

Short-term rental regulations being weighed for unincorporated Contra Costa County

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MARTINEZ — Recognizing that different parts of unincorporated Contra Costa have widely differing tastes and circumstances regarding short-term rentals, the Board of Supervisors will ask local panels to weigh in on a countywide ordinance regulating Airbnb-type rentals.

The county currently has no regulations of short-term rentals of private homes in unincorporated areas. Many cities and towns either regulate them or completely ban such rentals. Orinda, for example, is now in the midst of considering an ordinance regulating the rentals.

Prospective regulation could include requiring a business license or other permit, requiring the dwellings' owners to either be on-site or nearby, limiting the number of renters based on number of beds, and recording and reporting all renters.

Some cities, including Oakland, Richmond and Union City, charge Airbnb hosts a transit occupancy tax — which hotels and motels have to pay — on their rentals, often collected by Airbnb and passed on to the host city or county. Other cities take it further by requiring short-term rental hosts to log and report every tenant.

Others, like Danville, Monterey, Pacific Grove and Tiburon, have banned such rentals altogether, saying they compromise their “small-town” charm and/or bring unknown, sometimes unwelcome people or parking or late-night traffic issues into the neighborhoods.

County supervisors said last week they have no interest in an outright ban, but recognize that sensible conditions for short-term rentals in Bay Point or Knightsen may be substantially different from those in Alamo or Discovery Bay.

“I’d support something different for Kensington than I would for El Sobrante or East Richmond in my district,” said Supervisor John Gioia, who represents most of West County.

To help better understand the issues in different areas, supervisors asked county staff to approach Contra Costa’s municipal advisory councils for feedback about what regulations would and wouldn’t work in their areas.

Municipal advisory councils, whose members are volunteers appointed by the supervisors, are advisory boards to the supervisors for their local communities. Such councils are located in North Richmond, Bay Point, Discovery Bay, Alamo, El Sobrante, Pacheco, East Richmond Heights, Kensington, Rodeo, Bethel Island and Contra Costa Centre (the unincorporated area around the Pleasant Hill/Contra Costa Centre BART station). Knightsen has a similar Town Advisory Council.

The supervisors said they want the councils' input by the end of February, after which time they hope to craft a countywide policy, with as much flexibility as possible to accommodate situations in specific areas.

“Each community has a little bit of a nuance,” Supervisor Candace Andersen of Danville said.

Regardless of the vagaries of specific communities, the supervisors have some baseline requirements of any new county ordinance. Chief among them is that short-term rentals don't compromise the availability of affordable housing. Specifically, that would mean that no newly built “accessory” buildings — small mother-in-law units behind a larger house, for instance — could be used for short-term rentals.

Gioia said he wants to make sure that whatever Contra Costa allows doesn't go against the intent of Senate Bill 1069, enacted in January, that removes barriers to building “accessory” buildings to help solve the affordable housing shortage.

John Kopchik, the county's Department of Conservation and Development director, agreed. “How do we make sure people don't just build accessory dwelling units and then instead of providing affordable housing ... it just becomes short-term vacation rental?” he asked.

A Department of Conservation and Development powerpoint presentation can be viewed [here](#).