

PACIFIC BEACH PLANNING GROUP (PBPG)

Vacation Rental Ad-Hoc Subcommittee Recommendations

CONDITIONAL USE PERMIT & PERMIT FEES

The City shall 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. The City permit for vacation rentals shall have, at a minimum the following standards:

1. 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.
2. The permit shall require TOT as per Municipal Code.
3. All marketing for the property shall have the permit number listed.
4. 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.
5. 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.
6. 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.
7. 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.

8. Any business, agent, property manager or owner of property who rents one or more transient private home rental unit shall be required to obtain a City Business license and permit for operation.
9. All short-term rental units shall be covered by a liability insurance policy with amounts determined by the City.

RS ZONES

1. The City include in the Municipal Code, a restriction on the rental of single family dwellings in the RS zone for less than 30 days. Existing vacation rental units in the RS single family can apply for a permit and would be grandfathered in for a period of two years then cease operations.
2. A 7-day minimum rental should be required for dwellings in the single family zone similar to the RM zone.
3. A proximity standard (distance between vacation rentals) for short term rental should be required to prohibit the conversion of large blocks of single family homes into short-term rentals.
4. Vacation short-term rentals should be restricted to a maximum of 60 days per year in the RS single family zone to owners who reside in their dwelling and the dwelling is declared as their primary residence.
5. The City improves real-time police response times to citizen complaints about noise or disturbance of the peace and strengthens the Community-Assisted Party Program (CAPP) to respond to citizen complaints.

NOISE COMPLAINTS

The public can report any noise or disturbance violations to the City's Police Investigative Service Officer (PISO). The City will, within 30 minutes of the complaint, call the contact person listed for the owner or the owner and advise in a courtesy call that a complaint has been made by a neighboring resident. Within 30 minutes of that call, the PISO will call the person making the complaint. The PISO will briefly explain what was done (i.e., the contact person of the property was contacted, etc.) and ask if the noise/disturbance is still ongoing. If noise/disturbance continues, the PISO will dispatch police to investigate on the highest-priority basis possible. If noise/disturbance violations are found by the police, a fine will be levied. *This enforcement shall apply to all properties.*

(Note: The subcommittee discussed the recommendation of wording in the final sentence. Consideration was given to replace "vacation rentals" with "all properties"; the meeting closed prior to a final decision.)