

City of Oxnard Planning Division

PLAN

SHORT-TERM RENTAL (STR) STUDY SESSION



June 1, 2017



PURPOSE OF COMMISSION'S MEETING

- Receive a presentation on Planning Staff's prior work efforts regarding regulation of STRs and receive public and Planning Commission input on this topic
- Input will be communicated to the City Council to assist in providing direction to address this topic
- Feedback will be summarized, posted on our STR website, and transmitted to the policy making body – the City Council

MEETING OUTLINE

- Update those that have not been following the Planning Division's efforts on this topic
- In the interest of time presentation will briefly provide a summary of prior community outreach, summarize responses to Nov. 3rd Commission questions
- And identify specific questions for which feedback is needed to transmit response to the City Council.

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.
- From 2012-2016 – 380% increase in number of STRs in City (pursuant to those that pay TOT)

TYPES OF STRS

- Whole House STR– whole home rented by a transient for compensation for fewer than thirty consecutive days.
- Home Sharing STR – Home sharing is an accessory use within a dwelling unit where the primary resident resides in the dwelling unit while providing accommodations to the guest for compensation
- No way to know which TOT paying STRs are whole house versus home sharing 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
- Dec. 2016 correspondence – STRs important visitor accommodation opportunity
- Not historically supported blanket STR ban

REGULATORY REQUIREMENTS OF THE CALIFORNIA COASTAL COMMISSION, CONTINUED

- CCC position that since STRs have existed in the community for years cities cannot ban STRs without an amendment to their LCP to address coastal access
- As part of LCP update STR issue required to be addressed
- CCC expressed willingness to allow so called good neighbor regulations to address STRs
- Good neighbor policies by area supportable

TRANSIT OCCUPANCY TAX (TOT)

- City collects TOT on hotels, motels, and certain STRs that voluntarily choose to pay the 10% TOT assessment
- TOT totals (hotels/motels/STR's):
 - 2012 - \$3.4M
 - 2016 - \$5.0M
- STR based TOT totals:
 - 2012 – 1.17% (5 rentals)
 - 2016 – 2.13% (19 rentals)
 - 380% increase in the no. of TOT STR rentals

SUMMARY OF COMMUNITY OUTREACH & PUBLIC INPUT

All of the following information
available via:

www.Oxnard.org/str/

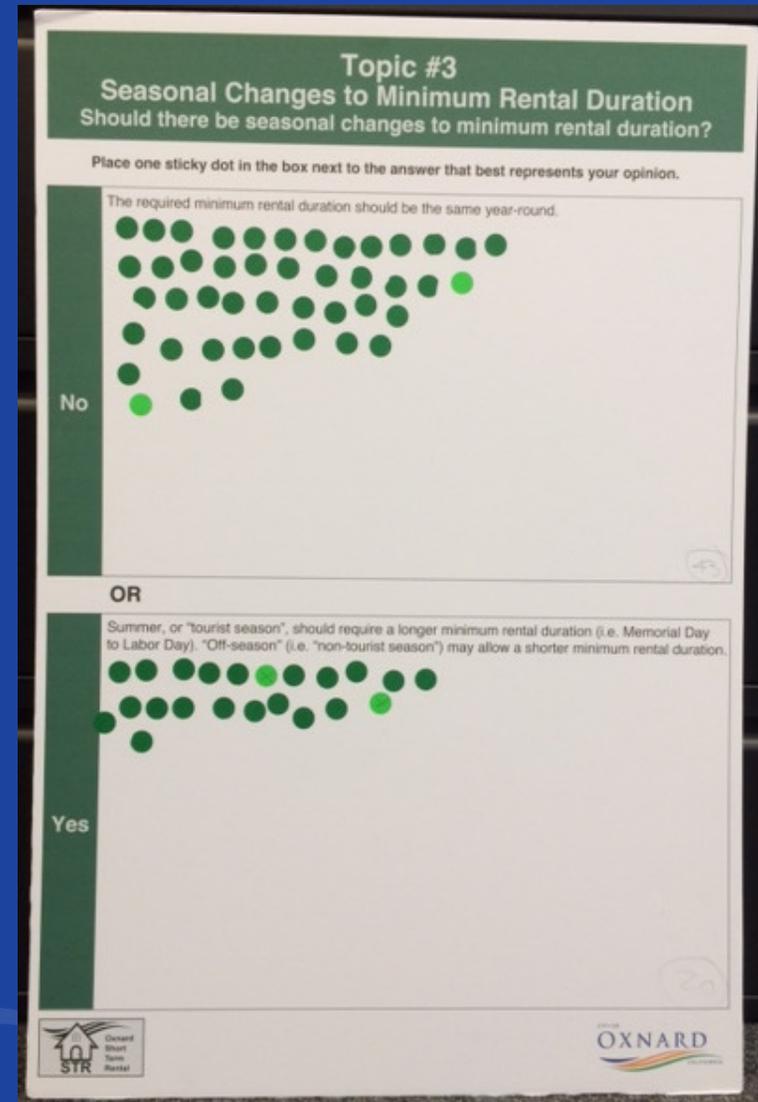
SURVEY OVERVIEW – MARCH/APRIL 2016

- 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



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

- Population divided in request to ban
- 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 currently be prohibited in the Coastal Zone

NOV. 3, 2016 COMMISSION MEETING - SUMMARY

- Series of questions asked. Staff's response contained in Attachment F
- Notable questions/staff responses:
- How do we address STRs already operating?
 - *Assuming City regulates: STRs would be required to follow ordinance requirements*
 - *Assuming City regulates: Ordinance would address this issue. Options may include: amortization; granting non-conforming rights; density restrictions; caps by neighborhood; lottery system or some combination of options*

NOV. 3, 2016 COMMISSION MEETING - SUMMARY

- Detail the enforcement process for illegal STRs, and monitoring regulations.
 - *One option is to use existing code enforcement staff; financially problematic, existing resources stretched*
 - *Assuming City regulates – enforcement options would be outlined in ordinance*
 - *One option is use of a third party contractor to monitor compliance with code regulations*

NOV. 3, 2016 COMMISSION MEETING - SUMMARY

- What do Ord. of Carpinteria, Ventura, and the County of Ventura look like?
 - Carpinteria created four zones each with a cap on the allowed number of STRs in that zone. Max no. of STRs is slightly above what is currently in existence
 - Ventura has existing STR ord that limits to a min of 7 days. Ord. looking at updating ord.
 - *County of Ventura developing regulations in 2017. Developing regulations to address uniqueness of specific areas*

BEST PRACTICES

ORIGINS OF 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 & 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 caretaker's contact information.

COMMUNITY CONSENSUS ON:

- Community found consensus:
 - If STRs will be allowed within the City, they should be regulated – permit system
 - STRs should pay TOT
 - Regulations should limit visitors to an STR
 - *This can be achieved through occupancy limit(s) and/or parking limit(s)*
 - If STRs are to be allowed, regulations should not vary by season

COMMISSION DIRECTION REQUESTED ON FIVE QUESTIONS

COMMISSION DIRECTION REQUESTED:

Staff requesting Planning Commission direction on the following questions:

1. Should there be a minimum distance between STRs; and if so, what should the distance be?
2. What should be the minimum rental duration of an STR?
3. Should there be a maximum number of nights that an STR is rented per year? And if so, what should the maximum be?

COMMISSION DIRECTION REQUESTED, continued:

4. Should the City require or allow homestays?
5. What is a reasonable daytime visitor limit and parking based occupancy limit?

COMMISSION DIRECTION REQUESTED:

1. 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:

2. 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:

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:

3. Should there be a maximum number of nights that an STR is rented per year? 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. This 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:

4. 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.

COMMISSION DIRECTION REQUESTED:

5. What is a reasonable daytime visitor limit?

Conceptual - Daytime Visitor Limit:

- 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

COMMISSION DIRECTION REQUESTED, continued:

5. What is a reasonable parking based occupancy limit?

Conceptual - Parking Based Occupancy Limit:

- Supplements the bedroom based occupancy limit, the more restrictive of the two could be the occupancy limit for the STR
- Prevents STRs being rented to large groups which could impact neighborhood parking

EXAMPLE – BEDROOM OCCUPANCY VS. PARKING BASED:

- 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**.

CONCLUSION:

- Receive public and Planning Commission comment/feedback on the prior five questions
- Input will be communicated to the City Council to assist in providing direction to address this topic

NEXT STEPS:

- Public and Planning Commission input will be summarized. Feedback will be summarized, posted on our STR website, and transmitted to the policy making body – the City Council
- See www.Oxnard.org/str/
- Questions/comments can be emailed to: info.str@oxnard.org
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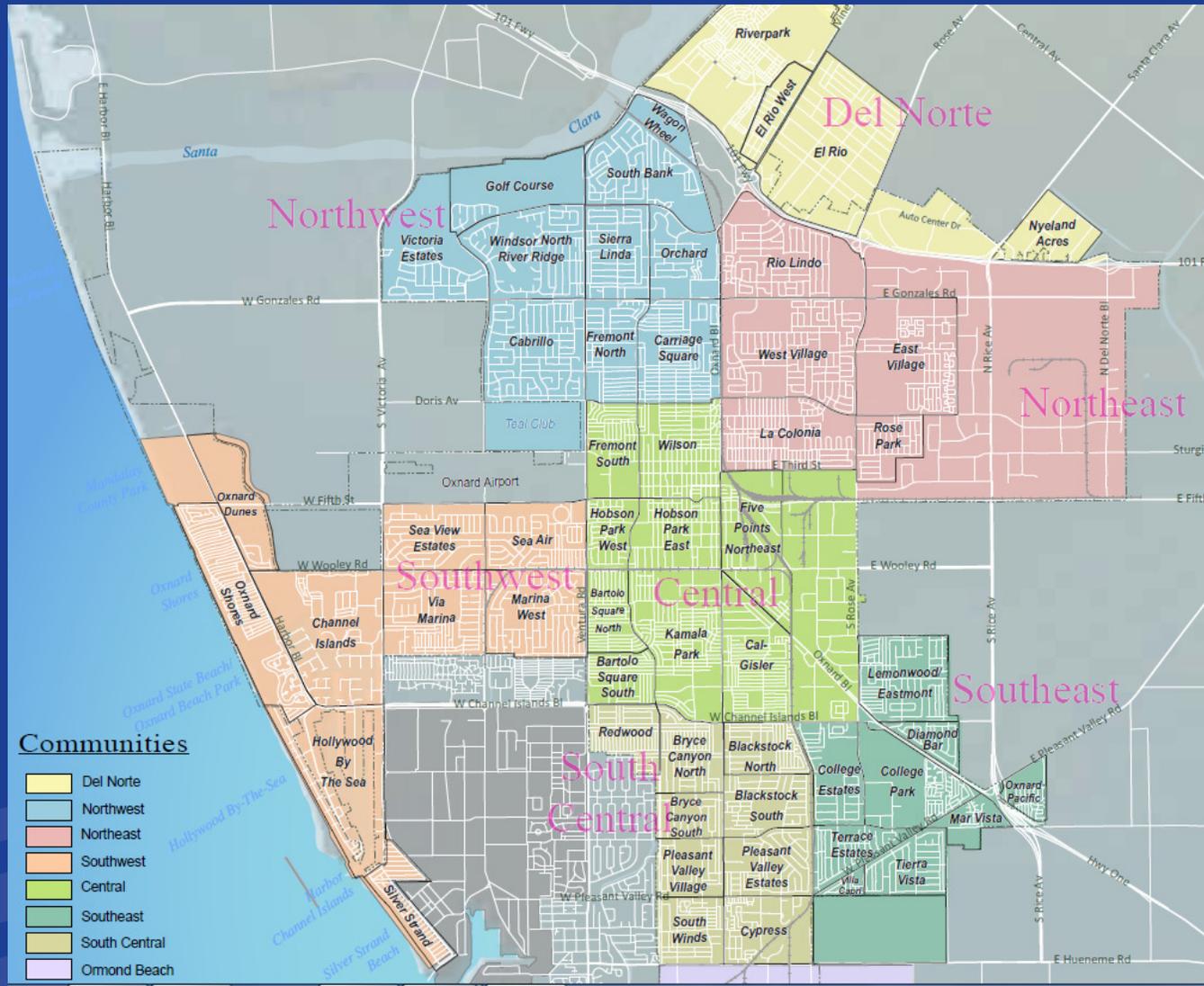
End of Presentation

COMMISSION DIRECTION REQUESTED:

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

- Sound transfers through walls & proximity of yards & buildings increases 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:



COMMISSION DIRECTION REQUESTED:

