

# Appendix B

---

Residential Vacation Rental Ordinance

## Appendix B Residential Vacation Rental

- A. **Residential Vacation Rentals.** The intent of the following measures is to ensure that vacation rental activity respects community, preserves housing stock, and minimizes negative impacts, while recognizing that there is a role for vacation rentals in the community of Avila.
- a. **Density Control.** There shall be a minimum of 9 lots between vacation rental properties, including the other side of the street and to the rear of the proposed residential vacation rental, or a minimum of a 200-foot-radius between properties, whichever is greater.
  - b. **Cap on Total Number Allowed.** A maximum of one vacation rental per every 50 single-family residences.
  - c. **Zoning Requirements.** Residential vacation rentals are not allowed in multi-family dwellings or mobile home parks.
  - d. **Permitting Requirements.**
    - i. **Minor Use Permit.** A Minor Use Permit will continue to be required for proposed residential vacation rentals in Avila.
    - ii. **Temporary Events.** Temporary events are not allowed on any site containing a residential vacation rental unless they are authorized under Section 22.30.610 (Temporary Events). Vacation rentals holding temporary events as of the effective date (EFFECTIVE DATE) of this section shall be subject to the standards of this section, and owners of such venues shall request the required land use permits within six months of the effective date specified above. If the required land use permit has not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title shall apply.
    - iii. **Maximum Overnight Occupancy.** Maximum overnight occupancy for residential vacation rentals shall not exceed the number of occupants that can be accommodated consistent with the on-site parking set forth in subsection d.iv.1 hereof, and shall not exceed two persons per bedroom plus two additional persons, excluding children under five (5) years of age. The Zoning Clearance shall specify the maximum number of occupants allowed in each individual vacation rental.
    - iv. **Maximum Number of Guests and Daytime Visitors.** The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, or eighteen (18) persons, whichever is less, excluding children under five (5) years of age. Daytime visitors shall not be on the property during quiet hours (10:00 PM –

7:00 AM). Vacation rentals with larger numbers of guests and visitors may only be allowed subject to approval under Section 22.30.610 (Temporary Events).

1. **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.
  2. **Sunset Clause.** Residential vacation rental permits shall expire automatically with the sale of a property.
  3. **Code Enforcement Inspections.** Upon submitting an application for a residential vacation rental permit, County code enforcement shall inspect the premises to ensure compliance with permit conditions as well as health and fire life safety code requirements.
  4. **Vacation Rental Administrative Fees.** An additional fee, to be determined as appropriate by the County, shall be paid to the County by vacation rental owners to help fund the needed staff and tools for proper enforcement of vacation rental regulations and website/database maintenance.
- B. **Permit Requirements – Port Facilities.** New development, including alterations to port facilities (other than those approved by coastal commission permits or on-going maintenance) shall require a Minor Use Permit, unless Development Plan approval is otherwise required by the Coastal Zone Land Use Ordinance (Title 23).
- C. **Port San Luis Harbor District Port Master Plan.** Permit approval of facilities under jurisdiction of the Port San Luis Harbor District may be granted only where consistent with the policies of the Harbor Port Master Plan, Appendix J of the Port Master Plan, the Local Coastal Program, the Coastal Act where applicable, and upon prior approval from the Harbor District.