civil Code and Chapter 5.16 of the San Luis Obispo County Code protect certain, pre-existing agricultural production and processing operations ("agricultural operation") from nuisance claims. If your rental property is near an agricultural operation in the unincorporated area of the County you may at times be subject to one or more inconveniences and/or discomfort arising from that operation. Such inconveniences may include (depending upon the type of agricultural operation protected), but are not necessarily limited to, the following: noise, odors, fumes, dust, legal pesticide use, fertilizers, smoke, insects, farm personnel and truck traffic, visual impacts night time, lighting, operation of machinery and the storage, warehousing and processing of agricultural products or other inconveniences or discomforts associated with the protected agricultural operations. For additional information pertaining to this

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disclosure and the Right to Farm Ordinance, or concerns with an agricultural operation, please contact the San Luis Obispo County Agricultural Commissioner's Office."

xiv. Effect on existing residential vacation rentals. Each individual vacation rental in existence on the effective date of this section shall be subject to a Zoning Clearance, Business License, Transient Occupancy Tax Registration, and all standards set forth in this section except subsection b.ii regarding location, provided the owner submits evidence showing that the vacation rental was in existence prior to [INSERT DATE]. Zoning Clearance, Business License, and Transient Occupancy Tax Registration shall be requested from the county within 120 days of the effective date specified above. If the Zoning Clearance, Business License, and Transient Occupancy Tax Registration have not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title shall apply.

xv. Complaints. Complaints about possible violations of these standards should first be directed to the local contact person. If the local contact person is unavailable or fails to respond, the complaining party should contact the County Sheriff's Department (Dispatch). Sheriff Dispatch will attempt to reach the local contact person. If Sheriff Dispatch is unable to reach the local contact person because the contact person is not available or because current contact information has not been provided to the Sheriff's Department, the Sheriff's Department will inform County Code Enforcement staff.

During normal business hours, complaints may also be submitted to County Code Enforcement staff. County staff will attempt to reach the contact person or will visit the property as appropriate. Complaints about alleged violations shall be documented by a County Code Enforcement Officer. County staff shall prepare a written report which describes the nature of the violation, when it occurred and how it came to the attention of County officials. In some cases, a report may also be written by the Sheriff's deputy responding to the complaint.

xvi. Violation - vacation rental. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties (including fines) and process for addressing a violation of this section are set forth in Chapter 22.74 of this Title (Enforcement). Additional penalties for violation of this section may include revocation of the Zoning Clearance and Business License. Violations that will cause the processing of Zoning Clearance revocation include, but are not limited to,;

- (1) Failure to notify County staff when the contact person, or contact information, changes.
- (2) Violation of the residential vacation rental tenancy standards as set forth above.
- (3) Violation of the residential vacation rental maximum occupancy, parking and noise requirements as set forth above.
- (4) The inability of County staff or the Sheriff's Dispatch to reach a contact person.
- (5) Failure of the local contact person, or property owner, to respond to the complaint.

Three verified violations of this subsection, as determined by a County Planning and Building staff person, within any consecutive six month period, shall also be grounds for revocation of the Zoning Clearance. Signed affidavits by members of the community may be used to verify violations. Revocation of the Zoning Clearance shall follow the same procedure used for land use permit revocation as set forth in Section 22.74.160 of the County Land Use Ordinance. The Director of Planning and Building will hold the initial revocation hearing.

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SECTION 4. That this project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].

SECTION 5. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 6: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT: None

ABSTAINING: None

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

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ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

RITA L. NEAL
County Counsel

By: _____
Deputy County Counsel

Dated: _____

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9/12/2016

Fw: Adelaide Vacation Rental Ordinance Draft - Zarina Hackney

Fw: Adelaide Vacation Rental Ordinance Draft

Airlin Singewald

Tue 9/6/2016 4:44 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

From: Amanda Beazley <a-perfect-day@hotmail.com>
Sent: Thursday, August 11, 2016 12:04 PM
To: Airlin Singewald
Subject: Adelaide Vacation Rental Ordinance Draft

Dear Planning Commission-

After reading the Adelaide Vacation Rental Ordinance draft I feel compelled to respond and offer my strong objections to this proposed legislation.

When considering any restrictions on citizens' freedoms and their property rights, one would expect the first order of business would be to show that there was a demonstrated and defined issue that would support governmental interference.

As to purpose, the ordinance states there are potential issues such as limited infrastructure, narrow roadways, challenged fire services etc.. Yes, that is true, yet similar and even identical statements can be made throughout the county and indeed even throughout the country, yet this proposal confines itself to the Adelaide area. Why?

It doesn't take a rocket scientist to know that this ordinance confines itself to vacation rentals when it is obvious that wineries have far more impact on the issues mentioned than vacation rentals. Indeed wineries and vineyards have a major impact on our environment – like water and ancient oak grove annihilation. Why are they specifically excluded from being included in this draft which allegedly is concerned with "limited infrastructure, narrow roadways, challenged fire service and topography that magnifies noise and light issues?"

Before impinging on citizen rights, one would think the first step would be to demonstrate that there is actually a problem that needs amelioration. What studies have been done in each of the areas noted in the first draft? What evidence is found that indicates that setting such severe restrictions on vacation rentals would actually resolve any uncovered issues? What evidence is there that vacation rentals have any impact on those concerns that are mentioned under Purpose?

Besides privacy rights, besides the likelihood that adopting this ordinance would have little positive effect, it would certainly have significant negative effects on peoples incomes, business incomes, on tax revenue and being a favored tourist destination. If there are significant issues let's identify them and determine the appropriate means of resolving them.

I am aware that there is a vocal opposition in the Adelaide area to vacation rentals. I have heard them and even tried discussing the issues with them but the county needs to determine what is in the best interests of the county and its diverse citizenry and not just a loud elitist group.

As an active member of the Wedding Industry in Paso Robles I can personally attest that on average, each wedding in Paso brings upwards of \$55,000 to the entire North County economy. Their financial impact reaches further than just self employed small wedding business owners such as myself (who are home owning, registered citizens of this fabulous community trying to make a living and raise a family) but to almost every facet of our economy, grocery stores, hotels, gas stations, restaurants, etc., etc. It would be a serious mistake to limit this opportunity we are so fortunate to have in this area. It saddens my heart that it is being considered. I hope and pray the

<https://outlook.office365.com/owa/?viewmodel=ReadMessageItem&ItemID=AAMkADQ4MGlyNTg5LTVhMjYtNGEwMi05NDRiLWNjYTdkZGVjMDkzMwBGA...> 1/2

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9/12/2016

Fw: Adelaide Vacation Rental Ordinance Draft - Zarina Hackney

right decision is made.

Thank you for your consideration,
Amanda Beazley
A Perfect Day
Wedding and Event Design
805.286.8917
www.aperfectdayevent.com

A Perfect day
www.aperfectdayevent.com

Sent from my iPhone

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9/13/2016

Fw: draft Adelaida Vacation Rental Ordinance - Zarina Hackney

Fw: draft Adelaida Vacation Rental Ordinance

Airlin Singewald

Tue 9/6/2016 4:57 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

Importance: High

From: Airlin Singewald
Sent: Friday, September 2, 2016 8:21 AM
To: Miwon Yi
Cc: Zarina Hackney
Subject: Re: draft Adelaida Vacation Rental Ordinance

Hi Miwon,

Thank you for your thoughtful comments on the draft ordinance. We will take these comments into consideration when drafting the public hearing draft.

From: Miwon Yi <miwonyi@me.com>
Sent: Wednesday, August 31, 2016 10:49:05 PM
To: Airlin Singewald
Cc: Zarina Hackney
Subject: draft Adelaida Vacation Rental Ordinance

Hello Airlin and Zarina,

I am the owner of a vacation rental ("illumination ridge") in Paso in the region subject to the draft ordinance. I previously have communicated with Zarina. I have been traveling for well over a month and just returned to town. I have now reviewed your draft in detail and would like to provide my input.

Initially, I appreciate your efforts to bring order and certainty to the event planning/vacation rental market. We are first and foremost the property owners of a beautiful home in Paso that my husband and I look forward to retiring in. We love our property, have become good friends with our neighbors, and want to maintain the rustic beauty of our region. We do NOT promote or condone large scale events to take place in vacation home. Indeed, I am probably your ideal vacation home owner. In the last 2 years since we started our vacation rental, we have complied with all applicable laws, have never hosted any big events, only rented our property to families and small groups of 8 or less, generated enormous good publicity and good will on behalf of Paso with travelers from around the world, and paid to the County well over **\$18,000.00** in transient occupancy taxes alone.

I have no issues with most of the provisions provided in the draft ordinance.

There are two provisions, however, that I would like to address.

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Attachment 3

9/13/2016

Fw: draft Adelaida Vacation Rental Ordinance - Zarina Hackney

Section 22.30.510 limits rentals to “four individual tenancies/occupancies” per calendar month. I’d like to request that this number be changed to the more reasonable number of 6. We have been regularly booking our property on every weekend as well as the occasional week days all year, averaging 6-7 occupancies per month. We also have a 2 or 3 day minimum requirement, so that we don’t have guests moving in and out of the property on a daily or disruptive basis. Most guests stay for 3 day weekends, some book just for the weekdays. This level of occupancy truly does NOT create any additional issues for the neighborhood. It is simply just 2 more occupancies per month. What we have been able to do, however, is generate jobs and income for Paso! We have a house manager/cleaner whose income will be substantially cut if we must cut back on the number of occupancies permitted as she is paid per occupancy. We also have a handyman whom we regularly call to maintain our property. We have generated enormous amount of jobs for a local private chef who regularly caters private small dinners for our sophisticated travelers. We also refer all of our guests to numerous wineries, restaurants and olive oil ranches. Our guests are such regular visitors and purchasers of Paso wine, olive oils and food, that I regularly receive thank you notes from various winemakers and olive oil ranchers. And, of course, we collect all the required TOT per occupancy, which has generated over \$18,000 worth of tax payments to the County.

Section 22.30.510.b.ii does not permit a second vacation rental within a 1,500 foot radius of the property line of another vacation home. This provision, I’m sure is designed to prevent a whole cluster of homes on a block being turned into vacation rentals. In fact, when I initially spoke with your office about this provision, I was advised that this provision is based on the ordinances of beach communities like Cambria where clusters of homes right next to each other have been turned into vacation rentals, thus creating enormous noise and traffic for the neighbors. We support the spirit of this provision. However, unlike the beach communities, the Adelaida region contains numerous properties that sit on large parcels with multiple acres. It may be that two vacation rentals are literally miles away from each other due to the size of their lots, yet because the distance is measured between “property lines” rather than the homes themselves, they would be in violation of this ordinance. So, we suggest and request that this provision be revised to limit the 1,500 foot radius between homes themselves rather than simply the property lines.

Thank you for inviting our input! We have been most impressed by how this County operates - with mutual respect for the home owners and the government staff. Please do not hesitate to contact me for any additional information or questions. Would you kindly confirm receipt of this e-mail with a return e-mail.

Thank you,

Miwon Halt
310-686-9323

Attachment 3

9/12/2016

Fw: Hess- comments on the draft ordinance amendments - Zarina Hackney

Fw: Hess- comments on the draft ordinance amendments

Airlin Singewald

Tue 9/6/2016 4:45 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

From: ***Robert Hess*** <robert.hess@charter.net>
Sent: Friday, August 5, 2016 12:24 AM
To: Airlin Singewald
Subject: Re: Hess- comments on the draft ordinance amendments

Dear Mr. Airlin M. Singewald,

New draft looks great. I would like to see section 22.30.510 Residential Vacation Rentals revised. While the new ordinances are applied such as a local contact person, violation penalties, noise and parking restrictions there should be no limit on Individual tenancies/occupancies per calendar month. Under this new draft, Vacation Rental owners will be more cognitive of the quality of guests they invite to stay or face penalties and possible license revocation. County should allow for a learning curve under the new laws and not restrict business. County could always change section 22.30.510 in the future but for the time being the county should let the owners prove to their neighbors and the county, that they are capable of doing good business.

Regards
Robert Hess

Attachment 3

9/12/2016

Fw: Public Review Draft Adelaida/Willow Creek Vacation Ren... - Zarina Hackney

Fw: Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

Airlin Singewald

Tue 9/6/2016 4:59 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

From: Richard Harvey <richard@infinitefunctions.com>
Sent: Tuesday, August 30, 2016 10:13 PM
To: Vicki Shelby; Airlin Singewald
Subject: Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

Dear Supervisor Mecham and Planner Singewald,

I am greatly in favor of the proposed Adelaida/Willow Creek Vacation Rental Ordinance. I would like to point out why I specifically support Item ii Location (over saturation or density):

- It prevents the replacement of neighbors by out of town owners that do not have a stake in the community. The result would be with lack of concern for neighborhood issues like: fire, criminal activities, environmental concerns including illegal trash burning, groundwater, traffic hazards, etc.
- It prevents the merging of unauthorized events from visitor get-togethers that are renting neighboring properties.
- It prevents excessive traffic from renters and their guests concentrated on same small roads.

Richard Harvey
Paso Robles

Attachment 3

9/12/2016

Fw: VRBO Ordinance - Zarina Hackney

Fw: VRBO Ordinance

Airlin Singewald

Tue 9/6/2016 4:43 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

From: karifreitasfield <karifreitasfield@gmail.com>
Sent: Wednesday, August 17, 2016 6:10 PM
To: Airlin Singewald
Subject: VRBO Ordinance

After reviewing the proposed vacation rental ordinance, I feel it is import to state my strong opposition.

I would like to see the evidence and studies to show that vacation rentals have such a huge impact on the Adelaida area. I would be shocked to see if vrbos have much of an impact at all. How many vacation rentals are even located in the Adelaida area? It is my understanding that wineries have a far more impact on traffic, noise, driving under the influence, water and fire threats than vacation rentals. Wineries have grown ten fold since I was a child, putting a huge strain on our environment and resources. They take, take, take especially water from nearby properties. If any restrictions were to placed, they should be placed on wineries.

From what I have seen and heard, it is a small group of people who have moved to our area from large cities and have made it their mission to make the area an unfeasible for locals to continue to live. Implementing these new ordinances would have a major impact on the local people who are just trying to continue to afford to live in this beautiful area which we love. Not only will it have a negative recourse to locals but also the economy.

I feel it would not be just to pass the new ordinance without first researching the so-called issues and taking time to really see the drastic impact this could have on our county. I am open to some sort of compromise. Possibly having a certain number of private parties a year, limiting the guest capacity and noise ordinance. These are changes that I feel would be a good middle ground for both sides. Don't take away our rights as property owners.

~From a local born and raised in Adelaida area.

Sent from my Verizon Wireless 4G LTE smartphone

Attachment 3

9/12/2016

Public Review Draft Adelaida/Willow Creek Vacation Rental ... - Zarina Hackney

Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

kathy stone <kathyg51@hotmail.com>

Thu 8/25/2016 3:04 PM

To: Airlin Singewald <asingewald@co.slo.ca.us>; Zarina Hackney <zhackney@co.slo.ca.us>;

Dear Airlin and Zarina,

I commend the Department of Planning and Building for drafting a comprehensive Vacation Rental Ordinance for the Adelaida/Willow Creek area. I see no problem with any of the sections except 22.30.510 (b) (iii) Temporary Events. I do not think that events should be allowed at vacation rentals because they are designed for transient occupancy and do not have the infrastructure in place for events. The lack of onsite supervision makes monitoring and controlling such events difficult.

Section i Purpose states very well the reasons for a VR Ordinance, and those are also good reasons for not having events at vacation rentals. As a resident of the Willow Creek area, I greatly appreciate your efforts on this project.

Sincerely,
Kathy Stone

Sent from my Samsung Galaxy Tab®|PRO

Attachment 3

9/12/2016

Re: Adelaida VR ordinance - Zarina Hackney

Re: Adelaida VR ordinance

Zarina Hackney

Tue 8/30/2016 5:29 PM

To: Kurt Burkhart <kurtfburkhart@gmail.com>; Airlin Singewald <asingewald@co.slo.ca.us>;

Cc: Karen Nall <knall@co.slo.ca.us>;

Hello Diane,

I will be out of the office starting tomorrow 8/31/2016 and returning on Tuesday 9/6/2016. I will be able to help with your question upon my return.

Warmly,

Zarina Hackney ~ Planner
(805) 781-5029
San Luis Obispo County
Information & Situs Addressing



<http://www.sloplanning.org/PermitView/TextSearch>

From: Kurt Burkhart <kurtfburkhart@gmail.com>
Sent: Tuesday, August 30, 2016 11:51 AM
To: Airlin Singewald
Cc: Zarina Hackney; Karen Nall
Subject: Adelaida VR ordinance

Hello Airlin, thank you for the work you and your team have put into the ordinance. I think overall it is good governance. I am especially appreciative of the saturation limits in section ii. and the maximum occupancy in v. The saturation restrictions are needed to protect the availability of long term rentals. We all benefit when there is workforce housing and local schools benefit as those families are likely to have school age children. In addition, saturation limits mitigate the vacation rental impacts on a neighborhood. A neighborhood is jeopardized and ceases to be a source of support to its members, especially its elderly, when every home is a vacation rental.

The section that I believe needs to be addressed is section iii. Vacation rentals are homes for people to vacation in are not intended as temporary event venues. Ideally they should be banned, as they are in other comparable counties. Short of that, the requirement for holding an event must be tightened up. You now offer 18 months to even request a MUP, and have said that it can take another six months or longer to process it. That allows someone to hold and continue to solicit unpermitted events for over two years at a location that might be unsuitable and unsafe.

I propose the following: Owners shall request the required permits within three months. Unpermitted events can be held for up to a year after the effective date if the following conditions are met: 1) a signed and dated original of an event contract is submitted to the Planning and Building Department dated before the effective date of this ordinance. 2) Adjacent neighbors shall be notified in writing of the date and time of the event 14 days prior to the event. 3) owners shall contract with CalFire to be present if significant health, fire and safety codes are not met.

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Attachment 3

9/12/2016

Re: Adelaida VR ordinance - Zarina Hackney

There is precedent for the above and it should not cause undue burden to responsible operators.

Thank you Airlin. Best, Diane

Sent from my iPad

Attachment 3

9/12/2016

Re: proposed restrictions on north county events SL - Zarina Hackney

Re: proposed restrictions on north county events SL

Airlin Singewald

Fri 9/2/2016 8:24 AM

To: Allyson Magda Photography <allyson@allysonmagda.com>; hackney@co.slo.ca.us <hackney@co.slo.ca.us>; Zarina Hackney <zhackney@co.slo.ca.us>;

Hi Allyson,

Thank you for your comments. The Planning Commission hearing is scheduled for October 13, 2016.

From: Allyson Magda Photography <allyson@allysonmagda.com>
Sent: Wednesday, August 31, 2016 2:56:00 PM
To: hackney@co.slo.ca.us; Zarina Hackney; Airlin Singewald
Subject: proposed restrictions on north county events SL

To Whom it May Concern;

I'm writing in regarding the events ordinance in North SLO County. I would simply like to urge you to consider the overall impact a vote of closing or severely limiting these facilities would have on our local economy. Weddings and other events bring in millions per year in revenue to restaurants, wineries, professionals like myself, and not to mention the hotels!

In my 17 years of shooting weddings I've traveled all over the world photographing, every time I return to SLO County I tell myself, "this is it!!!"

Our county is special, and offers SO much to couples coming here to get married. Please consider this time of change as a time of **opportunity**, to make it **better**, and **make it work**, for our community and for these couples.

By uniting we conquer, by dividing, we all loose.

All my best,
Allyson

Allyson Magda Photography

805.459.2704

allysonmagda.com

As featured in.... People Magazine Cover, Forbes, Destinations I DO Cover, The Knot, Pacific Weddings Magazine, NY & LA Times, Good Morning America, The Today Show, Destination Wedding & Honeymoon, Brides Magazine, Studio Photography & Design, Vera Wang Unveiled, Grace Ormonde's Wedding Style, Signature Weddings Asia, World's Best Wedding Photographers, Style Me Pretty and many many more....

.....
IG: [@allymagdaphoto](https://www.instagram.com/allymagdaphoto)

What I've been up to: [Facebook Fanpage](#)

Attachment 3

9/12/2016

Re: Public Review Draft Adelaida/Willow Creek Vacation Ren... - Zarina Hackney

Re: Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

krlindbery@aol.com

Tue 8/30/2016 11:01 PM

To: Zarina Hackney <zhackney@co.slo.ca.us>;

Importance: High

Hello Zarina,

Thank you for offering us the opportunity to review and provide input to the ordinance County Staff has drafted for vacation rentals in the Adelaide Area. Overall, the ordinance is well written and covers areas of greatest concern. Along with my suggestions for minor changes, I would like to reinforce a couple points in the hope this will add strength to these areas of the ordinance as it progresses through County review.

First, location, as it relates to density of vacation rentals, is very important to maintain. Neighborhoods, which we are - although infiltrated with commercial venues - need to be allowed to remain as neighborhoods, and not be overloaded with transient occupancy. Neighbors here may not live as close together as those in town, and we may live on agricultural land, but we are close in other ways, such as helping out one another with our properties, sharing what we grow and process with each other, having neighborhood gatherings, sharing our land with those who hike, horseback ride, walk their dogs, etc... These things make our neighborhoods as special to us out here, as those to people who live closer together. While it may not seem like vacation rentals here would need to be spaced as far as 1,500 feet at a minimum, due to the large parcel sizes, that is not unreasonable and I urge the County to maintain this.

A saturation limit is also important to allow character and diversity to our area. While I understand people want to make money with a vacation rental on their property, and people who visit enjoy staying here for the same reasons we love living here, if our entire area were made up of vacation rentals and commercial venues, a large part of what makes us special, would be lost.

The Adelaide Area needs planning which provides balance and maintains the character of what has become so desirable here.

Most importantly, density needs to be limited because the vacation rentals are displacing work force housing. While the County on one hand appears to struggle with meeting affordable housing needs, on the other hand they have allowed vacation rentals which have displaced workforce housing in the Adelaide and caused these people to move either further away from their work on the ranches, farms and vineyards, or further away period to seek more affordable housing. Again, this causes a lack of diversity and balance in our neighborhoods, where properties now are being turned into purely commercial ventures, with absentee owners, and the increased workforce required to serve these venues, as well as the people who now stay at the many vacation rentals, must seek housing elsewhere and drive further to and from work everyday, creating more traffic on our narrow farm to market roads. I can provide examples of numerous residences here which were previously workforce rentals, and now are vacation rentals.

Next, I would like to recommend the amount of time for an existing vacation rental, holding events, to apply for land use permits be limited to 3 months, and not 18 months. There are event venues here now, operating entirely on the opportunity to do so under a vacation rental business license, and who regularly hold weddings and other events. The disparity between the businesses who have gone through a MUP or CUP in order to be a commercial operation on agricultural land, and have paid fees and provided expensive studies and plans to justify their request - far exceeding the cost of a \$73 business license - should not be allowed to continue for an additional 18 months before EVEN requesting a land use permit. In addition to the safety hazards these vacation rental event centers pose, due to lack of any inspection or County oversight in establishment of their facilities and their locations, they create nuisances to the neighbors which are difficult for the County to rectify and resolve.

Please modify the current allowance of 18 months to 3 months from the effective date of the ordinance for requesting the required land use permits. At the same time, in this ordinance, the County is requiring existing vacation rentals to request a Zoning Clearance, Business License, and Transient Occupancy Tax registration within 120 days of the effective date (of the ordinance?). I don't see why requesting permits for use of the land for temporary events should be over four times longer.

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Attachment 3

9/12/2016

Re: Public Review Draft Adelaida/Willow Creek Vacation Ren... - Zarina Hackney

Last, although I understand why the County now needs to address temporary events at a vacation rental, because they have been allowed with no ordinance in place, the use of land for a vacation rental, and the use of land for a temporary event venue are two separate land uses, which should never have been allowed to be combined. One is strictly a home stay, with the intention that it should function similarly to a regular residence, except the occupants are transient. The other, is an entirely separate and different use of the land, which has nothing to do with transient occupancy, only transient partiers. An event venue hosts a large number of people, often has amplified music, causes noise and disruption to the surrounding neighbors, creates heavy traffic with drunk drivers late at night on narrow winding roads, and can be a liability to the partiers, as well as safety of existing residents and emergency response in our area. I urge the County to eliminate the connection of vacation rentals and temporary events all together.

Thank you for considering my comments and requests.

Respectfully,

Kim R. Lindberg

-----Original Message-----

From: Zarina Hackney <zhackney@co.slo.ca.us>

Sent: Fri, Jul 29, 2016 4:11 pm

Subject: Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

Dear Interested Party,

The Department of Planning and Building is seeking public input on the attached **Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance**. You are receiving this email because you have indicated that you would like to be contacted regarding any new rules affecting vacation rentals in San Luis Obispo County or because you are an individual or agency representative who frequently interacts with the Department of Planning and Building. This email list also includes individuals who attended the City of Paso Robles' workshop on vacation rentals. It is important to point out that this draft ordinance would only apply to the **Adelaida/Willow Creek unincorporated areas** of the county and would not apply within the city-limits of Paso Robles or any other part of the county.

The ordinance is scheduled for a Planning Commission hearing on October 13, 2016. **Comments are due on August 31, 2016**. Late comments will be forwarded to the Planning Commission, but will not be responded to in the staff report or considered in the public hearing draft of the ordinance.

Sincerely,

Zarina Hackney ~ Planner

(805) 781-5029

San Luis Obispo County

August 30, 2016

Department of Planning and Building
San Luis Obispo County Government Center
San Luis Obispo, CA 93408

Attention Airlin M. Singewald asingewald@co.slo.ca.us

Re: Public Review Draft Adelaida/Willow Creek Rental Ordinance

Dear Mr. Singewald,

Please accept this letter in response to the public review process of the above referenced vacation rental ordinance.

This draft of the Vacation Rental ordinance allows a process in which the owner may obtain a permit to hold events at a vacation rental. Vacation rentals should remain as what the name implies, a residence that provides lodging to transient occupants. An event venue is an entirely different scenario which holds a **seriously larger impact** on communities and neighborhoods.

There are already an over saturation of event venues with almost every winery holding some type of permit which enables them to have at least have industry events and leading up to major 250 people events several times a year. In the beginning this was to promote their agricultural product but now has shifted, for some, to being the actual revenue source of the winery.

The infrastructure of our area cannot support the volume of traffic, disruptive noise, light pollution and the fire risk. The County should be the good steward of our environment, protecting the natural beauty that brings the tourist here to begin with.

The driving force behind this ordinance was the event impact on our area; this is what the folks were upset about. This draft ordinance continues to allow the very thing that we protested albeit through another process.

Thank you for your time and diligent work on creating this ordinance. I ask you to continue to listen to the people.

Sincerely,

Cheryl Wiczorek



COALITION PARTNERS:

- Bike SLO County
- Boys and Girls Club – South County
- Cal Poly State University
 - Art and Design Department
 - Center for Sustainability
 - Food Science & Nutrition Department
 - Kinesiology Department
- STRIDE
- CenCal Health
- City of San Luis Obispo Parks and Recreation
- Community Action Partnership of SLO
- Community Foundation of San Luis Obispo County
- Dairy Council of California
- Diringer & Associates
- First 5 San Luis Obispo County
- Food Bank Coalition of SLO County
- French Hospital Medical Center
- Lucia Mar Unified School District
- One Cool Earth
- Rideshare – Safe Routes to School
- San Luis Sports Therapy
- SLO Council of Governments
- SLO County Departments:
 - Board of Supervisors
 - Health Commission
 - Planning and Building
 - Public Health
- SLO County Office of Education
- The Community Foundation SLO County
- UC Cooperative Extension
- YMCA of SLO County

August 11, 2016

TO: San Luis Obispo County Department of Planning and Building

FROM: HEAL-SLO - Healthy Communities Work Group

RE: Adelaida Vacation Rental Ordinance Public Review Draft

The Healthy Communities Work Group has reviewed the proposed Adelaida Vacation Rental Ordinance. We understand that the primary motivation for this ordinance is to institute rental standards that address unique neighborhood compatibility and community character issues.

We support this ordinance as it addresses potential negative health impacts associated with unregulated vacation rentals in residential neighborhoods. Health impacts of unregulated residential vacation rentals include increased noise and light, increased traffic, density issues, and changes to the character of residential neighborhoods (“sense of community”).

On the issue of increase traffic, Ferdinand et al. studied the relationship between the built environment and physical activity. Their research suggests that increases in traffic have a negative impact on physical activity levels, which has been associated with increased obesity rates (American Journal of Public Health, October 2012).

Thank you for the opportunity to review this ordinance.

cc: San Luis Obispo County Health Commission

Alva O. Ferdinand, Bisakha Sen, Saurabh Rahrkar, Sally Engler, and Nir Menachemi. The Relationship Between Built Environments and Physical Activity: A Systematic Review. American Journal of Public Health: October 2012, Vol. 102, No. 10, pp. e7-e13.

HEAL-SLO is the SLO County obesity prevention coalition and its mission is to increase healthy eating and regular physical activity among County residents through policy, behavioral and environmental changes. In carrying out that mission, a subcommittee called the Healthy Communities Work Group provides responses to Planning staff from a healthy community's perspective on proposed land development projects, ordinance and general plan amendments, and special projects.

Attachment 3



North County Watch

Looking Out Today For Tomorrow

Department of Planning and Building
San Luis Obispo County Government Center
San Luis Obispo, CA 93408.

Sent Via Email: Airlin M. Singewald asingewald@co.slo.ca.us

August 29, 2016

Re: Adelaida/Willow Creek Vacation Rental Ordinance

Dear Mr. Singewald,

North County Watch submits these comments on Draft Adelaida/Willow Creek Vacation Rental Ordinance.

We support the comments submitted by the Sierra Club. We make the request that:

1. The Ordinance should delete the process for allowing for permitting events in vacation rentals. All of the area affected by the proposed ordinance is unsuitable for the growth of event venues. The infrastructure, narrow mountain roadways, limitations on fire service, high fire potential, and insufficient sheriff personnel pose significant dangers to the health and safety of residents and visitors if vacation rentals become events venues. [Section 22.30.510(b)(iii) **Temporary Events**; Section 22.30.510(b)(i) **Purpose**]
2. The Ordinance should include language that specifically bans events at vacation rental sites.
3. Levels of overnight and guest occupancy in the Draft Ordinance should be adopted. [**Maximum Overnight Occupancy** Section 22.30.510(b)(iv); **Maximum Number of Guests and Daytime Visitors** Section 22.30.510(b)(v)]
4. We are concerned that enforcement protocols may not be adequate. Enforcement protocols should not be weakened and we support tightening the enforcement procedures.
5. On-site parking must be confined to graveled areas designated for parking. The areas must be free of vegetation and of a size to accommodate the maximum number of vehicles that might be on site at any time. [**On-Site Parking** Section 22.30.510(b)(ix)]
6. The Ordinance should require that each property have its address easily visible from the street and that driveway right-of-way ingress, and line of sight in both directions at the street be sufficient to minimize the potential for accidents when entering and leaving the property.

Yours truly,



Susan Harvey, President
info@northcountywatch.org

Page 1 of 1

North County Watch P.O. Box 455 Templeton, CA 93465
501(c)(3) nonprofit corporation (77-0576955)

Page 44 of 63

After reading the Adelaida Vacation Rental Ordinance draft I feel compelled to respond and offer my strong objections to this proposed legislation.

When considering any restrictions on citizens' freedoms and their property rights, one would expect the first order of business would be to demonstrate that there was a demonstrated and defined issue that would support governmental interference.

As to purpose, the ordinance states there are potential issues such as limited infrastructure, narrow roadways, challenged fire services etc. Yes, that is true, yet similar and even identical statements can be made throughout the county and indeed even throughout the country, yet this proposal confines itself to the Adelaida area. Why?

It doesn't take a rocket scientist to know that this ordinance confines itself to vacation rentals when it is obvious that wineries have far more impact on the issues mentioned than vacation rentals. Indeed wineries and vineyards have a major impact on our environment – like water. Why are they specifically excluded from being included in this draft which allegedly is concerned with “limited infrastructure, narrow roadways, challenged fire service and topography that magnifies noise and light issues”. Why

Before impinging on citizen rights, however, one would think the very first step would be to demonstrate that there is actually a problem that needs amelioration. What studies have been done in each of the areas noted in the **1. Purpose**. And if studies do support problems, what are the sources? Would investigation support the conclusion that setting such severe restrictions on vacation rentals would actually resolve any uncovered issues. Indeed, what evidence is there that vacation rentals have any impact on those concerns that are mentioned under **“Purpose”**.

I am aware that there is a vocal opposition in the Adelaida area to vacation rentals. I have heard them and even tried unsuccessfully discussing the issues with them but the county needs to determine what

is in the best interests of the county and its diverse citizenry and not just a small group pushing their own narrow views

Besides privacy rights, besides the likelihood that adopting this ordinance would have little positive effect, it would certainly have significant negative effects on peoples incomes, business incomes, on tax revenue and being a favored tourist destination. If there are significant issues let's identify them and determine the appropriate means of resolving them. Jumping in with an ordinance at this time is premature and is likely to resolve little, create more hostility to inappropriate government interference and increase government oversight and expenditures.

Sincerely,

Ronald Field
3015 Willow Creek Rd
Paso Robles, Ca. 93446

redondoron@yahoo.com



Department of Planning and Building
San Luis Obispo County Government Center
San Luis Obispo, CA 93408.
Attention: Airlin M. Singewald asingewald@co.slo.ca.us
August 23, 2016

Re: Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance

Dear Mr. Singewald,

The Santa Lucia Chapter of the Sierra Club offers the following comments on the Public Review Draft Adelaida/Willow Creek Vacation Rental Ordinance.

Section 22.30.510(b)(iii) **Temporary Events** allows for a process for obtaining a permit to hold events at a vacation rental. No events should be allowed at vacation rentals. While we support some level of events associated with active agriculture, vacation rentals are not an appropriate venue for events. There is a material difference between having an ag operation planning and overseeing events and events planned and carried out by transient populations that utilize vacation rentals.

Permanent ag operation have a sizeable investment in the success of their ag operations and an investment in the welfare of the community. A transient population utilizing a vacation rental for an event has no such investment in the land or the community.

Section 22.30.510(b)(i) **Purpose** states, the Adelaida area has limited infrastructure, narrow roadways, challenged fire service. The entire ordinance area has very high fire risk. The disastrous Chimney Fire directly adjacent to the proposed ordinance area sadly offers a graphic example of why temporary events should be banned at vacation rental sites. It would be impossible for events at a vacation rental to have acceptable oversight to mitigate fire danger in the high fire danger area with “challenged fire service, narrow roadways, limited infrastructure”.

The ordinance should specifically ban **Temporary Events**.

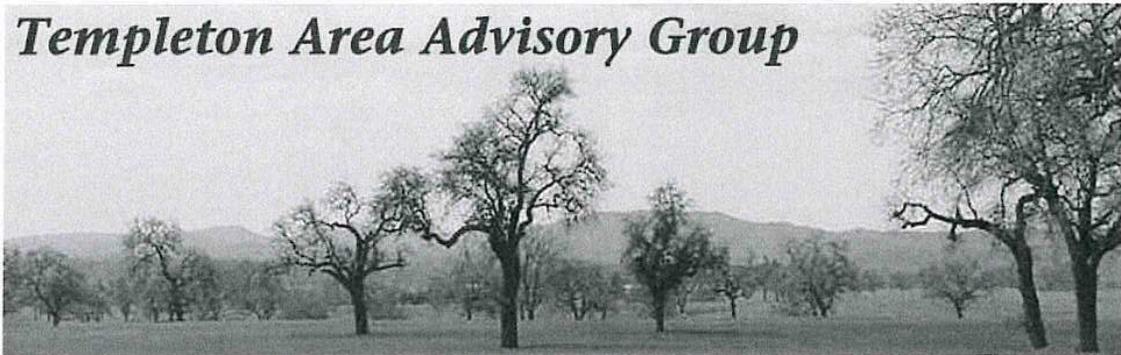
Maximum Overnight Occupancy Section 22.30.510(b)(iv) and **Maximum Number of Guests and Daytime Visitors** Section 22.30.510(b)(v) are acceptable levels and should be adopted in final ordinance language. Occupancy levels must be enforced.

On-Site Parking Section 22.30.510(b)(ix) must require vegetation free, graveled parking areas that are adequate to accommodate the maximum number of vehicles likely to be on the property, including daytime guest parking.

Thank you for your consideration of our comments.

A handwritten signature in black ink, appearing to read "S. Harvey". The signature is fluid and cursive, written over a light grey background.

Susan Harvey, Chairwoman
Conservation Committee, Santa Lucia Chapter



August 22, 2016

To: San Luis Obispo County Board of Supervisors and Planning Commission

From: Sarah Maggelet, Acting Chairperson

Subject: Templeton Area Advisory Group (TAAG) Recommendation on Adelaida Vacation Rental Ordinance

At the August 18, 2016 meeting, the Adelaida Vacation Rental Ordinance was presented by the Planning Department to the TAAG. After taking public questions and testimony, the Group voted 7-0 to recommend approval of the ordinance as presented by staff. A copy of the ordinance is attached.

Respectfully,

A handwritten signature in blue ink, appearing to be "S. Maggelet", with a long horizontal flourish extending to the right.

Sarah Maggelet

Acting Chairperson

Templeton Area Advisory Group (TAAG)

PO Box 1135

Templeton CA 93465

Willow Creek Preservation Group

August 31, 2016

To: Airlin M. Singewald vai asingewald@co.slo.ca. us

From: Willow Creek Preservation Group (WCPG)

Subject: Public Review Draft Comments: Adelaida Vacation Rental Ordinance

WCPG wants to thank the Board of Supervisors for allowing the issue of vacation rentals to go forward through the review process. Additionally, we want to thank planning staff for their time and expertise in writing the draft ordinance and sending it out for review.

The ordinance is well crafted and has provisions such as location, maximum overnight occupancy and maximum number of guests and daytime visitors that gives the residents of the Adelaida/Willow Creek area confidence that vacation rentals will have a lesser impact on our agricultural way of life. These provisions are important for our area. We have seen homes purchased for the purpose of vacation rentals. This trend can destroy our neighborhoods and push out agricultural. The proliferation of vacation rentals can also impact work force housing, pushing out those who have rented in our area.

WCPG has the following comments:

- 22.30.510(b)(iii) should be modified to prohibit temporary events under any conditions due to inadequate infrastructure, noise and light concerns, and extreme fire issues. Allowing events at vacation rentals increases the likelihood for purchase of properties exclusively for vacation rentals which diminishes our neighborhoods and agricultural.
- 22.30.510(b)(iii) should be modified to require that vacation rentals holding temporary events shall request the required land use permit within six (6) months of the effective date.

Thank you for giving WCPG the opportunity to comment and for your good work on this ordinance.

Sincerely,

Willow Creek Preservation Group

After reading the Adelaida Vacation Rental Ordinance draft I feel compelled to respond and offer my strong objections to this proposed legislation.

When considering any restrictions on citizens' freedoms and their property rights, one would expect the first order of business would be to demonstrate that there was a demonstrated and defined issue that would support governmental interference.

As to purpose, the ordinance states there are potential issues such as limited infrastructure, narrow roadways, challenged fire services etc. Yes, that is true, yet similar and even identical statements can be made throughout the county and indeed even throughout the country, yet this proposal confines itself to the Adelaida area. Why?

It doesn't take a rocket scientist to know that this ordinance confines itself to vacation rentals when it is obvious that wineries have far more impact on the issues mentioned than vacation rentals. Indeed wineries and vineyards have a major impact on our environment – like water. Why are they specifically excluded from being included in this draft which allegedly is concerned with “limited infrastructure, narrow roadways, challenged fire service and topography that magnifies noise and light issues”. Why

Before impinging on citizen rights, however, one would think the very first step would be to demonstrate that there is actually a problem that needs amelioration. What studies have been done in each of the areas noted in the **1. Purpose**. And if studies do support problems, what are the sources? Would investigation support the conclusion that setting such severe restrictions on vacation rentals would actually resolve any uncovered issues. Indeed, what evidence is there that vacation rentals have any impact on those concerns that are mentioned under **“Purpose”**.

I am aware that there is a vocal opposition in the Adelaida area to vacation rentals. I have heard them and even tried unsuccessfully discussing the issues with them but the county needs to determine what

is in the best interests of the county and its diverse citizenry and not just a small group pushing their own narrow views

Besides privacy rights, besides the likelihood that adopting this ordinance would have little positive effect, it would certainly have significant negative effects on peoples incomes, business revenues (hotels, restaurants etc.), on tax revenue and being a favored tourist destination. If there are significant issues let's identify them and determine the appropriate means of resolving them. Jumping in with an ordinance at this time is premature and is likely to resolve little, create more hostility to inappropriate government interference and increase government oversight and expenditures.

Sincerely,

Ronald Field
3015 Willow Creek Rd
Paso Robles, Ca. 93446

redondoron@yahoo.com



August 24, 2016

Mr. Airlin Singewald, Planner
San Luis Obispo County
Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Re: Adelaida Vacation Rental Ordinance – Public Review Draft

Dear Mr. Singewald:

On August 23, 2016, the San Luis Obispo County Farm Bureau Board of Directors voted to submit the following recommendations/comments to you and your department regarding the Adelaida Vacation Rental Ordinance:

- 1) In Subsection b (vi), Farm Bureau recommends deleting "... and the owner must occupy one of the units as his or her primary residence as required by Section 22.30.470 (Residential – Secondary Dwellings)". This would become an issue when perhaps a ranch manager or caretaker resides on the property (not the owner). Additionally, some agriculturists' operations are located on more than one property, and the property owner does not reside on the same property as the proposed vacation rental.
- 2) In Subsection b (ii), Farm Bureau recommends changing the proposed 1,500' radius of the property line to 50'. The Draft Ordinance pertains solely to vacation rentals, with strict guidelines much the same as motels and other lodging. Vacation rentals that wish to conduct temporary events are still bound by the county's Temporary Events Ordinance (Section 22.30.610).
- 3) Farm Bureau also recommend that language be added to the Draft Ordinance, which allows vacation rentals to operate on properties under the Williamson Act (contingent upon the outcome of the APRC's meeting on September 12, 2016 with regard to whether or not vacation rentals should be allowed on Williamson Act properties).

Thank you in advance for your consideration of the above recommendations. If you should have any questions, please feel free to call either of our government affairs specialists – Joy Fitzhugh or James Green.

Best Regards,

A handwritten signature in black ink, appearing to read 'Dan Sutton', is written over a horizontal line.

Dan Sutton, President

Attachment 3

August 24, 2016

To: Airlin M. Singewald via asingewald@co.slo.ca.us
From: Alice G. Griselle
Subject: Comments on Adelaida Vacation Rental Ordinance – Public Review Draft

Staff did a great job on drafting the ordinance and in a timely manner.

I have but one request. The request is to remove any possibility of allowing temporary events at a vacation rental. Temporary events should not be allowed at vacation rentals for the following reasons:

1. In the Adelaida/Willow Creek area, we have 51 wineries, 10 bed and breakfast inns and according to our estimates 27 vacation rentals (2 have events). Additionally, single family homes are allowed to apply for temporary events. This literally allows every parcel, which is approximately 650, to have temporary events. The reality is that temporary events have been approved in the Adelaida for weddings, parties, and other gatherings for over 200 people and many exist without meeting the conditions of their minor use permits. Code enforcement is understaffed to deal with the existing venues approved for events. To add the potential for additional events will have negative consequences as there is not enough staff to enforce the conditions of the existing minor use permits.
2. The infrastructure to support these events is not present in the Adelaida/Willow Creek area. We have narrow winding roads with no shoulders. Roads vary from 9' to 25' wide and share pavement with vehicles, motorcycles, buses, vans, farm equipment, pedestrians, and bicyclists. Creating more traffic by allowing events at vacation rentals is unsafe and unwise.
3. The fact is that when assessing the fire risk, we found that we are in an extreme hazard area with a 20 minute or more response time. Cal Fire's concern for requests for more development in the Adelaida area are and I quote: "The cumulative effects of intensified commercial operation and special events within areas such as this, continues to place significant challenges upon the ability of Cal Fire/County Fire to provide efficient and effective emergency services within rural areas". Before we allow the potential for events at vacation rentals, we need to have adequate fire resources in place. Fire is a real threat as evidenced by the Chimney Fire.
4. The Coastal Vacation ordinance does not allow events. One reason is noise. In the Adelaida/Willow Creek area noise is just as much a concern. The noise is magnified in

the rural areas where ambient noise levels are low and hills and valleys project and echo sounds.

5. The Paso Robles area currently has idle capacity for existing venues. It makes good economic sense to support the wineries, hotels, and restaurants that have obtained the appropriate spaces to support events. Let's not take business away from those venues that have invested money to hold events.

The larger issue is that we live in an agriculturally designated area both in the General Plan and the Zoning Ordinance. We have wineries with events, bed and breakfast and homes that are allowed events, and now we are allowing vacation rentals the possibility to have events. To allow for the potential for every parcel in the Adelaida/Willow Creek area to have public events is not good land use planning and unfair to the existing event venues and the agricultural community.

Thank you for soliciting comments from the public.

Attachment 3

From: Zarina Hackney
Sent: Tuesday, October 11, 2016 3:35 PM
To: Ramona Hedges
Cc: Airlin Singewald
Subject: Fw: Adelaide/Willow Creek vacation rental proposed ordinance

Hi Ramona,

Would you add the correspondence below to LRP2015-00017 for 10/13/16 PC?

Thank you,

Zarina Hackney ~ Planner
(805) 781-5029
San Luis Obispo County
Information & Situs Addressing



<http://www.sloplanning.org/PermitView/TextSearch>

From: Jennifer Tesoriero <jentesoriero@hotmail.com>
Sent: Friday, September 23, 2016 10:54 AM
To: Airlin Singewald; Zarina Hackney
Subject: Re: Adelaide/Willow Creek vacation rental proposed ordinance

Airlin and Zarina,

Thank you for providing me with the public review draft. In reading through it, I don't see that much has changed from the original ordinance proposal. Can you outline what steps were taken to evaluate the feedback received from area residents, vacation rental owners, proponents/opponents?

I will be candid in saying that I inquire from a vacation rental owner's perspective, as we have a second home in the effected area. Since obtaining our vacation rental license from the County, we have tried hard and have been successful at adhering to all rules and regulations set forth by the County for vacation rentals. I am unaware of any complaints about guests at our home. However, I am aware that this ordinance revision is a result of complaints about a few properties that operate as vacation rentals, but are truly running event venues.

This is further evidenced by the new regulations set forth in the draft review document, as most of them target the prevention of large events.....ie number of people on site, noise, parking, lighting, etc. None of these restrictions and frankly, logical assertions are a problem for me, because our historical home is not intended for use as an event venue. But rather a place for respectful guests to come and enjoy beautiful west side Paso Robles. What does

Attachment 3

effect my rental operation and ability to afford our slice of heaven on the west side, is the limitation of tenancies to four per month.

It will be difficult for us to continue to maintain our historical home and property to its high standards without a certain required rental income per month. Prior to the purchase of our home in 2013, the property was a bank-owned eyesore sadly left abandoned by a local family. Since purchasing the property, known as the Old Summit Schoolhouse, we've taken great care in restoring and modernizing this historical gem. During this time, we've come to know most of our neighbors and several locals who actually attended or had family attend school there. We've been welcomed, applauded and appreciated for our efforts, both with the restoration and with the vacation rental operation. All of the surrounding residents know how to get in touch with us and we have yet to receive any complaints.

I feel our scenario, being law-abiding and neighbor-respecting with regards to running a vacation rental, rings true with the majority of owners. My husband and I plan to retire in the Paso Robles area and take great care in being a good neighbor to all around us. We had no intentions of making money from our rental operation and we don't. Just happy to break even and maintain the property as if we lived there ourselves. Guest and neighbor feedback indicates that we have achieved that goal.

If there is anything further I can provide to make a case for striking the maximum tenancy-per-month clause, please let me know.

Thank you for your consideration and I hope to hear back on what the public review process included.

Sincerely,
Jennifer Tesoriero

From: Airlin Singewald <asingewald@co.slo.ca.us>
Sent: Friday, September 23, 2016 8:33 AM
To: Jennifer Tesoriero; Zarina Hackney
Subject: Re: Adelaide/Willow Creek vacation rental proposed ordinance

Hi Jennifer,

The staff report will be available about one week before the hearing at the following webpage. If you have trouble accessing the staff report, please let me know.

In the meanwhile, you can review the attached public review draft of the ordinance. We'd be happy to talk with you about how the draft ordinance would affect your property.

<http://www.slocounty.ca.gov/planning/meetings.htm?>

Meeting Calendar, Agendas and Video Streaming

www.slocounty.ca.gov

Meetings are broadcast live on television (Channel 21). All meetings are broadcast live on this website (see below). Televised broadcasts are replayed periodically ...

From: Jennifer Tesoriero <jentesoriero@hotmail.com>
Sent: Thursday, September 22, 2016 6:57:37 PM
To: Airlin Singewald
Subject: Adelaide/Willow Creek vacation rental proposed ordinance

Hi Airlin-

Please send me a copy of the staff report relating to this issue. I am an existing vacation rental owner in the subject area and would like further specifics on what will be discussed at the hearing.

Thanks for your help.

Sincerely,
Jennifer Tesoriero

Attachment 3

Holly Sletteland
4849 See Ranch Lane
Templeton, CA 93465
October 9, 2016

San Luis Obispo County Planning Commission
County Government Center
San Luis Obispo, CA 93408

Subject: Vacation Rental Ordinance for the Adelaida area

Dear Planning Commissioners,

I am writing to urge you to support the Vacation Rental Ordinance for the Adelaida Area. Unfortunately, I did not become aware of the ordinance until after the August 31st deadline for comments had already passed. It does seem a little odd that there is no outreach to property owners, such as myself, that will be directly affected by this ordinance. We live near the southern boundary of the Adelaida area as defined by the ordinance.

As the purpose of the ordinance correctly states, “The Adelaida/Willow Creek Area is an agricultural and rural residential area with limited infrastructure, narrow roadways, challenged fire service, and topography that magnifies noise and light issues. There is also a concentration of wineries, bed and breakfast inns, lodging, and events in the area. Tailored residential vacation rental standards are necessary to address these unique neighborhood compatibility and community character issues.” The boom in vacation rentals in the area has introduced a host of problems for neighboring residences including noise, lights, traffic, parking, accidents, pets, litter, fires and more. The ordinance is an important first step in easing some of these concerns.

However, I don’t think the ordinance goes far enough in terms of restricting events. I served on the County’s Agricultural Tourism and Direct Marketing Work Group a number of years ago in hopes of reining in events in this area, but the group was unable to come to an agreement. The County has failed to implement any meaningful restrictions since that time. There are far too many event venues in the Adelaide area already without encouraging more. Virtually every vineyard and winery host multiple events every year and there are dozens of them located in or adjacent to this area (Reference <https://www.google.com/maps/d/viewer?mid=1t7k5bzA2WqcuNwwhfNWpohTAMqU>). It is bad enough that vacation rentals can host temporary events, let alone host larger events such as weddings, fundraisers, etc. after obtaining a Minor Use Permit. This provision simply aggravates an already untenable situation.

Again, I urge you to approve the ordinance with revisions barring the allowance for vacation rentals to host events.

Sincerely,



From: Airlin Singewald
Sent: Wednesday, October 12, 2016 8:13 AM
To: Zarina Hackney; Ramona Hedges
Subject: Fw: Comment on Vacation Rentals in the Adelaida/Willow Creek area LRP2015-00017

Ramona - additional correspondence received

From: Martin Croad <martincroad@gmail.com>
Sent: Tuesday, October 11, 2016 11:08 PM
To: Airlin Singewald
Subject: Comment on Vacation Rentals in the Adelaida/Willow Creek area LRP2015-00017

Comment on Vacation Rentals in the Adelaida/Willow Creek area LRP2015-00017
Planning Commissions Oct 13th meeting

Restricting the location of vacation rentals to properties at least 1,500 feet from existing vacation rentals is too restrictive.

This area has large acreage properties and neighboring houses are often miles apart. This can unfairly prevent an owner from complying with this ordinance. One example would be a large property across the road has an existing vacation rental on that property which could be over a mile away or more. This would not be uncommon.

I believe that **because of the large size of the properties, this standard should be removed.**

Thank you

Martin Croad

Attachment 3

From: Kathy Bonelli <kathy@pasoroblesvacationrentals.com>
Sent: Wednesday, October 12, 2016 10:51 AM
To: Ramona Hedges
Subject: Please make sure planning commissioners receive this regarding willow creek ordinance

Re: Willow Creek Adelaide proposed ordinance

I am very concerned about several items in the proposed vacation rental ordinance being discussed tomorrow.

I have been managing my own and up to 90 vacation rentals in the Paso Robles Wine region over the last 11 years. .

None of my homes host events or allow events.

They are legally permitted by the County and report and pay Transient Occupancy tax and the Tourism and Marketing fee assessed by the County monthly.

I agree with the County that some regulations need to be spelled out throughout the county. In my view this proposed bill is a failed attempt at addressing the issues.

I do understand the motivation of neighbors in Adelaide that are actively pushing this proposal. They are broadly targeting vacation rentals however, the actual issue they want to address is events & property overuse.

There is a way to write laws and permits to take care of all parties concerned with more thought.

Please follow me and consider the fact that there are two kinds of permits that need to be created:

Short term vacation rental permit - Applicant submit floor plan with permit application showing bedrooms and permit for max occupancy of that house. (no other use allowed) If code enforcement finds groups larger than allowedcitation and action can be taken. All advertising on listing sites should be required to have their permit number added. (much like contractors lic #) This will give county compliance easier way to tract and identify problem listings and cross reference payment of tot.

Event House Permit - This could be another short term vacation rental permit issued to homes that ask to accommodate occupants that want to have more guests to use grounds or home amenities (aka barns). Parking plan and facilities should be noted on application.

This permit should be given with additional requirements necessary to be compatible to good neighbors, safety, noise and county event ordinances –

FYI Reference: check/google - Willow Creek Barn on website listing as vacation rental - When you look at ads everything is about barn venue. Their county issued license say Willow Creek Barn.....

They would not be a vacation rental. Event House or Event venue is the kind of license they would need to apply for. _Violations would be cited. Code enforcement could shut down if it was appropriate rules.

Rentals to limited to 4 parties per month.

This rule is so limiting considering most guests rent homes for the weekends. 2 night minimum is standard. I do not see any way possible for the County to enforce or check on this requirement. If it is not enforceable please do not include it.

This will not stop your event concerns.

If you hire anyone to check calendars online it will be impossible to see how many are separate party bookings. A calendar is blacked out for days home is not available. How will county distinguish between owner use, paid guests and maintenance holds?

Density

The rule of 1500 feet from perimeter of property blocks another rental from being allowed.

Does that mean Justin Vineyards or Halter Ranch - **large land owners with their multiple parcels can control the use of individual property owners rights** with ¼ mile of all their property lines?

Currently as noted on map. There are bed & breakfasts, wineries, vacation rentals & Inns that are on parcels side by side. The 1500 foot rule is over a quarter of a mile from all sides. If one exist on Vineyard drive on one side of the street nothing can happen for a ¼ mile across the street?

Density is already there. There are wineries operating vacation rental homes or guest houses that think they are permitted under the commercial licenses they got for the winery/tasting room approval.

You do not have a current list of all operating lodging in area at this time. Please let's get a complete picture of the area before finalizing an ordinance.

https://mail.google.com/mail/u/0/?ui=2&ik=49d439e515&view=fimg&th=157b9ae7fedc91c1&attid=0.1&disp=inline&realattid=f_iu74ajmo0&safe=1&attbid=ANGjdJ8cFcO74Au4acZWd67qQSLHdAeZY11QiU6s9yblkaXICJshDruPgCQdOA0k-BkBGmrWmnstp8uat9hEhgX68OgoOvb-8X6VDCcIMb-9SspGY3M5L62DcTYBGLM&ats=1476291386058&rm=157b9ae7fedc91c1&zw&sz=w1034-h615

I have lived long enough to know that once law is passed it is almost impossible to repeal or modify!

Please I urge you to table this and take it back for further redesign so it can be the best for all parties, and count as a whole.

It would be easy to make people compliant with simple regulations and rules. Foolish untrackable legislation will just encourage disregard and illegal operations.

I am in hospital with a very ill brother that I might not be able to return to San Luis Obispo for meeting.

I appreciate your consideration

Kathy Bonelli

805-712-5530 personal cell



Kathy Bonelli
[805-423-9174](tel:805-423-9174) (reservations)
[805-586-2564](tel:805-586-2564) (fax)

Attachment 3

From: Airlin Singewald
Sent: Wednesday, October 12, 2016 1:26 PM
To: Ramona Hedges; Zarina Hackney
Subject: Fw: Support for Vacation Rental Ordinance-Amendment to Title 22

Additional correspondence

From: F L Stone <tutorman@hotmail.com>
Sent: Wednesday, October 12, 2016 11:58 AM
To: Airlin Singewald
Subject: Support for Vacation Rental Ordinance-Amendment to Title 22

Vacation rentals are a relatively new land use phenomenon and constitute a commercial venture in areas primarily zoned rural, agricultural or residential. In that the primary land use in the Adelaida has historically been rural/agriculture, allowing unregulated commercial activities, including vacation rentals, in agricultural areas effectively rezones those areas and jeopardizes established land use traditions. It is incumbent on the legislative authorities of SLO County to protect the tradition of agriculture in the Adelaida: ranching, farming and growing. Implementing common sense regulations on commercial activities protect personal property rights, rights that allow one to enjoy simple rural traditions and rights that allow one to pursue agriculture. Without common sense limits on commercial activity in Agricultural areas, such as those afforded by the Amendment to Title 22, those traditions are in danger.

Larry Stone
Willow Creek Preservation Group