

PLANNING COMMISSION DRAFT

DEVELOPMENT STANDARDS

CHAPTER 25 - TRANSIENT RENTALS

Sections:

25.010	Intent.
25.020	Establishment of Type I Vacation Rental: Owner-Occupied.
25.030	Establishment of Type II Vacation Rental: Not Owner-Occupied.
25.040	Notice requirements.
25.050	Uses permitted.
25.060	Uses permitted subject to director review
25.070	Uses permitted subject to use permit
25.080	Additional requirements

25.010 Intent.

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit transient rentals within residential areas that do not exhibit reasonable opposition by neighbors who may be directly affected, **and that are consistent with the applicable Area Plan*.**

25.020 Establishment of Type I Vacation Rental: Owner-Occupied

Type I vacation rentals are owner-occupied or associated with an owner-occupied principal residence. This includes rental of an entire dwelling unit or if only part of the unit, include at a minimum a sleeping room (with shared full bathroom), is limited to a single party of individuals, and the owner is present during the rental. The transient rental use may be permitted on any residential parcel and having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to Use Permit, **if not prohibited by the applicable Area Plan. Fees for appeal of Type I Use Permit decisions shall be waived.**

25.030 Establishment of Type II Vacation Rental: Not Owner-Occupied

Type II vacation rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The transient rental use may be overlaid on any residential parcel, or group of parcels meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH, **if not prohibited by the applicable Area Plan**, where no reasonable opposition from neighbors within 500ft of the subject parcel can be demonstrated and that has adequate year round access.

In addition to the requirements of this chapter, initiation and application for a transient rental shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters TR (e.g., SFR-TR) would indicate a transient rental.

*** The June Lake Area Plan is presently under revision to determine areas appropriate for single-family neighborhood transient rentals. The June Lake Citizens Advisory Committee (JLCAC) recommends that no transient rental overlay applications be processed for June Lake until the Area Plan revision is concluded.**

25.040 Notice requirements.

- A. Notice shall be given to owners of surrounding properties published once in a newspaper of general circulation **30** days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius drawn from the nearest limits of the parcel that is subject of the land use application. If a property is located more than 500 feet from the boundary of the parcel, but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed. Further, any property owners, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given to those properties at least 20 days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

25.050 Uses permitted.

The following uses shall be permitted with a transient rental approval, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. **All uses permitted in the underlying land use designation.**
- B. **Where the principal use of the subject parcel(s) is single-family or multi-family residential the residence or any accessory dwelling unit on the parcel(s), may be rented on a transient basis subject to the requirements of 25.070.**

25.060 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to director review approval.

25.070 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to securing a use permit.

25.080 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within an approved transient rental established by this chapter, for a period of less than thirty (30) days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed transient rentals during the avalanche season, November 1 through April 15.