

Letters to the Editor

The Carmel Pine Cone - January 22, 2016

The county caused the lawsuit

Dear Editor,

Years of the inaction by the county on short-term rentals assured that a lawsuit would result. In 1997, supervisors approved two ordinances, one for inland areas and one for the coast, that permitted short-term rentals. The inland ordinance went into effect but the coastal ordinance died. The county could have implemented the coastal ordinance if it had worked with the California Coastal Commission.

Monterey County Resource Management Agency Director Carl Holm stated in a March 27, 2014, letter to the Board of Supervisors, "Best I have been able to determine is that there was a good amount of opposition to allowing this use (short-term rentals) so the planning management at that time (1997) set the ordinance aside."

How did county staff simply decide to ignore the supervisors' intent to permit short-term rentals? That left no permit process in the coastal zone yet the county did not issue a public notice that short-term rentals were prohibited. So coastal owners continued to offer their homes to visitors as had been done for decades, to pay transient occupancy taxes to the county tax collector, who was happy to cash the checks, and to think everything was legal. Why would an owner think otherwise? The county may have considered this use illegal, but it never made this public until the release of planning director Mike Novo's July 9, 2015, "Interpretation Request" memorandum. It seems even Mr. Novo was uncertain and needed an "interpretation." Now the county is citing and fining owners. Would anyone be surprised that an owner has decided to sue? And, by prohibiting short-term rentals along the coast, the county discriminates against visitors by denying them this choice. This is not consistent with the coastal commission goal of public access to the coast.

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