

Short-Term Rental Moratorium: multi-family units

OCTOBER 10, 2023



History: moratorium

- March 1, 2022: Board workshop to provide staff direction on a potential moratorium on short-term rentals (STRs).
 - Board direction: Return with data on the number and types of STRs in the County, and include both single-family and multi-family units and all land use designations for consideration.
- May 3, 2022: The Board adopted a 45-day emergency moratorium on STRs in all single-family residential units regardless of land use designation.
 - The option to include multi-family units in any or all land use designations was included in the staff report as Option 4.
- June 14, 2022: The Board extended the moratorium to two years and directed staff to bring back consideration of a moratorium on multi-family units, as well as a study.
 - Little to no direction was given regarding the study.
 - The multi-family moratorium was not indicated as a priority.

History: post moratorium

- Internally, staff tried to define a study and determined the data needs exceeded staff capacity, particularly being short-staffed.
- Several consultants were contacted, and time was spent explaining the situation and considering potential approaches.
 - No proposals received, ultimately due to lack of consultant capacity.
- A conversation about residential RV use was considered a priority, which was held in Dec. 2022.
- Staff challenges continued:
 - Department was down-staffed to start, then had additional losses of senior staff in June & Dec. 2022, and Feb. 2023.
 - Entry level planners hired in Sept. 2022 & April 2023, and a senior staff in March 2023.
 - Additional open positions remained unfilled.
- Study concept continued to be developed with consultants; proposal received in early July 2023.
 - Sent to Planning Commission for comments in July.
 - Held for budget adoption on Sept. 12

Definitions of Unit Types

02.430 Duplex.

"Duplex" means a building designed or used exclusively for the occupancy of two families living independently of each other and having separate kitchen and toilet facilities for each family.

02.440 Dwelling.

"Dwelling" means a structure or portion thereof designed and used exclusively for residential occupancy and permitted home occupations, but not including hotels, motels, dorms, travel trailers, or tents.

02.450 Dwelling, multifamily.

"Dwelling, multifamily" means a building designed or used for occupancy by three or more families, all living independently of each other and having separate kitchen and toilet facilities for each family.

02.460 Dwelling, one family.

"Dwelling, one-family" or "single family" means a detached building designed or used exclusively for the occupancy of one family and having kitchen and toilet facilities for only one family.

Primary Applicable Land Use Designations

- Commercial (C)
- Commercial Lodging (CL)
- Multi-Family Residential-High (MFR-H), except grandfathered complexes
- Mixed Use (MU)
- Rural Resort (RU)

Approval Process

- Approved under applicable land use designation.
- Typically permitted outright or with a Director Review permit, business license, and TOT certificate
- Limited instances trigger a use permit:
 - Commercial Lodging: four or more units under single ownership
 - Multi-Family Residential-High
 - Rural Resort

Walker



MIXED USE (MU)

COMMERCIAL (C)

MIXED DESIGNATION (MD)

MULTI-FAMILY RESIDENTIAL - HIGH

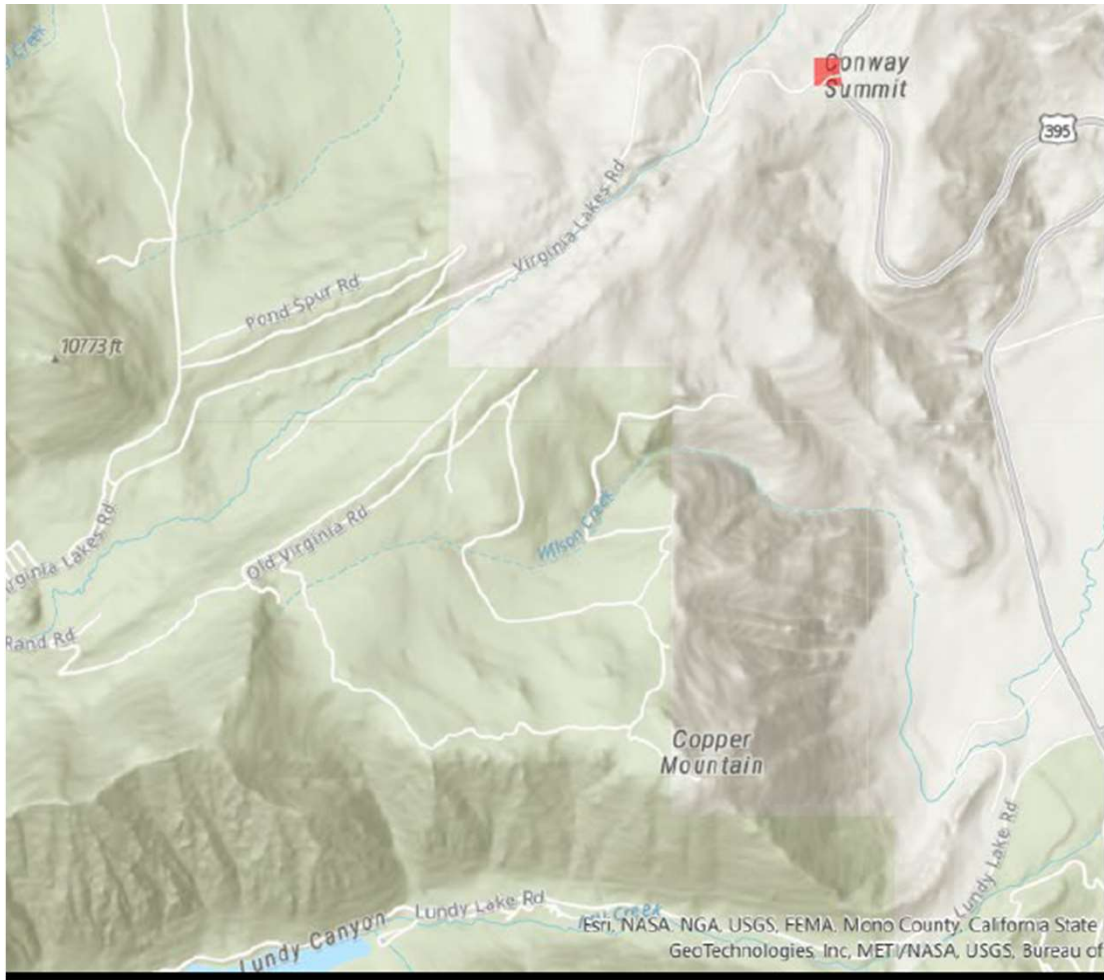
COMMERCIAL LODGING (CL-M & CL-H)





Bridgeport





Conway Summit

- MIXED USE (MU)
- MULTI-FAMILY RESIDENTIAL - HIGH
- COMMERCIAL (C)
- COMMERCIAL LODGING (CL-M & CL-H)



Lee Vining

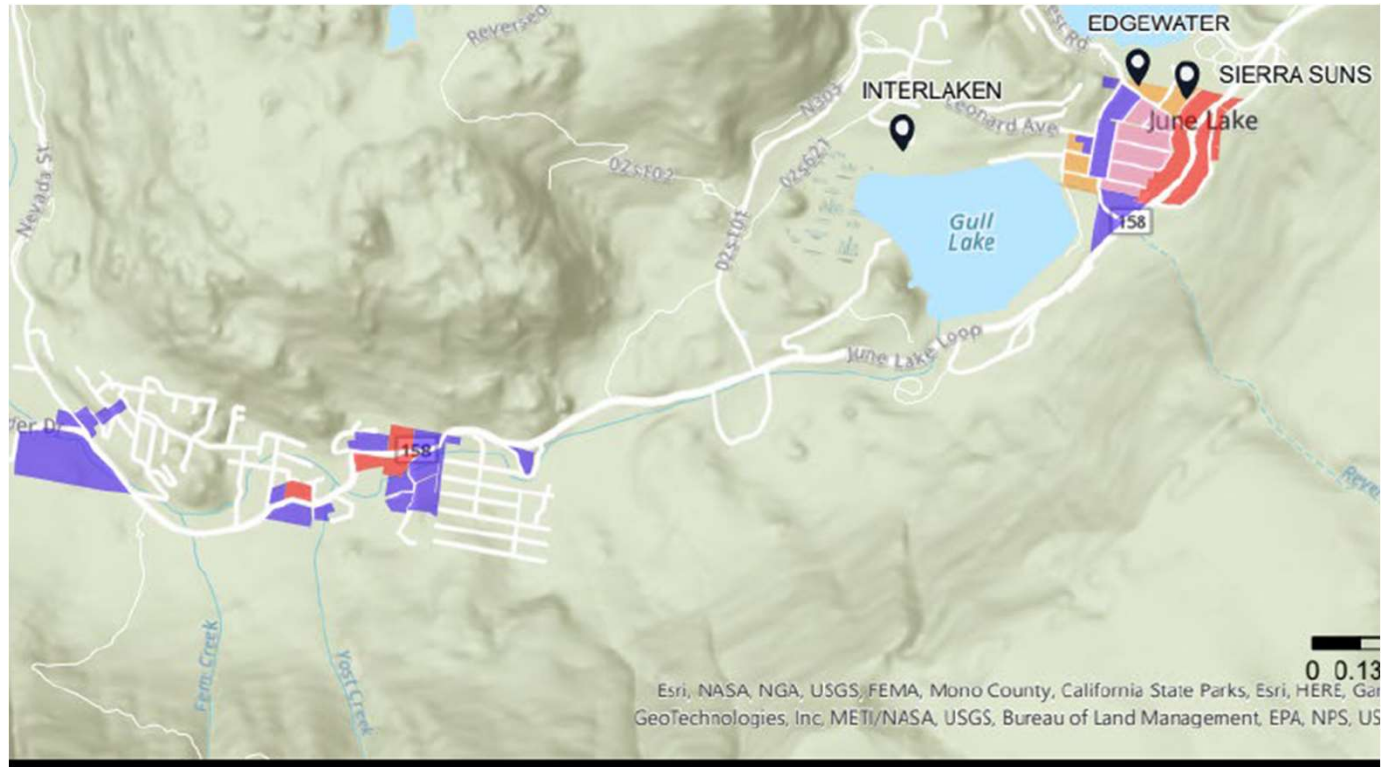
MIXED USE (MU)

COMMERCIAL (C)

MULTI-FAMILY RESIDENTIAL - HIGH

COMMERCIAL LODGING (CL-M & CL-H)

June Lake



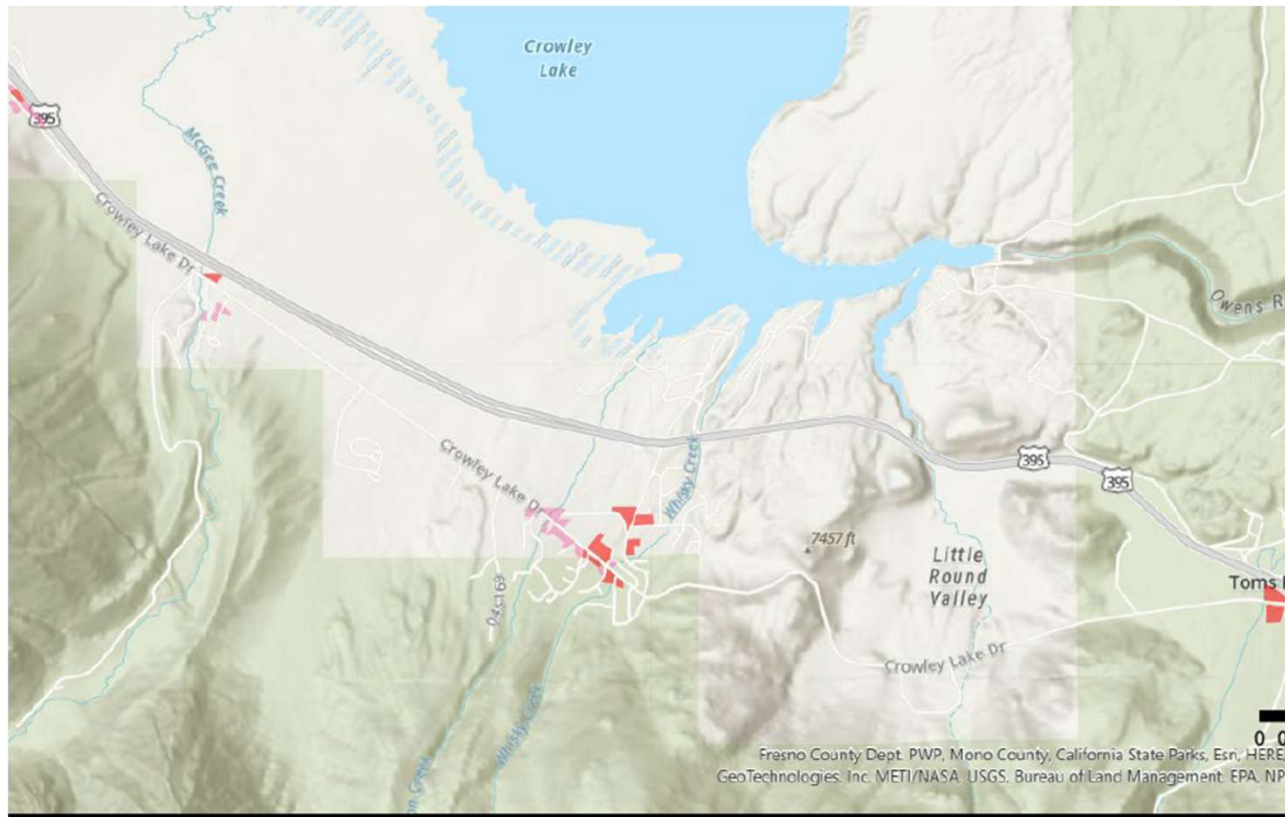
MIXED USE (MU)

COMMERCIAL (C)

MULTI-FAMILY RESIDENTIAL - HIGH

COMMERCIAL LODGING (CL-M & CL-H)

Long Valley



MIXED USE (MU)

COMMERCIAL (C)

MULTI-FAMILY RESIDENTIAL - HIGH

COMMERCIAL LODGING (CL-M & CL-H)



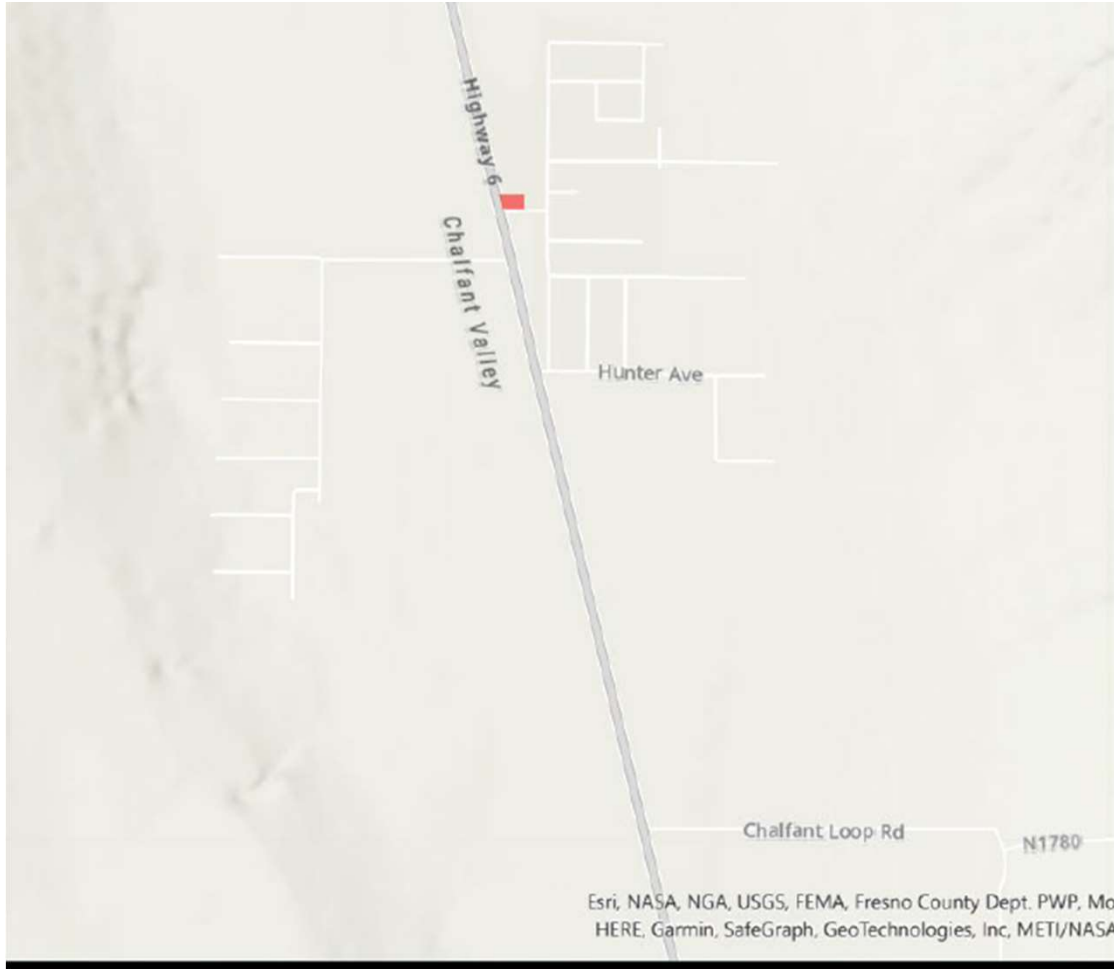
Benton

MIXED USE (MU)

COMMERCIAL (C)

MULTI-FAMILY RESIDENTIAL - HIGH

COMMERCIAL LODGING (CL-M & CL-H)



Chalfant

MIXED USE (MU)

COMMERCIAL (C)

MULTI-FAMILY RESIDENTIAL - HIGH

COMMERCIAL LODGING (CL-M & CL-H)

Other Questions Raised

- Does data show the need for a moratorium?
 - Direct, one-to-one data does not exist. The study is designed to provide the data that does exist.
 - Purpose of an emergency moratorium is to hold the use until data can be gathered and evaluated, and a decision made.
- Do we track long-term rentals, and can we track conversions?
 - Community Development does not track or regulate long-term rentals.
 - Conversions are only known if the owner discloses the previous use or institutional knowledge is available; only a factor in use permit applications.
- How many applications pending, and how long have they been on hold?
 - None pending that we know of, none have been on hold.

Proposed Moratorium

- As written, proposes a moratorium on all rentals in multi-family units in any land use designations, consistent with current moratorium on single-family units, and does not include any exemptions.
 - Only applies to new rentals in the unincorporated county.
 - Existing rentals will not be impacted – these may continue to operate.
- Board could consider adding duplexes.
- Board could consider exemptions;
 - Exclude land use designations where overnight rentals are allowed outright because that is the purpose of the land use: CL-M, CL-H
 - Permit one newly constructed nightly rental for every three newly constructed long-term only rental units. Construction must be initiated or complete on the long-term units prior to initiation of construction on the nightly rental unit.