

June Lake Area Plan Update: STR Policy Options

Existing Policies

Community Development: Land Use

GOAL 13. That June Lake ultimately develop into a moderately sized, self-contained, year-round community.

Objective 13.A.

Promote the expansion of the June Lake Loop's privately owned land base to accommodate planned community growth.

Policy 13.A.3. Consistent with the intent Chapter 25 of the Land Use Element, approve Transient Rental Overlay Districts (TRODs) only within June Lake residential neighborhoods exhibiting support for allowing transient rental of single family homes.

Objective 13.B.

Promote well-planned and functional community development that retains June Lake's mountain-community character and tourist-oriented economy.

Objective 13.K. Retain the Down Canyon's single-family residential character while providing for additional commercial development along SR 158 and pockets of higher-density residential uses.

Policy 13.K.1. Retain the area's single-family residential character while allowing for pockets of higher-density residential developments in areas that have good automobile access and commercial developments, bordering SR 158.

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Policy Revision Options

Proposed Policies	Alternatives (not comprehensive or exhaustive)
1. Delete Policy 13.A.3.	2. Retain Policy 13.A.3. and replace the TROD reference with Short-Term Rentals. Type I and II rentals would be regulated under Chapter 25 as it currently exists.
3. Objective: To balance the character of single-family residential neighborhoods and the tourist economy, utilize a mix of best practices, creative solutions, and regulatory mechanisms, as guided by public input and engagement, to address the complexity of short-term rentals.	4. Policy: Prohibit short-term rentals in all single-family residential land use designations in June Lake. a. Action: The community acknowledges a ban will not make short-term rentals disappear; industry data indicates rentals continue despite a ban. b. Action: The County shall pursue enforcement efforts within available resources (see #22 below), and it is acknowledged that while progress can be made, illegal rentals are likely to persist.
5. Policy: Short-term rentals should be evaluated in June Lake within the context of specific neighborhoods (see map), which vary in character. a. Action: Policies and regulations may be tailored to meet individual neighborhood character.	6. Establish policies and regulations that apply to all of June Lake, and do not consider regulations specific to various neighborhoods.

<p>7. Policy: Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.</p> <p>a. Action: Only the property owner may apply for a short-term rental permit, and the owner is the responsible party.</p> <p>b. Action: Short-term rentals shall be limited to one per person or entity and one per parcel.</p>	<p>8. Modify, add, or eliminate policy or actions.</p>
<p>9. Policy: Type I (owner-occupied) short-term rentals, as defined in Chapter 25, in single family residential land use designations may be considered only under limited and highly regulated conditions in some areas, subject to Chapters 25 and 26.</p> <p>a. Action: To address concerns raised by the community regarding potential neighborhood impacts, the following requirements and regulations shall be added to Chapter 26 for short-term rentals in June Lake:</p> <ul style="list-style-type: none"> • Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which may require existing fixtures to be replaced or retrofitted. • Owner or manager must respond on-site when warranted within 30 minutes. • Quiet hours from 10 pm to 7 am, and no outdoor amplified sound. • Outdoor parties, which may include special events, outdoor events, lawn parties, weddings, and similar activities, are prohibited. • Owner shall acquire home insurance coverage that specifically covers short-term renting, and shall maintain appropriate liability coverage that covers injury and damage to hosts, guests, and others. • Owner shall notify lender of change in use to short-term rental, and provide verification to County upon request. • Maximum occupancy of 10 persons, which may be further limited by septic system or other requirements, and shall be posted over the primary exit door. • The number of allowed vehicles shall not exceed the number of on-site parking spaces. • In order to rent a detached and separate unit, the property owner must occupy the other unit on the property. • Landline phone service is required, and owner must disclose the limited service by cell phone carriers. • A “hideaway” key or other access is required in the event a guest is locked out. 	<p>Potential regulations pending legal counsel advice:</p> <ul style="list-style-type: none"> • Owner and renters shall hold harmless area residents where private roads are used to access the property. • Can the County require payment into a private fund for community services, such as road repair? <p>10. Add, modify, or eliminate policies or actions.</p>

<ul style="list-style-type: none"> • For emergency and safety purposes, provide a medical kit consisting of basic first aid equipment, and a survival kit including water, food, radio, batteries, and other common equipment. The kits must be maintained in good order and clearly identified. • Post management contact information online. • Interior informational sign shall also include an evacuation plan and a statement regarding respect for adjacent property owner's rights, neighborhood character, and trespassing concerns. <p>b. Action: In order to limit changes to residential neighborhood character, short-term rentals in the Clark Tract shall not exceed ~3% of parcels, or eight rentals (of 245 parcels), similar to Durango, CO.</p> <p>c. Action: In the Clark Tract, in order to ensure prepared visitors, the following must be disclosed in advertisements and the rental agreement: a description of rough road conditions, and the potential need for chains in winter conditions. Contact information for the manager/owner if road assistance is needed shall be included in the rental agreement.</p> <p>d. Action: Explore options to offset loss of workforce housing via housing studies and General Plan policy development, which may include requiring a unit be available for long-term rentals for 4-6 months of the year, mitigation fees, etc.</p>	<p>11. Expand the 3% cap to all single-family residential land use designations in June Lake.</p>
<p>12. Policy: Short-term rentals may be prohibited in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.</p> <p>a. Action: Short-term rentals may be prohibited where one or more of the following safety or infrastructure conditions exist:</p> <ul style="list-style-type: none"> • Emergency access issues due to a single access point to/from the neighborhood (see Safety Element, Objective 5.D. and subsequent policies, and Land Use Element 04.180). • Access to the parcel, in whole or part, includes an unimproved dirt road (e.g., surface is not paved or hardened with a treatment) and/or roads are not served by emergency vehicles. • The majority of parcels in a neighborhood/ subdivision are substandard or small (less than 7,500 square feet), potentially resulting in greater impacts to adjacent neighbors and/or changes to residential character. • Current water or sewer service is inadequate or unable to meet Environmental Health standards. 	<p>13. Add, eliminate, or modify conditions supporting prohibition.</p>

<ul style="list-style-type: none"> b. Action: Short-term rentals may be prohibited in the following neighborhoods due to small parcels and/or emergency access issues: Petersen Tract and Williams Tract. c. Action: Short-term rentals should not be approved when prohibited by homeowner association CC&Rs and proof is submitted by the HOA to the County in order to respect the local homeowner's determinations and prevent civil legal issues. d. Action: Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations, and the County's current understanding is that short-term rentals are allowed up to two weeks. These rentals are required to comply with TOT requirements. 	
<p>14. Policy: Short-term rentals may be considered in non-owner occupied properties, where deemed appropriate, by changing the Land Use Designation to Single Family Residential – Short-Term Rental (SFR-STR).</p> <ul style="list-style-type: none"> a. Action: A short-term rental use shall be subject to use permit, applicable provisions of Chapter 25, and Chapter 26 (including provisions specific to June Lake). The use permit shall run with the owner and not with the land, and the rental shall be limited to a single party of individuals. b. Action: Due to large lot sizes, roads similar to County standards, and proximity to the Village, the Leonard Avenue neighborhood and Highlands Specific Plan area should be redesignated SFR-STR. 	<p>Modify the SFR-STR Land Use Designation:</p> <ul style="list-style-type: none"> 15. Allow short-term rentals in SFR-STR as a permitted use or Director Review (with or without notice), subject to Chapter 26. 16. Reduce the minimum district size. <p>Utilize a different approval process:</p> <ul style="list-style-type: none"> 17. Permit Type II rentals in specified areas as defined in Chapter 26. 18. Require identified areas to change their Land Use Designation by annexing into an adjacent LUD, or to an applicable existing LUD. <p>Other:</p> <ul style="list-style-type: none"> 19. Do not allow Type II rentals or the equivalent.
<p>20. Policy: To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities could be explored.</p> <ul style="list-style-type: none"> a. Action: The Rodeo Grounds development could be a potentially appropriate location for short-term rentals, and the opportunity should be explored. b. Action: Support an even playing field, e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities. 	<ul style="list-style-type: none"> 21. Add, modify, or eliminate policies or actions.
<p>22. Policy: Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability.</p> <ul style="list-style-type: none"> a. Action: Implement an education campaign on short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism 	<ul style="list-style-type: none"> 23. Add, modify, or eliminate policies or actions.

<p>marketing and the Chamber of Commerce, and local media articles.</p> <p>b. Action: Provide for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys' fees recovery.</p> <p>c. Action: Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM.</p> <p>d. Action: Provide an anonymous reporting hotline for illegal rental activity.</p> <p>e. Action: The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues, such as provided by Host Compliance.</p> <p>f. Action: The County shall, within legal constraints, coordinate information between department such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.</p> <p>g. Action: Require Vacation Home Rental permit numbers to be posted in the title of the short-term rental online advertisement.</p> <p>h. Action: Existence of a listing for an unpermitted unit is <i>prima facie</i> evidence of a violation.</p> <p>i. Action: To support accountability, an annual permit renewal, certification report, and fees shall be required for short-term rental use permits, subject to the following requirements (coordinate this renewal with business license renewal process):</p> <ul style="list-style-type: none"> • An annual self-certification under penalty of perjury for all requirements in the June Lake Area Plan and Chapter 26 is required. • Owner must confirm/update management contact information, to be kept on file by the Community Development Department. • Payment of fees, as established by the Board of Supervisors, for staff time. • Failure to submit annual report by deadline would result in a delinquency letter and additional fee. • After 45 days from the notification letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed. 	<p>24. Specific private right of action language needs to be provided by County Counsel.</p> <p>25. Legal barriers for sharing Tax Collector information, even between County departments, exist and may prevent seamless coordination.</p> <p>26. Pending legal counsel guidance, listing an unpermitted unit could be considered a violation.</p> <p>27. A request was made during public workshops to have contact information mailed to property owners within 500' annually. The associated staff workload appears overly burdensome and problematic. An alternative is to maintain current contact information for all properties online.</p>
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Changes to Chapter 25:

- 500' noticing distance shall be based on the farthest edge of a contiguous parcel of the same owner.
- Add to Type I rentals (25.020) that the short-term rental must exhibit no reasonable opposition from neighbors within 500' of the subject parcel.