



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

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District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

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District Four

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District Five

AGENDA DATE: July 9, 2024

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	Yes
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: Adopt a Short-Term Rental Ordinance

REQUEST(S):

That the Board of Supervisors:

1. Introduce an ordinance adding Chapter 33 of Part VI of the Ordinance Code, pertaining to short-term rentals.
2. Find that the title of the ordinance was included on the published agenda, and that a copy of the full ordinance was made available to the public online and in print at the meeting before the ordinance was introduced.
3. Set the adoption of the ordinance for July 23, 2024.
4. Direct the Clerk of the Board to publish a summary of the ordinance before the second reading as required by law.

SUMMARY:

The geography, climate, and proximity to Sequoia & Kings National Parks and the Sequoia National Forest is a major attraction for visitors. As such, short term rentals have existed in Tulare County for many years. However, the number of short-term rentals has greatly expanded due to the abundance and ease of online rental platforms.

In adopting this Chapter, the Board of Supervisors takes legislative notice of the existence and content of the studies and opinions concerning potential adverse effects of short-term rentals in other counties and cities. The County of Tulare has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, and preserving the peace and integrity of neighborhoods within the unincorporated area.

This Short-Term Rental Ordinance is necessary and desirable to protect the public

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health, safety and environmental resources of the County; to ensure the property rights of land owners are maintained; to clarify the County's enforcement authority with respect to certain activities related to short term rentals; and, to otherwise ensure that public peace, health, safety, welfare, environmental, and nuisance factors related to the short-term rental industry are adequately addressed.

The Operational Standards for short-term rentals outlined in the proposed Short-Term Rental Ordinance are designed to ensure compliance with tax laws, safety standards, and neighborhood peace. The following is a comprehensive summary of the operational standards:

- **Tax Compliance:** Short-term rentals must adhere to transient occupancy tax regulations.
- **Tax Registration:** Operators must display the transient occupancy tax registration number in rental agreements and advertising.
- **Owner Responsibility:** Owners remain personally liable for any legal violations or noncompliance, even if committed by agents or occupants.
- **Compliance with Codes:** Short-term rentals must meet fire, building, safety codes, obtain permits, and pay fees.
- **Structure Limitations:** Only habitable interior spaces in permitted dwellings can be rented; garages, tents, treehouses, yurts, camper trailers, recreational vehicles, or other exterior structures are prohibited.
- **Local Contact Person:** A designated contact person must be available 24/7 to address complaints and resolve issues promptly.
- **Occupancy Limits:** The number of occupants is restricted based on the number of bedrooms.
- **Advertisement:** Ads must specify the maximum occupancy allowed.
- **Parking:** Occupants' vehicles must be parked on the rental property, not on public roads or unimproved surfaces.
- **Usage Restrictions:** Short-term rentals are for lodging only; special permits are required for events or commercial activities.
- **Pet Regulations:** If pets are allowed, they must be secured, and animal nuisance noise ordinance applies.
- **Address Visibility:** The rental property address must be clearly visible from the road.

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- **Fireworks Ban:** Fireworks are prohibited during specified periods and banned entirely in the State Responsibility Area (SRA).
- **Smoking Area:** If smoking is allowed, designated areas and fire-safe ashtrays must be provided.
- **Outdoor Fires:** Controlled outdoor fires may be permitted during specific months and conditions. However, all outdoor wood-burning fires are banned within the SRA.
- **Lighting Guidelines:** Outdoor lighting should minimize light pollution and glare, following specified standards.
- **Septic/Water System Maintenance:** Operators are responsible for maintaining sewage and water systems to support occupancy.
- **Noise Level Limits:** Noise levels must not exceed 65 decibels at any time of day, measured at the property boundary.
- **Trash Disposal:** Trash must be properly stored and disposed of to prevent accumulation and wildlife interference. Within the SRA, all short-term rentals must have bear-resistant garbage containers.
- **Notice Requirements:** A notice containing essential information, including emergency contacts, occupancy limits, utility shutoff location and trash disposal instructions, must be posted within the rental unit.

These regulations aim to balance the interests of property owners, guests, and neighbors, ensuring a safe and peaceful environment while allowing for the operation of short-term rentals within the community.

The effective date of the ordinance will be thirty (30) days after adoption by the Board of Supervisors.

FISCAL IMPACT/FINANCING:

There will be no Net County Cost to the County's General Fund.

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 Rental ordinance helps fulfill this initiative by providing reasonable regulations designed to prevent or lessen the potential negative impacts of Short-Term Rentals in the unincorporated areas of the County.

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ADMINISTRATIVE SIGN-OFF:

/s/ Michael Washam

Michael Washam, ACE
Associate Director

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachment 1: Full Text of Proposed STR Ordinance

Attachment 2: Summary STR Ordinance No. 1 for Initial Publication

Attachment 3: Summary STR Ordinance No. 2 for Final Publication