



Temporary Rental Unit - Zoning Clearance Application Packet

County of Ventura • Resources Management Agency • Planning Division
800 S. Victoria Avenue, Ventura, CA 93009 • (805)654-2488 • www.vcrma.org/divisions/planning

APPLICATION INSTRUCTIONS

1. Applicants are required to submit this form, and related attachments, prior to the preparation of a Zoning Clearance. The Zoning Clearance cannot be issued until a site inspection verifying the property meets applicable building and zoning code requirements is completed.
2. Refunds are not provided after a Zoning Clearance has been submitted and a site inspection has been scheduled.
3. If it is determined after issuance that the application is not accurate, true or correct, or that fees have not been paid, the Zoning Clearance will be nullified.
4. If granted, a Zoning Clearance is valid for one year from the date of issuance.

If your existing or proposed Temporary Rental Unit is to be operated as a Homeshare, please continue with **Section A** of this application packet.

If your existing or proposed Temporary Rental Unit is to be operated as a Short-Term Rental, please continue with **Section B** of this application packet.

SECTION A - HOMESHARE

Homeshare Definition:

A dwelling which is the primary residence of an owner who possesses at least a twenty percent ownership interest in the subject parcel, with any portion of the dwelling rented for a period less than thirty consecutive days when said owner is physically present in the same dwelling, with no meals or food provided to the renter or renters. A homeshare is not considered a home occupation under this Chapter. Use of a dwelling for occasional home exchange is not considered a homeshare.

Homeshare Standards Checklist:

If your proposed homeshare meets the following criteria, and the required information has been provided, please initial the corresponding box. Homeshares are permitted in accordance with the following standards:

- I am the owner of the dwelling where the homeshare is located/operating and it is my primary residence. (Sec. 8109-4.6.7(d))
- I will be present in the dwelling between 10:00 p.m. and 7:00 a.m. while it is operating as a homeshare.
- I do not own any other property within Ventura County which is permitted as a temporary rental unit.
- The dwelling was not permitted as a second dwelling unit or an accessory dwelling unit.
- The dwelling is not subject to a County-imposed covenant, condition or agreement restricting its use to a specific purpose including but not limited to an affordable housing unit, farmworker housing, a superintendent or caretaker dwelling.
- The dwelling is not located on property under a Land Conservation Act contract.
- The dwelling is not located on property fully or partially owned by a corporation, partnership, limited liability company, or other legal entity that is not a natural person, except in the event every shareholder, partner or member of the legal entity is a natural person as established by documentation (which shall be public record) provided by the permit applicant. In the event this exception applies, every such natural person shall be deemed a separate owner of the subject dwelling and property for purposes of this Section.
- The dwelling is not located on property owned by six or more owners, unless each owner shares common ancestors.
- The dwelling has, if required, been issued a valid certificate of occupancy (i.e. was constructed with proper building permits).
- A maximum of two bedrooms are available for rental, and overnight occupancy shall be limited to no more than five rental guests.
- Including the owner(s), no more than eleven (11) persons shall be on the property while being operated as a homeshare.

- No more than one group shall be renting the homeshare at any one time.
- Parking shall be provided on the property as follows: a minimum of two unobstructed parking spaces for dwellings with two to four bedrooms; and a minimum of three unobstructed parking spaces for dwellings with five bedrooms.
- Quiet hours shall be observed from 10:00 p.m. to 7:00 a.m. No outdoor amplified music/sound shall be allowed during quiet hours when the property is rented as a homeshare.
- No events or activities involving more than eleven (11) persons shall take place on the property when it is rented as a homeshare.
- Adequate waste collection facilities and services shall be provided.
- The owner/property manager's contact information shall be posted on the property in accordance with Sec. 8109-4.6.9.2.
- All rental agreements, advertisements and on-line listings shall display all information described in Sec. 8109-4.6.9.3.
- The owner shall maintain an insurance policy that includes coverage for commercial/business general liability with a minimum limit of \$500,000 per occurrence for claims of personal injury or property damage.
- All homeshare owners shall be responsible to defend and indemnify the County and all of its officials, employees and agents from and against all third-party claims, causes of actions, fines, damages and liabilities of whatever nature arising from or related to the processing and issuance of a permit or from the operation of the homeshare.
- The homeshare owner shall keep and preserve all records as may be necessary to demonstrate compliance with all relevant standards and requirements.
- Upon reasonable notice, during the term of the permit, County staff shall be given access to the dwelling and site to conduct an inspection to ensure the homeshare is operating in compliance with applicable building and zoning codes.
- The owner shall be responsible for all monitoring costs associated with the permit.
- The owner shall handle all complaints in accordance with Sec. 8109-4.6.11.1.

- The following required materials have been submitted:
 - A site plan depicting the location and describing the use of all existing structures.
 - A signed affidavit in a form provided by the County Planning Division.
 - Proof of a homeowner's exemption from the County Assessor for the property.
 - Payment of all required application, public notice, inspection and compliance fees.
 - Proof of required insurance.
 - A signed defense and indemnification agreement.
 - Contact information for the owner.
 - Proof of compliance with applicable business tax and licensing requirements, if required by the County Treasurer-Tax Collector.

Legal Nonconforming Homeshares

If you have a homeshare that: 1) does not conform to the permit eligibility requirements of any or all of the following: (i) Sec. 8109-4.6.5.1(b), or (ii) Sec. 8109-4.6.5.2, subdivisions (a), (c), (d), or (e), or Sec. 8109-4.6.5.3; **AND** 2) was operating and rented out on or before July 19, 2018, please initial the corresponding box and submit the following additional materials:

- Documentation establishing that the dwelling qualifies for legal nonconforming status.
- Identify all permit eligibility requirements with which the homeshare does not conform.

SECTION B – SHORT-TERM RENTAL

Short-Term Rental Definition:

A dwelling, any portion of which is rented for a period less than thirty consecutive days when the owner is not physically present, with no meals or food provided to the renter or renters. A short-term rental is not considered a home occupation under this Chapter. Use of a dwelling for occasional home exchange is not considered a short-term rental.

Short-Term Rental Standards Checklist:

If your proposed short-term rental meets the following criteria, and the required information has been provided, please initial the corresponding box. Short-term Rentals are permitted in accordance with the following standards:

- I am the owner of the dwelling where the short-term rental is located/operating.
- If the short-term rental is located within the boundary of the Ojai Valley Municipal Advisory Committee (MAC), it was operating prior to July 19, 2018 or is located on a property designated by the County as a Landmark as of June 19, 2018.

- I do not own any other property, in whole or in part, within Ventura County which is permitted as a temporary rental unit.
- The dwelling was not permitted as a second dwelling unit or an accessory dwelling unit.
- The dwelling is not subject to a County-imposed covenant, condition or agreement restricting its use to a specific purpose including but not limited to an affordable housing unit, farmworker housing, a superintendent or caretaker dwelling.
- The dwelling is not located on property under a Land Conservation Act contract.
- The dwelling is not located on property fully or partially owned by a corporation, partnership, limited liability company, or other legal entity that is not a natural person, except in the event every shareholder, partner or member of the legal entity is a natural person as established by documentation (which shall be public record) provided by the permit applicant. In the event this exception applies, every such natural person shall be deemed a separate owner of the subject dwelling and property for purposes of this Section.
- The dwelling is not located on property owned by six or more owners, unless each owner shares common ancestors.
- The dwelling has, if required, been issued a valid certificate of occupancy (i.e. was constructed with proper building permits).
- A maximum of five bedrooms are available for rental, and overnight occupancy shall be limited to no more than two persons per bedroom, plus two additional guests, up to a maximum of ten (10) persons.
- The maximum number of persons on the property at any time when it is rented as a short-term rental shall be no more than the maximum overnight occupancy plus six (6) additional persons.
- No more than one group shall be renting the short-term rental at any one time.
- Parking shall be provided on the property as follows: a minimum of one unobstructed parking space for a studio or one-bedroom dwelling; two unobstructed parking spaces for dwellings with two to four bedrooms; and a minimum of three unobstructed parking spaces for dwellings with five bedrooms.

- Quiet hours shall be observed from 10:00 p.m. to 7:00 a.m. No outdoor amplified music/sound shall be allowed during quiet hours when the property is rented as a short-term rental.
- No events or activities involving more than sixteen (16) persons shall take place on the property when it is rented as a short-term rental.
- Adequate waste collection facilities and services shall be provided.
- The owner/property manager's contact information has been provided to the County and shall be posted on the property in accordance with Sec. 8109-4.6.9.2.
- All rental agreements, advertisements and on-line listings shall display all information described in Sec. 8109-4.6.9.3.
- The owner shall maintain an insurance policy that includes coverage for commercial/business general liability with a minimum limit of \$500,000 per occurrence for claims of personal injury or property damage.
- All short-term rental owners shall be responsible to defend and indemnify the County and all of its officials, employees and agents from and against all third-party claims, causes of actions, fines, damages and liabilities of whatever nature arising from or related to the processing and issuance of a permit or from the operation of the short-term rental.
- The short-term rental owner shall keep and preserve all records as may be necessary to demonstrate compliance with all relevant standards and requirements.
- Upon reasonable notice, during the term of the permit, County staff shall be given access to the dwelling and site to conduct an inspection to ensure the short-term rental is operating in compliance with applicable building and zoning codes.
- The owner shall be responsible for all monitoring costs associated with the permit.
- The owner shall handle all complaints in accordance with Sec. 8109-4.6.11.1.
- The following required materials have been submitted:
 - A site plan depicting the location and describing the use of all existing structures.
 - A signed affidavit in a form provided by the County Planning Division.
 - The name, address and telephone number of the property manager(s).
 - Payment of all required application, public notice, inspection and compliance fees.

- Proof of required insurance.
- A signed defense and indemnification agreement.
- Proof of compliance with applicable business tax and licensing, and transient occupancy tax requirements.

Legal Nonconforming Short-Term Rentals

If you have a short-term rental that: 1) does not conform to the permit eligibility requirements of any or all the following: (i) Sec. 8109-4.6.5.1(b), or (ii) Sec. 8109-4.6.5.2, subdivisions (a), (c), (d), or (e), or Sec. 8109-4.6.5.3; **AND** 2) was operating and rented out on or before July 19, 2018, please initial the corresponding box and submit the following additional materials:

- Documentation establishing that the dwelling qualifies for legal nonconforming status.
- Identify all permit eligibility requirements with which the short-term rental does not conform.