**VACATION RENTAL SUB-COMMITTEE MEETING**

**JANUARY 10, 2015 11:30-1:30 PB LIBRARY**

**Jim Krokee**- Introduction, go to **pbplanning.org** to see all documents and previous meeting minutes. Send your comments to **board @ pbplanning.org**. PBPG intends to have dedicated community meeting to discuss and vote on any proposals from sub-committee. The vacation rental concern appears to be a city-wide issue.

Stated rules of conduct to only address chair. Sub-committee will vote on issues at this meeting.

Non-agenda public comment – none

**Jim Krokee**

Require a conditional use permit to operate a vacation short-term rental (less than 30 day rental). We will not vote on background that I will put together for presentation to the full PBPG as my reason for our existence.

Recommendation for vote

“Therefore the PBPG appointed sub-committee for investigating the vacation short-term rental of residences less than 30 days, recommends that the City modify the San Diego Municipal Code to require a conditional use permit for the operation of any vacation short-term rental citywide and that the permit fees be determined to cover the City’s cost for management and enforcement of the permit.”

Public comment- **Micaela Porte** – how can you vote on a permit without knowing detail?

**Chris Brewster**- I favor a permit

Sub-committee discussion

**Chirs Olsen** – not city wide, ask for PB to start

**Jim K**- better to suggest city-wide and let city decide

**Ryan Jantz** – City Council has undivided city-wide interest

**Scott Chipman** – Oversize vehicle ordinance started out only beach areas but other council members wanted it city-wide, all VR city-wide need to have permit

**Brian Curry**– enforcement is huge

**Marcie Beckett** – could include statement to include mechanism for enforcement, could approve “concept of permit”

**Jim Krokee** introduced sub-committee members

**Chris Olsen, Karen Sumek, Ryan Michaels, Ryan Jantz, Scott Chipman, Jim Krokee, Tom Coat, Marcie Beckett, Joe Wilding, Brian Curry** not on committee but chair of PBPG to help with formatting meeting

**Jim Krokee**- sub-committee has majority of PBPG members along with 2 VR operators and 2 members of the community.

Motion to approve recommendation by **Jim Krokee, Tom Coats** second

Unanimously **approved 9-0**

**Jim Krokee** next stated recommendation for minimum requirements of permit.

“The Vacation Rental sub-committee additionally recommends that the City permit for the establishment and operation of any vacation short-term rental less than 30 days city wide, at a minimum shall include the following standards

* All businesses, agents, property managers or owners of property applying for a Vacation Rental permit shall include their 24/7 contact information along with phone numbers. This list shall be published in the City online web site.
* The permit shall require TOT as per Municipal Code.
* All marketing for the property shall have the permit number listed.
* The dwelling to be used as a vacation rental shall be reviewed by the City’s Vacation Rental Manager who will determine the maximum number of people that could be housed in the rental by number of bedrooms and dwelling square footage and the maximum number of vehicles that can be parked at the rental by the property’s number of off street parking
* The City’s Vacation Rental Manager shall determine that the residence is properly maintained with no known code violations, adequate safety features like fencing for pools, along with a one or more fire extinguisher, smoke detectors by code, adequate storage of flammable liquids, and adequate trash and recycling containers
* The residence shall be equipped with one identification sign, with the names of the managing agency, agent, property manager or owner of the residence with the telephone number, the maximum number of occupants permitted to stay in the unit; the number of vehicles allowed to be parked on the property and the phone number of the Cities Vacation Rental Manager.
* All noise or disturbance violations at the short-term rental, reported by neighbors, shall be recorded by the police and given an incident number stating that this is a short-term rental. A copy shall be sent to the Cities Vacation Rental Manager. The City shall notify the listed property manager, operator, owner in writing with the evidence to substantiate any violation of noise or other permit requirement as per the City’s CAPP program. After the notification of three substantiated violations of the noise ordinance within a 6 month period, the permit for operation can be revoked and fines levied to the property owner as per the CAPP program. This may be appealed to the City for consideration to keep the vacation short-term rental permit.
* Any business, agent, property manager or owner of property who rentals one or more transient private home rental unit shall be required to obtain a City Business license and permit for operation.
* All short-term rental units shall be covered by a liability insurance policy with amounts determined by the City.”

Public comment – **Larry Emlaw** – can we prohibit VR in certain zones like the single family zone?

**Chris Brewster** – live in single family home in multifamily zone, RM restricted to minimum of 7 days rental but not enforced by anyone. Add permit conditions that all zoning regulation must be followed.

**Candy Hogan** – own and live at see the sea condos, ocean front. VRs not the issue bares are, city does not enforce noise ordinance. Half of VRs do not pay TOT.

**Ryan Harrison** – how many cases of law enforcement at VRs documented this year? Is it a real problem?

Public – long time resident, VR are huge problem

**Public** – long time resident, VRs seen proliferating in Mission Beach and now in PB. I suffer negative impacts from VR next door.

**Micaela Porte** – too many signs create visual blight

Sub-committee comment

**Marcie** – public can send their comments to board at pbplanning.org. Public should come to dedicated PBPG Vacation Rental meeting where much more public testimony will be allowed.

**Tom Coat** – City should have vacation rental manager. Tom describes noise reporting procedure with fines. I have called police on noise from VR 25 times in the last 6 months. This is a very low priority for police. I can not sleep.

**Brian** – ask for comments on whole

**Joe**- a sign works well in other communities

**Chris** – agree with what is recommended, could reduce detail.

**Karen**- simplicity – too much detail, make it one page.

**Marcie** – stipulate permit fees be dedicated for management and enforcement (not go into general fund)

**Tom** – replace noise bullet with my 4th bullet

**Ryan J**- apply noise bullet conditions to all homes, not just VRs.

Motion made by Scott and seconded by Karen to approve recommendation for minimum conditions as written. Passed 8-1

**Ryan Jantz** doesn’t like wording of bullet #4 “the dwellings” He opposed passing.

**Tom Coat** still wanted to include his language in minimum requirements.

**Jim Krokee** discussed next recommendations would be a list of possible restrictions for VRs in the single family RS zone. The restriction is:

“The PBPG vacation rental sub-committee recommends that some standard proximity to regulate the conversion of single family homes into short-term rentals to keep areas of the single family zone from being completely converted into short-term rentals.”

**Chris Olsen** – difficult to vote on items individually, better to come up with one or more combos and vote on that. The #1 issue for VRs is the damage to the fabric on the community. I recommend proposing a maximum of 30 days of VR renting per year *for any dwelling in the single family RS zone*.

**Scott** – coastal commission will not accept a 30 day a year limit. Concern is that I don’t want the entire RS single family zone to become vacation rentals.

**Marcie** – favor proximity – VRs must be 1000 foot apart – would support cap in addition.

**Ryan Jantz** – what about grandfathering in VRs? We already have 300 VRBOs that must be grandfathered in

Vote – Scott made the motion, Chris seconded without the word number in the condition. Passed 6-3 Opposed Tom Coats, Ryan Jantz and Ryan Michaels. **Ryan Janz opposed** Doesn’t want restriction in Single Family zone – already 300 VRBO in the zone so how can you restrict them by proximity.

**Ryan Michaels opposed** existing VR – what to do with them

**Tom Coats opposed**

Jim Krokee read bullet 2

“The PBPG vacation rental sub-committee recommends that a 7 day minimum rental which would allow the use of a single family zone home for short-term rentals without the resulting turnover and abuse that comes from extremely short term rentals. In multifamily zones, which might be possible more agreeable for vacation short-term rentals, rentals are not allowed for less than 7 days. Why isn’t a similar restriction in single family RS zones??”

**Scott –** I agee, stay at a hotel if you want to be here less than 7 days

**Marcie –** If RM zone has a 7 day minimum, then the RS zone should have the same

**Ryan Jantz** – enforcement not happening

Public comment

**Nancy Cramer** – many people will not rent for 7 days

**Larry Emlaw** – VR are a commercial operation should be a minimum of 30 days rental.

**Passed by sub committee 6-3**

**Ryan Janz opposed**

**Joe Wilding opposed**

**Karen Sumek opposed** two short a period, would limit access

**Jim Krokee** presented bullet 3.

“The PBPG vacation rental sub-committee recommends restricting vacation short-term rentals in the RS single family zone to dwellings where an owner resides in his or her dwelling for a minimum 6 months per year and applies for a permit complying with all its conditions.”

**Chris Olsen** – no to owner occupied, 30 day minimum rental per year

**Ryan Michaels** – San Francisco has owner occupied restictions reference # days per year rental of VRs

**Marcie** Owner occupied then less than 30 days rental per year of VR

**Brian –** simply tie it to property – less than 30 days rental of VR per year

**Chris Olsen** made a second motion to limit VRs to 60 days rental per year

**Karen Sumek** seconded the revised motion

Public comment

**Andres Wilke** – PB resident good restriction

**Fails by Sub-committee 4-5 –** some discussion about changing wordage

**Scott Chipman opposed** concerned about time and owner occupied

**Ryan Janz opposed** doesn’t want restriction and can’t be enforced

**Ryan Michaels opposed** SF has owner occupied restriction for number of days

**Marcie Beckett opposed**  doesn’t stop proliferation and damage to community

**Joe Wilding opposed**

Time was up and discussion stopped

This restriction may be discussed at next meeting.

Next meeting on Jan 31 at 10-12 in PB library

**Jim Krokee** – we will continue discussion possible restrictions in the single family RS zone

Meeting adjourned at 13:30