

PUBLIC NOTICE

NOTICE AND CALL OF COACHELLA PLANNING COMMISSION

SPECIAL PLANNING COMMISION MEETING STUDY SESSION

December 06, 2023 5:00 PM

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Coachella will hold a study session on **Wednesday**, **December 06**, **2023**, commencing at 5:00 PM, or as soon thereafter as is possible, in the Civic Center 53990 Enterprise Way, Coachella, California

Said study session shall be for the purpose of discussing the following:

1. Study Session – Update on the City of Coachella Short-term Rental Program

[Note: Study Sessions are special meetings of the Planning Commission that are conducted informally. No action is contemplated other than familiarization of the Planning Commission on specific topics and potential referral to a future agenda.]

If you would like to attend the meeting via Zoom, here is the link:

https://us02web.zoom.us/j/84544257915?pwd=VTdHWitpYVdOUk1NQW8vZ1pqUm0zQT

Or One tap mobile : +16694449171,,84544257915#,,,,*380084#
Or Telephone:
US: +1 669 900 6833
Webinar ID: 845 4425 7915

Passcode: 380084

Spanish: El idioma español está disponible en Zoom seleccionado la opción en la parte de abajo de la pantalla



NOTICIA PÚBLICA

Centro Cívico 53990 Enterprise Way Coachella, California (760) 398-3502◆ www.coachella.org

AVISO Y
CONVOCATORIA DE
LA COMISIÓN DE
PLANIFICACIÓN DE
COACHELLA

REUNIÓN ESPECIAL DE LA COMISIÓN DE PLANIFICACIÓN SESIÓN DE ESTUDIO

06 de Diciembre del 2023 5:00 PM

POR LA PRESENTE SE NOTIFICA que la Comisión de Planificación de la Ciudad de Coachella llevará a cabo una sesión de estudio el **miércoles 6 de diciembre de 2023,** a partir de las 17:00 hrs., o tan pronto como sea posible, en el Centro Cívico 53990 Enterprise Way, Coachella, California

Dicha sesión de estudio tendrá como propósito discutir lo siguiente:

1. Sesión de estudio: Ordenanza sobre vendedores ambulantes

[Nota: Las Sesiones de Estudio son reuniones especiales de la Comisión de Planificación que se llevan a cabo de manera informal. No se contempla ninguna acción más que la familiarización de la Comisión de Planificación sobre temas específicos y la posible remisión a una agenda futura.]

Si deseas asistir a la reunión vía Zoom, aquí te dejamos el enlace: https://us02web.zoom.us/j/84544257915?pwd=VTdHWitpYVdOUk1NQW8vZ1pqUm0zQT

O móvil con un toque: +16694449171,,84544257915#,,,,*380084#

O Teléfono: EE. UU.: +1 669 900 6833

ID del seminario web: 845 4425 7915 Código de acceso: 380084

Español: El idioma español está disponible en Zoom seleccionado la opción en la parte de abajo de la pantalla



STAFF REPORT 12/6/2023

To: Planning Commission Chair and Commissioners

FROM: Gabriel Perez, Development Services Director

SUBJECT: City of Coachella Short-Term Rental Program Update

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review and discuss City of Coachella short-term rental regulations of Chapter 5.80 within Title 5 – Business Licenses and Regulations. The Planning Commission has specific authority for amendments to the change of the text of Title 17 the Zoning Ordinance but can advise the City Council and Planning Director with respect to city planning and related activities and legislation as specified in Chapter 17.70.020.

BACKGROUND:

The City of Coachella adopted short-term rental (STR) regulations in Coachella Municipal Code (C.M.C.) Chapter 5.80 of title 5 (Business Licenses and Regulations) in 2017 to mitigate adverse effects these rentals on neighboring residential areas and to ensure the proper collection and remittance of transient occupancy taxes. The impact of STRs in the City of Coachella has been a topic of discussion by the City Council and Planning Commission recently and the City Manager has initiated a taskforce comprised of City staff to review the existing STR regulations, review the status of the existing STR program and provide recommendations for ordinance modifications for the City Council to consider.

DISCUSSION/ANALYSIS:

A short-term vacation rental is a dwelling unit that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration. The City's STR program is administered through the Economic Development Department. To operate a short-term rental an operator must obtain a business license (\$184) from the City. The C.M.C. states a STR permit shall be issued to operate an STR and the business license currently serves as the STR permit. Code enforcement shared responsibility for enforcement of the STR program specific to quality of life C.M.C regulations. The table below outlines C.M.C. short term rental application requirements

Table 1: Short-Term Rental Application requirements

	Application Requirements					
1	Owners Information					
2	Agent or Representative Details					
3	Local Contact Person Information					
4	Verification of Responsiveness					
5	Property Details					
6	Nuisance Response Plan					
7	Businesses License and Transient Occupancy Registration					
8	Additional Info (if required by permit administrator)					
9	Application Fee					

STR rentals regulations of C.M.C. Chapter 5.80 include the following:

- Occupant Requirements: Owners shall require primary occupant is an adult aged twentyone or older and provides a telephone number accessible at all times.
- Overnight Maximum Occupancy limit: Two people per rental unit, with and an additional two people allowed for each bedroom between the hours of 10:00 p.m. to 8:00 a.m.
- Noise: Short-term rentals are required to comply with the City's noise ordinance in C.M.C. Chapter 7.04 of our city's rules. Between 6:00 a.m. and 10:00 p.m., residential noise limits are 55 decibels, and from 10:00 p.m. to 6:00 a.m. noise limits are 45 decibels.
- Responsible Party: The short-term rental permit holder is responsible handle complaints 24 hours a day and be available to answer phone to address complaints within fifteen minutes and address additional complaints within forty-five minutes. The party is responsible to take actions to fix any problems or violations as described in the rules.
- Written Agreement between STR Owner and Primary Occupant: This agreement shall be posted inside the STR unit and available upon request by a police officer or City employee authorized to enforce the STR regulations. The agreement shall include occupant contact information, maximum number of overnight occupants, list of all guests, list of all vehicles makes, models and license plate numbers, acknowledgement by primary occupant of liability, trash pick-up rules, noise ordinance regulations, good neighbor guidelines, and copy of City's STR regulations.
- Advertisement: Any advertisement of the STR shall include the city permit number.
- <u>Penalties</u>: First time violation of STR regulations is a \$500 citation, \$750 for a second citation, \$1,000 for the third citation and any subsequent citations within a year. Operation of a STR without a City of Coachella STR permit is subject to a \$1,000 citation.
- Quarterly Reporting: Short term rental owners are required to report their earnings to the City of Coachella on a quarterly basis.

Comparison with Coachella Valley Cities Short Term Rental programs

Staff has conducted an analysis of short-term rental regulations of Coachella Valley cities (Attachment 2). The City of Coachella currently has very flexible operational regulations in comparison to other Coachella Valley cities as demonstrated by:

- No limitations to the number of short-term rentals in the City
- No permit fees. The City currently charges \$184 for a business license
- No short-term rental parking restrictions

All other Coachella Valley cities have a dedicated STRs webpage with application, permitting, and information on STRs. The City of Coachella currently does not have a STR webpage. Coachella Valley cities were observed to contract with a third-party vendor to identify unpermitted and permitted STRs and ensure they comply with permitting, reporting and remittances to the City. The City does not have a vendor to ensure unpermitted or permitted STRs comply and staff is currently exploring this option.

Code Enforcement of STR violations

The Code Enforcement Division is responsible to addressing complaints regarding STR locations but currently receives few complaints regarding quality of life impacts such as parking, trash and noise. The Code Enforcement Division closely monitors STR locations and complaints during the Coachella and Stagecoach weekends. No STR locations have received citations under the City's STR regulations or have been subject to revocation procedures.

Short-Term Rental Revenues

The City of Coachella charges a transit occupancy tax (TOT) of nine percent (9%) which is the lowest TOT percentage of all Coachella Valley cities. The City received \$821,386 in STR transit occupancy tax revenue, which is primarily a lump sum remittance by Airbnb to the City of Coachella. The City's STR revenues are significantly lower than Coachella Valley cities and \$7.5 million lower than the neighboring City of Indio. Airbnb does not provide revenue information by STR permit holder and it is unclear if the remittance to the City includes short-term rental operators that may not have obtained a City permit. The City does require quarterly reporting by STR permit holders, which could be a method to compare reported earning with Airbnb remittances to determine if there are discrepancies in the collection of STR transit occupancy tax revenues. Information from quarterly reports was not available before the publication of this report.

Table 2: Coachella Valley Short-Term Rental Revenue Comparison (5-Year Period)

	тот%		2023		2022		2021		2020		2019
Coachella	9%	\$	821,386	\$	710,666	\$	533,044	\$	227,076	\$	133,385
Cathedral City	12%	No	t Available	No	Available	No	ot Available	Not	Available	Not	Available
Indio	13%	\$	8,384,394	\$	7,983,893	\$	5,063,380	\$	2,002,367		
La Quinta	10%	\$	6,415,354	\$	7,144,654	\$	6,213,353	\$	2,851,145	\$	3,489,726
Palm Desert	11%	\$	2,779,019	\$	2,658,504	\$	1,894,641	\$	1,286,291	\$	2,141,351
Palm Springs	13.5% Group Hotels & 11.5% All others	\$	18,049,944	\$	20,571,177	\$	18,015,576	\$	8,648,689	\$	9,276,352
Rancho Mirage	10%		STR BAN	\$80	00,000-\$1M	\$8	800,000-\$1M	\$80	0,000-\$1M	\$80	00,000-\$1M
Desert Hot Springs	12%	\$	1,519,824		1,103,508		676,700		277,510		
Indian Wells	12.25%	\$	285,394		287,408		171,091		133,174		

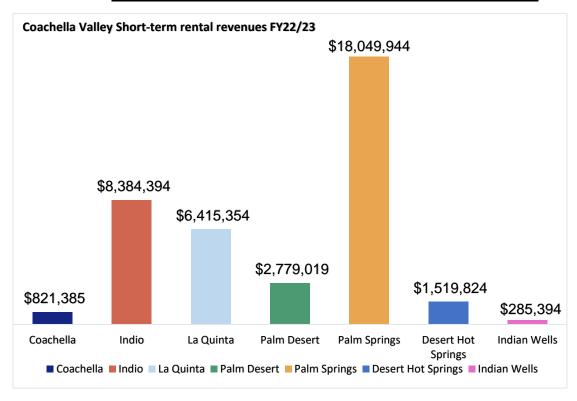


Table 3: Coachella Valley Short-term rental revenues FY22/23

Updates to Coachella Short-term rental program

The staff is actively considering enhancements to the City's short-term rental (STR) ordinance and permitting procedures. Updates that City staff are exploring include:

- Increase the STR permit fee with a nexus to administration of STR program including revenue collection, permitting, monitoring and enforcement.
- Tiered system for STR permit fees that distinguishes between local homeowners and investors
- Establishing comprehensive STR regulations
- Modification of transit occupancy tax
- Strengthening STR enforcement mechanisms
- Engaging a third-party vendor to monitor STR activities within the city.
- Establishment of a STR website

City staff is planning a City Council study session to report on the status of the City's STR program, potential updates and report on Planning Commission feedback from this Planning Commission study session.

Attachments:

- 1. C.M.C. Chapter 5.80 Regulation of Short-term Vacation Rentals
- 2. Comparison of Coachella Valley City Short-Term Vacation Rental programs

- 3. Short-Term Rental Permit Locations 2023
- 4. Coachella Valley Cities by percentage of second homes 2020

Attachment 1

5.80.005 - Purpose.

A. The purpose of this chapter is to establish regulations for the use of privately owned residential dwelling units as short term vacation rentals to minimize secondary impacts of such uses on surrounding residential neighborhoods to ensure the collection and payment of transient occupancy taxes.

B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short term rental purposes as defined in this chapter.

(Ord. No. 1105, § 2, 5-10-17)

5.80.010 - Definitions.

The definitions set forth in this section shall govern the meaning and construction of the words and phrases used in this chapter, except where the context of such words and phrases clearly indicates a different meaning or construction.

"Bedroom" shall mean an area of a short-term vacation rental normally occupied and being heated or cooled by any equipment for human habitation, which consists of four walls to the ceiling, at least one of which is located along an exterior wall with a window, and contains a built-in closet.

"Short-term vacation rental" shall mean a "dwelling unit" as defined by the city's zoning ordinance that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as but not limited to trade, fee, swap or any other in lieu of cash payments.

"Owner of a short-term vacation rental" shall mean the person(s) entity(ies) that hold(s) legal and or equitable title to the subject short term vacation rental. As used in this chapter, the term "owner" shall include owner's authorized representative or agent as set forth in <u>Section 5.80.040</u>.

(Ord. No. 1105, § 2, 5-10-17)

5.80.020 - Administration.

The provisions of this chapter shall be administered by finance director or such other city employee as may be designated by the city manager, hereinafter referred to as the "permit administrator". In order to facilitate orderly administration of this chapter, the permit administrator shall have the authority to make

clerk.

Attachment 1 interpretations and to promulgate administrative regulations consistent with the provisions of this chall them 1. for the purpose of interpreting, clarifying, carrying out, furthering and enforcing the requirements and provision of this chapter. A copy of such administration regulations shall be on file in the office of the city

(Ord. No. 1105, § 2, 5-10-17)

5.80.030 - Permit requirement.

- A. No owner of a short-term vacation rental shall rent, offer to rent, or advertise for rent the short-term vacation rental to another person without a permit approved and issued in the manner provided for by this chapter. The permit shall be required to be renewed on an annual basis in order to remain valid.
- B. No person shall rent, offer to rent, or advertise for rent a balcony, patio, or other outdoor area of a short-term vacation rental (" outdoor area") if such rental does not occur in connection with the rental of the remaining residence or dwelling unit to which the outdoor area is attached.
- C. No person shall rent, offer to rent, or advertise for rent a dwelling unit, or any portion thereof, as a short-term vacation rental to any partnership, corporation, limited liability company, commercial enterprise, or similar entity.
- D. No person who has rented a short-term vacation rental shall sublease such dwelling unit, or any portion thereof, to any other person or entity.
- E. No person shall charge a fee or request or require a donation for entrance into any short-term vacation rental.

(Ord. No. 1105, § 2, 5-10-17)

5.80.040 - Authorized agent or representative.

- A. An owner may authorize an agent or a representative to comply with the requirements of this chapter on behalf of the owner ("agent")
- B. Notwithstanding subsection (A), the owner of the short-term vacation rental is responsible for compliance with the provisions of this chapter and the owner shall not be relieved from any personal responsibility and/ or personal liability for non-compliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit, regardless of whether such non-compliance was committed by the owner's authorized agent or representative or the occupants of the owner's vacation rental unit or their guests. Failure of an agent to comply with this chapter shall be deemed non-compliance by the owner.

(Ord. No. 1105, § 2, 5-10-17)

- Attachment 1

 Item 1.

 A. No person shall offer to rent or advertise for rent a short-term vacation rental without including in the offer or advertisement (whether the advertisement is web based, print media, radio and/or television) the city permit number applicable to the property in the form "Coachella Permit"
 - No._____." If the offer to rent or advertisement contains different sizes of type or fonts, the permit number shall be printed in the same size type as the large type used in the main body of the offer or advertisement. In the case of audio -only advertising, the city permit number shall be read as part of the advertising.
- B. Any person advertising or causing the advertisement of a short-term vacation rental that contains information regarding the maximum occupancy of the short-term vacation rental, shall advertise only the overnight maximum occupancy limit as set forth in the permit issued pursuant to this chapter.

5.80.060 - Short-term rental permit applications.

- A. The owner or the owner's agent shall submit an application for a short-term vacation rental permit required by this chapter in a form required by the city and shall contain the following information and/or documents:
 - 1. The name, address, and telephone number of the owner of the subject short-term vacation rental unit.
 - 2. The name, address, and telephone number of the owner's authorized agent or representative, if any.
 - 3. The name, address, and 24-hour telephone number of the local contact person or agent of the owner who is available twenty-four (24) hours per day, seven days per week for the purpose of responding in- person within forty-five (45) minutes to complaints regarding the occupancy, condition, operation, conduct or use of the short term vacation rental as well as undertaking remedial action to resolve any such complaints and/ or correct any violations ("local contact person").
 - 4. Verification that the local contact person can respond in- person to the site of the short-term vacation rental unit within forty-five (45) minutes.
 - 5. The address of the proposed short-term vacation rental unit.
 - 6. The number of bedrooms in the short-term vacation rental unit.
 - 7. A nuisance response plan containing the information required by this chapter.
 - 8. A copy of owner's transient occupancy registration certificate and city business license.
 - 9. Such other information as the permit administrator deems reasonably necessary to administer this chapter.

- B. The permit application and annual renewal applications shall be accompanied by an applicate them 1. fee in the amount established by resolution of the city council. Payment of the renewal fee shall be paid before a permit may be approved and before the short-term vacation rental unit may be subsequently rented.
- C. Within fourteen (14) days of a change of property ownership, change of owner's agent or representative, or any other change in material facts pertaining to the information contained in the application, the owner or owner's authorized agent or representative shall submit an application for a new permit, which must be obtained prior to continuing to rent the subject unit as a short-term vacation rental.

5.80.070 - Content of nuisance response plans.

- A. Each nuisance response plan accompanying an application for a permit required by this chapter shall contain the following information and otherwise be in a form required by the permit administrator.
 - 1. The mailing address and telephone number of the owner or owners of the residential dwelling unit or units to be used as a short-term vacation rental pursuant to the permit;
 - 2. The name, address and telephone number of the local contact person or persons who is available in person and by telephone, and who will be responsible for responding to or causing a prompt response within forty-five (45) minutes to a nuisance or other complaint arising out of the occupancy, condition, operation or use of the short-term rental(s) by tenants, their visitors and/ or their guests and/ or undertaking remedial action to resolve any such nuisance or other complaint or correct a violation.
 - a. No more than a total of three local contact persons shall be designated in the response plan; and
 - b. Only one such person shall be designated as the person responsible for responding to a nuisance or other complaint during any particular hours of the day, different days in a week, and/ or different weeks of the year.
- B. The manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant or complainants will be notified of the response and the method of documenting prompt responses and timely corrective action.
- C. The manner of assuring timely corrective action to remedy the conditions that caused the nuisance or other complaint. For the purposes of this chapter, "timely corrective action" shall include, at a minimum, a telephone call to the primary occupant of the short-term vacation rental within fifteen (15) minutes of being informed of the initial nuisance or other complaint;

D.

Attachment 1

The proposed maximum number of overnight occupants, with supporting documentation identifying unusual size, interior layout, parking or other physical characteristics, if any, that support a request for occupancy greater than two persons plus two persons per bedroom."

(Ord. No. 1105, § 2, 5-10-17)

5.80.080 - Amendment of response plans.

At any time following the issuance of a permit required by this chapter, the owner of the short-term vacation rental being operated pursuant to such permit may change the content of the nuisance response plan approved incident to the issuance of the permit by filing an amended response plan with the permit administrator. Such amended response plan shall contain all of the information and be in the form required by Section 5.80.070 of this chapter, and shall be accompanied by an amended response plan fee, if any, in an amount established by the resolution of the city council.

(Ord. No. 1105, § 2, 5-10-17)

5.80.090 - Permit approval and issuance.

- A. Upon receipt of an application for a permit required by this chapter, the permit administrator will review the application and supporting documents, and will approve and issue a permit to the owner of the property or properties that are the subject(s) of the application that authorizes the use and occupancy of such property as a short-term vacation rental if the permit administrator finds that the required application fee has been paid, the nuisance response plan submitted with the application conforms to the requirements of this chapter and the short-term vacation rental complies with the provisions of <u>Section 5.80.100</u> of this chapter. Any permit issued shall contain on its face the overnight maximum occupancy limit as determined by <u>Section 5.80.100</u> of this chapter.
- B. An application may be denied if the applicant has had a prior short-term vacation rental application for the same unit revoked within the past twelve (12) calendar months.
- C. In the event that a request is made by an applicant for increased overnight occupancy greater than the standard of two persons within each short-term vacation rental plus a number that will not exceed two persons per bedroom, as established by Section 5.80.100, the permit administrator may request an interior and/ or exterior site visit in order to verify the facts stated in the application and/ or may request additional written or photographic documentation from the owner. The owner shall be present during any site visit. The permit administrator's determination on an application for increased occupancy shall be final. No hearing shall be required or conducted. The permit administrator shall be afforded broad discretion with respect to applications for increased occupancy. This chapter shall not be interpreted to create a property interest in potential increased occupancy.

Attachment 1

5.80.100 - Operational requirements and performance standards established.

- A. Each owner, and each tenant or occupant of a short-term vacation rental, shall at all times comply with or cause compliance with the operational and performance standards applicable to short-term vacation rentals they own, lease or occupy, as established by this section.
- B. The owner shall ensure that the short-term vacation rental complies with all applicable codes regarding fire, building and safety, and all other relevant laws and ordinances.
- C. The owner shall require the primary overnight and daytime occupant of the short-term vacation rental to be an adult twenty-one (21) years of age or older ("primary occupant"). The primary occupant shall provide a telephone number to the owner and shall be accessible to the owner by telephone at all times
- D. Prior to occupancy, the owner shall obtain the name, address, and driver's license number or a copy of the passport of the primary occupant of the short-term vacation rental. The primary occupant is s legally responsible for compliance of all occupants of the short-term vacation rental or their guests with all provisions of this chapter and/ or the Coachella Municipal Code. This information shall be readily available upon request of any police officer or employee of the city authorized to enforce this chapter or state law.
- E. The owner shall limit overnight occupancy of the short-term vacation rental to the permitted number of occupants, with the maximum number of overnight occupants being two persons within each short-term vacation rental plus a number that will not exceed two persons per bedroom within each short-term vacation rental ("overnight maximum occupancy limit"). The number of bedrooms in a short-term vacation rental shall be verified by the permit administrator using county assessor and/or city building records, prior to the issuance of a permit. The permit administrator in his/ her discretion may, when unusual size, interior layout, parking or other physical characteristics are shown, approve a greater maximum number of overnight occupants.
- F. During the hours of 10:00 p.m. through 8:00 a.m. of the following day, the short-term vacation rental shall not exceed the overnight maximum occupancy limit.
- G. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the city's authorized waste hauler on scheduled trash collection days. The owner of the short-term vacation rental shall provide sufficient trash collection containers and service to meet the demand of the occupants
- H. 1. Prior to the occupancy of a short-term vacation rental, the owner shall enter into a written rental agreement with the primary occupant. Each written rental agreement for a short-term vacation rental shall include the following terms, notifications and disclosures, which shall also be posted in a conspicuous location inside the unit:

- Attachment 1 primary | Item 1.
- a. The name, age, address of the primary occupant along with a copy of the primary occupant's government issued identification;
- b. The maximum number of overnight occupants that are permitted pursuant to the overnight maximum occupancy limit set forth in the permit.
- c. A list containing the names of all guests that will occupy the short term vacation rental provided to the owner by the primary occupant, including a list of their vehicles by make and model and license plate numbers.
- d. An acknowledgment and agreement of the primary occupant that he or she is legally responsible for compliance of all occupants of the short-term vacation rental and their guests with all provisions of this chapter and/ or the Coachella Municipal Code.
- e. Notification, acknowledgement and agreement of the primary occupant that failure to comply with the maximum occupancy limit and/ or the provisions of Section 5.80.100 and the subsequent refusal to comply with the instructions of the owner and/ or local contact person in order to remedy such violations, shall subject the primary occupant and his/her guests and/ or other occupants to an immediate order to vacate the short-term vacation rental by the owner or local contact person in accordance with the provisions contained within the rental agreement.
- f. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property.
- g. Notification that the occupant(s) may be cited or fined by the city and/ or immediately evicted by the owner pursuant to state law, in addition to any other remedies available at law, for creating a disturbance or for violating any provisions of this chapter.
- h. Notification that failure to conform to the occupancy requirements of the short-term vacation rental is a violation of this chapter.
- Notification that amplified sound, including radios, televisions and other electronic devices are subject to the city's noise ordinance as set forth in Coachella Municipal Code <u>Chapter 7.04</u>.
- j. A prohibition on illegal loud parties, along with notification of the city's right to recover the costs of special enforcement needed to address certain loud parties under the circumstances described in Coachella Municipal Code Sections 7.05.010 through 7.05.060.
- k. A requirement that the occupant(s) participate in neighborhood quiet hours by avoiding parties and loud social events between the hours of 10:00 p.m. and 8:00 a.m.
- I. The name of the managing agency, agent, rental manager, local contact person, or owner of the short-term vacation rental, and a telephone number at which that party may be reached at all times.

m.

Attachment 1

A copy of the "good neighbor guidelines" which may from time to time be prepared by the permit administrator. These guidelines may include location - specific information, such as local speed limits.

- n. Notification that the property is part of the city of Coachella's short-term vacation rental program.
- o. A copy of this chapter of the Coachella Municipal Code, as it may be amended from time to time.
- 2. The rental agreement and documentation of compliance with this subparagraph (H) shall be maintained by the owner and/or agent for a period of three years and be made readily available upon request of the permit administrator or any police officer or employee of the city authorized to enforce this chapter or state law.
- I. During the rental term of each short-term vacation rental, the local contact person shall be available by phone and in-person twenty-four (24) hours per day, seven days per week for the purpose of: (i) responding by telephone within fifteen (15) minutes of complaints regarding the occupancy, condition, operation or use of the short term vacation rental; (ii) responding inperson within forty-five (45) minutes to any additional or successive complaints regarding the occupancy, condition, operation or use short-term vacation rental; and (iii) taking action to resolve any complaint and/ or correct any violation as set forth in subparagraph (J) of this <u>Section 5.80.100</u>.
- J. Upon receipt of a nuisance complaint or such other complaint or upon notification that any occupant and/ or guest of the short-term vacation rental has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of this chapter, the Coachella Municipal Code or any state law, the owner or the local contact person shall promptly respond to such complaint and take corrective action to remedy the complaint and prevent a recurrence of such conduct by those occupants or guests. For purposes of this paragraph, "promptly respond" shall mean a physical presence at the premises of the short-term vacation rental in which the primary occupant or other occupancy is advised of the nature of the complaint and a correction of any violation is made, or if contact with the primary occupant or other occupancy is not required, the subject of the complaint is resolved, including the correction of any violation. If the nature of the violation involves an action that would take more than an hour, "promptly respond" shall mean notifying the permit administrator of the nature of the complaint and thereafter diligently pursuing to completion the correction of the violation. Failure of the owner or the local contact person to promptly respond and/or to take timely corrective action regarding the occupancy, condition, operation, or use of the short-term vacation rental shall be a violation of this chapter and shall be grounds for the imposition of penalties as set forth in this chapter and/or revocation of the permit. An owner or local contact person is not required or authorized to act as a peace officer or to intervene in situations that pose a risk to personal safety. The owner, agent or the local contact person shall keep and maintain a written log or

Attachment 1

other record of the nature of the complaint or violation and the date, and time of each complaint, disturbance, response and the corrective action taken. Such written log or record shall be readily available upon request of the city, including the permit administrator, and any police officer or employee of the city authorized to enforce this chapter or state law and shall be retained for a minimum of three years.

- K. The owner and/ or local contact person shall order the primary occupant and his/ her guests and/ or other occupants to immediately vacate the short-term vacation rental in accordance with provisions contained within the rental agreement if the primary occupant and/ or guests or other occupant fail to comply with the maximum occupancy limit and/or violate the provisions of this Section 5.80.100 and subsequently refuse to comply with the instructions of the owner and/or local contact person in order to remedy or correct the violation.
- L. The owner shall keep written records documenting compliance with all elements of the performance standards and the approved nuisance response plan. Such records shall be retained for a minimum of three years and shall be available during regular business hours upon request of the city, including the permit administrator, and any police officer or employee of the city authorized to enforce this chapter or state law
- M. The short-term vacation rental use shall not involve the use of commercial vehicles for the delivery of materials to and from the premises beyond those commercial vehicles normally associated with residential uses nor storage of delivered materials beyond those items which would normally be associated with a residential use of property.
- N. The operational requirements and performance standards may be modified by the permit administrator upon request of the owner based upon site specific circumstances for the purpose of allowing reasonable accommodation of a short-term vacation rental occupant as may be required by state or federal disability laws. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term vacation rental would not be allowed. Any hardships identified must relate to physical constraints to the subject site and shall not be self-induced or economic. Any modifications of the standard conditions shall not further exacerbate an already existing problem.
- O. The owner and/ or the owner's authorized agent or representative shall comply with all provisions of <u>Section 4.28.030</u> et. seq. of the Municipal Code concerning transient occupancy taxes, including, but not limited to, submission of a return in accordance with <u>Section 5.80.070</u> of the Municipal Code, which shall be filed even if the vacation rental unit was not rented during each such reporting period.
- P. The permit administrator shall have the authority to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential secondary effects unique to the subject vacation rental unit are avoided or adequately mitigated.

Attachment 1

5.80.110 - Terminating the use of a property as short-term rental.

Where the owner of property used and occupied as a short-term vacation rental pursuant to a permit approved and issued in the manner provided for by this chapter determines to terminate such use and restore the property either to an owner-occupied residence or a long-term rental, the property owner shall promptly cause a notice of such determination to be filed with the permit administrator.

(Ord. No. 1105, § 2, 5-10-17)

5.80.120 - Violations.

- A. It is unlawful and a violation of this chapter for any person or entity owning, renting, leasing, occupying or having charge, control or possession of any real or improved property within the city of Coachella to cause, permit, maintain or allow any violation of this chapter to exist thereon. Any person who violates any provision of this chapter is guilty of a misdemeanor. Such violation is punishable as set forth in <u>Section 1.08</u> of this code. Each and every day, or portion thereof, that a violation of this chapter exists constitutes a separate and distinct violation.
- B. Alternatively, this chapter may be enforced through the issuance of an administrative citation in accordance with <u>Chapter 1.10</u> of this code, except that the fine for each separate violation shall be as follows: (1) an administrative fine in an amount not to exceed five hundred dollars (\$500.00) for the first citation; (2) an administrative fine an amount not to exceed seven hundred and fifty dollars (\$750.00) for a second citation issued for the same offense within a twelve-month period of the date of the first offense; and (3) an administrative fine in an amount not to exceed one thousand dollars (\$1,000.00) for a third and any subsequent citation issued for the same offense within a twelve-month period of the date of the first offense. Each and every day such a violation exists shall constitute a separate and distinct violation of this chapter.
- C. Notwithstanding paragraph (b) of this <u>Section 5.80.120</u>, operating a short term vacation rental without a valid permit shall be subject to an administrative fine in the amount not to exceed one thousand dollars (\$1,000.00) for each citation.
- D. In addition to the foregoing, a violation of any provision of this chapter shall constitute a public nuisance and shall be subject to abatement by the city by means of a civil action or administrative abatement pursuant to <u>Chapter 3.10</u> of this code, and each day such condition continues it shall be regarded as a new and separate offense.
- E. This remedies provided for in this section are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this chapter.

Attachment 1

5.80.130 - Permit suspension, modification or revocation.

- A. In addition to any other remedy provided by this chapter, a permit issued pursuant to this chapter may be suspended, modified or revoked for violations of this chapter, for violation of any other law on the premises of the short-term vacation rental, or for the maintenance of such other conditions as may be shown to be injurious to the public health and safety or if the applicant made any false, misleading or fraudulent statement of a material fact in the application for permit, or any report or record required to be filed pursuant to this chapter.
- B. Prior to suspension, modification or revocation of a permit, a hearing shall be held thereon by the city manager or a hearing officer designated by the city manager or his designee. The permittee shall be notified in writing of the grounds for suspension, modification or revocation of the permit at least ten (10) days prior to the scheduled hearing. The decision of the hearing officer shall be rendered within five days of the hearing. The decision shall be in writing, and shall set forth the findings and reasons for the decision. The decision of the hearing officer is final.

(Ord. No. 1105, § 2, 5-10-17)

5.80.140 - Specific violations.

Any of the following acts or omissions arising out of the operation and use of a short term vacation rental is unlawful and constitutes a misdemeanor punishable as set forth in <u>Section 1.08</u> of this code.

- A. Rental, offering for rental, or advertising for rental of a dwelling unit located on any property within the city by the owner of the property as a short-term vacation rental without a permit authorizing such use that has been approved and issued in the manner required by this chapter.
- B. Failure of the owner of a short-term vacation rental issued a permit in the manner required by this chapter or the owner's designated agent to respond to a nuisance complaint arising out of the occupancy and use of the short-term rental by a tenant, or the tenant's visitors or guests in the manner and within the time required by a nuisance response plan approved by the permit administrator incident to the issuance of such permit.
- C. Failure of the owner of a short-term vacation rental issued a permit in the manner required by this chapter to keep a response plan required by the chapter on file with the permit administrator containing the name of the current person or persons responsible for responding to a nuisance complaint within the time required by this chapter.
- D. Offering to rent or advertising for rent a short-term vacation rental without including in the offer or advertisement the city permit number applicable to the property in the form "Coachella Permit No.____" with the permit number printed in the same size type as the

largest type used in the offer or advertisement.

Attachment 1

E. Failure to comply with or cause compliance with any performance standard listed in <u>Section</u> 5.80.100.

(Ord. No. 1105, § 2, 5-10-17)

5.80.150 - Records and inspection.

Each owner shall provide access to each short-term vacation rental and any records related to the use and occupancy of the short-term vacation rental to the city manager or his designee at any time during normal business hours, for the purpose of inspection or audit to determine that the objective and conditions of this chapter are being fulfilled.

(Ord. No. 1105, § 2, 5-10-17)

5.80.160 - Requirements not exclusive.

The requirements of this chapter shall be in addition to any license, permit or fee required under any other provision of the Coachella Municipal Code. The issuance of any permit pursuant to this chapter shall not relieve any person of the obligation to comply with all other provisions of the Coachella Municipal Code pertaining to the use and occupancy of the short-term vacation rental or the property on which it is located.

(Ord. No. 1105, § 2, 5-10-17)

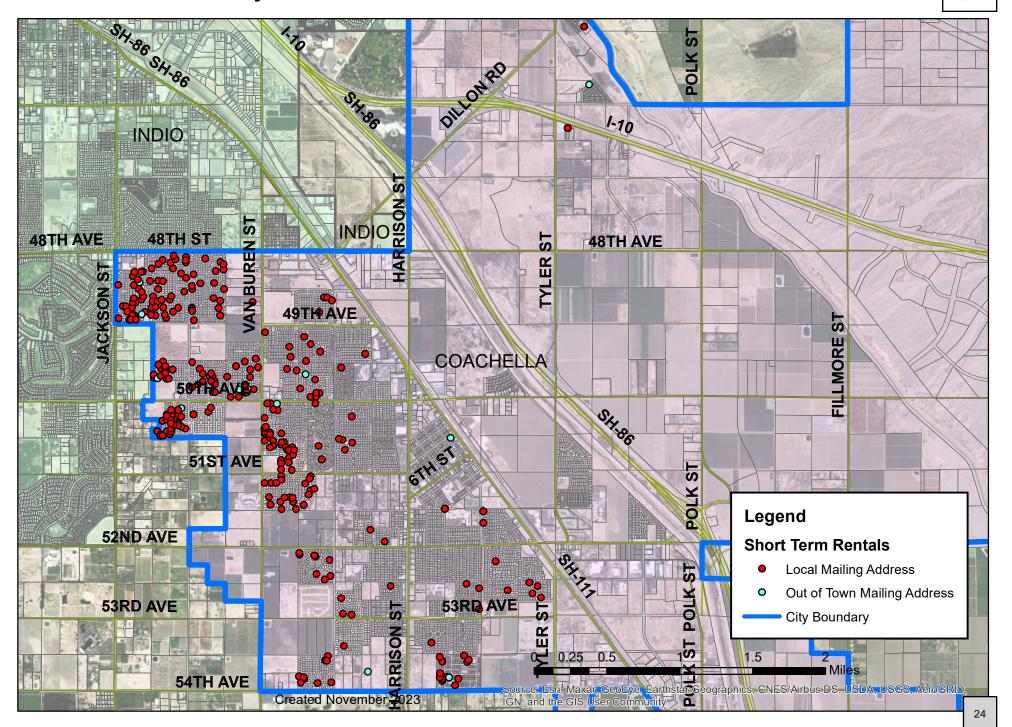
Comparison of Coachella Valley City Short-Term Rental Programs- 2023

City	Permit Cost	Application Requirements	Permitted Locations	Restrictions	Revenue FY 22/23	Enforcement/Fines
Cathedral City Coachella	Home Share Application Permit \$634.00 NEW Short-Term Vacation Rental Application Permit \$2124.00 STR Permit Waived Business License \$100	 Type of Rental Owner Information: Authorized Agent/Representative Local Contact Person Property Detail Photo Submission: Provide a photo of the front of the short-term vacation rental unit (minimum size: 4 inches by 5 inches). Agent or Representative Details: If applicable, provide the name, address, and telephone number. Local Contact Person: Furnish the name, address, and a 24-hour telephone number for on-site responses to complaints Verification of Responsiveness: Validate the local contact person's ability to respond on-site within forty-five (45) minutes Property Details, Specify the address of the proposed rental unit and indicate the number of bedrooms 	 Properties in HOA or Common Interest Development: Must be located in an HOA (or other common interest development) that permits Short-Term Vacation Rentals (STR). The property must be in Resort Residential (RR) Zoning. STVR Home Share: The property must operate as an STR Home Share. This requires the property to be the primary residence of the owner. The owner must be onsite during all guest stays. Short-term vacation rentals are prohibited in every disqualified space. The existing code does not contain provisions specifying particular locations for short-term rentals. Therefore, property owners may operate short-term rentals throughout the jurisdiction without being subject to specific zoning or geographical restrictions 	 Pool Certification Form: Required for those properties that have pools. A licensed contractor must complete the form, ensuring that the pool/spa is currently operating safely in compliance with all applicable rules and regulations. The form must be completed prior to the Health & Safety Inspection. A maximum of one vehicle per bedroom of the STR is permitted to park in the garage and driveway of the STVR or property or on the street. The minimum duration of a STR contract shall be 4 days, 3 nights. Properties used for a home share and STR in common interest developments are not subject to this limitation minimum duration requirement. Between 10 p.m. and 8 a.m., the use of outdoor amenities, outdoor games, or any activities creating noise is prohibited. A visible sign stating these restrictions must be placed near spa/pool areas or on all interior doors leading to outdoor amenities. All STRs must follow specific noise levels. Between 6:00 a.m 10:00 p.m., maximum 55 decibels, and from 10:00 p.m 6:00 a.m. in residential areas, max 45 decibels. Quiet hours between 10:00 p.m. and 8:00 a.m., not having parties or being too loud. During the time people are renting, there needs to be someone available 24/7 to handle complaints. They should answer phone complaints within fifteen minutes and address additional complaints within forty-five minutes. They also need to take actions to fix any problems or violations as described in the rules. The owner must ensure that the primary occupant of the short-term vacation rental is an adult aged 21 or older. The primary occupant is required to provide their telephone number to the owner and remain accessible by phone at all times. The owner must restrict overnight occupancy in the 	Not provided \$821,385.58	1st Violation \$500 2nd violation \$5000 Suspension False Complaint Violation 1st violation \$250 3rd violation \$500 2nd violation \$500 2nd violation \$500 2nd violation \$500 2nd Violation \$750 3rd and Subsequent Violation \$1,000. No STR permit volation: \$1,000.
Desert Hot Springs	General Rental \$1241.81 Primary Residence Vacation Rental \$931.75 Homeshare Vacation Rental _ \$620.9	 Nuisance Response Plan Documentation: Submit a copy of the owner's transient occupancy registration certificate and city business license. Application Fee Pre-Inspection Permit Fees Business License Insurance Requirement Transient Registration Owner Authorization Good Neighbor Brochure 	The existing code does not contain provisions specifying particular locations for short-term rentals. Therefore, property owners may operate short-term rentals throughout the jurisdiction without being subject to specific zoning or geographical restrictions	 short-term vacation rental to the permitted limit, allowing a maximum of two persons within each rental plus an additional two persons per bedroom ("overnight maximum occupancy limit"). Noise- No outdoor music, radios, musical instruments or other devices that produce or reproduce sound shall be allowed or be used outdoors at any time. There is no use of outdoor amenities and/ or outdoor games or any outdoor activities that create noise between the hours of 10 p.m 8 a.m. Parking- Guest are required to use all available onsite parking before parking on public streets. Public 	\$1,519,824.33	Violations related to general issues such as occupancy, noise, and parking: 1st violation: \$1,000 2nd violation \$2,000 3 rd violation \$3,000. Operating a STR permit:

DUS Continued	norking must be local and should not block sidewalks	Item 1.
Indian Wells Business Electures Business license Permit Feu: \$256.00 Business Electures Permit Feu: \$256.00 Total: \$516 Property owner information Property owner information Rental property information Rental property information Property owner information Rental property information Property owner information Rental property information Property owner information After the property information Positive Testing and Medium High- Density residential zones, as well as other General Plan designated zones of the City.	parking must be legal and should not block sidewalks, fire hydrants, or driveways STR must not be situated within 500-foot of another STR, measured from property line to property line. If a property violates this rule, the vacation rental permit will be rejected and not issued. However, existing vacation rentals that are in good standing with the City as of the effective date of this ordinance will not be denied a renewal solely based on this criterion. When applying for a STR permit, you must provide evidence of general liability insurance totaling \$1,000,000 as a combined single limit. Additionally, you are required to submit a signed agreement committing to indemnify, defend, and absolve the City from any claims or liability, of any nature, that may arise from the operation of the vacation rental permitted by the City. No outdoor music, radios, musical instruments or other devices that produce or reproduce sound are allowed to be used outdoor at any time. Enforced by a Noise Monitoring System. Which shall alter the owner/manager of any loud noises which are more than 70 decibels The total number of STRs should not surpass 4% of all housing parcels with completed developed units. This percentage excludes licensed, permitted, or entitled hotels and motels that are in good standing with the City. The calculation of this limit will be done annually. Any STR permits exceeding this limit will be denied. Good Neighbor Brochures must be placed in prominent locations in all rental properties and to the designated "responsible person". Required to comply with HOA restrictions regarding STRs. A Tourism Business Improvement District Assessment (TBID) of 1% and a Transient Occupancy Tax (TOT) of 12.25% of the going rental rate is due on each night of rental. The Owner or Managing Agent/Agency shall submit a quarterly TOT return and remit the taxes due to the City, per the schedule below: The max number of people allowed to stay overnight in the STR is two persons per bedroom between 11:00 p.m. and 6:00 a.m., with a	2,500 quent in 12 t for out a 0 fine anent loss permit of out a nent ban n against permits. Varning ithin 60 equent in 60

<u>Indio</u>	 STR permit fee \$1,944.00 Non-refundable STR permit fee of \$1,944.00 plus a Business License Tax Parking Plan Legal Documents If the property is vested in Trust, LLC, or Corporation or any other type of entity, please provide legal document Provide evidence of HOA Notification Government issued ID (Driver's License, Identification Card, Passport) Hold Harmless Agreement (Must be signed by all owners or members having legal interest in the property) Certificate of Insurance with STR coverage of \$1M or Proof from Platform of equal coverage. 	The existing code does not contain provisions specifying particular locations for short-term rentals. Therefore, property owners may operate short-term rentals throughout the jurisdiction without being subject to specific zoning or geographical restrictions	 Minimum age of renter. The owner shall not rent a short-term rental to a person that is under the age of 21. The owner must restrict overnight guests in the short-term rental to a specified limit: no more than four persons overall, with an additional two persons allowed per bedroom. Overnight occupancy is defined as the period between 10:00 p.m. and 8:00 a.m. Occupants of the short-term rental are not allowed to use outdoor amenities or participate in noisy outdoor activities between 9:00 p.m. and 8:00 a.m. Sunday through Thursday, and between 10:00 p.m. and 8:00 a.m. on Friday and Saturday. Clear signage stating these restrictions must be visible near any spa or pool and posted on all interior doors leading to outdoor amenities. 	\$1,958,999.32	 Any person violat these rules, including the owner, responsible person, occupants, and local contact persons, may face administrative and/or judicial consequences. The owner is deemed responsible for violations, but the city can still fine or cite occupants if they are considered responsible for the violation.
La Quinta	Homeshare Permit - Less than 5 bedrooms = \$255 per year Homeshare Permit - 5 bedrooms or more = \$505 per year Primary Permit - Less than 5 bedrooms = \$755 per year Primary Permit - 5 bedrooms or more = \$1,255 per year General Permit - Less than 5 bedrooms = \$1,005 per year General Permit - 5 bedrooms or more = \$1,255 per year	• The City is no longer issuing NEW STVR permits unless the property is located within a Village Commercial District zone, within a Tourist Commercial District zone, or within a residential project with a development agreement with the City or a condition of approval(s) attached to any entitlement approved by the City	 Occupants must comply with noise regulations, with restrictions on the use of sound-producing equipment between 10:00 p.m. and 7:00 a.m. The local contact person listed in the rental unit's profile must be available 24/7 and respond within 30 minutes to complaints. Failure to do so may result in a violation. The responsible person, whether an occupant or someone without a rental agreement, must comply with occupancy limits. No tents or trailers allowed. The city has the right to conduct occupancy counts, and the city council may further restrict occupancy levels. The owner or their authorized agent must ensure that the STR complies with all applicable laws, rules, and regulations. An estate home may be used for STR, subject to evaluation and inspection. Noise monitoring devices are required for such properties. A copy of the STR permit and good neighbor brochure must be displayed within the rental unit. Owners must comply with transient occupancy tax provisions, including filing monthly returns. On-site parking is restricted to approved driveway, garage, and/or carport areas, with no restrictions on Public Street parking regulations. Recreational vehicles must adhere to specified provisions. 	\$6,094,904.97	 Quality of life issues: 1st Violation \$1,000 2nd Violation \$2,000 3rd Violation \$3,000 Operating an STR without permit: 1st violation is \$3,000 2nd or subsequent violations \$5,000.00. Notably, the initial violation of operating an STVR without a valid permit may also lead to a lasting prohibition, preventing the owner or controlling entity from being eligible to obtain a short-term vacation rental permit or business license for the property Hosting a special event at an STR- first and second violations \$5,000.00.
Palm Desert	Annual registration fee \$29 Non-refundable Annual Registration fee of \$29.00 Provision of Good Neighbor Brochures to renters Transient Occupancy Tax Required	 Short-term rentals in certain zones (R-1, R-2, and PR) have specific rules: In R-1 and R-2 zones, you can only do short-term rentals if you, the owner, live on the property. In PR zones, short-term rentals are allowed if: The owner lives on the property (submit the Onsite Owner Form). Or, you have written approval from the 	 Minimum Number of Days and Nights for Rent or Lease. The minimum duration of a short-term rental unit is three days, two nights. Less than three-day, two-night rentals or leases are prohibited. All parking associated with a short-term rental unit shall be entirely onsite, in the garage, carport, and driveway or otherwise off of the public street. Between 10 p.m. and 10 a.m., you cannot use or have any sound-producing equipment (like radios, instruments, speakers) outside, and the sound should 	\$2,469,393.00	 1st Violation: \$1,000 2nd Violation: \$3,000 for the same offense within twelve months of the first offense. 3rd Violation: \$5,000, and an immediate two-year revocation of the short-term rental permit Note: If the property is zoned R-1 or R-2,

Palm Desert Continued		Homeowner's Association (use the Homeowner's Association Letter of Approval form). • Areas that are eligible for STR permits where the legal property owner does not have to be present during the rental of the property are: RE Zone, R3 Zone, HPR Zone, and DEO Zone.	not be heard beyond the property boundaries of the rental unit.		Section 5.10.070 Item 1. prohibiting short-term rentals unless approved by the homeowners' association.
Palm Springs	Vacation Rental: new/annual registration fee - \$1,072 Junior vacation rental (fewer annual contracts): new/annual registration fee - \$642 Homeshare - new/annual registration fee - \$268.00 Land Use Permit (LUP) fee for estate homes (5 or more bedrooms) - \$453 • Owner of unit information • Address • # of bedrooms, applicable overnight & daytime occupancy • Indemnification form • Insurance coverage • Acknowledgement form • Completion of fire, building, and safety inspection	Single- family and multifamily zones	 No more than 26 contracts for vacation rental use of a property shall be allowed in any calendar year Limit overnight occupancy of the vacation rental unit Max # of occupants – no more than 2 persons per bedroom Max of 8 persons total within the vacation rental unit – up to 2 minor children (12 & under) in addition to the max # of occupants 4 additional daytime occupants in addition to the # of allowed overnight guests (up to 12 adults) No more than 1 automobile per bedroom Estate home – max 12 guests and up to 2 minors (ages 12 & under) any machine or device for the producing or reproducing of any sound shall be conducted within a fully enclosed Vacation Rental unit and shall not be audible at the property line of the Vacation Rental VR neighborhood percentage cap – 20% in each neighborhood (doesn't apply to JR VR) 	Total Revenue from permits FY22/23 \$3,099,075.03 Total Revenue from TOT: \$18,049,944.00 Revenue per Capita: (Revenue/No. of rentals) \$7,308.00/ 2,894 STRs	 1st violation: \$500 Each subsequent violation: \$1,000 3rd violation in any twelve-month period, the City Manager shall suspend the Vacation Registration Certificate for two years
Rancho Mirage	N/A N/A	N/A	N/A	N/A	N/A
Rivco	 \$250 for the first year and \$100 for renewals Coperator Name and Number: Local Contact Person Name and Number: Sheriff's Department and Code Enforcement Contact Number Maximum Onsite Parking Spaces: Maximum Parking Spaces: [Number of Parking Spaces] Trash Pick-up Day and Regulations: Trash Pick-up Day Riverside County Ordinance No. 847 Riverside County Ordinance No. 927 Good Neighbor Brochure: Provide a link or copy of the Good Neighbor Brochure 		 Zoned sound level standards (db. max) 200 square feet per person up to a maximum of occupants determined by the size of the property: ½ acres or less 10 ½ acres through 2 acres 16 Anything over 2 acres 20 Noise monitor must be installed The individual designated as the responsible operator must be at least 18 years of age. 		



Item 1.

Porcentaje de segundas residencias Percentage of Second Homes by City 2020

