



COUNTY OF SANTA CRUZ

HOUSING ADVISORY COMMISSION

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TOM BURNS, DIRECTOR

HOUSING ADVISORY COMMISSION

DRAFT MINUTES

Wednesday, May 4, 2006

4:00 - 5:30 p.m.

Aptos - La Selva Fire protection District,
Downstairs Conference Room
6934 Soquel Drive, Aptos

1. CALL TO ORDER, ROLL CALL, AGENDA CHANGES

The meeting was called to order by Acting Chairperson Schiffrin at 4:02 p.m.

Commissioners Present:	Averill, Davis, Carney, Taylor-Selling, Guth, Schiffrin
Commissioners Excused:	Damon, Sprague, Sweet
Commissioners Absent:	None
Staff Present:	Frank Brunings, Planning
Public Present:	Ryan Bane, Planner, City of Capitola

Agenda Changes: None

2. ORAL COMMUNICATIONS

A. Public Comment - None

B. Announcements

- 1) Commissioner Taylor-Selling will continue to update the Commissioners on the proposed Felton Faire affordable housing project.

C. Public Request for Future Agenda Items: None

3. CONSENT AGENDA

It was moved by Commissioner Carney, seconded by Commissioner Taylor-Selling and approved with one abstention to approve the Minutes for the April 5, 2006 meeting.

4. REGULAR AGENDA

A. Discussion of City of Capitola Transient Rental Use Overlay District (Ryan Bane)

- 1) In 1991 vacation rentals (rental of less than 30 days) were not a permitted use in Capitola.
- 2) The City created a Transient Rental Use Overlay District in the "Village" area
- 3) Vacation rentals are not permitted outside overlay district

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- 4) Capitola Planning Commission issues a one-year use permit that is renewable for less-than-30-day rentals
- 5) Conditions of Use Permit
 - (a) Planning Commission makes parking adequacy determination
 - (b) Maximum occupancy restricted
 - (c) Use Permit "statement of conditions" of contained in rental agreement
 - (d) Use permit not renewed if violations
 - (e) Business license required
 - (f) Transient Occupancy Tax paid
- 6) Discussion: Commission members stated:
 - (a) A lot of vacation rental activity is occurring "south of the harbor."
 - (b) Vacation rentals have a potential to 'create problems for neighborhoods' and in some case can 'destroy neighborhoods'
 - (c) One Commission member stated that in some cases the "County needs controls" and should 'think about an Ordinance'
 - (d) Another Commission member alerted the Commission to "property rights" considerations and predicted "opposition to any transient occupancy tax" requirement.
 - (e) Commission members stated that they wanted to get more information on this issue.

It was moved by Commissioner Avrill, seconded by Commissioner Taylor-Selling and unanimously voted to ask County Counsel at next HAC meeting to report on:

- Are vacation rentals legally allowed by zoning ?
- **Is** there relocation assistance for previous tenants ?
- **Is** there evidence of complaints against temporary rentals and are there incidents of prosecution of temporary rentals as non-conforming uses ?
- HAC Memo wording to County Counsel: The HAC has reviewed the issue of short term rentals, such as vacation rentals in residential areas. It has been relayed to the HAC that Capitola determined that **short** term (less than 30 days) rentals such as vacation rentals were not conforming uses in a residential area. The Housing Advisory Commission would like County Counsel's opinion on the conformance of vacation rentals to the residential use."

It was moved by Commission Taylor-Selling, seconded by Commissioner Carney and unanimously voted to ask Treasurer/Tax Collector at next HAC meeting to report on:

- If Transient Occupancy Tax is collected. what would be the significance of the tax as a part of total County revenue?
- Can (should) the County charge a transaction fee for vacation rental businesses?

B. Discussion of HAC retreat or second meeting.

It was moved by Commissioner Guth, seconded by Commissioner Taylor-Selling and voted unanimously to continue this item to the next meeting.

4. ITEMS INITIATED BY THE HOUSING ADVISORY COMMISSION FOR FUTURE MEETINGS –
None.

5. MEETING WAS ADJOURNED AT 5:00 P.M.