



SHORT TERM RENTALS

Chula Vista City Council
December 7, 2021

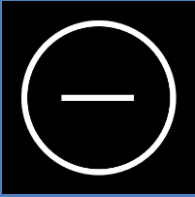


What is a Short-Term Rental?



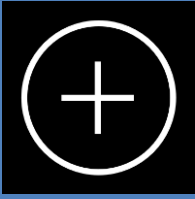
- Typically refers to:
 - A furnished dwelling unit or a furnished bedroom in a dwelling unit
 - Rented for a short duration (e.g., one night, one week)
 - Rented for 30 days or less

Community Concerns



- Commercial use in residential neighborhoods
- Reduction of long-term rental housing stock
- Nonpayment of Transient Occupancy Taxes (TOT)
- Lack of oversight/management
- Nuisance complaints:
 - Noise
 - Parking
 - Trash
 - Late Hours
- Difficult to regulate
- Changes to character of neighborhood

Community Benefits



- Encourages participation in sharing economy
- Provides extra source of income for homeowners and long-term tenants
- Meaningful, culturally enriching interactions
- Could provide a temporary housing option for residents with emergent needs for accommodations
- Generate ancillary economic activity
- Could generate significant TOT revenues to City

“...So, if anyone is reading this,
IT IS COMPLICATED”

-Bob

Recommended Regulatory Framework

Annual
Short- Term
Rental Permit

Short-Term
Rental Event
Permit

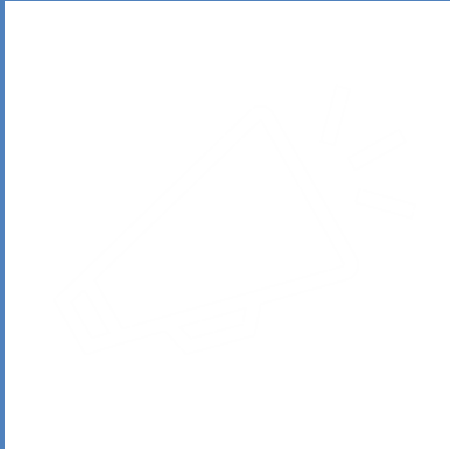
Good
Neighbor
Regulations

Guest Safety
Regulations

Hosting
Platform
Rules

Enforcement
Tools

Public Input



- 110 online survey responses
- 2 listening sessions
- Consultation with Airbnb and Vrbo
- 190+ eComments and other written communication

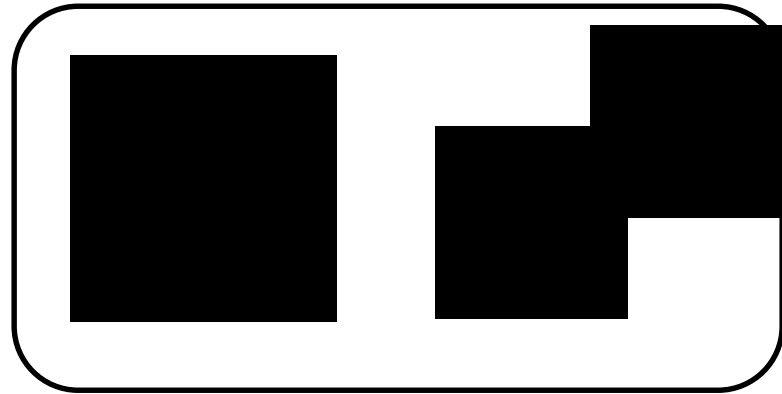
Short-Term Rental Permit - Original



- Operators may be owners or long-term tenants (with owner's permission)
- No permit cap
- All dwelling types are eligible (single-family, duplex, multifamily, accessory*)
- 1-night minimum stay
- Primary residence only
- Whole-home, up to 90 days per year
- Partial-home, unlimited

Single-Family Dwelling

- Whole-home, up to 90 days per year
- Partial-home, unlimited



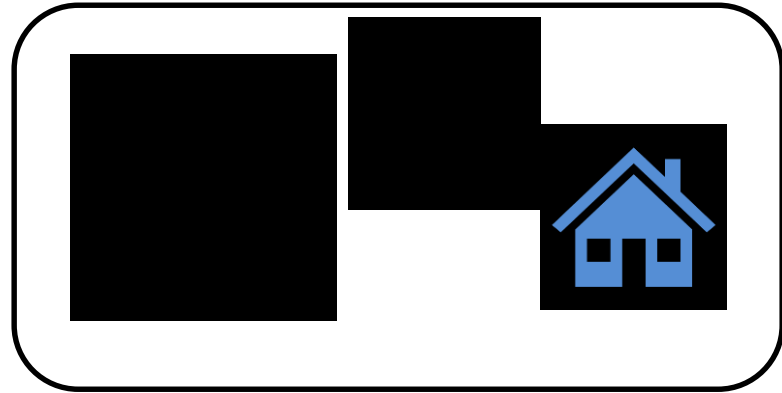
Duplex Dwelling

- Each a primary residence
 - Whole-home, up to 90 days per year
 - Partial-home, unlimited
- 1 primary residence, 1 “vacant”
 - Entire property (both units), up to 90 days per year
 - Each unit, with operator in remaining unit, unlimited



Single-Family + Pre-2020 Accessory Unit

- Each a primary residence
 - Whole-home, up to 90 days per year
 - Partial-home, unlimited
- 1 primary residence, 1 “vacant”
 - Entire property (both units), up to 90 days per year
 - Each unit, with operator in remaining unit, unlimited



Operational Requirements



- Comply with all laws
- Payment of Transient Occupancy Tax
- Insurance
- Guest Safety
 - Visible property address
 - Smoke alarms
 - Fire extinguisher
 - Carbon monoxide monitors

Operational Requirements



- Good Neighbor
 - Local contact person
 - Available by telephone 24/7
 - On premises within 1 hour, upon request
 - Good Neighbor handout
 - Parking
 - Restrictions on recreational vehicles
 - Duty to minimize noise, disturbance, and disorderly conduct
 - Quiet time from 10:00 p.m. To 9:00 a.m.

Operational Requirements



- Maximum occupancies
 - 2 persons per bedroom, +2
 - Max of 10
 - Excludes children under the age of 12
- Event permit required

Short-Term Rental Event Permit



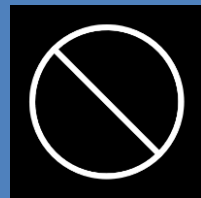
- Active Short-Term Rental Permit
- Up to 12 events per year
- Event permit term of 12 hours
- Exceeds the maximum occupancy AND offered in exchange for rent

Hosting Platform Responsibilities



- Take down notice
- TOT collection
- Provide regulatory information to hosts
- Remit listing information to City

Enforcement: Violations



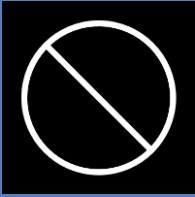
Major Violations

- Operating without a permit
- Exceeding occupancy without Event Permit
- Violating quiet time
- Failure to respond within 1 hour
- Unpermitted use of garage
- Criminal activity
- Other threats to public health or safety
- 4 minor violations in 12-month period

Minor Violations

- Failure to acknowledge rules
- Failure to pay TOT
- All other violations, not major

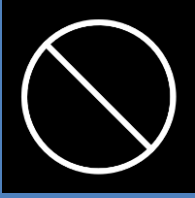
Enforcement: Financial Penalties



- Owner
- Permittee
- Permittee's Agent
- Responsible Party
- Occupant
- Other Person

	Minor Violation	Major Violation
1st	\$100	\$1,000
2nd	\$500	\$2,000
3rd	\$1,000	\$4,000
4th	\$1,000	\$4,000
5 th +	\$1,500	\$5,000

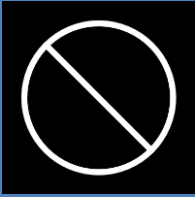
Enforcement: Financial Penalties



- Hosting Platform

Violation	
1st	\$500
2nd	\$1,000
3rd+	\$2,000

Enforcement: Other Penalties



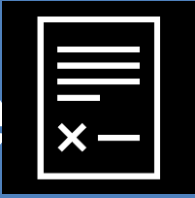
- All violations may be misdemeanor
- Each day is a new and separate offense
- 3 major violations within 12 months, option to suspend or revoke
- Ability to modify, impose additional conditions
- Ability to appeal denial, modification, suspension, or revocation
- 2-year ineligible period after revocation

Short-Term Rental Permit - Alternative



- Operators may be owners or long-term tenants (with owner's permission)
- No permit cap
- All dwelling types are eligible (single-family, duplex, multifamily, accessory*)
- ~~▪ 1-night minimum stay~~
- ~~▪ Primary residence only~~
- ~~▪ Whole-home, up to 90 days per year~~
- Partial-home, unlimited

Short-Term Rental Permit - Alternative



- Applicant's Primary-Residence must be in Chula Vista (*275 day/year min.*)

	Primary Residence (Max 1)	Non-Primary Residence (Max 1)
Minimum Stay, Partial-Home	1 Night	1 Night
Minimum Stay, Whole-Home	1 Night	2 Nights
Max Rental per Year, Whole-Home	90 Days	No Max

Effective Date



July 1, 2022

- 5.68.040 (Permit Required)
- 5.68.080 (Renewals)
- 5.68.120 (Short-Term Rental Event Permit)
- 5.68.150 (Responsibilities of Hosting Platforms)

February 1, 2022

- 5.68.110 (Operational Requirements)
- 5.68.160 (Violations/Penalties)
- All other sections

Recommendation

- Place an ordinance on first reading adding Chapter 5.68 (Short-Term Rentals) to the Chula Vista Municipal Code
- Trail the resolution amending Chapter 4 (Business Fees) of the Master Fee Schedule and adding 1.0 Code Enforcement Officer II