

City of Oxnard Planning Division

PLAN

SHORT-TERM RENTAL (STR) NOVEMBER 3, 2016 STUDY SESSION



November 3, 2016



MEETING OUTLINE

- Staff Presentation
 - Current Status of STRs in Oxnard
 - Summary of Community Outreach and Public Input
 - Best Practices and Proposed Regulations
 - Commission Direction Requested
- Public Comment
- Commission Comments
- Meeting Adjournment

CURRENT STATUS OF STRS IN OXNARD

CURRENT STATUS OF STRS

- **Not specifically indicated as an allowed use in residential zones but they have occurred in Oxnard for years.**
- **Seen as both a contribution to and impact on the community.**
- **Advent of online STR booking sites have increased the prominence of STRs.**

REGULATORY REQUIREMENTS OF THE CALIFORNIA COASTAL COMMISSION

- The California Coastal Commission (CCC) must approve any changes to the Local Coastal Program (LCP).
- For cities with new STR regulations, the CCC has not allowed banning or strict limitations STRs in its jurisdiction.



REGULATORY REQUIREMENTS OF THE CALIFORNIA COASTAL COMMISSION, CONTINUED

- Bans have been overturned by CCC in Encinitas, Imperial Beach and Pismo Beach.
- CCC has notified Hermosa Beach that their ban does not comply with CCC policies.
- Manhattan Beach's ban is scheduled for review by CCC in the near future.

REGULATORY REQUIREMENTS OF THE CALIFORNIA COASTAL COMMISSION, CONTINUED

- Dana Point's recent ordinance requires evidence that STRs are not prohibited by the local HOA, but substantial areas of the City do not have HOAs.
- CCC has said an HOA must submit for a Coastal Development Permit to ban STRs.

SUMMARY OF COMMUNITY OUTREACH & PUBLIC INPUT

SURVEY OVERVIEW

- **On line survey = 840 responses were received; 750 pertained to City of Oxnard properties.**
- **Survey showed consensus that STRs should be regulated.**



COMMUNITY MEETING OVERVIEW – AUG. 2016

- 167 people attended the meeting.
- 86% of participants represented coastal neighborhoods.
- Community was asked for input on seven potential regulations.

Topic #3
Seasonal Changes to Minimum Rental Duration
Should there be seasonal changes to minimum rental duration?

Place one sticky dot in the box next to the answer that best represents your opinion.



No

The required minimum rental duration should be the same year-round.

OR

Yes

Summer, or "tourist season", should require a longer minimum rental duration (i.e. Memorial Day to Labor Day). "Off-season" (i.e. "non-tourist season") may allow a shorter minimum rental duration.

COMMUNITY MEETING OVERVIEW – AUG. 2016

- **Community found consensus on:**
 - Limiting visitors at an STR.
 - Not changing regulations by season.
- **Community did not find consensus on:**
 - A minimum distance between STRs.
 - Maximum number of nights rented per year.
 - Number of nights for a minimum rental duration.
 - Homestays.
 - Prohibition of STRs.

COMMUNITY MEETING OVERVIEW – AUG 2016

- At the community meeting 52.8% supported a ban, 47.2% did not support a ban.
- CCC may not approve changes to the LCP allowing the prohibition of STRs.
- Based on CCC's position and recent review of other coastal cities, Staff does not believe STRs can be prohibited in the Coastal Zone.

BEST PRACTICES & PROPOSED REGULATIONS

ORIGINS OF RECOMMENDED BEST PRACTICES:

Coastal Communities:

City of Avalon,
City of Encinitas,
City of Manhattan Beach,
City of Pacific Grove,
City of Pismo Beach,
City of Solana Beach,
City of Ventura,
City of San Francisco,
City of Los Angeles (draft),
City of Carpinteria,
City of Santa Barbara,
City of Santa Monica,
County of San Luis Obispo,
County of Santa Cruz,

City of Hermosa Beach,
City of Dana Point,
and the community of Montecito.

Non-Coastal Communities:

City of Big Bear,
City of South Lake Tahoe,
City of New Orleans,
and the City of Desert Hot Springs.

... among others.

BEST PRACTICES & PROPOSED REGULATIONS:

- STRs should be defined as the rental of a housing unit for less than 30 days.
- Occupancy limits should be set at 2 people plus 2 additional people for each bedroom.
- A responsible caretaker must respond to complaints within 30 minutes of the complaint being logged and transmitted to the caretaker.
- Trash cannot be left in public view, except in containers for collection between certain hours.
- An STR must have a nuisance response plan approved by the City.
- Operating restrictions shall be prominently posted inside the STR while it is rented.
- Advertisements must include the City permit number.
- Residents and property owners in the area of a new STR must be notified and provided with caretakers contact information.

BEST PRACTICES & PROPOSED REGULATIONS:

Limit Daytime Visitors:

- Staff recommends a daytime visitor limit of two visitors plus one additional visitor for each bedroom. With a maximum of six daytime visitors.

Bedrooms	Studio	1	2	3	4	5
Visitors	2	3	4	5	6	6

BEST PRACTICES & PROPOSED REGULATIONS:

- **An STR must obtain a transient occupancy registration certificate and pay Transient Occupancy Tax (TOT).**
- **An STR must receive a permit to operate from the City of Oxnard.**
- **Regulations should not be modified based on season.**
- **Post sign on STR with contact information while STR is being rented.**

BEST PRACTICES & PROPOSED REGULATIONS:

Parking Based Occupancy Limit:

- **Supplements the bedroom based occupancy limit, the more restrictive of the two would be the occupancy limit for the STR.**
- **Prevents STRs being rented to large groups which could impact neighborhood parking.**
- **Staff recommends a limit of 4 people for each garage parking space provided on the STR's property.**

BEST PRACTICES & PROPOSED REGULATIONS:

- Parking Based Occupancy Limit, example:
- **4 bedroom house with a 2 car garage**
 - Bedroom Occupancy: 2 people + 2 people (4 beds) = **10 people**
 - Parking-Based Occupancy: 2 cars x 4 people = **8 people**
 - The parking-based occupancy is lower therefore the maximum occupancy at this house would be **8 people**.
- **4 bedroom house with a 3 car garage**
 - Bedroom Occupancy: 2 people + 2 people(4 beds) = **10 people**
 - Parking-Based Occupancy: 3 cars x 4 people = **12 people**
 - The Bedroom Occupancy is lower, therefore the maximum occupancy at this house would be **10 people**.

COMMISSION DIRECTION REQUESTED:

Staff requesting Planning Commission direction on the following potential regulations:

- **Should STR regulations be developed based upon a “shared walls” methodology or be “property line based?”**
- **Should there be a minimum distance between STRs; and if so, what should the distance be?**
- **What should be the minimum rental duration of an STR?**

COMMISSION DIRECTION REQUESTED, continued:

Staff requesting Planning Commission direction on the following potential regulations:

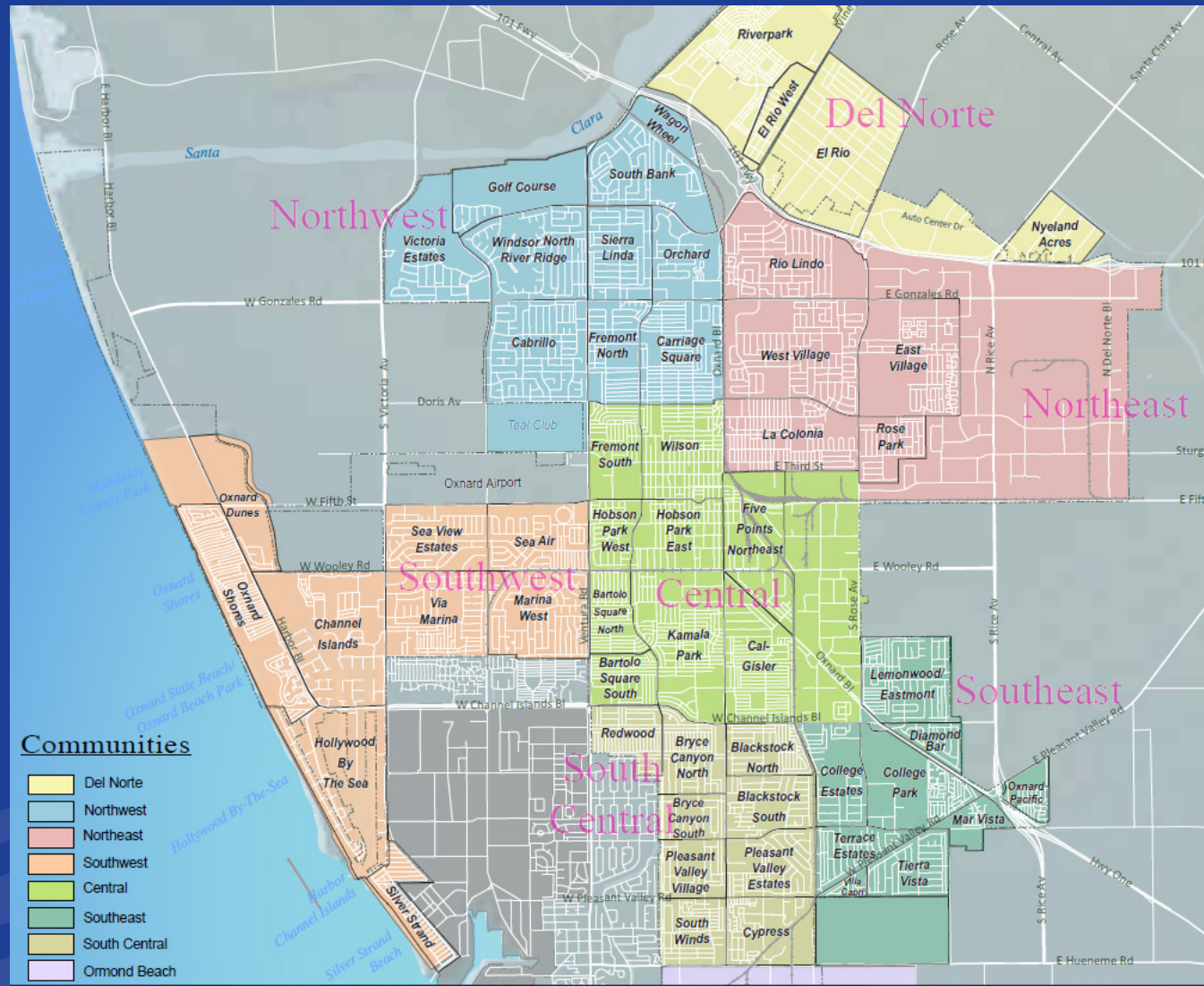
- **Should there be a maximum number of nights that an STR is rented per year? And if so, what should the maximum be?**
- **Should the City require or allow homestays?**

COMMISSION DIRECTION REQUESTED:

Should STR regulations be developed based upon a “shared walls” methodology or be “property line based?”

- Sound transfers through walls and proximity of yards and buildings increases the impact of nuisance activities.
- Condominiums and some single-family homes are built on or close to a property line and experience unique impacts from STRs.
- Either approach is expected to mostly impact Channel Islands and Oxnard Shores where single-family homes are allowed to build to zero lot lines.

COMMISSION DIRECTION REQUESTED, continued:



COMMISSION DIRECTION REQUESTED, continued:



COMMISSION DIRECTION REQUESTED:

Should there be a minimum distance between STRs; and if so, what should the distance be?

- At the community meeting 51.6% supported a 400 foot minimum distance between STRs.
- Separation requirements are currently used to avoid overconcentration of large-family daycare centers.
- Implementation issues; deciding which existing STR gets priority if two or more are too close. If / when permits expire do the radiuses reset?

COMMISSION DIRECTION REQUESTED:

What should be the minimum rental duration of an STR?

- CCC has not approved a rental duration greater than seven nights.
- Community has been asked this question twice, but there has been no clear consensus.

COMMISSION DIRECTION REQUESTED, continued:

Online Survey

What minimum rental duration should be established?

1 night	123	17.5%
2 nights	168	24%
7 nights	196	28%
14 nights	42	6%
30 nights	172	24.5%
Total Responses:	107	100.0%

August 16, 2016 Community Meeting

What minimum rental duration should be established?

1 night	12	11.2%
2 nights	14	13.1%
3 nights	25	23.4%
7 nights	22	20.6%
10 nights	34	31.8%
Total Responses:	107	100.0%

COMMISSION DIRECTION REQUESTED, continued:

Should there be a maximum number of nights that an STR is rented per year? And if so, what should the maximum be?

- Limits the total number of days a unit may be rented for a period of less than 30 consecutive days.
- Addresses community concern that STR operators have little connection to the neighborhood and are unresponsive to impact of STRs on neighbors.
- Once the maximum limit is met a property may be used as a long term rental or used by the property owner.

COMMISSION DIRECTION REQUESTED:

Should the City require or allow homestays?

- When a property owner and/or a long-term tenant remains on the property while a portion of the housing unit is being rented; often a single room.
- Does not allow for rental of different rooms to separate tenants.
- Does not allow for construction of additional kitchens; all facilities are shared between the long-term and short-term tenant.

STAFF'S RECOMMENDATION:

That the Planning Commission provide staff with comment on:

- **Should STR regulations be developed based upon a “shared walls” methodology or be “property line based?”**
- **Should there be a minimum distance between STRs; and if so, what should the distance be?**
- **What should be the minimum rental duration of an STR?**
- **Should there be a maximum number of nights that an STR is rented per year? And if so, what should the maximum be?**
- **Should the City require or allow homestays?**

End of Presentation