

# County backs off crackdown of illegal short-term rentals along coast

By CHRIS COUNTS

SOME ARE not happy about a decision by Monterey County to take a hands-off approach to illegal short-term rentals in coastal areas like Carmel Highlands and Big Sur until a county ordinance can be developed that is acceptable to the California Coastal Commission.

According to a letter from county counsel Les Girard that was widely circulated this week, enforcement efforts against illegal rentals will only be taken if the operator hasn't paid the transient and occupancy taxes generated by the rental business, and/or has received at least three nuisance complaints in a year.

Girard told The Pine Cone that short-term rentals "are

still illegal, but we can't enforce in the coastal zone due to a recent appellate case out of Santa Barbara."

One Big Sur resident took note of the apparent contradiction in what Girard said.

"If they're not allowed, but there will be no enforcement, then they are allowed," said Steve Beck, who said local phone lines were "burning up over the issue."

Monterey County Supervisor Mary Adams' chief of staff Sarah Hardgrave told The Pine Cone that their office has received calls from residents expressing their concerns about the policy.

In the case Girard referred to, *Kracke v. City of Santa Barbara*, a judge ruled last year that enforcement actions against illegal rentals in the coastal zone can only be

triggered by nuisance complaints.

In response, the City of Santa Barbara announced it would not "proactively" take action against illegal short-term rentals in the coastal zone unless their owners haven't paid their transient occupancy taxes, or have created a nuisance.

The new stance toward illegal short-term rentals in Monterey County's coastal zone echoes Santa Barbara's response.

According to Girard, the policy "shall remain in effect until such time that the county amends its existing zoning ordinance to modify the regulation of short term rentals in the coastal zone pursuant to applicable Coastal Act procedures."

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