

Elias, Pam

From: Elias, Pam
Sent: Friday, September 06, 2013 10:19 AM
To: Sprecco, Edward
Cc: Yee, Candyce
Subject: RE: LEGAL OPINION ON VRBO'S IN SD COUNTY

Hi Eddie, it took a bit of research but what we found was that there was no Board direction to amend the Zoning Ordinance to allow transient rental of private residences. The ordinance section was part of a much larger Zoning Ordinance clean up initiated by the Department and was intended to not allow them.

If you have any questions, let me know.

Pam Elias, Chief
Code Compliance Division
Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310 MS0650
San Diego, CA 92123-1666
Phone: 858-495-5020
pam.elias@sdcounty.ca.gov

From: Sprecco, Edward
Sent: Friday, September 06, 2013 10:06 AM
To: Elias, Pam
Cc: Yee, Candyce
Subject: RE: LEGAL OPINION ON VRBO'S IN SD COUNTY

Pam,

Is there any progress we can report back to Teresa before the week is out? She is eager to get her issue resolved, I'm sure to avoid ongoing liability for her and similar operators.

Thank you for any update you can provide,

-Eddie

*Edward Sprecco
Land Use Advisor
Supervisor Bill Horn
619-531-5420*

Edward.Sprecco@sdcounty.ca.gov

From: Elias, Pam
Sent: Wednesday, August 28, 2013 9:17 AM
To: Yee, Candyce
Cc: Sprecco, Edward
Subject: RE: LEGAL OPINION ON VRBO'S IN SD COUNTY

I'm going to need a bit more time to research this question. It will be early next week before I can get a definitive answer.

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From: Yee, Candyce
Sent: Tuesday, August 27, 2013 2:18 PM
To: Elias, Pam
Cc: Sprecco, Edward
Subject: RE: LEGAL OPINION ON VRBO'S IN SD COUNTY

Thank you!

From: Elias, Pam
Sent: Tuesday, August 27, 2013 12:10 PM
To: Yee, Candyce
Cc: Sprecco, Edward
Subject: RE: LEGAL OPINION ON VRBO'S IN SD COUNTY

I see that the Zoning Ordinance Section 1545 Transient Habitation was amended in 2008, it was originally adopted in 1986. I can check with our staff in Advance Planning to see what they recall about the 2008 amendment.

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From: Yee, Candyce
Sent: Tuesday, August 27, 2013 11:43 AM
To: Elias, Pam
Cc: Sprecco, Edward
Subject: FW: LEGAL OPINION ON VRBO'S IN SD COUNTY

Hi Pam,

I received a call from Teresa again this morning and she is still concerned about the position of the County's regulations on short term rentals. The link below is a letter from Mr. Burke, drafted by the San Diego City Attorney stating that these

rentals are legal. I realized that this is the City of San Diego's rules and we are within County limit, however Teresa mentioned that the Board took some sort of action on this a while back either to support policy or to make it illegal?

Do you happen to have any information on this? Thanks!

Candyce

From: Terrence Burke [mailto:tburke9999@aol.com]
Sent: Monday, August 26, 2013 5:05 PM
To: Kirkland, Timothy R
Subject: LEGAL OPINION ON VRBO'S IN SD COUNTY

<http://docs.sandiego.gov/memooflaw/ML-2007-14.pdf>

Timothy,

This is the legal opinion I told you about during our conversation today. It was drafted by the the San Diego City Attorney for the Mayor and City Council. He concludes that short term rental are not illegal.

I appreciate your taking the time to call me.

Terrence