

General Plan Amendment: Short-Term Rentals

Antelope Valley RPAC: Feb. 7, 2019

The Board of Supervisors will consider General Plan Amendment (GPA) 19-01 which proposes modified short-term rental policies and regulations, among other changes, on Feb. 12. The Planning Commission recommended the Board adopt the GPA.

The Antelope Valley RPAC requested minimizing regulations and cost to the applicant while encouraging compliance with health and safety standards. The rationale is that the Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like other parts of the county.

Because minimum health and safety standards are codified by State Law and the two existing Mono County permits cannot be applied separately, the proposed GPA language exempts short-term rentals in the Antelope Valley from the permitting process but requires a business license and transient occupancy tax certificate. As part of the business license process, health and safety requirements and responsibilities as defined in Chapter 26, Vacation Home Rental Permits, will be transmitted to the homeowner. To be clear, however, no planning permits will be issued for the short-term rental use. In addition, no changes are proposed for short-term rentals in non-residential land use designations, such as Mixed Use, and therefore those rentals will continue to be regulated according to the land use designation and Chapter 26.

Proposed Antelope Valley Area Plan policies (existing policies in black):

Objective 4.D.

Maintain and enhance the local economy.

Policy 4.D.1. Incubate home businesses:

Definition: A home business is any enterprise conducted by the resident of a parcel on which the enterprise is conducted.

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor's Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.
- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.¹

¹ Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an

- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

Policy 4.D.2. Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the County, and therefore the economic benefits of short-term rentals should be supported.

A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.

A.B. County health and safety ordinances apply.

adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

The director of Community Development shall establish reasonable noise and traffic volume standards under which non-compliant business licenses may be revoked. Optionally, noise, dust, odors, vibration, smoke or other substantial nuisance standards may be developed as well. Standards applicable to agricultural uses are separate from these standards.