



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

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District One

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District Two

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District Three

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District Four

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District Five

AGENDA DATE: October 24, 2023 – REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Direction Regarding Short-Term Rentals in Three Rivers

REQUEST(S):

That the Board of Supervisors:

1. Receive a presentation on the impacts of Short-Term Rentals in Three Rivers.
2. Direct Resource Management Agency staff regarding Short-Term Rentals in Three Rivers from the following options:

Option A: Bring back a proposed Ordinance and associated regulatory program which would include a potential moratorium on additional Short-Term Rentals in Three Rivers until the program is adopted.

Option B: Take no action.

SUMMARY:

Over the past decade, Tulare County has seen an increase in demand for short-term rentals. A short-term rental (STR) is the rental of a dwelling or a portion thereof, by the owner to another person or group of persons for occupancy, lodging or sleeping purposes for a period of less than thirty (30) consecutive calendar days. STRs have become increasingly popular as homeowners search for additional sources of income. With the proliferation of platforms such as Airbnb and Vacation Rentals by Owner (VRBO) it has become easy for homeowners to connect with people looking for STRs.

To some residents, the ever-increasing popularity of STRs has come with unanticipated and unwanted problems, particularly for the Three Rivers community. There are 294 recorded STRs located within the Three Rivers Urban Boundary. This accounts for over 60% of all STRs in unincorporated Tulare County. Negative impacts caused by some short-term rental visitors include excessive noise, after-hours partying, trash/garbage,

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and parking conflicts to just name a few. Additionally, there is a potential that STRs have a negative impact on the quantity of affordable housing in the community. There are reports of longtime residents being displaced as homeowners convert dwellings into short term rental. Other negative impacts attributed to the increase of STRs by the Three Rivers community include, but are not limited to the following:

- Three Rivers' only school has lost about thirty-five percent (35%) of its enrollment in the last 5 years and is now down to ninety-five (95) students.
- Three Rivers' only preschool has closed.
- Three Rivers' only drug store and pharmacy has closed.
- Three Rivers' only veterinary office has closed.
- Three Rivers' only dentist has closed.
- Three Rivers' only auto parts store has closed.
- Three Rivers' has one remaining mechanic.
- Three Rivers' oldest church is discussing reorganizing due to lack of membership.
- Sequoia National Park can't fill positions because so many long-term rentals have been turned into STRs.

Approximately 22% of the homes in Three Rivers are now STRs which has also driven up the cost of housing making it unaffordable for many young families, especially families with school age children. In an effort to stop these adverse changes to the character and quality of life in Three Rivers, implementation of a reasonable regulatory STR program that places limits within the Three Rivers Urban Boundary may be considered. These regulations could include:

- Place a moratorium on additional STRs until the Ordinance and regulatory program is adopted.
- Limit the amount of STRs to a specific number or percentage of homes in the community.
- Owners of multiple STRs are required to offer fifty percent (50%) of their properties - of equitable size/condition - as long-term rentals.
- The permit/license runs with the owner and not the land, terminating upon change of ownership.
- No existing or future apartment buildings/housing complexes to be used as STRs.

Additionally, an Ordinance could, at minimum, include the following STR operational requirements:

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1. Parking for the short-term residential rental unit shall be entirely onsite. There shall be no parking on unimproved surfaces and should include all weather surface and dust suppression. On-street parking by renters and guests is prohibited.
2. Renter(s) shall observe “quiet hours” between 10 p.m. and 8 a.m. In addition, and regardless of the time of day, renters and guests shall not make, cause to be made, or allow to be made any loud, excessive, impulsive, or intrusive noise that disturbs the peace or quiet to any reasonable person of normal sensitivities in the area.
3. Bear proof trash cans/enclosures are required for all STRs.
4. Strict fire regulations, and all fireworks prohibited.
5. Water conservation and fire safety pamphlets or brochures shall be provided and displayed in a prominent location within the rental unit.
6. Lighting standards and guidelines, as feasible and appropriate to minimize light pollution, glare, light trespass and to protect the dark skies.
7. The short-term residential rental unit owner or authorized agent shall be personally available by telephone on a 24-hour basis and maintain the ability to be physically present at the property within one hour to respond and remedy calls or complaints regarding the condition or operation of the unit or the behavior of persons on the property in violation of this Section or other law.
8. A three (3) strike rule that would result in a loss of permit/license to operate.

The Tulare County Ordinance Code is silent on the issue of STRs. STR operation in Tulare County is governed by the same requirements as long-term rentals of over thirty (30) consecutive calendar days. Many local jurisdictions, including vacation rental communities, have adopted, or proposed strict regulations on STRs. Many, including Hermosa Beach, Laguna Beach, Manhattan Beach, Temecula, and Santa Monica, ban STRs all together or are in the process of phasing them out. Not wanting to go that far, the intent of the proposed Ordinance and associated regulatory STR program is to establish reasonable and uniform regulations to ensure the health and safety of occupants, guests, the surrounding neighborhood, and the Three Rivers community.

Many of the options proposed for regulating STRs have potential legal consequences for the County in the form of potential litigation from STR owners. Staff recommends that any proposed County-level regulation of STRs be reviewed and approved by County Counsel prior to Board action.

FISCAL IMPACT/FINANCING:

There is no net County cost to the General Fund associated with the development of an Ordinance and regulatory program for STRs in Three Rivers. Once established, there will be undetermined costs associated with the administration and enforcement of the STR

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program. For cost recovery purposes, it is anticipated that an associated fee and fine schedule would need to be adopted.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the "Economic Well Being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living". The proposed Short-Term Rentals ordinance helps fulfill this initiative by providing reasonable regulations designed to prevent or lessen the potential negative impacts of Short-Term Rentals in residential areas of Three Rivers.

ADMINISTRATIVE SIGN-OFF:

/s/ Michael Washam

Michael Washam, A.C.E.
Associate Director

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office