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Orinda Planning Commission supports Short Term Rental restrictions

By Samuel Ganten

Orinda has a long history voicing strong opinions about housing development and increased density, with one of those issues being short-term rentals (STRs).

As part of a continuing discussion on development in the Lamorinda area, the Orinda Planning Commission recently voted unanimously on a resolution to support restricting short-term rentals, agreeing to a cap of 100 STRs in Orinda.

Orinda's sales tax consultant, Muni Services, looked at AirBnB as well as other listing sites and estimated there are approximately 37 active short-term rental listings in the city, according to the staff report presented to the commission.

The changes to the ordinance would require short-term rental owners to register with the city, confirm the city's transient occupancy tax applies to STRs, and emphasize that STRs must comply with various city rules designed to avoid nuisance issues such as overcrowding, excessive

noise, and illegal parking.

To address concerns of events being held at STRs, the ordinance would also cut the maximum occupancy from 30 persons to two per bedroom, plus five, with a three-bedroom home able to house 11 people.

Beyond this, the amendment to the Orinda zoning code would limit the amount of STRs to a maximum of one for each single property.

As part of the vote, Vice Chair Brandyn Iverson and Chair Willy Mautner expressed a desire for a three-strikes penalty for violators and a further reduction of maximum occupancy to two per bedroom plus three, resulting in the same three-bedroom home able to accommodate nine people.

During the public hearing portion of the June 27 meeting, residents expressed support for the restrictions, citing issues with traffic and congestion they perceived with the short-term rental units. In several cases, the speakers advocated for either a total ban on STRs or a shift to

case-by-case consideration, similar to Lafayette, which requires Land Use Permit approval for short-term rentals. Lafayette's land use permit application fee is between \$2,250 and \$5,700. No recent short-term rental land use permit requests have been submitted, the staff report noted.

One speaker during the public comment portion stated that despite the occupancy being cut significantly, the amount of cars on the streets would still be intolerably high, leading to traffic and parking issues, while another resident commented that there should be no regulation on STRs due to the valuable services it encourages, such as immigration to Orinda and tangible economic benefits to renters and other members of the community.

The commission expressed its appreciation for residents' desire to reduce stress on the roads yet simultaneously encouraged a middle ground between owners of STRs and the concerned residents.

Commissioners Joe McGrath

and Mautner, with the rest of the committee, moved for the approval of the amendment to cut the maximum occupancy from its current proposed level with consideration of these issues.

Despite support for the resolution, Planning Commissioner Louis Adamson agreed with one speaker's expressed concern over

the lack of an enforcement mechanism for the resolution. However, the commission as well as staff said that enforcement of the ordinance was not a concern.

The Planning Commission forwarded its recommendation to the Orinda City Council for future discussion and a vote.

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