



COMMUNITY DEVELOPMENT AGENCY

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July 14, 2020

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Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Conduct a First Reading of an amended Short Term Rental Ordinance

Dear Supervisors,

RECOMMENDATION:

Request clerk to read the proposed short term rental (STR) ordinance by title only and schedule merit hearing for July 28, 2020 to adopt the ordinance, which will amend and replace the existing STR ordinance (Ord. No. 3695) that is expiring on August 7, 2020.

SUMMARY:

On August 7, 2018, the Marin County Board of Supervisors adopted the County's first STR ordinance with a limited, two-year term. The ordinance requires neighbor notification of short term rentals, requires renters be provided with "good neighbor" house rules, and establishes a short term rental hotline for complaints (which is currently operated by Host Compliance, the County's third party STR monitor). Overall, the main components of the existing ordinance will remain in place. While the ordinance has successfully met many of its original objectives, minor refinements are proposed to require the information about the Local Contact Person be provided at the time the application for a Transient Occupancy Tax (TOT) certificate and when reporting TOT, rather than at the time a business license is issued or renewed. The Local Contact Person information will be used by the County or its compliance agent and be made available to the general public. The proposed ordinance would not have an expiration date.

DISCUSSION:

We have received a number of comments requesting that more substantive changes to the STR be made at this time. The recommendations range from limiting the number of nights an STR may operate to prohibiting STRs in residential zones. Consideration of substantive changes will require expanded public input, something that is difficult under the current resource constraints imposed by the COVID-19 pandemic. Staff will continue to monitor the effectiveness of the program and consider additional changes at a later date to ensure all community members are able to participate in the process.

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FISCAL/STAFFING IMPACT:

The fiscal and staffing impacts related to the proposed Ordinance include the costs of implementation and enforcement for both the Department of Finance and the Community Development Agency (CDA). Currently, there are no permit fees proposed to offset the workload for the Department of Finance and CDA. Staff will continue to work with the Board subcommittee and the County Administrator to evaluate the appropriateness of offsetting the general fund impacts associated with this Ordinance with revenue collected from the business license and transient occupancy tax programs.

REVIEWED BY:

- | | |
|---|------------------------------|
| <input checked="" type="checkbox"/> Department of Finance | <input type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input type="checkbox"/> N/A |

SIGNATURE:

Kathleen Kilgariff

Kathleen Kilgariff
Planner

Attachment:

1. Proposed Short Term Rental Ordinance
2. Public Comments