

Short Term Vacation Rentals Public Workshops



Background

- Short-term rentals or transient occupancy means a rental stay for 30-days or less.
- The Inyo County Zoning Ordinance does not directly address short-term vacation rentals.
- A 2006 finding by the Board of Supervisors states it is not an allowed use in the County's residential zones.
- Since short term vacation rentals are not allowed in the County's residential zones, they are considered a zoning violation.
- Over time, this has become more of an issue due to the introduction of renting single family homes or rooms out of single family homes, through on-line services.



Background

- Many jurisdictions, especially those with high tourist attraction have been, or are currently, working on ways to address short term vacation rentals.
- Locally, planning and tax collector/treasurer staff have been getting inquiries from people regarding how to set up a vacation rental business legally and how to collect the appropriate taxes.
- Planning Staff has also been receiving complaints about already existing vacation rentals.
- Currently, there are four open zoning violation cases regarding short term vacation rentals.



Background

- The issues commonly cited in these complaints are overcrowding, traffic, noise, disrespect for other properties in the vicinity and the use of neighboring facilities' parking areas and trash receptacles.
- Due to the recent interest and concerns about short-term vacation rentals, the Board of Supervisors has asked staff to reevaluate it as a use.
- These public workshops are a first step in the County's understanding of the public's interests and worries with respect to short-term vacation rentals.



Evaluation status based on current Code

- Transient accommodation uses are included and clearly allowed for in the commercial land use designations and zones.
- Based on the County's code short-term rental businesses are a commercial use similar to motel and hotel uses.
- Residential zones are created, in part, to protect residential neighborhoods from the degradation resulting from incompatible commercial and industrial uses.



Evaluation status based on current Code

- The Code defines “Dwelling unit” as a room or suite of rooms designed for or used as a residence and constituting a separate and independent housekeeping unit including a kitchen or cooking facilities, but not including a boardinghouse or club, or a hotel or motel.
- The General Plan distinguishes “Dwelling Units” as One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of a single family maintaining a household.



Evaluation status based on current Code

- The people who rent residential properties for short-term stays are not using the properties to create and maintain domestic households or homes. They are using them like a motel or hotel.



General Questions?

Comment Session:

What is your opinion of Short-Term
Vacation Rentals – generally?



Moving Forward

- The fact that the County has made it clear with the Board of Supervisor's 2006 decision that the Zoning Code, as currently written, does not allow for short-term vacation rentals in residential zones, changes would have to be made to it for short-term rental use to be allowed legally
- Many jurisdictions across the Country have been grappling with the same issues as the increase of homeowners advertising short-term vacation rentals on websites like Air B&B has come to the forefront.



Moving Forward

- Some short-term vacation rental ads offer the full house. Others are just for a room or rooms in a house. Some are even offering RVs and Tents in the backyard or driveway.
- It is enticing to homeowners to rent out their house when they will be away or a room while they are there to make some money off their property. Air B&B had an advertisement on their website that said: “You could earn \$309 sharing your home in Bishop in a week – Become a Host”.
- This is a truly free market phenomenon that local jurisdictions must find a way to balance with local regulations.



Potential Alternatives

- Leave the County's short-term vacation rentals status quo. This would mean that these uses would continue in the County as non-compliant with the County Code and might cause more Zoning Violation cases.
- Allow short-term vacation rentals as a principal permitted use with no additional regulation. This could result in many still viewing them as a nuisance and could possibly cause more neighborhood conflicts.



Potential Alternatives

- Allow short-term vacation rentals in any residential district with a Use permit. This would require that someone apply for the permit and it would be reviewed by staff and could require public notice.
- Allow short-term rentals in any residential district or in select residential districts, but only as a conditional use. Conditional use permits require a noticed Planning Commission hearing, allowing for neighbors to comment. It would also require compliance with the California Environmental Quality Act. Within in the Conditional Use Permit conditions of approval could be required for various issues specific to the neighborhood.



Potential Alternatives

- Create overlay districts or a new zoning district that could be applied to appropriate individual neighborhoods to allow short-term rentals in that district, and to only allow short-term rentals as a conditional use in that district.
- Develop neighborhood specific zoning to allow neighborhoods to define their own unique use mix for the neighborhood. This would entail agreement by all property owners in the neighborhood requesting such zoning and create regulations to address potential nuisance issues.



Potential Alternatives

- Only allow for short-term rentals in houses with on site hosts. No whole house rentals.
- Require a more stringent permitting process for whole house rentals and require a 24-7 property manager or owner to be available for any issues.
- These alternatives are not exhaustive, but are the most common ways other jurisdictions have addressed short-term vacation rentals. If the County is to find a way to make this an allowable use per the Zoning Code some regulation should be adopted to reduce the likelihood of conflicts.



General Questions?

Comment Session:

Should the County find a way to allow for short-term vacation rentals?



Items to Consider

- Short term vacation rentals compete with established hotels/motels/hostels/Bed & Breakfasts
- Houses being used strictly for vacation rentals take away full time housing opportunities
- The County currently does not issues business licenses
- Noise (quiet hours, nuisance complaints)
- Vehicle trips (in and out during a day/night)
- Number of days per year that are appropriate for a house to be used as a vacation rental
- On-site hosted (limit to only rooms out of a house, with property manager/owner present) - versus - renting the whole house



Items to Consider

- The number of guests staying at one time
- Unruly guests
- Building and safety and fire safety – etc. standards
- Parking limitations - competition for on-street parking
- Trash removal
- Compliance with all required taxes
- Adequate insurance
- Home and yard maintenance
- Neighborhood disturbance prevention
- Responsible parties providing contact information for property management issues and complaints



General Questions?

Comment Session:

If the County allows for short-term
vacation rentals, what should be
regulated?



Next Steps

- Staff will use the comments from these workshops to evaluate the public's interest or opposition to short-term vacation rentals.
- The information will be shared with the Planning Commission and Board of Supervisors. Both will provide opportunities for the public to offer more comments.
- Based on these results, staff will either:
 - Leave the issue status quo, and potentially add language to the County Code clearly prohibiting the use in residential zones
 - Work on Code updates to allow for and regulate the use.

