



Residential Vacation Rental Ordinance User Guide

What is a Residential Vacation Rental?

A residential vacation rental is the use of an existing residence as a rental for transient use. This does not include the rental of the entire residence for periods of thirty days or longer.

How do I establish a new Residential Vacation Rental?

When an individual wants to establish a new Residential Vacation Rental, the Permit Center in the Department of Planning and Building will need to be contacted first. A Permit Center Planner can determine if the property qualifies for a Zoning Clearance or requires the processing of a Minor Use Permit. The Planner will provide forms to begin the application process. If a Zoning Clearance can be issued, the applicant must apply for a business license in person at the Tax Collector's Office. The Business License Clerk processes the application and the Planning and Building Department issues the required Zoning Clearance. Once the Zoning Clearance is issued, a business license is issued upon payment of the license fee to the Tax Collector. In the inland areas of the County, there is no land use permit required, so only a business license is required. The Tax Collector requires that the Planning and Building Department approve the business license application. This is done by a Permit Center Planner in the Department of Planning and Building.

What are the required permits?

Cambria and Cayucos

Zoning Clearance, Business License and Transient Occupancy Tax Certificate if the property complies with Coastal Zone Land Use Ordinance Section 23.08.165 (see attached). The location standard (Section 23.08.165c(1)(2)) can be modified through approval of a Minor Use Permit.

Avila Beach

Zoning Clearance, Business License and Transient Occupancy Tax Certificate if the property complies with Coastal Zone Land Use Ordinance Section 23.08.165 (see attached). The location standard (Section 23.08.165c(3)) can be modified through approval of a Minor Use Permit.

Other coastal communities (such as Los Osos, Oceano, San Simeon) and rural areas

Minor Use Permit is required.

What does an applicant for a Zoning Clearance need to provide?

- Will Serve Letter

Evidence that the community water and/or sewer supplier(s) for the property have been informed of the use of the property as a vacation rental and have confirmed that there is adequate service capacity to accommodate the use.

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- Site Plan

Site plan that shows the number and location of parking spaces available (within garage, driveway, etc.) and designation of the number of bedrooms in the vacation rental house.

- Local Property Management

Verification (through contract or agreement, or designation of owner if owner lives locally) of who will provide local property management services. Services must be available 24 hours per day to respond to tenant and neighborhood concerns.

- Proof of Notification

Provide the name, address and telephone number of the local contact person to the Department of Planning and Building, main County Sheriff's Office, local Fire Agency and local Sheriff Substation, as well as all property owners within 200 feet of the vacation rental.

How does a Business License expire?

A business license becomes inactive after 12 months, if not renewed. When a Residential Vacation Rental business license becomes inactive, a new Zoning Clearance is required for that Residential Vacation Rental. The new Zoning Clearance cannot be issued unless the Residential Vacation Rental is consistent with **all** standards of the ordinance, including the required distance to another Residential Vacation Rental. Where a Residential Vacation Rental was authorized by a Minor Use Permit, a new business license can be granted subject to the conditions established under that Minor Use Permit.

Can a Business License be transferred to a new property owner?

The business license for a Residential Vacation Rental cannot be "transferred" to a new owner. However, a new owner who applies for a new business license before the old business license becomes inactive can be issued a new business license without having to get a new Zoning Clearance and meeting all standards of the ordinance, including the required distance to another Residential Vacation Rental. If the old business license becomes inactive, the new owner has to qualify the property as a new Residential Vacation Rental, including complying with **all** standards of the ordinance.

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SAMPLE LETTER

Date: *(this letter must be sent upon submitting your application to the county)*

Property Owner Address: *(all property owners within 2,00 feet of the subject site and the applicable fire department and sheriff's office are required to be notified)*

SUBJECT: Vacation Rental for *(address and assessor parcel number)*

The landowner of the property, located at *(address)*, plans to use this home as a vacation rental.

County ordinance requires the applicant to notify the local sheriff's office, fire department, and the neighboring property owners. This letter is acting as that notice.

The Coastal Zone Land Use Ordinance Vacation Rental requirements are as follows:

Number of occupants allowed. The maximum number of occupants allowed in an individual residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the on-site parking requirement and shall not exceed two persons per bedroom plus two additional persons. See on-site parking required below.

On-site parking required. All parking associated with a Residential Vacation Rental shall be entirely on-site, in the garage, driveway or otherwise out of the roadway. Tenants of Residential Vacation Rentals shall not use on-street parking at any time.

Noise. All residential vacation rentals shall comply with the standards of Section 23.06.040 et seq. (Noise Standards). No residential vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings. In addition, property owners and/or property managers shall insure that the occupants of the residential vacation rental do not create loud or unreasonable noise that disturbs others and is not in keeping with the character of the surrounding neighborhood. Loud and unreasonable noise shall be evaluated through field observations by a County Sheriff, County Code Enforcement or other official personnel, based upon a threshold of noise disturbance related to the residential vacation rental use that is audible from a distance of 50 feet from the property lines of the rental property.

If any issues arise please contact the property manager. *(name and contact information)*

Sincerely,

(property owner's or agents signature)

Property Owner's or Applicant's name typed