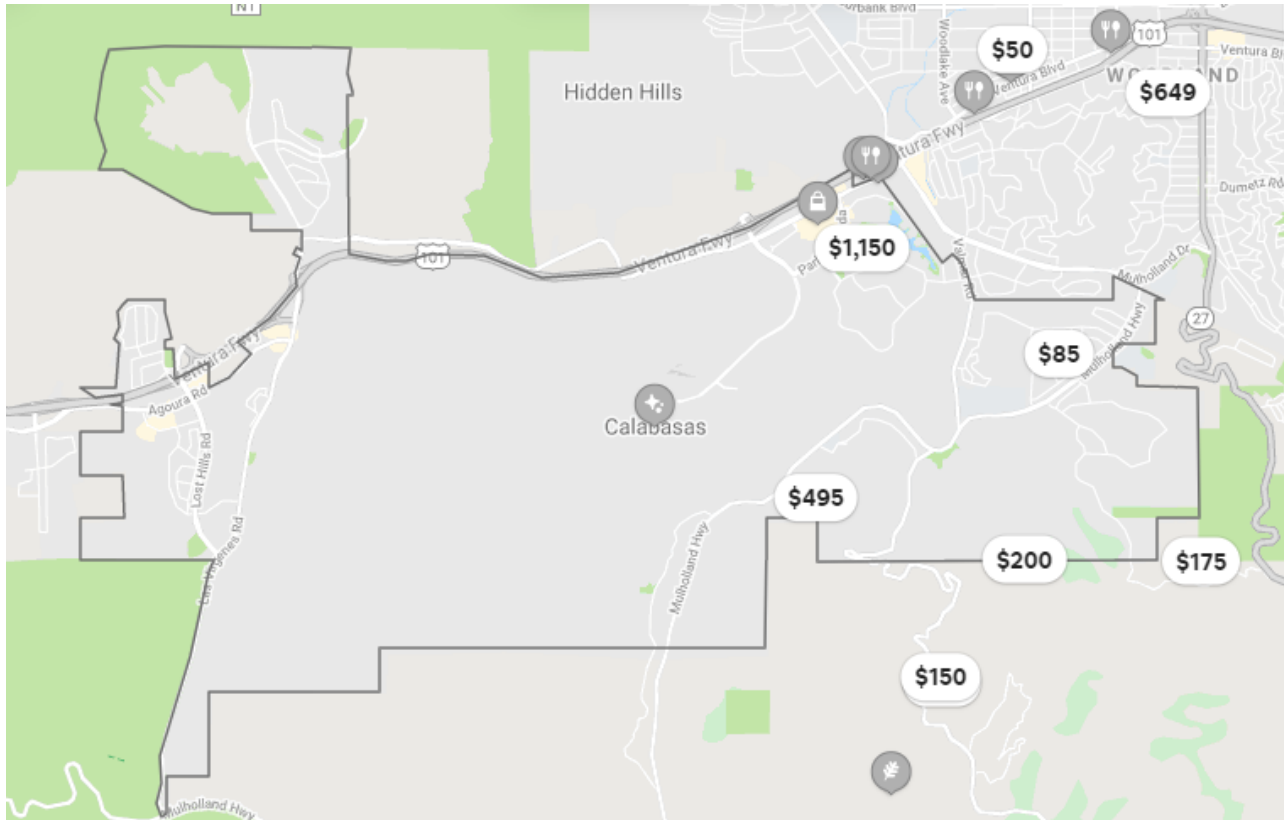


Discussion of Exceptions to Short Term Rental Prohibitions



Planning Commission Meeting
May 6th, 2021

City Council Request

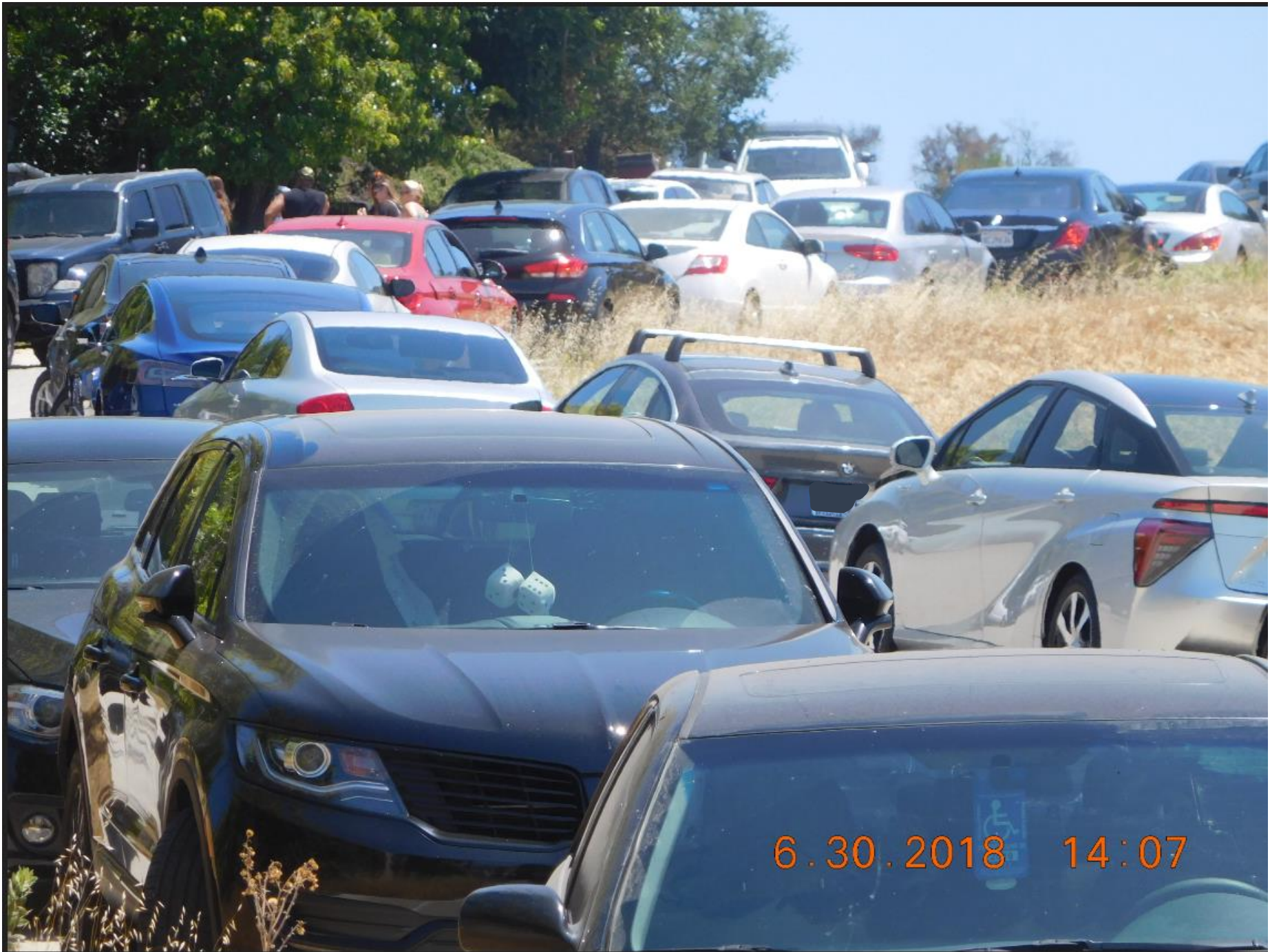
- The Planning Commission has been requested to review and recommend if exceptions to the Short Term Rental Ordinance(s) should be considered
- In (DATE), the City Council enacted a full ban on Short Term Rentals in response to frequent complaints arising from such uses
- Short term rentals are commercial rentals of a room or home for a period of 30 days or less

Short Term Rental Ban History

- The Council initially received public comment regarding a “party house” on Adamsville
- The Code Enforcement case revealed that the home was being advertised and rented as a short term rental property, resulting in:
 - Loud and large parties (over 300 persons);
 - Commercial alcohol sales
 - Commercial Filming w/o permits
 - Bright night lighting and outdoor amplified music
 - Overnight stays
 - Traffic Disruptions
 - Trash and Debris
 - Large Truck loading/unloading
 - Unruly Conduct
 - Numerous LAC Sheriff and Code Enforcement responses



6.30.2018 19:37



6.30.2018 14:07



Short Term Rental Ban History

- The Council authorized the City Prosecutor, City Attorney and Staff to:
 - Revise Chapter 9.28.010 Loud, Unnecessary and Unusual Noise clarifying the enforcement provisions;
 - Create a new Chapter 9.36 Loud and Unruly Gatherings, establishing disruptive parties as a public nuisance.
 - Revise Chapter 5.04 - Motion Picture, Television and Photographic Production, and strengthen rules and administrative procedures for film permits;
 - Revise Chapter 17 Land Development Code related to administrative procedures and land use definitions.

Short Term Rental Ban History

- Ordinance 2018-358 was adopted on January 24, 2018, and included:
 - 9.28.010 - LOUD, UNNECESSARY AND UNUSUAL NOISE
 - Clarifying this Chapter's application to other code provisions
 - Chapter 9.36 –UNRULY GATHERINGS ON RESIDENTIAL PROPERTY
 - Added a new code chapter to address ‘party houses’
 - Punishable as a Misdemeanor
 - Addressed 15 categories of unruly behavior, including:

Loud Noise	Drunkenness	Fighting
Vandalism	Urinating	Littering
Trespassing	Congestion	Amplified Music
Large Assemblies		Building Code Violations

Short Term Rental Ban History

- Ordinance 2018-363 was adopted March 14, 2018, and included:
 - A prohibition on commercial advertisement of short term rentals in order to control the proliferation of illegal land use promoted through commercial short term rental sites
 - Clarifies that a rental transaction for a short term rental that results in compensation is prohibited
 - Exempts advertisement of lawfully established short term stays for hotels, motels and bed and breakfast facilities

Short Term Rental Ban History

- Ordinance 2018-364 was adopted April 25, 2018, and included:
 - Modifications to CMC 17.80.065 which prohibits the issuance of new permits in violation of this code, other than those connected to a correction of existing code violation, and cost collection for inspection/verification of the correction
 - Clarity in section 17.90.020 which clarifies that short term rentals are not an “Accessory Use”
 - A new code section 17.12.175 clarifying that short term rentals may only be part of lawfully established hotels, motels or and bed and breakfast inns

Short Term Rental Ban History

- Ordinance 2020-384 was adopted October 28, 2020, and included:
 - Modifications to the Film Code to include findings that the proposed activity will not interfere with the enjoyment of residential communities
 - Requiring the property owner to sign the application
 - Limiting the number of persons on site
 - Prohibiting public access to the film shoot
 - Limiting overnight stays to only security personnel or residents of the home

Other Short Term Rental Impacts

- In addition to the impacts to surrounding neighbors, short-term rentals also impact a community by:
 - Weakening revenue/jobs at legally established hotels
 - Contributing to housing crisis by removing supply from the long-term rental market
 - Leads to rental rate increases in areas that have greater density of short-term rentals

City Council Request of the PC

- A Citizen has requested the City Council to grant exceptions to the full ban, and the Council seeks your recommendation
- The petitioner seeks an exemption to a full ban in consideration of:
 - Senior age resident, on site
 - Disability
 - Low Income
 - Excess room availability
 - A limit on guest number
 - Tax payment to the City
 - Similarity to other home based businesses

City Council Request of the PC

Staff requests that the Planning Commission discusses the petitioners request and formulate a recommendation to the City Council