Chapter 4.47
SHORT-TERM VACATION RENTAL PERMIT

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4.47.010 Purpose.

The purpose of the short-term vacation rental permit is to regulate the activity of renting a dwelling unit in a residential zoning district for a period of seven to 30 consecutive days in order to safeguard the peace, safety and general welfare of the residents of Solana Beach and their visitors and guests by eliminating noise, vandalism and overcrowding. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.020 Operative date.

All short-term vacation rentals that exist at the time of the effective date of the ordinance codified in this chapter shall apply for a short-term vacation rental permit. All short-term vacation rentals proposed after the effective date of the ordinance codified in this chapter must acquire a short-term vacation rental permit. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.030 Definitions.

“Short-term vacation” is defined as the rental of any structure or any portion of any structure for occupancy for dwelling, lodging or sleeping purposes for more than seven, but no more than 30, consecutive calendar days in duration in a residential zoning district, including detached single-family residences, condominiums, duplexes, twinplexes, townhomes and multiple-family dwellings. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.040 Prohibited rental duration.

Rental for less than seven consecutive calendar days in duration within all residential zoning districts is prohibited. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.050 Exceptions.

Rentals of more than 30 consecutive days in duration in residential zoning districts are not required to obtain a short-term vacation rental permit. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.055 Rental permit as business certificate.

A short-term vacation rental permit issued pursuant to this chapter shall also serve as a business certificate for rental activity pursuant to Chapter 4.02 SBMC. (Ord. 322 § 1, 2004)

4.47.060 Obtaining and retaining a short-term vacation rental permit.

The applicant shall obtain an annual short-term vacation rental permit from the city of Solana Beach subject to all provisions of this chapter, including the following:

A. Applicants shall submit an application for a short-term vacation rental permit to the city of Solana Beach each year. The fee associated with the permit application shall be identical to the amount required for a business certificate. The applicant may be the owner or the owner's agent, and shall be the party responsible for compliance with all provisions of this chapter and all of the laws regulating short-term vacation rentals.

B. Granting or Denial of Application. The application shall be granted unless the issuing officer makes one or more of the findings contained in SBMC 4.04.090.

C. The short-term vacation rental permit holder will be subject to penalties as set forth in SBMC 4.47.070 in the following instances:

1. In the event the short-term vacation rental unit is located in a residential zoning district and is rented for stays of less than seven consecutive calendar days in duration; or

2. In the event that any person holding a permit issued pursuant to this chapter violates or causes or permits to be violated any of the provisions of this chapter or any provisions of any other ordinance or law relating to or regulating such business, or conducts or carries on such business in an unlawful manner, or for any reason for which the permit application could have been denied in accordance with SBMC 4.04.090; or

3. Failure of the owner/owner's agent to respond to two or more complaints as required by this section.

D. Applicants shall ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol, or the use of illegal drugs. Applicants are expected to take any measures necessary to abate disturbance described herein, including, but not limited to, directing the tenant, calling for law enforcement services, city code enforcement officers, removing the tenant or any other action necessary to immediately abate the service. If an applicant is not able to stop documented behavior that has been brought to applicant's attention, then such failure shall constitute a failure to respond as defined by subsection (C)(3) of this section.

E. Applicants shall, upon notification that occupants or tenants of his or her short-term vacation rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this

code or state law pertaining to noise, disorderly conduct, overcrowding, the consumption of alcohol or the use of illegal drugs, prevent a recurrence of such conduct by those occupants or guests and shall respond to the notification of violations within 24 hours. Failure to respond to two or more complaints regarding tenant violations is grounds for penalties as set forth in SBMC 4.47.070.

F. Applicants of the short-term vacation rental shall comply with all the provisions of this code.

G. The city council shall have the authority to impose additional standard conditions, applicable to all short-term vacation rental units, as necessary to achieve the objectives of this chapter and shall notify all short-term vacation rental permit holders of any change in standards applicable to the permits.

H. A fee in the amount of the business certificate fee shall be paid in conjunction with the permit application. The fee is nonrefundable. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.070 Violations and penalties.

A. Violations. Failure to comply with the conditions specified in this chapter shall constitute a violation for which penalties may be imposed. City penalties for violations shall be issued in writing by the issuing officer upon documented verification of a violation. Documentation shall include, but not be limited to, copies of homeowner association warnings, reprimands, fines or other association actions; copies of citations, written warnings, reports or other filed documentation by law enforcement. The issuing officer shall notify the applicant in writing of the penalty to be imposed for violations specified as follows:

1. For the first violation within any 12-month period, the penalty shall be $500.00;

2. For a second violation within any 12-month period, the penalty shall be $1,000;

3. For a third violation within any 12-month period, the issuing officer shall hold a hearing pursuant to SBMC 4.04.110 and the permit shall be revoked for a period of one year.

B. Appeal Process. Hearings and appeals shall be made in accordance with Chapter 4.04 SBMC. (Ord. 322 § 1, 2004; Ord. 320 § 1, 2003; Ord. 302 § 2, 2003)

4.47.080 Display of short-term vacation rental permit.

Applicants shall affix the short-term vacation rental permit on the inside of the main entry door of each short-term vacation rental unit to which it applies. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

4.47.090 Exterior complaint phone number display.

Applicants shall display notice on the exterior, within plain view of the general public and/or common areas, a 24-hour, seven-day phone number for a private party responsible for the facility to take complaints regarding its

operation. Applicants are also required to provide adjacent property owners with the 24-hour, seven-day phone number for a private party responsible for the facility. Applicants are required to provide a response within 24 hours as outlined in SBMC 4.47.060. Ineffective or nonresponse shall be grounds for a violation and/or penalty pursuant to SBMC 4.47.070. (Ord. 322 § 1, 2004; Ord. 302 § 2, 2003)

The Solana Beach Municipal Code is current through Ordinance 513, passed April 8, 2020.