

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u> <u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
ZONE AMENDMENT 17-004 – SHORT-TERM RENTALS COUNTY-WIDE (ZONING TEXT AMENDMENT) CONTINUED FROM JUNE 14, 2018 AND DECEMBER 12, 2019	01/09/2020	R5

RECOMMENDATION: That the Planning Commission:

1. Adopt a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 17-004 is not subject to and is exempt from the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2020-004; b) adopt the recommended findings listed in Resolution 2020-004; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 17-004.

ISSUES: The Planning Commission requested an update to the number of short-term rentals within the unincorporated area of Shasta County. According to the County’s former short-term rental consultant, Host Compliance, there were a total of 175 known active short-term rental properties within the unincorporated area of Shasta County as of September 2017. Active properties are those which have been updated, reviewed, or booked within the past year on websites where short-term rentals are listed for rent. According to Host Compliance, as of December 30, 2019 there were a total of 296 known active short-term rental properties within the unincorporated area of Shasta County, a 69 percent increase since September 2017. In September 2017, Host Compliance monitored 16 short-term rental websites; currently, they monitor more than 50 websites, which reflects the rapid growth in the short-term rental industry over the past two years.

Following a public hearing on December 12, 2019, the Planning Commission continued this item to allow staff to revise the draft ordinance in response to the Commission’s input and concerns. The revisions made to the attached draft ordinance subsequent to December 12, 2019 are denoted in strikeout/underline. Below is an overview of the revisions:

Definitions of Hosted Homestay and Vacation Rental: The definitions of “hosted homestay” and “vacation rental” have been revised to be consistent with the definition of “transient” in Chapter 3.16 – Transient Occupancy Tax of the Shasta County Code, which defines a transient as a person occupying space at a lodging for a period of 30 consecutive calendar days or less. The definition of “vacation rental” has been revised to clarify that it means the rental of an entire one-family residence and that if the property owner resides on the parcel while the vacation rental is being rented they would reside within a separate legally established one-family residence or accessory dwelling unit rather than within the one-family residence being rented.

Long-Term Occupant: The term “long-term occupant” is used in subsection 17.88.230.F.6 (Occupancy) of the ordinance but was not previously defined. The definition of this term has been added to reflect that a long-term occupant means a tenant or other occupant lawfully occupying the property for a period of 31 consecutive calendar days or more.

Short-Term Rental Guests: For internal consistency, the term “guests” is used to refer to persons other than the property owner and other long-term occupants of short-term rental properties. The terms used to describe guests in the previous draft were persons, occupants, and renters.

Children Under Three Years of Age: The previous draft limited the maximum occupancy of guests to two per approved bedroom offered for rent regardless of the age of the guests. Pursuant to the Commission’s input, staff recommends that children under three years of age not be counted towards the maximum occupancy limit.

Daily Occupancy of Short-Term Rental Properties: The previous draft limited the occupancy of short-term rental properties (other than the property owner and other long-term occupants) to a maximum of two guests per approved bedroom offered for rent between the hours of 12:00 a.m. and 6:00 a.m.; no maximum occupancy limit was proposed between the hours of 6:00 a.m. and 12:00 a.m. To coincide with the 10:00 p.m. start of quiet hours pursuant to subsection F.4.c, the occupancy limit has been revised to be applicable between 10:00 p.m. and 6:00 a.m. rather than between 12:00 a.m. and 6:00 a.m. Pursuant to the Commission's concerns regarding party houses, staff recommends that the occupancy of short-term rental properties (other than the property owner and other long-term occupants) be limited between the hours of 6:00 a.m. and 10:00 p.m. to a maximum of three guests per approved bedroom offered for rent; this equates to one additional guest on the property per approved bedroom offered for rent during this portion of the day. The establishment of specific occupancy limits that apply 24 hours a day would prohibit inappropriately sized gatherings by short-term rental guests and their guests.

Trash and Recycling Receptacles: The previous draft required trash and recycling receptacles to be returned to their designated storage areas within 8 hours following pick-up but did not address when receptacles could be put out to be serviced. Pursuant to the Commission's input, staff recommends that receptacles not be permitted to be removed from their designated storage areas earlier than 6:00 p.m. the day prior to the scheduled day of service whenever properties are operated as short-term rentals.

Annual Reporting: Although annual reporting requirements were not discussed by the Commission, staff recommends that short-term rental permittees be required to submit annual reports specifying rental dates, number of rooms rented, and number of guests (excluding children under three years of age) for each rental date, documenting all complaints received by the owner and/or local contact person and describing how each complaint was addressed. Annual reports would be helpful to staff when evaluating complaints received regarding lack of compliance with the provisions of the short-term rental ordinance.

Bed and Breakfast Guest Facility Definition: The current provisions of the Shasta County Zoning Plan regarding bed and breakfast guest facilities are very similar to the proposed provisions regarding hosted homestays. Similar to the proposed regulations for hosted homestays, bed and breakfast guest facilities are required to be owner-occupied and lots of less than one acre are limited to two guestrooms (up to four guestrooms are permitted for lots of more than one acre). To more clearly distinguish between bed and breakfast guest facilities and hosted homestays, staff recommends revising the definition of bed and breakfast guest facilities to specify that meal service is provided; currently, meal service is optional. Operators of existing bed and breakfast guest facilities which do not provide meal service would have the options of continuing to operate without providing meal service as a legal nonconforming use, providing meal service, or converting their bed and breakfast guest facilities to hosted homestays.

Input regarding additional issues was received from the Commission on December 12, 2019. Below is an overview of those issues and the reasons why staff does not recommend related revisions to the draft ordinance:

NRA-S District: The purpose of the National Recreation Area, Shasta Unit (NRA-S) district is to establish development standards in the Shasta Lake National Recreation Area which are compatible with public recreation and enjoyment, the conservation of natural resources, and scientific, historic and other values within the Shasta unit of the Whiskeytown-Shasta-Trinity National Recreation Area. The Commission suggested that it might be appropriate to establish more stringent standards for short-term rentals located within the NRA-S district since concerns regarding short-term rentals are more prevalent in the Shasta Lake area than in other areas of the County. The provisions of the NRA-S district regulate new development rather than operational aspects of various types of land uses. Since the establishment and operation of short-term rentals does not involve new development, staff is of the opinion that it would not be appropriate to incorporate short-term rental standards into the provisions of

the NRA-S district.

Limiting Rental Days and Concentration/Owner-Occupancy of Vacation Rentals: Pursuant to the Commission's input, staff considered limiting the maximum number of days per year that short-term rentals can operate, limiting the concentration of short-term rentals, and requiring owners of vacation rentals to occupy the residence for a minimum number of days per year.

Many jurisdictions limit the maximum number of days per year that short-term rentals can operate; a common limit is between 120 and 180 days. In the Shasta Lake area, where concerns regarding short-term rentals are more prevalent than in other areas of the County, the peak short-term rental season is roughly between Memorial Day and Labor Day, a period of about 100 days. Therefore, unless short-term rentals are limited to operate substantially less than 100 days per year such a limitation would not effectively lessen short-term rental activity during the Shasta Lake area's peak season. The Shasta County Treasurer-Tax Collector-Public Administrator's Office, which is responsible for the collection of transient occupancy taxes, does not currently have the ability to determine the number of days within a specific period of time that any property operates as a short-term rental. Although staff recommends that short-term rental operators be required to submit annual reports specifying rental dates, self-reporting by operators who violate the short-term rental regulations cannot be relied upon to verify compliance with such a limit. Specialized firms (e.g., Host Compliance) offer short-term rental monitoring services to local jurisdictions to assist with identifying short-term rentals operating within their jurisdiction as well as specific operational characteristics of each rental property to assist the jurisdiction with enforcing their regulations. If the Planning Commission recommends limiting the number of days per year that short-term rentals can operate, staff will present a cost estimate for the monitoring and enforcement of such a limit along with a proposed permit fee schedule for short-term rentals that would enable this cost to be funded through short-term rental permit fees to the Board of Supervisors for their consideration. Enforcing an ordinance limiting the number of days per year that short-term rentals can operate will be extremely difficult in the absence of a sufficient funding mechanism to monitor and enforce such a limit.

As was the case in many jurisdictions, by the time the County identified the need to regulate short-term rentals many had already been established and during the course of preparing the draft ordinance many more have been established. Limiting the concentration of short-term rentals in areas where short-term rentals are popular can be accomplished in a number of ways, such as by establishing a minimum separation between short-term rental properties or by limiting the percentage of properties on any individual street where short-term rentals may operate. In areas where the concentration limit that is established is currently being exceeded, the County would need to formulate a method for determining which properties will be permitted to continue to operate and which properties will be prohibited from operating going forward. Staff considered alternative methods to accomplish an established concentration limit but was unable to formulate a method that it considers to be equitable. In the absence of an equitable method to establish a concentration limit, staff does not recommend the inclusion of such a limit in the ordinance.

Requiring owners of vacation rentals to occupy the residence for a minimum number of days per year would prevent the legal operation of vacation rentals which are owned by investors for the sole purpose of operating them as vacation rentals. Essentially, only residences which serve as the owner's primary residence or second residences that are occupied by the owner on a very regular basis would qualify to legally operate as vacation rentals. Although this requirement would address some of the concerns expressed by residents of neighborhoods where vacation rentals operate, it is a requirement that would be difficult, if not impossible, to monitor and enforce. Although short-term rental monitoring services are capable of tracking the occupancy of short-term rentals when they are booked through short-term rental websites, they are not capable of tracking the occupancy of such properties otherwise. In the absence of the ability to monitor and enforce a requirement for owners of

vacation rentals to occupy the residence for a minimum number of days per year, staff does not recommend the inclusion of such a requirement in the ordinance.

Anticipated Benefits of Adoption of the Draft Ordinance: Although adoption of the draft ordinance would not resolve all of the issues and concerns expressed by the public and the Planning Commission, staff anticipates that the regulations contained in the draft ordinance would help to prevent or alleviate many of the problems which have been experienced in Shasta County's unregulated short-term rental market to date. In addition to the establishment of enforceable regulations that will result in beneficial changes to the way many existing short-term rentals operate, staff anticipates that a number of existing short-term rentals will cease to operate if the draft ordinance is adopted. In the absence of established regulations, short-term rental operators have set rental rates which reflect the rental terms of their choosing, such as the maximum permissible occupancy of their rentals. It is anticipated that some operators will determine that the resulting reduction in rental rates due to the established regulations make the continued operation of their short-term rentals financially infeasible and, therefore, will sell their properties or will convert them to long-term rentals.

Unintended Consequences of Newly Established Regulations: When considering the establishment of new regulations that will apply to currently unregulated businesses, it is important to consider the unintended consequences which may result. It is anticipated that some operators who are unable or unwilling to comply with the newly established regulations will choose to violate the regulations for as long as possible. Short-term rentals operating without obtaining the required permits and without complying with the newly established regulations may result in the loss of permit application fee revenue, added burden upon code enforcement resources when unpermitted facilities are reported, the loss of transient occupancy tax revenue when owners do not register their rentals with the Tax Collector's Office in an attempt to avoid detection, and adverse impacts to neighborhoods until unpermitted short-term rentals are forced to cease operating or to comply with the regulations. For these reasons, where feasible it may be prudent to incorporate a greater degree of flexibility into new established regulations that will apply to currently unregulated businesses.

ENVIRONMENTAL DETERMINATION: Adoption of the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15061(b)(3) as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and since there is no possibility the activity in question may have a significant effect on the environment. In addition to the foregoing general exemptions, the following categorical exemption applies: CEQA Guidelines Section 15301 (Class 1) for existing facilities involving the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. There are no unusual circumstances under CEQA Guidelines Section 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

ALTERNATIVES: The following alternatives are available:

1. Recommend that the Board of Supervisors approve Zone Amendment 17-004 with revisions.
2. Continue the item to request additional information.
3. Recommend that the Board of Supervisors deny Zone Amendment 17-004.

CONCLUSION: Based on the direction and input received from the Planning Commission, Board of Supervisors, the marketing analysis, referral agencies, public workshops, and online survey results, staff is of the opinion that proper analysis has been undertaken and that the proposed ordinance supports the public necessity, health, safety, convenience and general welfare of the citizens of Shasta County.

ZA17-004 (Short-Term Rentals)

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A handwritten signature in blue ink that reads "Paul A. Hellman". The signature is written in a cursive style and is positioned above a horizontal line.

PAUL A. HELLMAN

Director of Resource Management

PAH/trh/All Districts

Copies: Project File

Attachments:

1. Resolution 2020-004
2. Revised Draft Ordinance (Zone Amendment 17-004)
3. December 12, 2019 Planning Commission Staff Report with Attachments

RESOLUTION NO. 2020-004

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 17-004 (SHORT-TERM RENTALS)

WHEREAS, the County of Shasta (County) has adopted a Zoning Plan identified as Title 17 (Zoning) of the Shasta County Code (SCC); and

WHEREAS, while tourism plays a large part in the local economy of Shasta County, valid concerns exist regarding the potential impacts of short-term rentals on the character of neighborhoods and the quality of life of nearby residents; and

WHEREAS, three public workshops were held at locations which correlated with the three areas of Shasta County that have the highest concentrations of active short-term rental listings: Lakehead/Mountain Gate, Shingletown/Viola and the greater Redding area; and

WHEREAS, based on the direction received by the Board of Supervisors at their April 18, 2017 meeting, the Department of Resource Management Planning Division has drafted an ordinance to recognize and appropriately regulate the use of short-term rentals within the unincorporated area of Shasta County; and

WHEREAS, in accordance with applicable law, the Planning Commission held duly noticed public hearings on June 14, 2018 and December 12, 2019, at which time all interested persons were given an opportunity to be heard and all written and oral comments were considered along with reports from the Planning Division.

NOW, THEREFORE BE IT RESOLVED, by the Shasta County Planning Commission that:

1. The foregoing recitals are true and correct.
2. The Planning Commission has independently reviewed and considered the proposed zone amendment, together with all oral and written testimony received at the public hearing.
3. Adoption of the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15061(b)(3) as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and since there is no possibility the activity in question may have a significant effect on the environment. In addition to the foregoing general exemptions, the proposed ordinance is following categorically exempt pursuant to CEQA Guidelines Section 15301 (Class 1) for existing facilities involving the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. There are no unusual circumstances under CEQA Guidelines Section 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.
4. The proposed Zone Amendment is consistent with the Shasta County General Plan and, more specifically, with Economic Development Objective ED-2 to seek economic diversity that increases the variety, type and scale of business activities.
5. The Planning Commission further recommends that the Shasta County Board of Supervisors

introduce, waive the reading of, and adopt an amendment to the Zoning Plan of the County of Shasta, identified as Zone Amendment 17-004, to permit the establishment and operation of short-term rentals.

DULY PASSED this 9th day of January, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

_____, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:

PAUL A. HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

ORDINANCE NO. SCC 2020-_____
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SHASTA AMENDING TITLE 17, ZONING PLAN, OF THE
SHASTA COUNTY CODE TO REGULATE SHORT-TERM RENTALS

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I.

Article I - Uses Permitted in All Districts, of Chapter 17.88 - Special Uses, is amended as follows:

Add Section 17.88.230 "Short-Term Rentals" to read in its entirety as follows:

17.88.230: Short-Term Rentals.

- A. Intent. The purpose of this Section is to establish a set of regulations applicable to short-term rentals. Special regulation of short-term rentals is necessary to ensure that they will be compatible with surrounding uses and will not act to harm or alter the neighborhoods they are located in while also recognizing the diversity of the short-term rental market.
- B. Definitions. Except where the context otherwise requires, the following definitions shall govern this Section:
1. "Bedroom" means a room that is fully enclosed conditioned space within a one-family residence and meets the following criteria:
 - a. Is located along at least one exterior wall;
 - b. Is at least 70 square feet in size and not less than 7 feet in any horizontal dimension;
 - c. Has a minimum ceiling height of 7 feet (if the ceiling is sloped, 50% may be less than 7 feet in height, but no part shall be less than 5 feet in height);
 - d. Has a built-in closet or storage area; and
 - e. Has at least one window or door exiting directly to the outside for ingress/egress that meets the applicable building code requirements for light, ventilation, and fire escape.
 2. "Director" means the Director of the Resource Management Department or his/her designee.
 3. "One-family residence" is defined in Shasta County Code Section 17.02.450.

4. “Hosted homestay” means a portion of a one-family residence where, for compensation, individual overnight room accommodations are provided for a period of ~~less than~~ 30 consecutive calendar days or less and the property owner resides within the residence while it is being rented.
 5. “Short-term rental” means either a hosted homestay or a vacation rental.
 6. “Vacation rental” means an entire one-family residence where, for compensation, overnight accommodations are provided for a period of ~~less than~~ 30 consecutive calendar days or less, ~~and the~~ The property owner may or may not reside within the a separate legally established one-family residence or accessory dwelling unit on the parcel while the vacation rental is being rented.
 7. “Long-term occupant” means a tenant or other occupant lawfully occupying the property for a period of 31 consecutive calendar days or more.
- C. Applicability. Short-term rentals may be established in any zone district which permits a one-family residence by right, and in the Mixed Use (MU) District provided that all required permits have been secured for the one-family residence, subject to all applicable provisions of this Section.
- D. Hosted Homestay Approval Process. No person shall operate a hosted homestay without first obtaining approval as required by this Section. The following approval process is hereby established:
1. Property owners proposing to operate a hosted homestay must file an affidavit with the Department of Resource Management certifying that they understand and agree to the requirements of this Section, and must submit all items required below and the affidavit fee as established by the Board of Supervisors. If the Director determines that the proposed hosted homestay meets or will meet all applicable requirements of this Section, then the affidavit shall be approved. Approved hosted homestay affidavits are not transferable to subsequent property owners or to another property.
 2. Applicants for a hosted homestay shall be required to provide all pertinent information, as determined by the Director, necessary to determine compliance with this Section and shall pay an application fee as may be established by resolution of the Board of Supervisors. At a minimum, applications for a hosted homestay shall include the following information:
 - a. A site plan or other information deemed necessary by the Director to determine compliance with this Section may be required.
 - b. A floor plan or other information deemed necessary by the Director to determine compliance with this Section may be required.

- c. The property owner shall provide, and keep on file with the County, their name, address, telephone number, and e-mail address.
- E. Vacation Rental Approval Process. No person shall operate a vacation rental without first obtaining approval as required by this Section. The following approval process is hereby established:
1. All vacation rentals shall require approval of a zoning permit in accordance with Section 17.92.060, and shall comply with all requirements of this Section. In making a determination to approve a zoning permit application, the Director shall consider whether or not the proposed vacation rental meets or will meet all applicable requirements of this Section. The zoning permit application shall include the application form and all items required below. Approved zoning permits for vacation rentals are not transferable to subsequent property owners or to another property.
 2. Applicants for a vacation rental shall be required to provide all pertinent information, as determined by the Director, as necessary to determine compliance with this Section and shall pay an application fee as may be established by resolution of the Board of Supervisors. At a minimum, applications for a vacation rental shall include the following information:
 - a. A site plan identifying the location of structures, on-site parking, trash receptacles, and vehicular access to the parcel.
 - b. A floor plan attesting to the number of bedrooms. The floor plan does not have to be professionally drawn but must be reasonably accurate.
 - c. The property owner shall provide, and keep on file with the County, the name, address, telephone number, and e-mail address of the property owner and a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the vacation rental, and who shall have access and authority to assume management of the vacation rental and take remedial measures. The local contact person may be the property owner or other person designated by the property owner to serve in this capacity. This information shall be updated as necessary to remain current, included in every rental agreement and posted in a conspicuous location within the vacation rental. The property owner or local contact person shall be available twenty-four hours per day, seven days per week whenever the vacation rental is rented to accept telephone calls and respond physically to the property within sixty (60) minutes of receiving a call.

F. General Requirements Applicable to All Short-Term Rentals.

1. Advertising. All advertising for any short-term rental shall include the affidavit or zoning permit number assigned by the County, the number of County-approved bedrooms, the maximum occupancy, and the transient occupancy tax number.
2. Building Type. Short-term rentals shall be allowed only in a legally established one-family residence, or a portion thereof, except that no accessory dwelling unit shall be used as a short-term rental at any time. Short-term rentals shall not be permitted in any temporary, portable, or other type of structure not permitted by the County for permanent occupancy (e.g., guest house, tent, yurt, and RV). No more than one short-term rental shall be permitted on an individual parcel.
3. Covenants, Conditions & Restrictions. This ordinance shall not be construed as waiving or otherwise impacting the rights and obligations of any individual, group, or members of any homeowners association to comply with or enforce established covenants, conditions and restrictions (CC&Rs). It is the sole responsibility of the property owner to comply with all applicable CC&Rs.
4. Noise Standards. All short-term rentals shall comply with the following requirements:
 - a. Property owner or local contact person shall insure that the ~~occupants~~ guests of the short-term rental understand that loud or unreasonable noise that disturbs others and that is not in keeping with the character of the surrounding neighborhood will result in a violation of this section.
 - b. Property owner or local contact person shall be available twenty-four hours per day, seven days per week whenever the short-term rental is rented to accept telephone calls and respond physically to the property within sixty (60) minutes of receiving a call to address complaints concerning noise levels. Failure to respond to all verifiable complaints will result in a violation of this section.
 - c. Quiet hours shall be observed between 10:00 p.m. and 7:00 a.m., Monday through Friday, and between 10:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and holidays. Outdoor amplified sound is prohibited during quiet hours.
5. House Policies. House policies shall be included in each short-term rental agreement. It shall be the responsibility of the property owner to enforce all of the requirements of this Section and all house policies. For vacation rentals, the property owner may delegate this responsibility to the local contact person. At a minimum, the house policies shall:
 - a. Notify all ~~occupants~~ guests of the short-term rental of the noise standards as set forth in this section; said standards shall be a part of any rental agreement.

- b. Establish on-site parking policies and identify designated parking areas which adhere to the requirements of subsection 17.88.230.F.8.
 - c. Establish policies and provide information regarding the location of trash receptacles and the trash pick-up schedule. In areas where bears may be present, additional information shall be included on best practices for trash disposal when bears are present.
 - d. Establish policies regarding outdoor burning and all other burn restrictions that meet the minimum requirements as set forth below in subsection F.7.
 - e. For vacation rentals, provide the name, address, telephone number, and e-mail address of the property owner and the local contact person pursuant to Section 17.88.230.E.2.c. For hosted homestays, provide the property owner's name, address, telephone number, and e-mail address.
 - f. Specify that the short-term rental shall not be permitted in any temporary, portable, or other type of structure not permitted by the County for permanent occupancy (e.g., guest house, tent, yurt, and RV).
 - g. Specify that the occupancy shall be limited to a maximum of two ~~persons~~ guests, excluding children under three years of age, per approved bedroom offered for rent.
6. Occupancy. In addition to the property owner and other long-term occupants, between the hours of ~~12:00 a.m.~~ 10:00 p.m. and 6:00 a.m., daily occupancy of the property shall be limited to a maximum of two ~~persons~~ guests, excluding children under three years of age, per approved bedroom offered for rent. In addition to the property owner and long-term occupants, between the hours of 6:00 a.m. and 10:00 p.m., daily occupancy of the property shall be limited to a maximum of three guests, excluding children under three years of age, per approved bedroom offered for rent.
7. Outdoor Burning. Outdoor fire areas and fire pits, when not prohibited by State or local fire regulations or bans, may be permitted if expressly allowed by the property owner, and shall be limited to three feet in diameter, located on a non-combustible surface, covered by a fire screen, and located no closer than within 25 feet of a structure, combustible material, or a property line.
8. Parking.
- a. A minimum of one off-street parking space, either covered or uncovered, shall be provided for each approved bedroom offered for rent (tandem parking permitted). For hosted homestays, this shall be in addition to the off-street parking spaces required for a one-family residence. All required parking spaces shall be located on the short-term rental property and shall comply with all applicable regulations of Shasta County Code Chapter 17.86.

- b. All ~~renters'~~ guests' vehicles and trailers must be accommodated on the rental property or off-site at a commercial facility that is legally permitted to accommodate vehicle and trailer parking.
 9. Safety. Short-term rentals shall meet all applicable building, health, fire and related safety codes at all times, including:
 - a. Working smoke and carbon monoxide detectors and fire extinguishers.
 - b. Emergency evacuation routes and instructions, including emergency ingress/egress routes to and from the short-term rental property, shall be posted in a conspicuous location in the short-term rental and within each guest bedroom.
 - c. All short-term rentals shall be subject to annual fire inspections. Any required inspection fees shall be paid to the applicable fire protection agency.
 10. Transient Occupancy Tax. Property owners shall register all short-term rentals with the Shasta County Tax Collector and shall be subject to payment of applicable transient occupancy taxes. Transient occupancy taxes shall be paid and kept current in accordance with Shasta County Code Chapter 3.16. Failure to pay such taxes when due shall be grounds for permit revocation or other remedies allowed by County Code.
 11. Trash and Recycling. Trash and recycling receptacles shall be stored in a designated storage area out of public view and serviced on a weekly basis. Whenever properties are operated as short-term rentals, trash and recycling receptacles shall not be removed from their designated storage area earlier than 6:00 p.m. the day prior to the scheduled day of service. After pick-up, receptacles and shall be returned to their designated storage areas within 8 hours following pick-up.
 12. Annual Reporting. Permittees shall submit annual reports to the Department of Resource Management no later than January 31st each year for the prior calendar year. Annual reports shall specify rental dates, number of rooms rented, and number of guests (excluding children under three years of age) for each rental date, and shall document all complaints received by the owner and/or local contact person and describe how each complaint was addressed.
- G. Special Requirements Applied to Hosted Homestays. The following provisions shall apply to hosted homestays:
1. Number of Bedrooms. A maximum of two approved bedrooms may be offered for rent at any time.

2. Property Owner Occupancy Required. The property owner must occupy the residence at all times when one or more bedroom is being rented.
- H. Special Requirements Applied to Vacation Rentals. The following provisions shall apply to vacation rentals:
1. Number of Bedrooms. A maximum of five approved bedrooms may be offered for rent at any time.
 2. Liability Insurance. Prior to approval of a zoning permit, the property owner must provide proof that the property has current, valid liability insurance covering short-term rental activity.
 3. Neighbor Notification of Vacation Rentals. The County shall provide notice to property owners within 300 feet of the subject parcel that the property has been approved as a vacation rental and shall include the name, address, telephone number, and e-mail address of the property owner and the local contact person, if applicable, at the time of zoning permit issuance for vacation rentals, or as needed to provide updated information.
- I. Enforcement Process. Operation of a short-term rental without the required approval pursuant to this Section on or after (TBD), shall constitute a violation of this Section and such violation may be enforced in any manner permitted by law including, but not limited to, seeking civil and equitable remedies, the issuance of a citation and fine, or other legal remedy as provided by Chapter 1.08, Chapter 1.12, Chapter 8.28 and Section 17.94.060 of the Shasta County Code. Furthermore, an approved affidavit or zoning permit may be revoked in accordance with the procedures established in Section 17.92.060(E). Additional enforcement is as follows:
1. Violation is an Infraction. A violation of any regulatory or prohibitory provision of this Section is an infraction.
 2. Application Following Revocation. In the event of affidavit or zoning permit revocation, an affidavit or zoning permit application to reestablish a short-term rental after revocation shall not be approved for a minimum of 24 months following the revocation.
 3. Penalty for Non-Compliance. If use as a short-term rental is determined to be unpermitted, an application for an affidavit or zoning permit shall not be approved for a minimum of 12 months after the determination.

SECTION II.

Article II - Definitions, of Chapter 17.02 – General Provisions, is amended as follows:

Amend Section 17.02.085 "Bed and breakfast guest facility" to read as follows:

17.02.085 - Bed and breakfast guest facility.

“Bed and breakfast guest facility” means an owner-occupied one-family residence that provides up to four guest rooms, without individual kitchen facilities, for short-term sleeping accommodations and meal service for overnight guests.

SECTION ~~III~~ III.

The County finds the project is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 1561(b)(3) based on the general rule that CEQA only applies to projects which have the potential for causing a significant impact on the environment. It can be seen with certainty that this proposed ordinance would not have the potential for causing a significant effect on the environment. Additionally, the County finds the project to be Categorically Exempt pursuant to CEQA Guidelines Section 15301 (Class 1) for existing facilities as the project involves the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

SECTION ~~III~~ IV.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION ~~IV~~ V.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this____ day of _____, 2020, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

_____, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

TERRI HOWAT

Acting Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u> <u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
ZONE AMENDMENT 17-004 – SHORT-TERM RENTALS COUNTY-WIDE (ZONING TEXT AMENDMENT) <i>CONTINUED FROM JUNE 14, 2018</i>	12/12/2019	R4

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 17-004 is not subject to and is exempt from the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2019-027; b) adopt the recommended findings listed in Resolution 2019-027; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 17-004.

SUMMARY: Currently, short-term rentals are not permitted in the unincorporated area of Shasta County; however, they do exist and the County has been collecting transient occupancy tax from many such rentals for years, leading to confusion as to the status of short-term rentals as a legitimate land use. While tourism plays a large part in the local economy of Shasta County, valid concerns exist regarding the potential impacts of short-term rentals on the character of neighborhoods and the quality of life of nearby residents. Based on direction from the Board of Supervisors on April 18, 2017, the Planning Division has drafted an ordinance to recognize and appropriately regulate the use of short-term rentals within the unincorporated area of Shasta County.

BACKGROUND AND DISCUSSION: To facilitate the process of drafting an ordinance the County contracted with Host Compliance LLC (Host Compliance) to establish an effective short-term rental ordinance that meets the needs of Shasta County. Work began on the development of the ordinance by completing a marketing analysis of the existing short-term rental market and providing opportunities for public outreach. Data was collected from multiple online listing sites such as Airbnb, Tripping.com and VRBO. Findings of the data collection are summarized in Attachment #3.

Public input was a key component of the ordinance development. Public outreach included well-attended public workshops in Lakehead (October 3, 2017) and Shingletown (October 4, 2017), an online survey made available County-wide (summaries of the workshops and the survey are found in Attachment #4), a Planning Commission workshop held on November 9, 2017 (meeting minutes are found in Attachment #5), and a Planning Commission public hearing held on June 14, 2018 (meeting minutes are found in Attachment #6).

ISSUES: This item was reviewed and continued to a date uncertain by the Planning Commission on June 14, 2018. Staff recommended a continuance due to potential concerns that the draft ordinance may conflict with standing case law. Since that time, staff has worked closely with County Counsel to revise the draft ordinance; County Counsel has approved the revised draft ordinance as to form.

Several issues have been identified by the public on the general topic of short-term rentals. Numerous comments have been received through the online survey, via e-mail, verbally during the three public workshops and one public hearing, inquiries in person during visits to the Department of Resource Management’s permitting counter, and by phone. Concerns and considerations associated with short-term rentals include:

1. Quality of life impacts - Noise, parking not being contained on the rental property, responsible garbage collection/disposal, overcrowding of rentals, limited access (i.e., easements), and general lack of consideration to the neighboring residents by renters.
2. Limited emergency services - Availability and response time for emergency services in rural areas of the County.
3. Commercializing residential neighborhoods - Extensive short-term rental use can impact the residential character of neighborhoods.
4. Recognition of short-term rental use in the Zoning Plan - Existing and potential short-term operators have indicated they want to see the use of short-term rentals recognized and regulated by the County's zoning ordinance to legitimize and appropriately regulate the activity.
5. Utilization of vacant housing - Community benefits from short-term rental uses for homes previously vacant and falling into disrepair due to foreclosure or other factors (Shingletown/Viola area).
6. Support of local businesses - Short-term rentals provide accommodation options for tourists and benefit local businesses.

HIGHLIGHTS OF THE DRAFT ORDINANCE:

- Short-term rentals may be established in any zone district which permits a one-family residence by right, and in the Mixed Use (MU) district provided that all required permits have been secured for the one-family residence.
- Two types of short-term rentals may be established (hosted homestays and vacation rentals), with special requirements specified for each.
- Hosted homestays are subject to an affidavit certifying that the property owner understands and agrees to all requirements. A maximum of two approved bedrooms may be offered for rent at any time and the property owner must occupy the residence at all times when one or more bedroom is being rented.
- Vacation rentals shall require approval of a zoning permit. A maximum of five approved bedrooms may be offered for rent at any time and the property owner may or may not reside within the residence while it is being rented.
- Short-term rentals shall be allowed only in legally established one-family residences, or a portion thereof, except that no accessory dwelling unit shall be used as a short-term rental at any time.
- Short-term rentals shall not be permitted in any temporary, portable, or other type of structure not permitted by the County for permanent occupancy (e.g., guest house, tent, yurt, and RV).
- In addition to the property owner and other long-term occupants, between the hours of 12:00 a.m. and 6:00 a.m., daily occupancy of the property shall be limited to a maximum of two persons per approved bedroom offered for rent.
- A minimum of one off-street parking space, either covered or uncovered, shall be provided for each approved bedroom offered for rent. All required parking spaces shall be located on the short-term rental property and shall comply with all applicable requirements of Shasta County Code Chapter 17.86. All renters' vehicles and trailers must be accommodated on the rental property or off-site at a commercial facility that is legally permitted to accommodate vehicle and trailer parking.
- Quiet hours shall be observed between 10:00 p.m. and 7:00 a.m., Monday through Friday, and between 10:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and holidays. Outdoor amplified sound is prohibited during quiet hours.
- House policies consistent with the ordinance shall be included in each short-term rental agreement.
- The property owner or local contact person shall be available 24 hours per day, seven days per week to accept telephone calls from neighbors and respond physically to the property within 60 minutes of receiving a call to address complaints.

- If a short-term rental is determined to be unpermitted, an application for an affidavit or zoning permit shall not be approved for a minimum of 12 months after the determination. An affidavit or zoning permit application to reestablish a short-term rental after revocation shall not be approved for a minimum of 24 months following the revocation.
- Operation of a short-term rental without the required approval more than 60 days after the ordinance takes effect shall constitute a violation of the Shasta County Code and may be enforced in any manner permitted by law. (Note: The “TBD” placeholder in subsection 17.88.230.I will be replaced with the applicable date prior to the Board of Supervisors’ consideration of the ordinance.)

Environmental Determination: Adoption of the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15061(b)(3) as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and since there is no possibility the activity in question may have a significant effect on the environment. In addition to the foregoing general exemptions, the following categorical exemption applies: CEQA Guidelines Section 15301 (Class 1) for existing facilities involving the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. There are no unusual circumstances under CEQA Guidelines Section 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

ALTERNATIVES: The following alternatives are available:

1. Recommend that the Board of Supervisors approve Zone Amendment 17-004 with revisions.
2. Continue the public hearing to request additional information.
3. Recommend that the Board of Supervisors deny Zone Amendment 17-004.

CONCLUSION: Based on the direction received from the Board of Supervisors, the marketing analysis, referral agencies, public workshops, online survey results, and all public input received, staff is of the opinion that proper analysis has been undertaken and that the proposed ordinance supports the public necessity, health, safety, convenience and general welfare of the citizens of Shasta County.



PAUL A. HELLMAN

Director of Resource Management

Staff Author: Luis A. Topete, Associate Planner

LAT/trh/All Districts

Copies: Project File

Attachments:

1. Resolution 2019-027
2. Draft Ordinance (Zone Amendment 17-004)
3. Data Collection Summary

4. Public Input Summary
5. Planning Commission 11/09/2017 Meeting Minutes
6. Planning Commission 06/14/2018 Meeting Minutes

RESOLUTION NO. 2019-027

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 17-004 (SHORT-TERM RENTALS)

WHEREAS, the County of Shasta (County) has adopted a Zoning Plan identified as Title 17 (Zoning) of the Shasta County Code (SCC); and

WHEREAS, while tourism plays a large part in the local economy of Shasta County, valid concerns exist regarding the potential impacts of short-term rentals on the character of neighborhoods and the quality of life of nearby residents; and

WHEREAS, three public workshops were held at locations which correlated with the three areas of Shasta County that have the highest concentrations of active short-term rental listings: Lakehead/Mountain Gate, Shingletown/Viola and the greater Redding area; and

WHEREAS, based on the direction received by the Board of Supervisors at their April 18, 2017 meeting, the Department of Resource Management Planning Division has drafted an ordinance to recognize and appropriately regulate the use of short-term rentals within the unincorporated area of Shasta County; and

WHEREAS, in accordance with applicable law, the Planning Commission held duly noticed public hearings on June 14, 2018 and December 12, 2019, at which time all interested persons were given an opportunity to be heard and all written and oral comments were considered along with reports from the Planning Division.

NOW, THEREFORE BE IT RESOLVED, by the Shasta County Planning Commission that:

1. The foregoing recitals are true and correct.
2. The Planning Commission has independently reviewed and considered the proposed zone amendment, together with all oral and written testimony received at the public hearing.
3. Adoption of the ordinance is not be subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15061(b)(3) as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and since there is no possibility the activity in question may have a significant effect on the environment. In addition to the foregoing general exemptions, the proposed ordinance is following categorically exempt pursuant to CEQA Guidelines Section 15301 (Class 1) for existing facilities involving the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. There are no unusual circumstances under CEQA Guidelines Section 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.
4. The proposed Zone Amendment is consistent with the Shasta County General Plan and, more specifically, with Economic Development Objective ED-2 to seek economic diversity that increases the variety, type and scale of business activities.
5. The Planning Commission further recommends that the Shasta County Board of Supervisors introduce, waive the reading of, and adopt an amendment to the Zoning Plan of the County of Shasta, identified as Zone Amendment 17-004, to permit the establishment and operation of short-term rentals.

DULY PASSED this 12th day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

JAMES CHAPIN, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:

PAUL A. HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

ORDINANCE NO. SCC 2019-_____
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SHASTA AMENDING TITLE 17, ZONING PLAN, OF THE
SHASTA COUNTY CODE TO REGULATE SHORT-TERM RENTALS

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I.

Article I - Uses Permitted in All Districts, of Chapter 17.88 - Special Uses, is amended as follows:

Add Section 17.88.230 "Short-Term Rentals" to read in its entirety as follows:

17.88.230: Short-Term Rentals.

- A. Intent. The purpose of this Section is to establish a set of regulations applicable to short-term rentals. Special regulation of short-term rentals is necessary to ensure that they will be compatible with surrounding uses and will not act to harm or alter the neighborhoods they are located in while also recognizing the diversity of the short-term rental market.
- B. Definitions. Except where the context otherwise requires, the following definitions shall govern this Section:
1. "Bedroom" means a room that is fully enclosed conditioned space within a one-family residence and meets the following criteria:
 - a. Is located along at least one exterior wall;
 - b. Is at least 70 square feet in size and not less than 7 feet in any horizontal dimension;
 - c. Has a minimum ceiling height of 7 feet (if the ceiling is sloped, 50% may be less than 7 feet in height, but no part shall be less than 5 feet in height);
 - d. Has a built-in closet or storage area; and
 - e. Has at least one window or door exiting directly to the outside for ingress/egress that meets the applicable building code requirements for light, ventilation, and fire escape.
 2. "Director" means the Director of the Resource Management Department or his/her designee.

3. "One-family residence" is defined in Shasta County Code Section 17.02.450.
 4. "Hosted homestay" means a portion of a one-family residence where, for compensation, individual overnight room accommodations are provided for a period of less than 30 days and the property owner resides within the residence while it is being rented.
 5. "Short-term rental" means either a hosted homestay or a vacation rental.
 6. "Vacation rental" means an entire one-family residence where, for compensation, overnight accommodations are provided for a period of less than 30 days and the property owner may or may not reside within the residence while it is being rented.
- C. Applicability. Short-term rentals may be established in any zone district which permits a one-family residence by right, and in the Mixed Use (MU) District provided that all required permits have been secured for the one-family residence, subject to all applicable provisions of this Section.
- D. Hosted Homestay Approval Process. No person shall operate a hosted homestay without first obtaining approval as required by this Section. The following approval process is hereby established:
1. Property owners proposing to operate a hosted homestay must file an affidavit with the Department of Resource Management certifying that they understand and agree to the requirements of this Section, and must submit all items required below and the affidavit fee as established by the Board of Supervisors. If the Director determines that the proposed hosted homestay meets or will meet all applicable requirements of this Section, then the affidavit shall be approved. Approved hosted homestay affidavits are not transferable to subsequent property owners or to another property.
 2. Applicants for a hosted homestay shall be required to provide all pertinent information, as determined by the Director, necessary to determine compliance with this Section and shall pay an application fee as may be established by resolution of the Board of Supervisors. At a minimum, applications for a hosted homestay shall include the following information:
 - a. A site plan or other information deemed necessary by the Director to determine compliance with this Section may be required.
 - b. A floor plan or other information deemed necessary by the Director to determine compliance with this Section may be required.
 - c. The property owner shall provide, and keep on file with the County, their name, address, telephone number, and e-mail address.

E. Vacation Rental Approval Process. No person shall operate a vacation rental without first obtaining approval as required by this Section. The following approval process is hereby established:

1. All vacation rentals shall require approval of a zoning permit in accordance with Section 17.92.060, and shall comply with all requirements of this Section. In making a determination to approve a zoning permit application, the Director shall consider whether or not the proposed vacation rental meets or will meet all applicable requirements of this Section. The zoning permit application shall include the application form and all items required below. Approved zoning permits for vacation rentals are not transferable to subsequent property owners or to another property.
2. Applicants for a vacation rental shall be required to provide all pertinent information, as determined by the Director, as necessary to determine compliance with this Section and shall pay an application fee as may be established by resolution of the Board of Supervisors. At a minimum, applications for a vacation rental shall include the following information:
 - a. A site plan identifying the location of structures, on-site parking, trash receptacles, and vehicular access to the parcel.
 - b. A floor plan attesting to the number of bedrooms. The floor plan does not have to be professionally drawn but must be reasonably accurate.
 - c. The property owner shall provide, and keep on file with the County, the name, address, telephone number, and e-mail address of the property owner and a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the vacation rental, and who shall have access and authority to assume management of the vacation rental and take remedial measures. The local contact person may be the property owner or other person designated by the property owner to serve in this capacity. This information shall be updated as necessary to remain current, included in every rental agreement and posted in a conspicuous location within the vacation rental. The property owner or local contact person shall be available twenty-four hours per day, seven days per week whenever the vacation rental is rented to accept telephone calls and respond physically to the property within sixty (60) minutes of receiving a call.

F. General Requirements Applicable to All Short-Term Rentals.

1. Advertising. All advertising for any short-term rental shall include the affidavit or zoning permit number assigned by the County, the number of County-approved bedrooms, the maximum occupancy, and the transient occupancy tax number.

2. Building Type. Short-term rentals shall be allowed only in a legally established one-family residence, or a portion thereof, except that no accessory dwelling unit shall be used as a short-term rental at any time. Short-term rentals shall not be permitted in any temporary, portable, or other type of structure not permitted by the County for permanent occupancy (e.g., guest house, tent, yurt, and RV).
3. Covenants, Conditions & Restrictions. This ordinance shall not be construed as waiving or otherwise impacting the rights and obligations of any individual, group, or members of any homeowners association to comply with or enforce established covenants, conditions and restrictions (CC&Rs). It is the sole responsibility of the property owner to comply with all applicable CC&Rs.
4. Noise Standards. All short-term rentals shall comply with the following requirements:
 - a. Property owner or local contact person shall insure that the occupants of the short-term rental understand that loud or unreasonable noise that disturbs others and that is not in keeping with the character of the surrounding neighborhood will result in a violation of this section.
 - b. Property owner or local contact person shall be available twenty-four hours per day, seven days per week whenever the short-term rental is rented to accept telephone calls and respond physically to the property within sixty (60) minutes of receiving a call to address complaints concerning noise levels. Failure to respond to all verifiable complaints will result in a violation of this section.
 - c. Quiet hours shall be observed between 10:00 p.m. and 7:00 a.m., Monday through Friday, and between 10:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and holidays. Outdoor amplified sound is prohibited during quiet hours.
5. House Policies. House policies shall be included in each short-term rental agreement. It shall be the responsibility of the property owner to enforce all of the requirements of this Section and all house policies. For vacation rentals, the property owner may delegate this responsibility to the local contact person. At a minimum, the house policies shall:
 - a. Notify all occupants of the short-term rental of the noise standards as set forth in this section; said standards shall be a part of any rental agreement.
 - b. Establish on-site parking policies and identify designated parking areas which adhere to the requirements of subsection 17.88.230.F.8.
 - c. Establish policies and provide information regarding the location of trash receptacles and the trash pick-up schedule. In areas where bears may be present, additional information shall be included on best practices for trash disposal when bears are present.

- d. Establish policies regarding outdoor burning and all other burn restrictions that meet the minimum requirements as set forth below in subsection F.7.
 - e. For vacation rentals, provide the name, address, telephone number, and e-mail address of the property owner and the local contact person pursuant to Section 17.88.230.E.2.c. For hosted homestays, provide the property owner's name, address, telephone number, and e-mail address.
 - f. Specify that the short-term rental shall not be permitted in any temporary, portable, or other type of structure not permitted by the County for permanent occupancy (e.g., guest house, tent, yurt, and RV).
 - g. Specify that the occupancy shall be limited to a maximum of two persons per approved bedroom offered for rent.
6. Occupancy. In addition to the property owner and other long-term occupants, between the hours of 12:00 a.m. and 6:00 a.m., daily occupancy of the property shall be limited to a maximum of two persons per approved bedroom offered for rent.
7. Outdoor Burning. Outdoor fire areas and fire pits, when not prohibited by State or local fire regulations or bans, may be permitted if expressly allowed by the property owner, and shall be limited to three feet in diameter, located on a non-combustible surface, covered by a fire screen, and located no closer than within 25 feet of a structure, combustible material, or a property line.
8. Parking.
- a. A minimum of one off-street parking space, either covered or uncovered, shall be provided for each approved bedroom offered for rent (tandem parking permitted). For hosted homestays, this shall be in addition to the off-street parking spaces required for a one-family residence. All required parking spaces shall be located on the short-term rental property and shall comply with all applicable regulations of Shasta County Code Chapter 17.86.
 - b. All renters' vehicles and trailers must be accommodated on the rental property or off-site at a commercial facility that is legally permitted to accommodate vehicle and trailer parking.
9. Safety. Short-term rentals shall meet all applicable building, health, fire and related safety codes at all times, including:
- a. Working smoke and carbon monoxide detectors and fire extinguishers.

- b. Emergency evacuation routes and instructions, including emergency ingress/egress routes to and from the short-term rental property, shall be posted in a conspicuous location in the short-term rental and within each guest bedroom.
 - c. All short-term rentals shall be subject to annual fire inspections. Any required inspection fees shall be paid to the applicable fire protection agency.
10. Transient Occupancy Tax. Property owners shall register all short-term rentals with the Shasta County Tax Collector and shall be subject to payment of applicable transient occupancy taxes. Transient occupancy taxes shall be paid and kept current in accordance with Shasta County Code Chapter 3.16. Failure to pay such taxes when due shall be grounds for permit revocation or other remedies allowed by County Code.
11. Trash and Recycling. Trash and recycling receptacles shall be stored in a designated storage area out of public view and serviced on a weekly basis. After pick-up, receptacles shall be returned to their designated storage areas within 8 hours.
- G. Special Requirements Applied to Hosted Homestays. The following provisions shall apply to hosted homestays:
1. Number of Bedrooms. A maximum of two approved bedrooms may be offered for rent at any time.
 2. Property Owner Occupancy Required. The property owner must occupy the residence at all times when one or more bedroom is being rented.
- H. Special Requirements Applied to Vacation Rentals. The following provisions shall apply to vacation rentals:
1. Number of Bedrooms. A maximum of five approved bedrooms may be offered for rent at any time.
 2. Liability Insurance. Prior to approval of a zoning permit, the property owner must provide proof that the property has current, valid liability insurance covering short-term rental activity.
 3. Neighbor Notification of Vacation Rentals. The County shall provide notice to property owners within 300 feet of the subject parcel that the property has been approved as a vacation rental and shall include the name, address, telephone number, and e-mail address of the property owner and the local contact person, if applicable, at the time of zoning permit issuance for vacation rentals, or as needed to provide updated information.

- I. Enforcement Process. Operation of a short-term rental without the required approval pursuant to this Section on or after (TBD), shall constitute a violation of this Section and such violation may be enforced in any manner permitted by law including, but not limited to, seeking civil and equitable remedies, the issuance of a citation and fine, or other legal remedy as provided by Chapter 1.08, Chapter 1.12, Chapter 8.28 and Section 17.94.060 of the Shasta County Code. Furthermore, an approved affidavit or zoning permit may be revoked in accordance with the procedures established in Section 17.92.060(E). Additional enforcement is as follows:
 1. Violation is an Infraction. A violation of any regulatory or prohibitory provision of this Section is an infraction.
 2. Application Following Revocation. In the event of affidavit or zoning permit revocation, an affidavit or zoning permit application to reestablish a short-term rental after revocation shall not be approved for a minimum of 24 months following the revocation.
 3. Penalty for Non-Compliance. If use as a short-term rental is determined to be unpermitted, an application for an affidavit or zoning permit shall not be approved for a minimum of 12 months after the determination.

SECTION II.

The County finds the project is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 1561(b)(3) based on the general rule that CEQA only applies to projects which have the potential for causing a significant impact on the environment. It can be seen with certainty that this proposed ordinance would not have the potential for causing a significant effect on the environment. Additionally, the County finds the project to be Categorically Exempt pursuant to CEQA Guidelines Section 15301 (Class 1) for existing facilities as the project involves the permitting, leasing, operation and maintenance of existing private structures involving negligible or no expansion of the existing use. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

SECTION III.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION IV.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this ___ day of _____, 2019, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LEONARD MOTY, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:
LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

Attachment 3

SHORT-TERM RENTAL DATA

In the following pages the data on short-term rentals for Shasta County are summarized, first for the county as a whole and then for five select geographies. This data was collected in September 2017.

Host Compliance's data is collected weekly and we currently collect, aggregate and duplicate all listing data, reviews, calendar info and photos across the world's 16 top short-term rental listing sites.¹ We estimate this represents 99% of the total vacation rental universe in Shasta County's jurisdiction.

Gathering data across platforms presents unique presentation problems. One listing may list on multiple sites, or might be listed in multiple forms on the same site, and analysis can quickly be bogged down by constantly switching between units, listings, active listings, de-duplicated listings, etc. In this document, unless preceded by a modifier, 'listings' refers to all online advertisements, regardless of ownership, duplication, or activity. Each profile will give a breakdown between listings, active listings, listings that qualify as STRs, and physical units. Active listings are defined as any listing that has either had its booking calendar changed or received a review in the last year. These are strong indicators that a host is still actively managing a listing. Using information on activity, nightly minimum stays, and rental price, Host Compliance has been able to produce estimates of potential monthly and yearly revenue both for individual units and on a neighborhood-scale. These estimates can only be verified by a host-by-host audit.

The following charts provide a broad overview of the STR market in Shasta County. Each data sheet that follows will give an overview of the listing types, characteristics, and an estimate of activity in the area. For a deeper dive, the full data is available, including information on specific listings and a full data dictionary.

¹ Airbnb.com, Flipkey.com, HomeAway.com, VRBO.com, VacationRentals.com, travelmob.com, BedandBreakfast.com, HomeAway.co.uk, OwnersDirect.co.uk, HomeAway.de, Aritel.fr, Homelidays.com, HomeAway.es, Toprural.es, AlugueTemporada.com.br, HomeAway.com.au, Stayz.com.au, Bookabach.co.nz

DATA SUMMARY

- **214 Active Listings**
- **175 Unique Properties**
- **158 Unique Hosts**
- **90% Of Listings Are for Entire Homes**
- **8% Of Listings Rent for More Than 90 Days Per Year**
- **'Casual' Hosts Average 17 Days Per Year, 'Professional' Hosts Average 149**

1. Shasta County STR Market

In total, there are around 214 active listings for short-term rentals in Shasta County, representing 175 unique properties and 158 unique hosts. The difference in these numbers comes from properties that are listing on multiple platforms and hosts operating more than one property in Shasta County.

The bulk of listings are in the South Central Region, Lakehead/Mountain Gate, and around Shingletown. All the listings found in Shasta County are 'active,' meaning they have been updated, reviewed, or booked some time in the last year.

Neighborhood	Unique Properties	Unique Hosts	Listings	Active Listings
Lakehead \ Mtn Gate	49	48	60	60
North East County	21	21	24	24
Other Unincorp Areas	13	11	15	15
Shingletown	38	24	49	49
South Central Region	54	54	66	66
TOTAL	175	158	214	214

2. Active Listings by Listing Type

The rental platforms allow for three types of listings: entire unit (where the guest books the entire house or apartment with no one else present); private room (where the guest books a room in a larger unit, often with the host present); and shared room (which is likely to be just a couch or a hostel-like bedroom. Nearly all the listings in Shasta County are for entire units, with only a slight uptick in private room listings in the South Central Region.

Neighborhood	Entire Unit	Private Room	Shared Room
Lakehead \ Mtn Gate	59	1	0
North East County	24	0	0
Other Unincorp Areas	14	1	0
Shingletown	47	2	0
South Central Region	48	17	1
TOTAL	192	21	1

3. Entire Unit Rates & Estimate Monthly Revenue per Unit

Using data focused on the entire unit listings, it is possible to take the advertised nightly rate and compute an estimated monthly revenue based on estimated usage. Because these are averages, there may be extremes both high and low – listings that have no usage, very large properties that skew the mean – but these numbers offer insight into the variations in the neighborhood markets. Also, many communities use these numbers to consider both fee and fine schedules as well as the potential effect on long-term housing conversion.

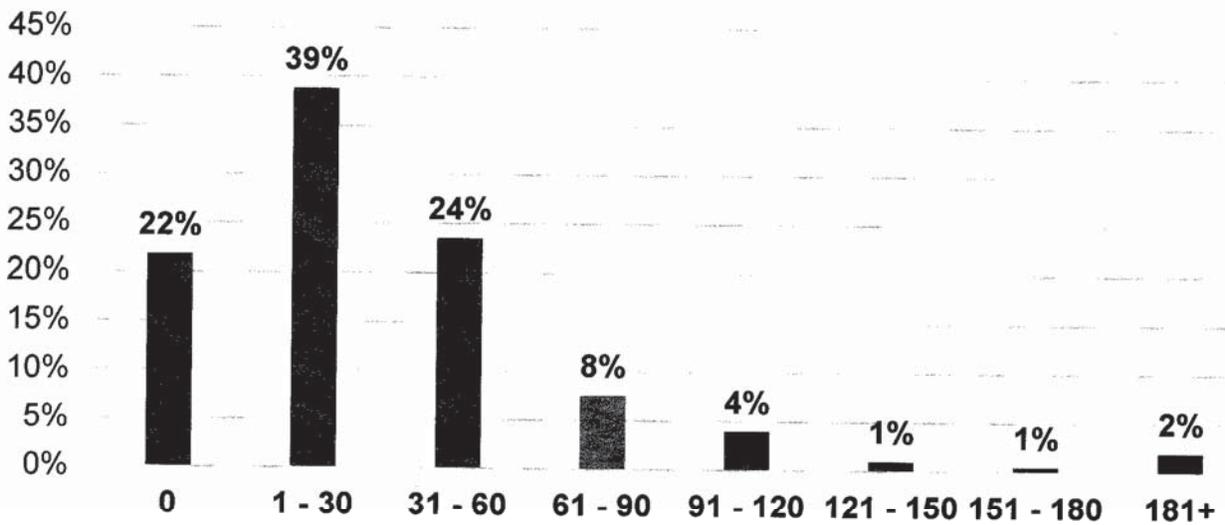
Neighborhood	Avg. Nightly Rate (\$)	Estimated Monthly Revenue (\$)
Lakehead \ Mtn Gate	313	790
North East County	185	593
Other Unincorp Areas	183	596
Shingletown	292	642
South Central Region	311	876

4. Estimated Number of Nights per Year Each Listing is Booked as % of Total Listings

This graph groups listings based on the number of nights per year each listing is estimated to be booked then compares that group as a percentage of all the listings in the county. So, 22% of all listings in Shasta have been booked zero times, 39% of all listings have been booked fewer than 30 days, etc.

In this data, 90 nights is a useful divider between hosts who might be considered more casual and those that are running something more full-time. (This makes no statement about the impacts of their activity; one bad guest could be as disruptive as 91 quiet ones.) Of the 'casual' group, the average number of nights booked was 17. Of the 'professional' listings, the average number of nights booked was 149.

This information can help communities try to segment their markets more specifically while also discussing the relative differences between various lodging options and their associated regulation.



5. Year-to-Year Growth in STR Market

In the fifteen months since comprehensive data was first gathered, the number of short-term rental listings and unique properties have grown 27% and 5%, respectively. These numbers do not necessarily capture larger shifts in the composition of all the listings over time, such as seasonal shifts, or whether old hosts left and were replaced by different property owners.

	Active STR Listings	Unique Properties
May 2016	168	167
September 2017	214	175

Attachment 4

PUBLIC INPUT

WORKSHOP #1 – LAKEHEAD / MOUNTAIN GATE

A workshop was held on October 3rd in Lakehead to gather information from local residents on experiences, reactions, and anecdotes around the issue of short-term renting in the area. Approximately 75 people attended and voiced their opinion.

Positions generally depended somewhat on whether the speaker was a host, operated another lodging business, or was a neighbor. Some common themes:

Many neighbors cited concerns about quality of life issues, especially noise, trash, and parking, and related negative encounters with disruptive visitors. Several noted the difficulty, even danger, with confronting these guests directly while simultaneously not believing that county officials would respond to complaints. A number of residents, while perhaps mildly positive to the concept of short-term renting, complained that hosts pack too many guests into homes, leading to safety and noise concerns.

The few operators of traditional lodging options in attendance catalogued the large number of regulations they are subject to – from bedding to pool maintenance to fire safety – and asked if short-term rentals could be held to similar standards. To them, because a short-term rental and a bed & breakfast and a motel all house the same activity, the playing field should be level.

Numerous short-term rental hosts also voiced their positions. Not surprisingly, all supported some form of legalization, expressing a desire to follow the rules from the county, as long as they were 'fair.' All professed to hold their guests to high standards, to have clear rules for guest behavior, and to check in on their property to ensure issues are resolved. The ideas of having a local contact person and formalized guest rules – essentially taking the piecemeal way these hosts claim to operate and including making them mandatory for all hosts in the county – met with general agreement. A few hosts made a particular point about how the tourist-driven economy of Lakehead benefits from short-term rental options.

WORKSHOP #2 - SHINGLETOWN

The next day, October 4th, another workshop was held in Shingletown. Approximately 50 people voiced their concerns about short-term rentals in the area.

Unlike in Lakehead, the Shingletown attendees were almost entirely residents, with very few hosts, and the discussion tended to be broader than the specific anecdotes in Lakehead. Several residents were pointed in their criticism of the county, wondering how an area without a prompt police, fire, or emergency response would be able to enforce a new short-term rental

rule. Even the ongoing telephone issue in Shingletown, to some people, makes having a local contact person a slightly difficult proposition. A few argued that a private activity on private property should not have much, if any, regulation at all.

As for short-term rental specific issues, several residents expressed concern about fire safety, with guests either unaware of or ignoring fire warnings during their stay. Other attendees were very concerned about personal safety and privacy, wondering if the listing companies or hosts do background checks on guests. To them, the idea of strangers coming and going on their street was a major problem.

At the same time, there was general agreement that any tax money generated by short-term rentals in Shingletown should come back to the community. (This view was also commonly expressed in Lakehead as well.) Relatedly, several people expressed interest in using short-term rentals as an economic development tool, with the extra income being used to maintain property. At least one person hoped short-term rentals would discourage squatters from occupying disused homes.

ONLINE SURVEY

An online survey about short-term rentals in Shasta County ran for a month from September to October 2017. Not counting unfinished surveys, 122 people responded to the twenty-one questions, which ranged from demographic data to open-ended spaces for people to give their own opinions.

A little over half the respondents live in unincorporated Shasta County, another twenty percent in incorporated Shasta County (Redding, Anderson, or Shasta Lake) with the rest from either outside the county or declined to say. Forty-five percent of Shasta County respondents were from Lakehead / Mountain Gate, with the rest roughly evenly split among the other areas.

Among self-identified hosts, over half said *"Hosting short-term renters helps me pay my bills so I can more easily afford to live in the county"* is their main reason for operating an STR, followed by *"Hosting short-term renters allows me to make more money from my property than if it was rented on a long-term basis."*

For self-identified neighbors, 60% claimed to be near an active short-term rental, though – surprisingly, perhaps – a similar percentage expressed satisfaction with their operation. (A look at the responses found that the individuals who disapproved held their opinion more deeply and were more dissatisfied than other people.)

Respondents, both hosts and neighbors, were less clear about the effect of STRs on housing. Roughly a third said 'not important' and another third said 'somewhat important.' Twenty percent said housing is 'critical' and should be the main focus of regulation.

There was wide agreement that quality of life concerns – noise, party houses, parking, trash, and safety – were ‘very important’ issues. (Only traffic was more ambiguous.) Similarly, majorities of respondents believe hosts should lose their permits for repeat offences, that STRs should not have signage, and pay their taxes.

Respondents were nearly evenly split between those that believe neighbors should have a say in the permitting process and whether STR guests have “more of obligation” to follow rules than long-term renters.

Given an opportunity to write their own experiences, two common themes emerged. Hosts want to follow rules and operate with regard to their neighbors, accepting that their concerns about quality of life problems are real. Many others, while pointing out specific bad behavior and worries about parking, trash, and bears – think the activity can be legal as long as it has good accountability from hosts, guests, and the county. Only a few respondents took extreme positions on either side, with a couple wanting total freedom from government interference and a few demanding bans in residential areas.

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: November 9, 2017
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present:	Roy Ramsey	District 4
	Tim MacLean	District 2
	Jim Chapin	District 1
	Steven Kerns	District 3
	Patrick Wallner	District 5

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Lio Salazar, Senior Planner
Jimmy Zanutelli, Shasta County Fire Marshal
Tracie Huff, Administrative Secretary I, Recording Secretary
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorical Exempt (CE), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

APPROVAL OF MINUTES:

October 12, 2017 – Minutes

By motion made, seconded (Wallner/MacLean) and carried unanimously, the Commission approved the Minutes of October 12, 2017, as submitted.

October 19, 2017 – Minutes

By motion made, seconded (Chapin/MacLean) and carried unanimously, the Commission approved the Minutes of October 19, 2017, as submitted.

OPEN TIME: No Speakers.

CONFLICT OF INTEREST DECLARATIONS: None.

CONSENT ITEMS: None.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R1: **PARCEL MAP 05-061 – EXTENSION OF TIME:** The project is located in the Happy Valley area on a 21.30-acre parcel on the south side of Olinda Road at its intersection with Redleaf Lane (APN: 207-470-002-000). John Castellanos had requested an extension of time for approved Parcel Map 05-061. The Planning Commission approved Parcel Map 05-061 on April 13, 2006 for the division of a 21.30-acre parcel into four 5.0 to 6.3-acre parcels for residential uses. Subsequently on July 10, 2008 the Commission approved a 2½-year extension for the parcel map extending the expiration to October 13, 2010. The recommended 3½-year extension of time would establish the new tentative map expiration to April 13, 2021. Staff Planner Kent Hector. District 2. Proposed CEQA Determination: Exempt.

Senior Planner Lio Salazar presented the staff report. The Parcel Map location was noted in an overhead presentation. Mr. Salazar noted the General Plan land use designation Rural Residential A (RA) and Zoned Limited Agriculture and Mobile Home Zone District (A-1-T). Commissioner Wallner asked if this extension would be the last for the map. Mr. Salazar confirmed it would be.

The public hearing was opened and with there being no speakers for or against the project the public hearing was closed.

ACTION: By motion made, seconded (Kerns/Chapin), and carried unanimously by Resolution 2017-041, the Planning Commission found that the extension of time is not subject to the requirements of CEQA under the “common sense” exemption, Section 1506 (b)(3) of the CEQA guidelines and approved a 3½-year extension of time for Parcel Map 05-061 based on the recommended findings and subject to the conditions listed in the original Planning Commission Resolution 2006-045.

NON-HEARING ITEMS:

NH1: **USE PERMIT15-002 TNJ PROPERTIES - EXTENSION OF TIME:** The project is located in the Fall River Mills area, on the north side of State Highway 299 East, approximately 0.45 miles of the intersection of State Highway 299 East and Reynolds Road (43386 State Highway 299 East). TNJ Properties had requested a one-year extension of time to October 8, 2018 for an approved wireless telecommunications facility use permit. The approved facility includes a 76-foot high monopole wireless telecommunications tower and associated ground equipment. Staff Planner Lio Salazar. District 3. Proposed CEQA Determination: Statutorily Exempt.

Senior Planner Lio Salazar presented the staff report. Mr. Salazar noted two points of clarification. The agenda noted the project as a second extension of time when it should have been noted as a first extension of time. The second clarification was the zoning plan section reference for the use permit

extension of time should have been 17.92.040.E.1. and not 17.94.040.E.1. as referenced in the staff report. This reference was corrected in the proposed resolution for the project. The original project expiration was October 8, 2017. The applicant filed an extension request on September 21, 2017. They indicated a reasonable cause to extend the approval existed because the completion of negotiations and agreements between the applicant and the owner were not entirely within the control of the applicant and delayed commencement of construction. The applicant is currently preparing to submit building permit applications for the facility.

Gerie Johnson addressed the Commission on behalf of Complete Wireless Consulting and Verizon Wireless. Ms. Johnson stated that the applicant and the landowner have a lease in place; however, the terms of the lease had not been solidified. Therefore the applicant requested an extension of time. Mr. Ramsey asked the public if there was anyone who wished to address the Commission on this item. No further comments were received.

ACTION: By motion made, seconded (Wallner/MacLean), and carried unanimously, by Resolution 2017-042, as revised, the Planning Commission found the project not subject to CEQA under Section 15268 "Ministerial Projects" of the CEQA guidelines and approved Use Permit Extension of Time 15-002 to October 8, 2018 based on the recommended findings and subject to the conditions listed in the original Planning Commission Resolution No. 2015-025.

WORKSHOP

NH2: **WORKSHOP FOR Z17-005 COUNTY-WIDE SHORT TERM RENTALS:** The Planning Commission conducted a public workshop regarding the development of an ordinance regulating Short Term Rentals in unincorporated Shasta County. The Shasta County Department of Resource Management sought feedback from county residents and property owners on the various aspects of the short-term rental market. This was the third, and last, public workshop to be held prior to consideration of draft regulations. The previous workshops were held in Lakehead (October 3, 2017) and Shingletown (October 4, 2017).

Planning Division Manager Kim Hunter presented a PowerPoint overview of short-term rentals in Shasta County. Based on the direction received by the Board of Supervisors, the Department of Resource Management Planning Division is in the process of developing a draft "Short-Term Rentals" ordinance to recognize and appropriately regulate the use of short-term rentals.

Ms. Hunter addressed the definition of what a short-term rental is. Generally, rentals of residential dwelling units of less than a month. Currently, short-term rentals are not recognized in the Shasta County Zoning Plan. Ms. Hunter discussed platforms that are used as online marketplaces for connecting travelers to local hosts. One challenge that local jurisdictions face in regulating short-term rentals is that there is no boilerplate ordinance. Several elements to consider included housing, economic development, land use, community development, taxation, and safety among others. Ms. Hunter impressed best practices including the need for data driven decisions and that the ordinance be enforceable to be successful.

Currently, short-term rentals are unregulated in the unincorporated areas of Shasta County. However, the County has collected 10% Transient Occupancy Tax (TOT) for years. The 2016 total TOT tax for short-term rentals was approximately \$132,000.

Previous workshops were hosted in Shingletown and Lakehead. Entire dwelling units make up the majority of short-term rentals. Ms. Hunter acknowledged the concerns that have been raised through the complaint process related to short-term rentals including quality of life issues.

Commissioner Ramsey asked for highlights about the workshops. Ms. Hunter mentioned that the County has contracted with Host Compliance LLC (Host Compliance). Highlights included:

Workshop 1: The Lakehead workshop was well attended and productive. Positions generally depended on whether the speaker was a host, operated another type of lodging business, or was a neighbor to a short-term rental property. Many neighbors cited concerns about quality of life issues (noise, trash, parking, and related negative encounters with visitors). A number of residents complained that hosts packed too many guests into rentals leading to safety and noise concerns. All supported some form of legalization expressing a desire to follow the rules as long as they were fair.

Workshop 2: The Shingletown workshop was also well attended. Unlike Lakehead, attendees were almost entirely residents with very few hosts. Discussion tended to be broader. Concerns about police, fire, and emergency response to enforcing a short-term rental ordinance. Additional concerns about strangers coming and going on the street was noted. There was general agreement that any tax money generated by short-term rentals should stay local, within the community.

Commissioner Ramsey opened the floor to the public for comments.

Speaker's Name

Comments/Concerns/Questions

Phillip Bass

Voiced concerns about trash left by renters of one particular rental in Lakehead. Animals such as bears, coyotes, and raccoons who get into trash and spread it across the road was noted. Concerns about noise and road erosion due to ski boats driving along a narrow road and property damage due to vehicles and boats attempting to turn in too narrow of a roadway. Safety issues related to traffic. Mr. Bass asked for the Commission to consider that each property is unique.

Niki Manning

Ms. Manning attended the Lakehead Workshop. She noted that CC&Rs state no business or trade is to be conducted in her neighborhood. Currently there are four or five vacation homes. Due to a variety of citizen concerns for vacation rentals, complaint letters were sent to the Department of Resource Management in April. Additional concerns were voiced about traffic and houses that advertise for large groups of 18 to 25 and lack of enforcement. Mr. Simon clarified several complaints can be received for a single rental or location.

Al Knoll

Mr. Knoll asked the Commission to define unique properties versus unique hosts. He owns a vacation home in Lakehead that is rented on a short-term basis approximately 20-25 times for a total of 70 days per year. He has been renting for the last seven years without any complaints. Rental rates are \$450 per night. Commissioner Chapin asked if rules of conduct were given to renters. Mr. Knoll stated that he did not, however, emphasized how important the rating system of some of the platforms were (i.e., Airbnb) to ensuring good tenants and screening which provided self-regulation. Commissioner Kerns asked what Mr. Knoll's experience was in dealing with issues such as traffic and what he would recommend the County do to address those kind of issues. Mr. Knoll questioned what leads Commissioners to justify the need for regulation and what metrics would be relied upon. He noted the difficulty in distinguishing between regular reports of the Sheriff's Department for noise and other issues versus whether the problem is more pervasive to rentals in identifying if a problem exists. Commissioner Wallner thanked Mr. Knoll for being a conscientious renter. Ms. Hunter defined unique hosts and a unique listing.

David Raun

Mr. Raun mentioned he owned two properties in Lakehead. He expressed recognition of the complex issues involved and different perspectives. He discussed the screening involved and deposit requirements for his rentals. He mentioned the spending people bring into communities outside of TOT. Mr. Raun expressed concern over empty homes and issues of break-ins or people camping out at the home. Mr. Raun discussed solving issues as they came about, such as renting an additional trash bin, putting locks on bins and limiting parking to a specific area. Mr. Raun stated his experience renting his home has been positive and that he wanted to have a clean, nice house and neighbors who like him. He stressed the importance of strong communication with guests.

Commissioner Kerns inquired about the rental season. Mr. Raun responded mid-June through August is his peak season and some holidays with the remaining year hit or miss. Minimums of four nights in the summer and typically two in the winter are required. Commissioner MacLean asked how long the business has run. Mr. Raun stated he started renting in September 2015 and purchased a second home a year later. Mr. Raun provided a handout to the Commission.

Betty Bry

Ms. Bry has lived in Lakeview for 17 years. Currently there are five vacation rentals and another coming to her area. She expressed concern with the residential neighborhood being in close proximity to each other. One of the rentals will host between 25-30 people and 15 cars. She expressed concern over insufficient parking and cars being on the road and blocking people's driveways. She indicated renters are rude and not willing to move their vehicles when asked. Ms. Bry expressed concerns over noise, drinking, partying, language, traffic and fighting. She noted sheriff personnel can take up to two hours response time and that fire response is also a concern. Ms. Bry stated she puts cones in her driveway during the summer due to past property damage (sprinklers & plants) from renters attempting to use her driveway to navigate turning with their boats. She indicated it is rare to see owners of rentals as they almost all live out of the area. Further issues include garbage being left or strewn by animals across the roadway. Ms. Bry commented owners would never want to live next door to what we (property owners) have to live with.

Karen Koroknay

Ms. Koroknay rents her home when away. Her renters are families and church groups. She declines renting to certain groups and requires renter information. Ms. Koroknay stated she provides contracts and requires a security deposit. She stated she is a responsible renter and she pays the quarterly TOT. She indicated that without short-term rentals, many houses would sit for months and concerns about squatters. Ms. Koroknay discussed the additional benefit other business receive when their services are used. She expressed her desire to be treated fairly in what is decided. Commissioner Chapin asked about the rental amount charged per day. Ms. Koroknay stated \$300 plus a deposit. Commissioner Chapin further asked if she felt having a deposit helped in getting good tenants taking care of the home and following the rules. Ms. Koroknay stated she looks to rent to families. Ms. Koroknay provided a handout to the Commission.

Mr. Simon acknowledged the different sides to short-term rentals; which was one of the reasons the Board of Supervisors gave direction to begin the research and development process establishing an ordinance. One of the main reasons for the initiative is to address the current Shasta County code which does not recognize short-term rentals as a legitimate land use. Anyone who has a short-term rental currently, is technically in violation of the County code. Mr. Simon impressed the balance sought between recognizing short-term rentals as a legitimate use of property along with a reasonable set of regulations.

Commissioner Kerns asked if the next step after hearing testimony was to put together a recommendation before the Commission. Mr. Simon stated that it was. Along with working with Host Compliance, the Department of Resource Management will complete a draft ordinance for consideration by the Planning Commission. The Planning Commission, once satisfied, would make a recommendation to the Board of Supervisors. The recommendation and document will be forwarded to the Board of Supervisors who would conduct their own public hearing(s) and would decide to either to approve, amend, or start from scratch.

Commissioner Kerns clarified that the public would be able to comment on the draft. Mr. Simon stated that they would. Commissioner Chapin stated that it seemed part of the ordinance should take into consideration the infrastructure (quality and width of the streets, parking availability, closeness of homes). He also suggested looking at successful rentals and minimum requirements for a code of conduct. Mr. Simon noted that what has been observed in the workshops is in circumstances where there is the presence of an owner or representative, there are the fewest problems.

There being no other speakers, the chairman thanked all participants and the public workshop was closed.

PLANNING DIRECTOR'S REPORT: None.

ADJOURNMENT: The Planning Commission adjourned at 3:52p.m.

Submitted by:


Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary

**SHASTA COUNTY
PLANNING COMMISSION MEETING**

MINUTES

Meeting

Date: June 14, 2018
Time: 1:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present: Tim MacLean District 2
Jim Chapin District 1
Steven Kerns District 3
Roy Ramsey District 4
Patrick Wallner District 5

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Lisa Lozier, Senior Planner
Lio Salazar, Senior Planner
Luis Topete, Associate Planner
Brent Albrecht, Assistant Planner
Ken Henderson, Environmental Health Division
Jimmy Zanotelli, Shasta County Fire Marshal
Charleen Beard, Public Works/Associate Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:
By motion made, seconded (Wallner/Kerns) and carried unanimously, the Planning Commission approved the Minutes of May 10, 2018, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Commissioner Kerns declared his abstention to Items R4 & R5 due to a conflict of interest.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: **Variance 18-0001 (Mall) continued from May 10, 2018:** The applicant has requested approval of a variance to construct a 21-foot-wide by 27-foot-long and approximately 9-foot tall metal car shade/trellis. Applicant: Jeffrey E. Mall; Assessor's Parcel Number(s): 204-530-007-000; Project Location: South Central Region west of Redding and south of State Route 299, on a 3.81-acre parcel approximately 0.4 miles north of Lower Springs Road (10080 Tilton Mine Road). The structure being proposed is within the minimum 30-foot setback, which also requires an exception to the Shasta County Fire Safety Standards. Supervisor District: 2; Recommended Environmental Determination: Categorically Exempt; Planner: Luis Topete, Associate Planner. 4/5 Vote.

Associate Planner Luis Topete presented the staff report. He noted the project's continuation from the May 10th Planning Commission meeting, to bring back findings for a fire exception (#18-18) to the Commission and that the Fire Warden had recommended approval of an exception, subject to conditions as set forth in the exception.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Chapin/Ramsey) and carried unanimously, the Planning Commission adopted a resolution to: a) find the project Categorically Exempt from the California Environmental Quality Act (CEQA) under Section 15303 (Class 3) which exempts new construction of small structures, and Section 15305 (Class 5) which exempts setback variances; b) adopt the recommended findings listed in the attached resolution; and c) approve Variance 18-0001 subject to the conditions listed in the resolution; and d) make the findings for an exception to Section 6.51 of the Shasta County Fire Safety Standards for building setbacks; and e) approve Shasta County Fire Safety Setback Exception #18-18, subject to the conditions as set forth in the exception.

Ex-parte Communications Disclosures: None.

R3 **Zone Amendment 17-004 (Short-Term Rentals):** Associate Planner Luis Topete provided a staff presentation summarizing the proposed changes to short-term rentals in unincorporated Shasta County. Mr. Topete noted that short-term rentals are not currently recognized by the zoning ordinance as a permitted use, however, they exist throughout Shasta County and transient occupancy tax (TOT) has been collected for short-term rentals for years. He affirmed valid concerns exist regarding potential impacts of short-term rentals on the residential character of established neighborhoods and summarized the background, public outreach and marketing analysis that had been done to obtain public input. Mr. Topete summarized issues and comments received from the public and the draft ordinance. He noted that Planning staff recommended continuing the hearing to a later date for the Department to adequately address potential concerns within the draft ordinance that may conflict with standing case law.

Commissioner Chapin asked whether a short-term rental permit would need to be applied for once and inquired about the cost. Mr. Topete confirmed a permit would be applied for once. Director Rick Simon noted the application fee for a zoning permit was in the hundreds and recommended consideration that the permit be renewed and not transferable to a new owner.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Stephen Albaugh

Mr. Albaugh expressed concern over a 'one size fits all' approach to the draft ordinance. He noted the draft ordinance appeared to be drafted for residential neighborhoods and that he would be required to notify 23 adjoining property owners, none of whom were within a ¼ mile distance of his short-term rental. He voiced concern over Item 10 which precluded use of a rental property for special events. Mr. Albaugh requested consideration for rural properties to be addressed in the ordinance and an expedited permit process for rentals not residing within a residential area. Commissioner Kerns asked how many guests could be accommodated at Mr. Albaugh's rental. Mr. Albaugh noted there was room for eight. Commissioner Chapin asked whether the rental was used for special events or enjoyment of the ranch. Mr. Albaugh stated to enjoy the ranch, however, he noted the potential for agritourism.

Niki Manning

Ms. Manning stated she has lived in Lakehead for 31 years on Lakeview Drive. Fifteen letters of complaint from residents regarding vacation rentals on Lakeview Drive were submitted to the Department in April 2007. Ms. Manning discussed the conversion of a garage and carport on property fronting hers. She expressed concerns about permits for these conversions and lack of code enforcement follow-up. She voiced concern over the number of people and cars at the property, indicating cars exceeded ten and people exceeded 35 at the rental. Ms. Manning referenced the draft ordinance's intent for compatibility with surrounding residential uses and requested clarification between types of rentals (residential neighborhoods versus rural and occupancy requirements of the ordinance). She requested a building inspector check the garage conversion for the rental property described.

Betty Bryant

Ms. Bryant shared photos of cars parked in front of one of the rentals. She discussed concerns about noise and dogs left in rental units while renters visited the lake. She requested clarification on monitoring of short-term rentals that did not comply with the ordinance. Ms. Bryant requested the ordinance address trash left in the street for months at a time in the winter.

David Miller

Mr. Miller expressed his disappointment the ordinance did not include feedback given by businesses. He stated short-term rentals are not held to the same standard his business is

(health, water, & fire requirements). Commissioner Kerns asked for clarification of Mr. Miller's concern and for his opinion on the ordinance. Mr. Miller requested fairness in competition when he was required to have licenses and testing for his Inn but affirmed the proposed ordinance was a good step in the right direction.

Harold Jones

Mr. Jones stated he was the resort owner of Sugarloaf Cottages. He stated that vacation rentals are running a business and he requested fairness in vacation rentals playing by the same rules he must abide by. Mr. Jones stated he is required to obtain a housing and pool permit annually.

Scott Swendiman

Mr. Swendiman noted one of his rental properties is located on Airport Road. He questioned noise pollution requirements of the ordinance for his rental located in the flightpath near the airport. He asked if noise pollution was determined on a case by case basis and whether agritourism was being considered. Mr. Swendiman inquired about the freedom of use allowed to rental properties and asked about the non-permitted use of a second dwelling.

Kristine McInnes

Ms. McInnes stated she manages a vacation rental in Viola and that she currently follows most of the rules of the draft ordinance. Ms. McInnes requested clarification on advertising requirements of posting the TOT tax number and zoning permit number. She mentioned she was unsure when house policies were received by guests when reserved on host websites and requested clarification on when house policies are required to be received.

Theresa Bloomquist

Ms. Bloomquist stated she was from Lakehead and informed the Planning Commission Lakeview Drive in Lakehead was a residential street. She asked for clarification on the legality of a hosting a wedding on a 20-acre property.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioners Chapin and Kerns requested the short-term rental ordinance address the differences in residential versus rural situations. Commissioner Wallner expressed his appreciation to staff and input from speakers and noted code enforcement for short-term rentals would likely be handled by the Building Division. Planning Division Manager Kim Hunter recommended continuation of the item to a date uncertain.

Ms. Hunter addressed questions from the public hearing, including: concerns of one size fits all, dogs left in rentals, monitoring, the difference between accessory dwelling units and second dwellings, and TOT & permitting information on advertising. Mr. Simon noted the difficulty of imposing

PLANNING COMMISSION MEETING MINUTES

June 14, 2018

4 of 10

commercial standards to a residence, however, he affirmed some jurisdictions have adopted thresholds for days a residence is rented which identify the rental as a commercial endeavor. He asked whether the Commission was interested in what other jurisdictions have done in establishing a threshold. Commissioners Ramsey and Wallner indicated they believed if a short-term rental is run as a business for a certain number of days, it was appropriate for staff to bring back more information on addressing those endeavors in the draft ordinance.

By motion made, seconded (Ramsey/Kerns) and carried unanimously, the Planning Commission continued Zone Amendment 17-004 to a date uncertain.

Ex-parte Communications Disclosures: Commissioner Kerns stated he conducted environmental reviews; including biological reviews and wetland delineations for Items R4 & R5 and would be abstaining from voting on those items. Commissioner Kerns left the room.

The Commission announced a recess at 2:20 p.m., and reconvened at 2:27 p.m.

R4: Extension of Time 18-0002 (Fall River Development, Inc.): The applicant has requested an extension of time for an approved parcel map PM12-002 to subdivide a 61-acre property into 4 parcels ranging from 3 to 10 acres in size for residential uses with a 41-acre remainder parcel. Applicant: Fall River Development, Inc.; Assessor's Parcel Number(s): 701-040-008-000; Project Location: Shingletown area, on the east side of Thatcher Mill Road, approximately 0.9 miles north of the intersection of Ritts Mill Road and Thatcher Mill Road; Supervisor District: 5; Recommended Environmental Determination: Exempt under section 15061(b)(3) of the CEQA Guidelines which states that as a general rule CEQA applies only to projects which have the potential for causing a significant effect on the environment; Planner: Lio Salazar, Senior Planner. Simple Majority Vote.

Senior Planner Lio Salazar presented the staff report.

Chairman MacLean opened the public hearing. Frank Nichols, owner of Fall River Development, Inc. discussed challenges of meeting conditions of the project. Specifically, connecting with water for fire suppression water through Lassen Pines Mutual Water Company.

Chairman MacLean called for any other speakers.

Speaking in opposition of the Extension of Time:

Speaker's Name

Comments/Concerns/Questions

Tracy Sardad

Ms. Sardad submitted a letter and photographs to the Planning Commission and read a letter discussing how the building of homes by the meadow affect the neighborhood. She noted the project's lack of annexation to Lassen Pines Mutual Water Company. Ms. Sardad expressed concerns over limited water stating that additional water suppression would be a burden to extend beyond current homes. She expressed concerns about disruption of wildlife and fowl.

Tim King

Mr. King stated he was manager of Lassen Pines Mutual

Water Company. He noted the lack of a will serve letter from the water company for the project. Mr. King discussed problems with the project (lack of domestic and fire suppression water, lack of annexation to Lassen Pines Mutual Water Company and contamination of well water in the meadow area; including several wells that tested positive for E. coli). He stated it was his belief the project was a different project than the one originally approved. He asserted the applicant came to the water board as recently as 3-4 months ago. Mr. King requested the Commission vote no on the extension of time and stated it was a terrible project. Commissioner Chapin asked if Lassen Pines Mutual Water Company had a duplicate water system. Mr. King stated fire and domestic water were treated through the same pipeline.

Mark Armogida

Mr. Armogida stated he recently purchased a home on a lot on the meadow and that he went to the Planning Commission to see how the project might impact his view. He noted he was assured by the applicant there would not be any activity behind his home because another easement had been purchased. He noted other than some grading, nothing had been done on the project and that it was an eye sore. Mr. Armogida expressed concern about the meadow asserting the area that was graded had not been restored.

Gail Boehm

Ms. Boehm stated she owns two properties along the creek where the applicant built an offramp off of Mountain Meadow Road. She asserted it was not wide enough for two cars and a culvert had been extended from creek level into her property which allows water to come into her property. She expressed opposition to the project stating it had ruined both her properties. Ms. Boehm maintained the applicant hauled in dirt from the meadow four feet from subgrade, blocking her view of the meadow.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioner Chapin recognized the project's original environmental reviews when first approved, noting that if the extension was approved, there would not be any changes to the original project plans. Commissioner Wallner also submitted the project's conditions would remain the same. Commissioner Ramsey noted the extension was what the Commission was considering. Chairman MacLean asked Planning staff if the applicant would be required to go through additional approval if there was a change to the project. Mr. Simon noted under current Shasta County code, to modify an approved tentative map, the applicant would be required to submit a new application identifying any changes to the previously approved tentative map. Additionally, any change would be subject to review by the Planning Commission as well as environmental review under CEQA. Mr. Simon noted review would be limited to the change proposed.

PLANNING COMMISSION MEETING MINUTES

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By motion made, seconded (Chapin/Ramsey) and carried 4-0, the Planning Commission adopted a resolution to: a) find that the extension of time is Exempt from the California Environmental Quality Act (CEQA) under section 15061(b)(3) of the CEQA Guidelines which states that as a general rule CEQA applies only to projects which have the potential for causing a significant effect on the environment; b) adopt the recommended findings listed in the attached resolution; and c) approve Extension of Time 18-0002 for Parcel Map 12-002.

Ex-parte Communications Disclosures: None.

R5: **Parcel Map 17-006 (E C Smith Investments):** The applicant has requested approval to subdivide a forty-acre property into 4 lots of 5 to 9.8 acres and a 14-acre remainder. Applicant: E. C. Smith Investments, LLC; Assessor's Parcel Number(s): 041-650-031-000 & 041-650-032-000; Project Location: Igo Rural Community Center on the north side of Platina Road, approximately one-tenth of a mile west of the intersection of Platina Road and Placer Road (13634 Platina Road); Supervisor District: 2; Recommended Environmental Determination: Mitigated Negative Declaration; Planner: Lisa Lozier, Senior Planner. Simple Majority Vote.

Senior Planner Lisa Lozier presented the staff report. Ms. Lozier noted the project site was previously approved for an eight-lot subdivision (Tract Map 1955) which was still active and that should proposed Parcel Map 17-006 be approved, Tract Map 1955 shall be withdrawn by the applicant. Additionally, the Department of Public Works has conditioned the Parcel Map on the installation of a type "A" road connection (paved apron) at the access of parcels 2, 3, and 4 prior to recordation as a safety measure to address construction traffic.

Ms. Lozier summarized a memorandum received by the Planning Commission. Commissioners discussed concerns related to a letter received from the California Department of Fish and Wildlife; including examining buffer zones and the wetlands delineation prepared for the project site. Planning Manager Kim Hunter noted that a wetland delineation is generally accepted for five years. The age of the wetland delineation (Tract Map 1955) is twelve years old. Given its age, a review and verification by the Army Corps of Engineers was requested. Chairman MacLean noted that generally it is up to the project's applicant to work with the biologist to request reverification by the Army Corps of Engineers.

Chairman MacLean opened the public hearing. Representative Jim Elkins noted the tentative map's wetland delineation was still active and the vernal pools and ponds are not within the proposed building site. He noted one of the reasons for reducing the number of lots was to avoid impacting the wetlands, which would avoid fill in the drainages and lessen grading and tree removal. Mr. Elkins requested the Planning Commission accept the previously approved wetland delineation, adopt a determination of a Mitigated Negative Declaration and approve Parcel Map 17-006 subject to the proposed conditions. Commissioner Chapin asked for confirmation the project would avoid the wetlands. Mr. Elkins affirmed that was correct.

Commissioner Wallner asked when Mr. Elkins was made aware of the response letter from the Department of Fish and Wildlife. Mr. Elkins indicated the day before the Planning Commission meeting. Chairman MacLean asked if any permits from the Army Corps of Engineers had been pulled. Mr. Elkins confirmed no permits had been pulled and that there would be no impact to wetlands. Planning Division Manager Kim Hunter noted no field site visit had been conducted by the Department of Fish and Wildlife.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

The Planning Commission discussed requirements of the project. Commissioner Chapin suggested continuing the project to the next meeting to allow time for the applicant to work with a biologist to confirm no existence of the western pond turtle and for the Department to work on project conditions.

Chairman MacLean re-opened the public hearing. Applicant Jim Elkins confirmed continuance was acceptable and verified that no additional wetlands delineation confirmation was necessary.

Chairman MacLean closed the public hearing.

By motion made, seconded (Chapin/Ramsey) and carried 4-0, the Planning Commission continued Parcel Map 17-006 to the July 12, 2018 Planning Commission meeting to allow additional time for the applicant to have a survey conducted of the wetlands to confirm no western pond turtles are present at the site and for the Department to review project conditions.

Commissioner Kerns returned to the meeting.

Ex-parte Communications Disclosures: None.

R6: **Tract Map 1990 (Gold Bear Mountain, L.P.):** The applicant has requested to divide an existing vacant parcel of 5.29 acres into two resulting parcels of 2.52 acres (Lot A) and 2.77 acres (Lot B) for residential uses. Applicant: Gold Bear Mountain, L.P.; Assessor's Parcel Number(s): 306-640-015-000; Project Location: Lot 15 of the Manzanillo Orchard Tract Map (Tract No. 1922) recorded in February 2006; Supervisor District: 4; Recommended Environmental Determination: Mitigated Negative Declaration; Planner: Luis Topete, Associate Planner. Simple Majority Vote.

Associate Planner Luis Topete presented the staff report.

Chairman MacLean opened the public hearing. General Partner Rob Middleton offered to answer any questions. Commissioner Chapin asked if Mr. Middleton was satisfied with the conditions. Mr. Middleton affirmed he was.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

By motion made, seconded (Wallner/Chapin) and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in the attached resolution; and c) approve Tract Map 1990 subject to the conditions listed in the attached resolution, as amended.

R7: **General Plan Amendment 18-001 and Zoning Plan Amendment Z17-003 (Housing-related text amendments and other Zoning Plan text revisions):** Director Richard Simon provided a staff presentation summarizing proposed revisions to the Shasta County General Plan and Zoning Plan made necessary by State housing law, the Shasta County Housing Element and zoning clarifications.

Proposed General Plan Amendments:

Mr. Simon discussed the Housing Element Cycle, Default Density, and the County's commitment from both the prior and current Housing Element cycle to rezone approximately 55-acres to the default density. He further addressed proposed General Plan Amendments to Chapters 7.1 & 7.5.

Mr. Simon reviewed Land Use Designations, Policies, Mixed Use Land Use, and CO-x (Goals & Policies).

Proposed Zoning Plan Amendments:

Mr. Simon discussed the change of format for referring to definitions of state code automatically as a part of the policy within the County's Zoning Code. He discussed Emergency Shelters, Zone Districts, Supportive and Transitional Housing, Purpose, Minimum and Maximum Residential Density, Uses requiring an administrative permit, Uses to the CM district, Mandatory project features, design review (DR) district, Density Bonus Purpose, Special Uses for "Emergency shelters", Applications and Procedures for Use permits, Use permits – modification, Zone district land use interpretation, Appeal, and Reasonable Accommodation.

Commissioner Kerns recommended using the following language once to indicate throughout the Zoning Plan "wherever supportive housing is allowed by zoning, it shall be subject to the same standards as a one family residence", subject to feedback by County Counsel.

Commissioner Chapin asked how higher density zoning would be identified. Mr. Simon stated it would be identified through the County's Housing Element by parcel number and on a map.

Mr. Simon requested setting a Special Planning Commission meeting to review the final proposed ordinance and final proposed changes to the General Plan.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Ramsey/Wallner) and carried unanimously, the Planning Commission continued Item R7 to a Special Meeting on Thursday, June 21, 2018 at 2:00 p.m.

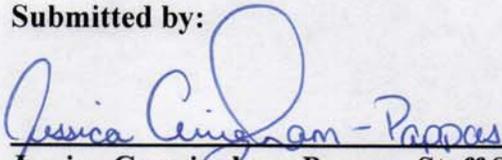
R8: Planning Director's Report: Director Richard Simon reported that the rezone applications for Roach-Carr (Z16-003) and the Department of Public Works (Z17-001), that the Planning Commission recommended the Board of Supervisors approve, were approved by the Board on June 12, 2018.

NON-HEARING ITEMS: None.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 4:49 p.m.

Submitted by:



Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary