

## **ORDINANCE NO. 595**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING CHAPTER 3.25 OF THE LA QUINTA MUNICIPAL CODE CLARIFYING AND STREAMLINING THE SHORT-TERM VACATION RENTAL PERMITS RENEWAL SUBMITTAL AND PROCESSING**

**WHEREAS,** Chapter 3.25 of the La Quinta Municipal Code (LQMC) relates to short-term vacation rentals; and

**WHEREAS,** the City has the authority to regulate businesses operating within the City; and

**WHEREAS,** Chapter 3.25 of the LQMC addresses permitted uses, short-term vacation rental process and permitting procedures; and

**WHEREAS,** code amendments to Section 3.25.030 under the "Local contact person" definition are proposed for consistency with other sections in Chapter 3.25; and

**WHEREAS,** code amendments under Section 3.25.050, subsection D, and Section 3.25.055, subsection C, are intended to add clarifying language related to the types of allowed short-term vacation rental permit renewals, and to streamline the short-term vacation rental permit renewal processing and tracking, while ensuring compliance and enforcement with the short-term vacation rental program, as more particularly set forth in this Ordinance.

**NOW, THEREFORE,** the City Council of the City of La Quinta does ordain as follows:

SECTION 1. Chapter 3.25 shall be amended as written in "Exhibit A" attached hereto and incorporated herein by reference.

SECTION 2. **Corrective Amendments:** The City Council does hereby grant the City Clerk the ability to make minor amendments and corrections of typographical or clerical errors to "Exhibit A" to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 3. **Posting:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places

designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

**SECTION 4. Effective Date:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 5. Severability:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

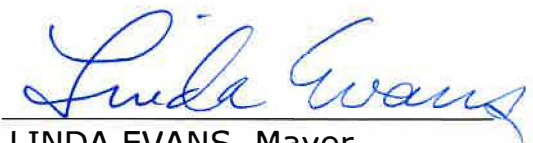
**PASSED, APPROVED and ADOPTED,** at a regular meeting of the La Quinta City Council held this 15th day of June, 2021 by the following vote:

**AYES: Council Members Fitzpatrick, Peña, Radi, Sanchez, and Mayor Evans**

**NOES: None**

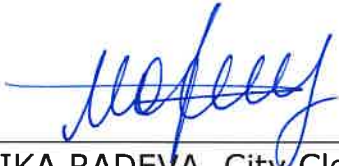
**ABSENT: None**

**ABSTAIN: None**



LINDA EVANS, Mayor  
City of La Quinta, California

**ATTEST:**



MONIKA RADEVA, City Clerk  
City of La Quinta, California

(CITY SEAL)

**APPROVED AS TO FORM:**



WILLIAM H. IHRKE, City Attorney  
City of La Quinta, California

## **EXHIBIT A**

### **Chapter 3.25 SHORT-TERM VACATION RENTALS**

#### **Chapter 3.25 SHORT-TERM VACATION RENTALS**

##### **3.25.010 Title.**

This chapter shall be referred to as the "Short-Term Vacation Rental Regulations." (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

##### **3.25.020 Purpose.**

A. The purpose of this chapter is to establish regulations for the use of privately owned residential dwellings as short-term vacation rentals that ensure the collection and payment of transient occupancy taxes (TOT) as provided in Chapter 3.24 of this code, and minimize the negative secondary effects of such use on surrounding residential neighborhoods.

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 vacation rental purposes as defined in this chapter. (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

C. The requirements of this chapter shall be presumed to apply to any residential dwelling that has received a short-term vacation rental permit. A rebuttable presumption arises that, whenever there is an occupant(s), paying rent or not, of a residential dwelling that has received a short-term vacation rental permit, the requirements of this chapter shall apply, including but not limited to any suspension or other modifications imposed on a short-term vacation rental permit as set forth in this chapter. The city manager or authorized designee shall have the authority to implement any necessary or appropriate policies and procedures to implement the rebuttable presumption set forth in this section.

##### **3.25.030 Definitions.**

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Advertise," "advertisement," "advertising," "publish," and "publication" mean any and all means, whether verbal or written, through any media whatsoever whether in use prior to, at the time of, or after the enactment of the ordinance amending this chapter, used for conveying to any member or members of the public the ability or availability to rent a short-term vacation rental unit as defined in this section, or used for conveying to any member or members of the public a notice of an intention to rent a short-term vacation rental unit as defined in this section. For purposes of this definition, the following media are listed as examples, which are not and shall not be construed as exhaustive: Verbal or

written announcements by proclamation or outcry, newspaper advertisement, magazine advertisement, handbill, written or printed notice, printed or poster display, billboard display, e-mail or other electronic/digital messaging platform, electronic commerce/commercial Internet websites, and any and all other electronic media, television, radio, satellite-based, or Internet website.

"Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term vacation rental.

"Applicant" means the owner of the short-term vacation rental unit.

"Authorized agent or representative" means a designated agent or representative who is appointed by the owner and also is responsible for compliance with this chapter with respect to the short-term vacation rental unit.

"Booking transaction" means any reservation or payment service provided by a person or entity who facilitates a home-sharing or vacation rental (including short-term vacation rental) transaction between a prospective occupant and an owner or owner's authorized agent or representative.

"City manager" means that person acting in the capacity of the city manager of the city of La Quinta or authorized designee.

"Declaration of non-use" means the declaration described in Section [3.25.050](#).

"Dwelling" has the same meaning as set forth in Section [9.280.030](#) (or successor provision, as may be amended from time to time) of this code; "dwelling" does not include any impermanent, transitory, or mobile means of temporary lodging, including but not limited to mobile homes, recreational vehicles (RVs), car trailers, and camping tents.

"Estate home" is defined as a single-family detached residence with five (5) or more bedrooms, subject to evaluation criteria and inspection of the property pursuant to Section 3.25.060(D)(1). An estate home is a sub-type of short-term vacation rental unit and shall be subject to a general short-term vacation rental permit, primary residence short-term vacation rental permit, or homeshare short-term vacation rental permit, as applicable, pursuant to this chapter.

"General short-term vacation rental permit" is a type of short-term vacation rental permit that is neither a homeshare short-term vacation rental permit nor a primary residence short-term vacation rental permit.

"Good neighbor brochure" means a document prepared by the city that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions of this code and other applicable laws, rules or regulations pertaining to the use and occupancy of short-term vacation rental units.

"Homeshare short-term vacation rental permit" is a type of short-term vacation rental permit whereby the owner hosts visitors in the owner's dwelling, for compensation, for periods of thirty (30) consecutive calendar days or less, while

the owner lives on-site and in the dwelling, throughout the visiting occupant's stay.

"Hosting platform" means a person or entity who participates in the home-sharing or vacation rental (including short-term vacation rental) business by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation, including but not limited to the Internet.

"Local contact person" means the person designated by the owner or the owner's authorized agent or representative who shall be available twenty-four hours per day, seven days per week with the ability to respond to the location within thirty (30) minutes for the purpose of: (1) taking remedial action to resolve any such complaints; and (2) responding to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit. A designated local contact person must obtain a business license otherwise required by Sections [3.24.060](#) and [3.28.020](#) (or successor provisions, as may be amended from time to time) of this code.

"Notice of permit modification, suspension or revocation" means the notice the city may issue to an applicant, authorized agent or representative, local contact person, occupant, owner, responsible person, or any other person or entity authorized to be issued such notice under this code for a short-term vacation rental unit, upon a determination by the city of a violation of this chapter or other provisions of this code relating to authorized uses of property subject to this chapter.

"Occupant" means any person(s) occupying the dwelling at any time.

"Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term vacation rental.

"Primary residence" means a dwelling where an owner spends the majority of the calendar year on the property used as a short-term vacation rental unit, and the property is identified in the Riverside County Assessor's record as the owner's primary residence.

"Primary residence short-term vacation rental permit" is a type of short-term vacation rental permit whereby the short-term vacation rental unit is the owner's primary residence, as defined herein in this section.

"Property" means a residential legal lot of record on which a short-term vacation rental unit is located.

"Rent" has the same meaning as set forth in Section [3.24.020](#) (or successor provision, as may be amended from time to time) of this code.

"Rental agreement" means a written or verbal agreement for use and occupancy of a privately-owned residential dwelling that has been issued a short-term vacation rental permit, including a dwelling that may have a permit which has been or is under suspension.

"Responsible person" means the signatory of an agreement for the rental, use and occupancy of a short-term vacation rental unit, and/or any person(s) occupying the short-term vacation rental unit without a rental agreement, including the owner(s), owner's authorized agent(s) or representative(s), local contact(s), and their guests, who shall be an occupant of that short-term vacation rental unit, who is at least twenty-one years of age, and who is legally responsible for ensuring that all occupants of the short-term vacation rental unit and/or their guests comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.

"Short-term vacation rental permit" means a permit that permits the use of a privately owned residential dwelling as a short-term vacation rental unit pursuant to the provisions of this chapter, and which incorporates by consolidation a transient occupancy permit and a business license otherwise required by Sections [3.24.060](#) and [3.28.020](#) (or successor provisions, as may be amended from time to time) of this code. A short-term vacation rental permit is one of the following types: (1) General short-term vacation rental permit, (2) Primary residence short-term vacation rental permit, or (3) Homeshare short-term vacation rental permit, as defined in this section.

"Short-term vacation rental unit" means a privately owned residential dwelling, such as, but not limited to, a single-family detached or multiple-family attached unit, apartment house, condominium, cooperative apartment, duplex, or any portion of such dwellings and/or property and/or yard features appurtenant thereto, rented for occupancy and/or occupied for dwelling, lodging, or any transient use, including but not limited to sleeping overnight purposes for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days, by any person(s) with or without a rental agreement.

"STVR" may be used by city officials as an abbreviation for "short-term vacation rental."

"Suspension" means that short-term vacation rental permit that is suspended pursuant to Section 3.25.090.

"Tenant" or "transient," for purposes of this chapter, means any person who seeks to rent or who does rent, or who occupies or seeks to occupy, for thirty (30) consecutive calendar days or less, a short-term vacation rental unit. (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.040 Authorized agent or representative.**

A. Except for the completion of an application for a short-term vacation rental permit and business license, the owner may designate an authorized agent or representative to ensure compliance with the requirements of this chapter with respect to the short-term vacation rental unit on his, her or their behalf. Nevertheless, the owner shall not be relieved from any personal responsibility

and personal liability for noncompliance 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 noncompliance was committed by the owner's authorized agent or representative or the occupants of the owner's short-term vacation rental unit or their guests.

B. The owner must be the applicant for and holder of a short-term vacation rental permit and business license and shall not authorize an agent or a representative to apply for or hold a short-term vacation rental permit and business license on the owner's behalf. The owner's signature is required on all short-term vacation rental application forms, and the city may prescribe reasonable requirements to verify that an applicant or purported owner is the owner in fact. (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.050 Short-term vacation rental permit—Required.**

A. The owner is required to obtain a short-term vacation rental permit and a business license from the city before the owner or the owner's authorized agent or representative may rent or advertise a short-term vacation rental unit. No short-term vacation rental use may occur in the city except in compliance with this chapter. No property in the city may be issued a short-term vacation rental permit or used as a short-term vacation rental unit unless the property is a residential dwelling that complies with the requirements of this chapter.

B. A short-term vacation rental permit and business license shall be valid for one (1) year and renewed on an annual basis in order to remain valid.

1. A short-term vacation rental permit and business license renewal application shall be submitted no earlier than sixty (60) calendar days but no later than thirty (30) calendar days prior to the permit's expiration date. Failure to renew a short-term vacation rental permit as prescribed in this section may result in the short-term vacation rental permit being terminated.
2. A new owner of a property (or a new person and/or new entity that owns or controls a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) previously operated as a short-term vacation rental unit by the former owner (or by a former person or entity that owned or controlled the business or organization or other entity of any kind that continues to be the owner of the property) may not renew the previous owner's short-term vacation rental permit and shall apply for a new short-term vacation rental permit, pursuant to this chapter, if the new owner (or new person and/or new entity that owns or controls a business or organization or other entity of any kind that continues to be the owner of a property) wants to continue to use the residential dwelling as a short-term vacation rental unit.



3. If an owner or an owner's authorized agent or representative, pursuant to all applicable laws, constructs additional bedrooms to an existing residential dwelling or converts non-bedroom spaces and areas in an existing residential dwelling into additional bedrooms, the owner or owner's authorized agent or representative shall notify the city and update the short-term vacation rental unit's online registration profile upon city approval of the addition or conversion so that the city may confirm that such conversion is consistent with this chapter and the code, including all applicable provisions in Title 8 of the code, and reissue the short-term vacation rental permit so that it accurately identifies the number of approved bedrooms, if the owner wants to continue to use the dwelling as a short-term vacation rental unit. The city may conduct an onsite inspection of the property to verify compliance with this chapter and the code. Code compliance inspections may be billed for full cost recovery at one hour for initial inspection and in thirty-minute increments for each follow-up inspection pursuant to subsection D. For purposes of this chapter, "reissue" or "reissuance" of a short-term vacation rental permit means a permit that is reissued by the city, with corrected information, as applicable, to be valid for the balance of the existing one (1)-year permit and license period.
- C. A short-term vacation rental permit and business license shall be valid only for the number of bedrooms in a residential dwelling equal to the number of bedrooms the city establishes as eligible for listing as a short-term vacation rental unit and shall not exceed the number of bedrooms allowable for the number of occupants as set forth in Section [3.25.070](#). The allowable number of bedrooms shall meet all applicable requirements under federal, state and city codes, including, but not limited to, the provisions of Section [9.50.100](#) (or successor provision, as may be amended from time to time) governing "additional bedrooms" and all applicable building and construction codes in Title 8 of this code. A short-term vacation rental permit shall not issue for, or otherwise authorize the use of, additional bedrooms converted from non-bedroom spaces or areas in an existing residential dwelling except upon express city approval for the additional bedrooms in compliance with this code, including Section [9.50.100](#) (or successor provision, as may be amended from time to time), and upon approval of an application for a new or renewed short-term vacation rental permit as provided in subsection B.
- D. A short-term vacation rental permit and business license shall not be issued, and may be suspended or permanently revoked, if the property, or any building, structure, or use or land use on the property is in violation of this code. The city may conduct an inspection of the property prior to the issuance or renewal of a short-term vacation rental permit and/or business license. Code compliance inspections may be billed for full cost recovery at one hour for initial inspection and in thirty-minute increments for each follow-up inspection. For purposes of this subsection, a code violation exists if, at the time of the submittal of an

application for a new or renewed short-term vacation rental permit or business license, the city has commenced administrative proceedings by issuing written communication and/or official notice to the owner or owner's responsible agent or representative of one or more code violations. For purposes of this chapter, "building," "structure," and "use or land use" have the same meanings as set forth in Section [9.280.030](#) (or successor provisions, as may be amended from time to time) of this code.

E. A short-term vacation rental permit and business license shall not be issued or renewed, and may be suspended or permanently revoked, if any portion of transient occupancy tax has not been reported and/or remitted to the city for the previous calendar year by the applicable deadline for the reporting and/or remittance of the transient occupancy tax.

F. A short-term vacation rental permit and business license shall not be issued or renewed, and may be suspended or permanently revoked, if the residential dwelling to be used as a short-term rental unit lacks adequate onsite parking. For purposes of this subsection, "adequate onsite parking" shall be determined by dividing the total number of occupants commensurate with the approved number of bedrooms as provided in the table under Section [3.25.070](#) by four, such that the ratio of the total number of occupants to onsite parking spots does not exceed four to one (4:1). For example, a residential dwelling with five bedrooms may permissibly host a total number of ten occupants and therefore requires three on-site parking spots. Onsite parking shall be on an approved driveway, garage, and/or carport areas only in accordance with Section [3.25.070](#)(R), and no more than two street parking spots may count towards the number of on-site parking spots necessary to meet the "adequate onsite parking" requirement under this subsection.

G. An owner or owner's authorized agent or representative who claims not to be operating a short-term vacation rental unit or who has obtained a valid short-term vacation rental permit and business license pursuant to this chapter, may voluntarily opt-out of the requirements of this chapter, prior to the issuance or expiration of a short-term vacation rental permit and business license that are applicable to the short-term vacation rental unit, only upon the owner, the owner's authorized agent or representative and/or the owner's designated local contact person executing, under penalty of perjury, a declaration of non-use as a short-term vacation rental unit, in a form prescribed by the city (for purposes of this chapter, a "declaration of non-use"). Upon the receipt and filing by the city of a fully executed declaration of non-use, the owner or owner's authorized agent representative shall be released from complying with this chapter as long as the property is not used as a short-term vacation rental unit. Use of the property as a short-term vacation unit after the city's receipt and filing of a declaration of non-use, is a violation of this chapter. If, after a declaration of non-use has been received and filed by the city, the owner or owner's authorized agent or representative wants to use that property as a short-term vacation

rental unit, the owner shall apply for a new short-term vacation rental permit and business license and fully comply with the requirements of this chapter and the code; provided, however, that if a short-term vacation rental permit is or will be suspended on the date an owner or owner's authorized agent or representative submits to the city a declaration of non-use for the short-term vacation rental unit under suspension, then the owner may apply for a new short-term vacation rental permit and business license only after twelve (12) consecutive months have elapsed from the date of the declaration of non-use, and the owner and owner's authorized agent or representative otherwise shall fully comply with the requirements of this chapter and the code. (Ord. 577 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

**3.25.055 Non-issuance of new short-term vacation rental permits; Periodic council review.**

A. Commencing May 20, 2021, which is the effective date of the ordinance adding this section, there shall be no processing of, or issuance for, any applications for a new short-term vacation rental permit, required by this chapter to use or operate a short-term vacation rental unit in the city, except applications for a new a short-term vacation rental permit covering a short-term vacation rental unit that meets one or more of the following:

1. A residential dwelling within a residential project located in the CT Tourist Commercial District zone, as defined in Section 9.70.070 (or successor section) of this code and depicted in the city's official zoning map.
2. A residential dwelling within a residential project located in the VC Village Commercial District zone, as defined in Section 9.70.100 (or successor section) of this code and depicted in the city's official zoning map.
3. A residential dwelling within a residential project subject to a development agreement with the city, or subject to a condition of approval(s) attached to any entitlement approved by the city (including but not limited to a specific plan, subdivision map, or site development permit), pursuant to which short-term vacation rentals are a permitted use, and the residential dwelling's use as a short-term vacation rental is authorized under a declaration of covenants, conditions, and restrictions (CC&Rs), for the residential project.
4. A residential dwelling within the area covered by the SilverRock Resort Specific Plan.

B. The city manager or authorized designee shall have the authority to implement policies or procedures to review and verify whether an application for a new short-term vacation rental permit meets the criteria set forth in this section.

C. This section shall not apply to applications for a renewal of an existing short-term vacation rental permit and business license, submitted in compliance with

this chapter, including when the short-term vacation rental permit is under suspension during the time for processing the renewal application. Applications for renewals must be submitted as prescribed by this chapter. Any short-term vacation rental unit, covered by a permit that is subject to an application for renewal, which is under temporary suspension in violation of this chapter or any other provisions of this code, shall not become permitted to use the dwelling as a short-term vacation rental unit until all violations that led to the temporary suspension have been remedied and the suspension has expired. Any revoked short-term vacation rental permit shall not be eligible for renewal or new short-term vacation rental permit.

D. The city council shall periodically review the impacts or effects, if any, caused by the non-issuance of new short-term vacation rental permits set forth in this section. The city manager or authorized designee shall prepare a report assessing impacts or effects, if any, for the council to review at a regular or special meeting.

### **3.25.060 Short-term vacation rental permit—Application requirements.**

A. The owner or the owner's authorized agent or representative must submit the information required on the city's short-term vacation rental permit application form provided by the city, which may include any or all of the following:

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 twenty-four-hour telephone number of the local contact person;
4. The address of the proposed short-term vacation rental unit, Internet listing site and listing number;
5. The number of bedrooms shall not exceed the number of bedrooms allowable for the number of occupants as set forth in Section [3.25.070](#). The allowable number of bedrooms shall meet all applicable building and construction requirements under federal, state and city codes, including, but not limited to, the provisions of Section [9.50.100](#) (or successor provision, as may be amended from time to time) governing "additional bedrooms" and all applicable building and construction codes in Title 8 of this code;
6. Acknowledgement of receipt of all electronically distributed short-term vacation rental information from the city, including any good neighbor brochure;
7. The owner or owner's authorized agent or representative who has applied for a short-term vacation rental permit shall provide the city with

written authorization that issuance of a short-term vacation rental permit pursuant to this chapter is not inconsistent with any recorded or unrecorded restrictive covenant, document, or other policy of a homeowner association (HOA) or other person or entity which has governing authority over the property on which a short-term vacation rental unit will be operated; in furtherance of this requirement, there shall be a rebuttable presumption that an owner or owner's authorized agent or representative does not have written authorization for the issuance of a short-term vacation rental permit if a HOA or other person or entity which has governing authority over the property has submitted to the city a duly-authorized official writing, which informs the city that short-term vacation rentals of thirty (30) consecutive days or less are not permitted on the property applying for a short-term vacation rental permit; and

8. Such other information as the city manager or authorized designee deems reasonably necessary to administer this chapter.

B. The short-term vacation rental permit application shall be accompanied by an application fee as set by resolution of the city council. A short-term vacation rental permit and business license shall not be issued or renewed while any check or other payment method cannot be processed for insufficient funds.

C. The city may determine the maximum number of bedrooms in a residential dwelling with multiple bedrooms eligible for use as a short-term vacation rental unit upon issuance of a short-term vacation rental permit. When determining the maximum number of bedrooms eligible for use as short-term vacation rentals, the city shall consider the public health, safety, and welfare, shall comply with building and residential codes, and may rely on public records relating to planned and approved living space within the residential dwellings, including, but not limited to, title insurance reports, official county records, and tax assessor records. Owners of residential dwellings that exceed five thousand square feet of developed space on a lot may apply for additional bedrooms. An owner and/or owner's authorized agent or representative may not advertise availability for occupancy of a short-term vacation rental unit for more than the approved number of bedrooms listed in the short-term vacation rental permit issued by the city pursuant to this chapter. In addition to any other rights and remedies available to the city under this chapter, the first violation for failing to advertise the approved number of bedrooms may be subject to a fine by an administrative citation, and a second or subsequent violation for failing to advertise the approved number of bedrooms may result in a revocation (which may include permanent revocation) of the short-term vacation rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in Section 3.25.100.

D. Short-term vacation rental permit applications shall comply with the following:

1. A short-term vacation rental permit application for the estate home shall be subject to evaluation and inspection of the property to ensure that the short-term vacation rental unit will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties in the vicinity. Evaluation and inspection shall include, but not be limited to: verification of the number of bedrooms, adequate on-site parking spaces, availability of nearby street parking, physical distance of the estate home from adjacent properties, such as location and distance of outdoor gathering spaces, pools, and other living spaces from neighboring properties. The city manager, or designee, shall have the authority to impose additional conditions on the use of the estate home as a short-term vacation rental unit to ensure that any potential secondary effects unique to the subject short-term vacation rental unit are avoided or adequately mitigated.
  2. A short-term vacation rental permit application may be denied if the applicant has failed to comply with application requirements in this chapter, or has had a prior short-term vacation rental permit for the same unit revoked within the past twelve (12) calendar months. In addition, upon adoption of a resolution pursuant to subsection H, the city may limit the number of short-term vacation rental units in a given geographic area based on a high concentration of short-term vacation rental units. The city shall maintain a waiting list of short-term vacation rental permit applications for such geographic areas where the city determines, based on substantial evidence after a noticed public hearing and public hearing, there is a higher than average concentration of short-term vacation rental units that either affects the public health, safety, and welfare or significantly negatively impacts the character and standard of living in a neighborhood within that geographic area, or both.
- E. Short-term vacation rental permit applications may take up to, and the city shall have, thirty (30) calendar days to process. An application for a renewal of a short-term vacation rental permit and business license should be submitted at least thirty (30) calendar days prior to the existing permit's expiration to allow sufficient time for the city to process the renewal application. Nothing in this subsection or chapter shall be construed as requiring the city to issue or deny a short-term vacation rental permit in less than thirty (30) calendar days, as no permit shall be issued until such time as application review is complete. No short-term vacation rental use may occur in the city without a valid short-term vacation rental permit is issued in accordance with this chapter.
- F. Upon a change of ownership of a property (or upon a new person and/or new entity owning or controlling a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) licensed to operate as a short-term vacation rental unit, the owner or owner's authorized agent or representative shall notify the city of such change immediately. The

existing short-term vacation rental permit shall be terminated and the property must cease operating as a short-term vacation rental immediately. Failure to comply may result in a fine of \$1,000 per day for a continuing violation of this subsection F.

G. Immediately upon a change of an owner's authorized agent or representative, local contact, or any other change pertaining to the information contained in the short-term vacation rental application, the owner or owner's authorized agent or representative shall update the short-term vacation rental unit's online registration profile used by the city for the implementation of the short-term vacation rental regulations. Failure to update immediately this information may result in a violation of this chapter, including but not limited to a suspension or revocation of a short-term vacation rental permit, until all information is updated.

H. The city manager or authorized designee shall prepare, for adoption by resolution by the city council, a review procedure and criteria to evaluate the limitation for issuance of STVR permits and/or STVR applications for geographic areas within the city as set forth in subsection D. (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.065 Short-term vacation rental permit—Grounds for denial.**

A. In addition to any other grounds provided in this chapter, an application (including renewal application) for a short-term vacation rental permit may be denied if use of the short-term vacation rental unit has been, will be, or is apt to become any one or more of the following.

1. Prohibited by any local ordinance or by any state or federal law, statute, rule or regulation;
2. A public nuisance;
3. In any way detrimental to the public interest;
4. Prohibited by zoning laws and ordinances.

B. An application (including renewal application) for a short-term vacation rental permit may also be denied on the grounds that the applicant has knowingly made a false statement in a material matter either in his/her/their application or in his/her/their testimony before the city manager or other body hearing such testimony.

C. This section is intended to be, and shall be construed as being, in alignment with the grounds for denial of a business license set forth in Section 3.28.080 (or successor section) of this code.

### **3.25.070 Operational requirements and standard conditions.**

A. The owner and/or owner's authorized agent or representative shall use reasonably prudent business practices to ensure that the short-term vacation

rental unit is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term vacation rental unit.

1. An estate home may be established for short-term vacation rental use subject to evaluation and inspection of the property pursuant to Section 3.25.060(D)(1).
2. An estate home established for short-term vacation rental use is required to be equipped with a noise monitoring device(s) that is operable at all times.

B. The responsible person(s) shall be an occupant(s) of the short-term vacation rental unit for which he, she or they signed a rental agreement for such rental, use and occupancy, and/or any person(s) occupying the short-term vacation rental unit without a rental agreement, including the owner, owner's authorized agent or representative, local contact(s) and their guests. No non-permanent improvements to the property, such as tents, trailers, or other mobile units, may be used as short-term vacation rentals. The total number of occupants, including the responsible person(s), allowed to occupy any given short-term vacation rental unit may be within the ranges set forth in the table below. By the issuance of a short-term vacation rental permit, the city or its authorized designees, including police, shall have the right to conduct a count of all persons occupying the short-term vacation rental unit in response to a complaint or any other legal grounds to conduct an inspection resulting from the use of the short-term vacation rental unit, and the failure to allow the city or its authorized designees the ability to conduct such a count may constitute a violation of this chapter. The city council may by resolution further restrict occupancy levels provided those restrictions are within the occupancy ranges set forth below.

<b>Number of Bedrooms</b>	<b>Total of Overnight* Occupants</b>	<b>Total Daytime** Occupants (Including Number of Overnight Occupants)</b>
0 – Studio	2	2–8
1	2–4	2–8
2	4–6	4–8
3	6–8	6–12
4	8–10	8–16
5	10–12	10–18
6	12–14	12–20
7	14	14–20
8	16	16–22



9	18	18–24
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\* Overnight (10:01 p.m. – 6:59 a.m.)

\*\* Daytime (7:00 a.m. – 10:00 p.m.)

C. The person(s) listed as the local contact person in the short-term vacation rental unit's online registration profile shall be available twenty-four (24) hours per day, seven (7) days per week, with the ability to respond to the location within thirty (30) minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term vacation rental unit or their guests. The person(s) listed as a local contact person shall be able to respond personally to the location, or to contact the owner or the owner's authorized agent or representative to respond personally to the location, within thirty (30) minutes of notification or attempted notification by the city or its authorized short-term vacation rental designated hotline service provider. No provision in this section shall obligate the city or its authorized short-term vacation rental designated hotline service provider to attempt to contact any person or entity other than the person(s) listed as the local contact person.

D. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term vacation rental unit do not create unreasonable or unlawful noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit.

E. Occupants of the short-term vacation rental unit shall comply with the standards and regulations for allowable noise at the property in accordance with Section [9.100.210](#) and 11.08.040 (or successor provision, as may be amended from time to time) of this code. No radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any short-term vacation rental unit between the hours of 10:00 p.m. and 7:00 a.m. Pacific Standard Time. Observations of noise related violations shall be made by the city or its authorized designee from any location at which a city official or authorized designee may lawfully be, including but not limited to any public right-of-way, any city-owned public property, and any private property to which the city or its authorized designee has been granted access.

F. Prior to occupancy of a short-term vacation rental unit, the owner or the owner's authorized agent or representative shall:

1. Obtain the contact information of the responsible person;
2. Provide copies of all electronically distributed short-term vacation rental information from the city, including any good neighbor brochure to the responsible person and post in a conspicuous location within the short-term

vacation rental unit, in a manner that allows for the information to be viewed in its entirety; and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term vacation rental unit and their guests with all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term vacation rental unit. This information shall be maintained by the owner or the owner's authorized agent or representative for a period of three years and be made readily available upon request of any officer of the city responsible for the enforcement of any provision of this code or any other applicable law, rule or regulation pertaining to the use and occupancy of the short-term vacation rental unit.

G. The owner, the owner's authorized agent or representative and/or the owner's designated local contact person shall, upon notification or attempted notification that the responsible person and/or any occupant and/or guest of the short-term vacation rental unit has created unreasonable or unlawful noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term vacation rental unit, promptly respond within thirty (30) minutes to immediately halt and prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, the owner's authorized agent or representative and/or the owner's designated local contact person to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term vacation rental unit within thirty (30) minutes, shall be subject to all administrative, legal and equitable remedies available to the city.

H. [reserved]

I. 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, the owner's authorized agent or representative shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter [6.04](#) (Solid Waste Collection and Disposal) (or successor provision, as may be amended from time to time) of this code.

J. Signs may be posted on the premises to advertise the availability of the short-term vacation rental unit as provided for in Chapter [9.160](#) (Signs) (or successor provision, as may be amended from time to time) of this code.

K. The owner, authorized agent or representative and/or the owner's designated local contact person shall post a copy of the short-term vacation rental permit and a copy of the good neighbor brochure in a conspicuous place within the short-term vacation rental unit, and a copy of the good neighbor brochure shall be provided to each occupant of the subject short-term vacation rental unit.

L. Unless otherwise provided in this chapter, the owner and/or the owner's authorized agent or representative shall comply with all provisions of Chapter [3.24](#) concerning transient occupancy taxes, including, but not limited to, submission of a monthly return in accordance with Section [3.24.080](#) (or successor provisions, as may be amended from time to time) of this code, which shall be filed monthly even if the short-term vacation rental unit was not rented during each such month.

M. Guesthouses, detached from the primary residential dwelling on the property, or the primary residential dwelling on the property, may be rented pursuant to this chapter as long as the guesthouse and the primary residential dwelling are rented to one party.

N. The owner and/or the owner's authorized agent or representative shall post the number of authorized bedrooms and the current short-term vacation rental permit number at the beginning or top of any advertisement that promotes the availability or existence of a short-term vacation rental unit. In the instance of audio-only advertising of the same, the short-term vacation rental permit number shall be read as part of the advertisement.

O. The owner and/or owner's authorized agent or representative shall operate a short-term vacation rental unit in compliance with any other permits or licenses that apply to the property, including, but not limited to, any permit or license needed to operate a special event pursuant to Section [9.60.170](#) (or successor provision, as may be amended from time to time) of this code. The city may limit the number of special event permits issued per year on residential dwellings pursuant to Section [9.60.170](#) (or successor provision, as may be amended from time to time).

P. The city manager, or designee, 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 short-term vacation rental unit are avoided or adequately mitigated, including, but not limited to, a mitigating condition that would require the installation of a noise monitoring device to keep time-stamped noise level data from the property that will be made available to the city upon city's reasonable request.

Q. The standard conditions set forth herein may be modified by the city manager, or designee, upon request of the owner or the owner's authorized agent or representative based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term vacation rental. 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.

R. On-site parking shall be on an approved driveway, garage, and/or carport areas only; this section does not impose restrictions on public street parking regulations. Recreational vehicles may be parked in accordance with the provisions set forth in Section [9.60.130](#) (or successor provision, as may be amended from time to time) of this code. (Ord. 577 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.080 Recordkeeping and hosting platform duties.**

- A. The owner or the owner's authorized agent or representative shall maintain for a period of three years, records in such form as the tax administrator (as defined in Chapter [3.24](#)) may require to determine the amount of transient occupancy tax owed to the city. The tax administrator shall have the right to inspect such records at all reasonable times, which may be subject to the subpoena by the tax administrator pursuant to Section [3.24.140](#) (Records) (Transient Occupancy Tax) (or successor provisions, as may be amended from time to time) of this code.
- B. Hosting platforms shall not complete any booking transaction for any residential dwelling or other property purporting to be a short-term vacation rental unit in the city unless the dwelling or property has a current and valid short-term vacation rental permit issued pursuant to this chapter, which is not under suspension, for the dates and times proposed as part of the booking transaction.
  1. The city shall maintain an online registry of active and suspended short-term vacation rental permits, which hosting platforms may reference and rely upon for purposes of complying with subsection B. If a residential dwelling or other property purporting to be a short-term vacation rental unit matches with an address, permit number, and/or current and valid permit dates (not under suspension) set forth in the city's online registry, the hosting platforms may presume that the dwelling or other property has a current and valid short-term vacation rental permit.
  2. The provisions of this subsection B shall be interpreted in accordance with otherwise applicable state and federal law(s) and will not apply if determined by the city to be in violation of, or preempted by, any such law(s). (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.090 Violations.**

A. Additional Conditions. A violation of any provision of this chapter or this code by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, shall authorize the city manager, or designee, to impose additional conditions on the use of any given short-term vacation rental unit to ensure that any potential additional violations are avoided.

B. Permit Modification, Suspension and Revocation. A violation of any provision of this chapter, this code, California [Vehicle Code](#), or any other applicable federal, state, or local laws or codes, including, but not limited to, applicable fire codes and the building and construction codes as set forth in Title 8 of this code, by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, shall constitute grounds for modification, suspension and/or revocation (which may include permanent revocation) of the short-term vacation rental permit and/or any affiliated licenses or permits pursuant to the provisions set forth in Section [3.25.100](#).

C. Notice of Violation. The city may issue a notice of violation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform, pursuant to Section [1.01.300](#) (or successor provisions, as may be amended from time to time) of this code, if there is any violation of this chapter committed, caused or maintained by any of the above parties.

D. Two (2) Strikes Policy. Subject to a minor violation reprieve request, two (2) violations of any provision of this chapter or this code within one (1) year by any applicant, occupant, responsible person, local contact person, owner, or owner's authorized agent or representative, with respect to any one residential dwelling shall result in an immediate suspension of the short-term vacation rental permit with subsequent ability to have a hearing before the city, pursuant to this chapter, to request a lifting of the suspension. For purposes of this subsection, a "minor violation reprieve request" means a written request submitted to the city's code enforcement officer for relief from counting one (1) or more violations within the one (1) year period as a minor violation, and "minor violation" means a violation of a particular section of this code that resulted in minimal impact on the use and enjoyment of the adjacent and nearby properties caused by any of the following:

1. Minor debris or trash containers left in view as a first offense;
2. A short-term vacation rental permit number or bedroom count not posted on an advertisement as a first offense;
3. A short-term vacation rental permit number or bedroom count posted in the wrong location on an advertisement as a first offense, or;
4. Over occupancy due to a minor child not associated with a disturbance.

A determination of whether a code violation is a minor violation shall be based on substantial evidence presented to the code enforcement officer relating to that violation.

E. Administrative and Misdemeanor Citations. The city may issue an administrative citation to any applicant, occupant, responsible person, local contact person, owner, owner's authorized agent or representative, or hosting platform, pursuant to Chapter [1.09](#) (Administrative Citations) (or successor provisions, as may be amended from time to time) of this code, if there is any

violation of this chapter committed, caused or maintained by any of the above parties. Nothing in this section shall preclude the city from also issuing an infraction citation upon the occurrence of the same offense on a separate day. An administrative citation may impose a fine for one or more violations of this chapter in the maximum amount allowed by state law or this code in which the latter amount shall be as follows:

1. General STVR Violations (Occupancy/Noise/Parking).
  - a. First violation: one thousand dollars;
  - b. Second violation: two thousand dollars;
  - c. Third violation: three thousand dollars.
2. Operating a STVR Without a Valid Short-Term Vacation Rental Permit.
  - a. First violation: three thousand dollars;
  - b. Second or more violations: five thousand dollars;
  - c. In addition to the fine set forth above, the first violation of operating a STVR without a valid short-term vacation rental permit shall be cause for an owner (or person and/or entity that owns or controls a business or organization or other entity of any kind, such as a limited liability company, which is the owner of a property) to be prohibited for all time from being eligible to be issued a short-term vacation rental permit and/or business license for use of a property as a short-term vacation rental unit.
3. Hosting a Special Event at a STVR Without a Special Event Permit as Required by Section [9.60.170](#) (or Successor Provision, as May Be Amended From Time to Time) of This Code.
  - a. First violation: five thousand dollars;
  - b. Second violation: five thousand dollars.

F. Public Nuisance. In addition to any and all rights and remedies available to the city, it shall be a public nuisance for any person or entity to commit, cause or maintain a violation of this chapter, which shall be subject to the provisions of Section [1.01.250](#) (Violations public nuisances) (or successor provisions, as may be amended from time to time) of this code. (Ord. 578 § 1, 2019; Ord. 572 § 1, 2018; Ord. 563 § 1, 2017; Ord. 501 § 2, 2012)

### **3.25.100 Appeals.**

- A. Any person aggrieved by any decision of a city officer made pursuant to this chapter may request a hearing before the city manager in accordance with Chapter [2.08](#) (or successor provisions, as may be amended from time to time) of this code.
- B. Notwithstanding any provisions in Section 2.08.230 or otherwise in the code, the decision by the city manager of an appeal brought under this chapter

shall be the final decision by the city for any violation of a short-term vacation rental permit issued under this order, except for any administrative citation imposing a fine, which shall be processed and subject to an administrative appeal pursuant to Chapter 1.09 of the code. (Ord. 572 § 1, 2018; Ord. 563 § 1, 2017)

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF LA QUINTA )

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 595 which was introduced at a regular meeting on the 1st day of June, 2021, and was adopted at a regular meeting held on the 15th day of June, 2021, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2015-023.



MONIKA RADEVA, City Clerk  
City of La Quinta, California

#### DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on June 16, 2021, pursuant to Council Resolution.



MONIKA RADEVA, City Clerk  
City of La Quinta, California