



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
MAY 6, 2021

TO: Members of the Planning Commission

FROM: Maureen Tamuri AIA, AICP
Community Development Director

Jacklyn Rackerby, Assistant Planner

SUBJECT: Planning Commission review and recommendation to the City Council regarding a request for exceptions to the City's Short Term Rental prohibitions

RECOMMENDATION: That the Planning Commission review and discuss the City's Short Term Rental prohibitions to determine if any exceptions should be crafted.

STAFF RECOMMENDATION:

That the Planning Commission review and discuss the City's Short Term Rental prohibitions to determine if any exceptions should be crafted.

REVIEW AUTHORITY:

The Planning Commission is reviewing this matter at the request of the City Council.

BACKGROUND:

At the Council meeting of March 31st 2021, a resident spoke at public comment and requested the Council to consider exceptions to the current code prohibition on short term home rentals (30 days or less). A copy of his petition to the City Council is provided as Attachment A. The speaker indicated that the ability to generate some income on property would be of great value for individuals like himself, and he asked the Council to consider relaxing the ban on this home use.

The prohibitions on short term rentals were enacted by the City Council in 2018 and 2020 in response to resident complaints regarding a large "party house" on Adamsville Road, which was advertised for short term rentals. The City Prosecutor was successful in

shutting down this nuisance property, and worked with staff to strengthen the City codes in numerous ways to shut down “loopholes” for operation of such properties. The codes which were developed and/or strengthened at that time included:

- 1) Chapter 5.04 - Motion Picture, Television and Photographic Production
- 2) Chapter 5.20 - Prohibition on Advertising for Unlawful Short-Term, Transient, And Vacation Rentals
- 3) Chapter 9.28 - Loud, Unnecessary and Unusual Noise
- 4) Chapter 9.36 - Unruly Gatherings on Residential Property

Code Enforcement of short term rentals is difficult for numerous reasons. Neighborhood disruptions frequently occur due to late hour parties and noise when code enforcement staff is not available. As a result, the Sherriff often receives these calls and responds to such disturbances. Activities occurring on private properties are often out of sight from the public right of way, making enforcement very difficult.

Short term rentals also impact communities through, traffic and parking impacts, weakening of revenue and jobs for the City’s three hotel properties, and through the removal of viable rental properties from the housing market. According to the California State Department of Housing and Community Development, the state’s current housing crisis can be attributed to a variety of challenges, including 1) not enough new housing being built and 2) rent being too expensive for the majority of Californian renters. Short term rentals further exacerbate both of these existing challenges by taking long-term housing stock off the market for use by short-term occupants, which in turn leads to higher rental rates as the region’s supply of long-term rental options decreases. The City of Calabasas has approximately 8,600 occupied residential properties, which are all currently prohibited from short term rentals of less than 30 days.

ATTACHMENTS:

- Exhibit A: Mr. Richard Noyer email to the City Council of March 22, 2021
- Exhibit B: Ordinance 2020-384, Chapter 5.04 - Motion Picture, Television and Photographic Production
- Exhibit C: Ordinance 2018-363, Chapter 5.20 - Prohibition on Advertising for Unlawful Short-Term, Transient, and Vacation Rentals
- Exhibit D: Ordinance 2018-358, Chapter 9.28 - Loud, Unnecessary and Unusual Noise and Chapter 9.36 - Unruly Gatherings on Residential Property

From: Richard Noyer
Sent: Monday, March 22, 2021 11:22 AM
Subject: Re: Request for Minimum 30 day Rental Restriction Exception for Senior Owner Occupied Homes

Dear Calabasas City Council Members and City Manager:

I am a disabled senior and have owned and occupied my home at 26065 Adamor Road, Calabasas, for over 35 years. I raised 4 children here. During this time I participated in the City hood drive working robocall machines, I raised the money for and had installed the school sign at Lupin Hill Elementary, I created the Family Pledge Program at Lupin Hill which has raised in excess of over \$150,000, and I was a key participant in negotiating the resolution of the resident nuisance lawsuit against Agoura Pony Baseball at Lupin Hill. Although I am primarily retired, I did have a small business which was wiped out by the covid pandemic which has caused me severe financial hardship. I also have a severely mentally disabled son whom I must assist financially.

In October of 2020, in order to try to create a new source of income I attempted to rent part of my home. I placed ads for approximately 3 months but because of the pandemic could not find a financially qualified long term tenant in over 35 attempts. Most had no verifiable income or wanted to rent short term. Moreover, due to the moratorium on evictions I could not risk a non qualified candidate. Consequently, it was suggested to me to consider renting on air b and b, which is very low risk because of, among other things, its prescreening, upfront prepayment requirements and guarantees, damage insurance and no eviction requirement. I am aware of the 30 day minimum rental restriction and have attempted to comply, and have luckily complied for the first rental, but the restriction will severely limit my income potential as rentals for more than 30 days are highly uncommon; one week to two week rentals being the norm. I have had to turn down many requests for rentals.

My home is designed for occupancy for at least 6 people and has 2250 square feet of space and 12,000 sqft. lot. I live alone. My rental allows for a maximum of two guests only and I allow pets. I don't allow events or parties of any kind and it is very quiet and I provide off street parking. I am always onsite and occupy my home continuously as my residence and intend to permanently do so. I do not compete with other hotels as they do not accommodate pets, nor do they have kitchen use. I am of course willing to pay any city tax which may be reasonably required. I desperately need the added income to assist my disabled son and supplement my own social security income. I am disabled and do not have other suitable options for income generation to the level to help my needs. I put most of my savings into creating the rental unit to start a new business I could sustain.

Moreover, many residents, especially during the covid pandemic, operate various types of sundry businesses at their residences, such as construction companies, real estate, financial and accounting service companies, painting companies, food service, music, and a myriad of others, which potentially, and does, create more residential noise, trash, street parking use and traffic than occurs under a properly regulated short term rental. The City should properly balance the needs of landowners to enjoy the benefits of their property with those of the neighborhood to be free of unreasonable disruption of the peace. Placing a restriction on short term rentals requiring owner occupancy and supervision, in addition to a prohibition against events or parties, is a far less intrusive means to accomplish the balancing of these public policy goals without resorting to the current draconian ban on all short term

rentals that unduly restricts owner rights. There does not seem to be a rational basis for allowing many other commercial businesses to operate in a residential neighborhood while singling out one for unreasonable restriction. At the least, a trial period should be allowed with the new restrictions to determine if the current outright ban should remain or a less restrictive one be made permanent.

I contacted Mayor Bozajian, he was favorable and he suggested that I contact the council in the hopes of persuading two other council members to consider adding a narrow exception to the municipal code for senior owner occupied homes given the changed circumstances caused by the pandemic and economic crisis caused.

Lastly, the state has mandated that affordable housing be added and this provides an affordable way for low income travelers to access to the beauty and recreational facilities of hiking, biking and open space that Calabasas offers without overtaxing our municipal resources or requiring new construction. Please consider adding a narrow exception to the minimum 30 day rental rule.

Thank you for your consideration and any assistance you can provide.

Richard Noyer
Calabasas, Ca 91302

ORDINANCE NO. 2020-384

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING CALABASAS MUNICIPAL CODE CHAPTER 5.04 - MOTION PICTURE, DIGITAL MEDIA, TELEVISION AND PHOTOGRAPHIC PRODUCTION.

WHEREAS, the City Council strongly desires to support the film industry while also protecting the public health, safety, general welfare, and enjoyment of property in the City by the adoption of amendments to this Motion Picture, Digital Media, Television and Photographic Production ordinance; and

WHEREAS, the City of Calabasas (the "City"), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws that promote the public health, safety and general welfare of its residents; and

WHEREAS, the City's Municipal Code has not been updated to reflect film industry changes in the use of digital media and distribution through social media platforms; and

WHEREAS, changes in technology have permitted individuals the opportunity to create and transmit media content outside of any regulation or permit; and

WHEREAS, some large gatherings of people, including those ostensibly organized as a film or digital media production in a private residence have become loud and unruly to the point that they constitute a threat to the peace, health, safety, or general welfare of the public; and

WHEREAS, the City Council finds and declares that the Los Angeles County Sheriff's Department, City Code Enforcement personnel are called upon to respond, sometimes on multiple occasions, to locations of such loud or unruly gatherings in order to restore and maintain the peace and protect public safety, causing a burden on the Office of the City Prosecutor and other City resources, causing delays in law enforcement's ability to respond to regular emergency calls, and compromising community safety; and

WHEREAS, the City requires all persons involved in filming activity in the City to abide by the California Film Commission's Filmmaker's Code of Conduct.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that the adoption of this ordinance amending the City's regulations for motion picture, television, digital media and photographic production permitting will have a significant effect on the environment. Accordingly, under the provisions of § 15061(b)(3) and § 15378(b)(5) of Division 6 of Title 14 of the California Code of Regulations, the CEQA Guidelines, the adoption of this ordinance is not subject to the requirements of the California Environmental Quality Act.

SECTION 3. The City Council hereby amends Section 5.04.060 of the Calabasas Municipal Code, Chapter 5.04 to read as follows, with additions denoted by underlined text and deletions denoted by ~~strike-through text~~:

5.04.060 - Permit application and issuance.

- A. Permit Application. Any person desiring a permit under the provisions of this chapter shall fill out an application form provided by the City. The form must be signed and accompanied by a signed letter or form consenting to the permit application from the property owner or property owner's authorized agent (if the property owner is not the applicant). All required fees, deposits, and the insurance certificate required by this chapter shall be submitted before the permit will be processed. Such application shall be submitted at least two working days prior to the date on which such person desires to conduct the activity for which a permit is required. If such activity interferes with traffic or involves potential public safety hazards, an application shall be submitted at least five working days in advance.

Written evidence of permits and/or coordination with other public agencies may be required upon submission of an application for a film permit. Requirements of these responsible agencies shall be requirements of this permit. Examples of such agencies include, but are not limited to, the California Highway Patrol, the Los Angeles County Sheriff's Department and the Los Angeles County Fire Department.

- B. Permit Issuance. The City Manager ~~shall~~ may designate the person or body responsible for issuing permits under this chapter.

The City Manager or his or her designee shall issue a permit as provided for in this chapter when, from a consideration of the application and from such other

information as may be otherwise obtained, the application complies with the provisions of this chapter and he or she finds that:

1. The conduct of such film activity will not unduly interfere with traffic or pedestrian movement or endanger public safety and that no streets will be completely closed to traffic for an unreasonable period of time. Seventy-two (72) hours' notice of any street closure shall be given;
 2. The conduct of such film activity will not unduly interfere with the enjoyment of residential neighborhoods;
 3. The conduct of such film activity will not unduly interfere with normal governmental or City operations, threaten to result in damage or detriment to public property, or result in the City incurring costs or expenditures in either money or personnel not reimbursed in advance by the applicant; and
 4. At the determination of the City's Building and Safety and Public Works Departments, as well as the Los Angeles County Sheriff's Department and Los Angeles County Fire Department, and Los Angeles County public works department, that the condition of such activity will not constitute a fire hazard or any other type of hazard and all proper safety precautions will be taken as determined by the heads of the aforementioned Departments or their designee.
 5. Issuing the permit authorizing the proposed filming and related activities will not be detrimental to the public's health, safety, or welfare.
- C. Cost of Additional Services. If deemed necessary by the City Manager or his or her designee, additional Sheriff, Code Enforcement, Fire, and other City services personnel, and contracting services such as an on-site Film Monitor shall be provided for the purpose of protecting, assisting and regulating the proposed activity. The cost of providing such additional services shall be paid in advance to the City by the applicant. Any additional City services will be provided/coordinated through the City Manager or his or her designee.
- D. Notwithstanding subdivision (B) of this Section, the City Manager or designee shall deny an application for a permit if the proposed private property location is the subject of an issued notice of violation or an issued administrative citation, and the violation or violations described therein have not been fully abated with all required city approvals, permits and inspections.
- E. Additional Conditions. The City Manager, or a designee thereof, may impose any all reasonable conditions found necessary to protect the public's health, safety, and welfare. The applicant shall, prior to issuance of the permit, agree in writing by signing and returning the City's permit compliance form to comply with any conditions, prohibitions, or restrictions the City may impose as a

condition to issuing a permit. A condition of a permit may not be waived, rescinded or modified, except in writing by the City Manager or a designee thereof. ~~No changes shall be made without first obtaining the city's approval.~~

- F. Compliance with Rules and Regulations: All permit holders shall comply with all rules and regulations set forth in Section 5.04.080 and adopted by the City Manager under the authority provided therein. Failure to do so is a violation of this code.

SECTION 4. The City Council hereby amends Section 5.04.080 of the Calabasas Municipal Code, Chapter 5.04 to read as follows, with additions denoted by underlined text and deletions denoted by ~~strike-through text~~:

Section 5.04.080 Rules and Regulations; Permit Restrictions.

- A. Rules and Regulations. The City Manager, ~~or his or her designee,~~ is, in order to promote the effective administration of this chapter and to protect the public's health, safety or welfare, authorized and directed to promulgate rules and regulations governing the form, time and location of any film activity set forth within the City. He or she shall also set forth the procedures for the issuance of permits. ~~The rules, regulations, and procedures shall be based on the criteria set forth in Section 5.04.060.~~
- B. In accordance with City of Calabasas Ordinance No. 2006-217, a comprehensive Second Hand Smoke Control Ordinance is in effect. All applicants shall comply with said ordinance which is available at www.cityofcalabasas.com.
- C. Maximum Number of Filming Days Allowed. The maximum number of filming days that will be allowed for filming activity at the same location is fourteen (14) days within the immediately prior twelve-month period of the date(s) for which a film permit is sought. The Calabasas Film Office may grant an extension to the fourteen-day limit ~~only due to~~ for film days impacted by inclement or extreme weather, acts of God or force majeure. Any such event must be reported to the Calabasas Film Office immediately in order to be evaluated for an extension in filming days.

To extend the filming period for up to and including twenty (20) total days of filming activity during a twelve-month period, ~~an~~ a new film permit application including ~~one hundred (100) percent~~ ninety percent (90%) approval signatures ~~from properties within five hundred (500) feet of the filming location shall be obtained and submitted to the Calabasas film office.~~ consent from the current residents, whether they are the owner of the property or the lessee, whose properties are bordering the filming site on all sides as determined by the City, shall be submitted to the City for approval. The Film Office will provide a radius map or list of addresses within the

~~five-hundred-foot area bordering area for use by the applicant in obtaining signatures. A signature form will also be provided. To extend beyond the twenty (20) days, an applicant shall be required to obtain approval from the City Manager. Council at the next available meeting.~~

~~D. Filming Permit Hours. In addition to any special conditions imposed by the permit, the following restrictions shall apply to all filming activity: Filming activities may occur between the hours seven a.m. and seven p.m. Monday through Sunday. Applications to film from six a.m. to seven a.m. and seven p.m. to midnight must include All activities occurring in connection with an issued City-filming permit shall only occur at the approved location between the hours of seven (7) a.m. and seven (7) p.m. Monday through Sunday. Applications to film from six a.m. to seven a.m. and seven p.m. to midnight must include one hundred (100) percent ninety percent (90%) signature consent from the current residents, whether they are the owner of the property or the lessee, whose properties are immediately contiguous to a filming location and written consent of at least seventy five (75) percent of the remaining properties within the five-hundred-foot radius. bordering a filming location as determined by the City. The City Manager, or a designee thereof, shall not approve such request if he or she determines allowing additional permit hours would be detrimental to the public's health, safety or welfare. The City Manager, or a designee thereof, may impose all reasonable conditions on any approved request.~~

~~E. Applications that fail to include the minimum amount(s) of consent shall require approval from the city council at the next available meeting.~~

~~E. Maximum Number of Allowed Persons. The maximum number of persons that may be present at a private residentially zoned property in connection with a permit is the number of persons listed on the permit application as cast and crew for the permitted activity, unless otherwise approved in writing by the City Manager or designee. Full-time residents of the property (whether as property owners or tenants) are not subject to this subpart. Applicants may seek authorization to exceed that limit pursuant to a procedure that is established pursuant to Subsection (A) of this Section. The City Manager, or a designee thereof, shall not approve such that request if he or she determines allowing additional persons would be detrimental to the public's health, safety or welfare. The City Manager, or a designee thereof, may impose conditions on any approved request. As used herein, "allowed persons" includes but is not limited to: (ii) actors and crew; and, (iii) persons directly or indirectly involved in the activity that is authorized by the permit; and, (iii) individuals who are providing security services; and, (iv) persons who are full-time residents of the property. If the number of allowed persons present at a private residentially zoned property during the pendency of a film permit~~

exceeds the permitted number of persons, then the City Film Office, the Los Angeles County Fire Department, or a peace or Code Enforcement officer may require the persons present beyond the permitted number of persons to disperse or the City may take any other lawful enforcement action available under this Code or applicable law. The permit holder for any permit with a specified number of cast and crew that exceeds fifty (50) persons must contract for and secure the on-site presence of a fire safety advisor or other person qualified to provide fire protection and life safety advisory services who will ensure that the number of persons present during filming activity does not exceed applicable limits at any time.

F. Prohibitions. All permit holders shall comply with the following prohibitions:

(i) The permit holder shall not allow any members of the public to be present at the private property location for any reason during the period a permit is in effect. This prohibition includes before, during, and after the allowed hours for permitted activity, as discussed in Subdivision D of this section.

(ii) All persons present in connection with a permit, as identified in Subdivision (E), shall leave the permitted filming location at the end of permit hours, as discussed in Subdivision D of this section.

(iii) No persons present in connection with a permit as identified in Subdivision (E), except licensed security personnel or full-time residents (whether as property owners or tenants) of the property, shall stay overnight at the permitted filming location (whether outdoors, or in any structure) during the period a permit is in effect. The City Manager or designee may approve additional persons for overnight stays if the City Manager or designee finds that approving the additional overnight stays would not be detrimental to the public's health, safety, or welfare. This type of overnight occupancy of any private property, including private residentially zoned property, is transient in nature and is not a permitted use under Title 17 of this Code. Overnight presence at lawfully permitted hotels, motels, and bed and breakfasts is exempt from this prohibition, if such activity is in compliance with the hotel, motel, or bed and breakfasts City-issued permits.

SECTION 5. If any section, subsection, 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 of the City of Calabasas hereby declares that it would have adopted this Ordinance and each

section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 6. Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 7. Certification:

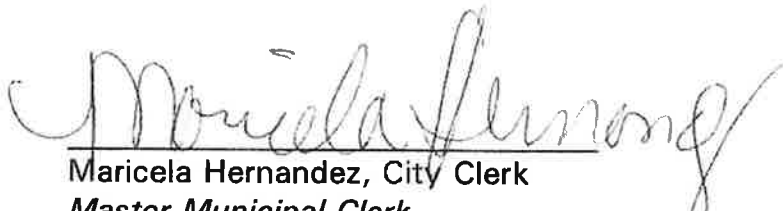
The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 28th day of October 2020.



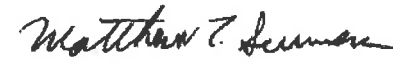
Alicia Weintraub, Mayor

ATTEST:



Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

APPROVED AS TO FORM:



Matthew T. Summers
Colantuono, Highsmith & Whatley, PC
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

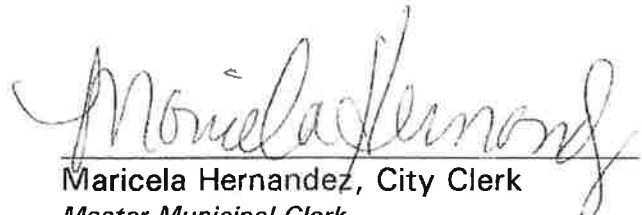
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2020-384** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 14th of October 2020, and adopted and passed by said Council at a regular meeting held on the 28th of October 2020, by the following vote:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian and Councilmembers
 Gaines, Maurer and Shapiro.

NOES: None.

ABSTAIN: None.

ABSENT: None.


Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk
City of Calabasas, California

ORDINANCE NO. 2018-363**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA ADDING A NEW CHAPTER 20 TO TITLE 5 OF THE CALABASAS MUNICIPAL CODE PROHIBITING ADVERTISEMENTS FOR UNLAWFUL SHORT-TERM RENTALS.**

WHEREAS, under the principle of permissive zoning, any land use not expressly allowed by the Calabasas Municipal Code or permitted via a determination of substantially similar use under Calabasas Municipal Code Section 17.11.020 is prohibited. Calabasas Municipal Code Section 17.11.020 provides for the City to approve a land use that is substantially similar to a listed land use, but only after finding that the proposed land use is consistent with the General Plan, meets the stated purpose and general intent of the zoning district in which the use is proposed to be located, would not adversely affect the City's public health, safety, and general welfare, and that the proposed use shares characteristics common with, and is not of a greater intensity, density or generate more environmental impact than, those listed in the zoning district in which it is to be located.

WHEREAS, the Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days in exchange for any form of compensation is prohibited in all residential zones as this land use is not provided for in Calabasas Municipal Code Section 17.11.010, Table 2-2 which lists all allowable land uses in residential zones, with the following exception:

- (1) Lawfully approved bed and breakfast inns operated in full compliance with applicable federal, state, and local rules and regulations including all required permits from the City, which are conditionally permitted uses in the Residential, Rural and Rural Community zones as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2. A bed and breakfast inn is not permitted in any single-family or multi-family residential zone under Calabasas Municipal Code Section 17.11.010, Table 2-2. A lawfully operated bed and breakfast inn must conform to the definition of bed and breakfast inn in Calabasas Municipal Code Section 17.90.020, the parking requirements of Calabasas Municipal Code Section 17.28.040, Table 3-11, which requires 1 parking space for each guest room or suite or 1 parking space for every two beds, whichever is greater, and all other applicable rules and regulations.

WHEREAS, the Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days

in exchange for any form of compensation is prohibited in all commercial zones as this land use is not provided for in Calabasas Municipal Code Section 17.11.01, Table 2-2, with the following exception:

(1) Lawfully approved hotels and motels operated in full compliance with all applicable federal, state, and local rules and regulations including all required permits from the City, which are a conditionally permitted use in the Commercial Retail, Commercial Office, Commercial Mixed Use, and Commercial Business Park zones, as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2.

WHEREAS, the Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days in exchange for any form of compensation is prohibited in all special purpose zoning districts as this land use is not provided for in Calabasas Municipal Code Section 17.11.010, Table 2-2, with the following exception:

(1) Lawfully approved bed and breakfast inns operated in full compliance with applicable federal, state, and local rules and regulations including all required permits from the City, which are a conditionally permitted use in the Hillside/Mountainous zones as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2. A lawfully operated bed and breakfast inn must conform to the definition of bed and breakfast inn in Calabasas Municipal Code Section 17.90.020, the parking requirements of Calabasas Municipal Code Section 17.28.040, Table 3-11, which require 1 parking space for each guest room or suite or 1 parking space for every two beds, whichever is greater, and all other applicable rules and regulations.

WHEREAS, many owners, operators, and facilitators of unlawful short-term rentals, including internet hosting platforms that engage in the short-term rental business, use advertisements to make unlawful short-term rentals available to the general public and rely on those advertisements to secure customers, such that prohibiting advertisements for unlawful short-term rentals would reduce the supply of unlawful rentals and reduce the occurrence of this unlawful activity by making it significantly more difficult for prospective renters and owners and operators to connect with each other and to enter into rental agreements.

WHEREAS, the City's Municipal Code does not currently prohibit advertisements for unlawful short-term rentals.

WHEREAS, the City Council intends to use its general police power to regulate businesses and commercial activity within the City and to ensure compliance with the City's zoning code governing permitted and prohibited land

uses, to adopt this Ordinance prohibiting advertising for unlawful short-term, transient, and vacation rentals.

WHEREAS, this Ordinance is intended to reduce the amount of illegal activity presently occurring and to prevent new illegal activity from occurring, by prohibiting advertisements by which owners, operators, and facilitators of unlawful short-term rentals seek customers and offer to make such unlawful short-term rentals available to the public.

WHEREAS, this Ordinance is a permissible regulation of commercial speech because it is limited to a prohibition on advertisements for unlawful short-term, transient, and vacation rental properties with addresses located within the City's incorporated jurisdiction and does not affect advertisements for any lawful short-term, transient, or vacation rentals.

WHEREAS, it is well-established under the law that commercial speech that proposes an unlawful transaction, or is misleading or related to unlawful activity is excluded from First Amendment protection and may be freely regulated by the government.

WHEREAS, the United States Supreme Court has held that the government may prohibit advertising for commercial activity that is itself illegal without offending the First Amendment to the United States Constitution, as such speech is not entitled to protection. (See *Central Hudson Gas & Elec. Corp. v. Pub. Serv. Comm'n of New York* (1980) 447 U.S. 557, 566.)

WHEREAS, any person or entity wishing to avoid the impact of this Ordinance's prohibition need only delete or remove any advertisements for unlawful short-term, transient, or vacation rentals in the City of Calabasas's limits.

WHEREAS, on February 28, 2018, the City Council conducted a public hearing received public testimony regarding the proposed ban on advertisements for unlawful short-term, transient, or vacation rentals in the City of Calabasas's limits.

WHEREAS, the City Council desires to add a new Chapter 20 to Title 5 of the Calabasas Municipal Code, prohibiting advertisements for unlawful short-term, transient, or vacation rentals.

WHEREAS, the City Council finds that this amendment to the Municipal Code is consistent with the goals, policies, and actions of the General Plan, particularly the General Plan's provisions stating that the City shall preserve the community's predominantly residential character and dictating land use

designations that do not permit short-term rentals other than lawful hotels, motels, and bed and breakfast inns.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

SECTION 2. Code Amendment. A new Chapter 20 is hereby added to Title 5 of the Calabasas Municipal Code, to read as follows:

CHAPTER 20: PROHIBITION ON ADVERTISING FOR UNLAWFUL SHORT-TERM, TRANSIENT, AND VACATION RENTALS

Section 5.20.010. Purpose.

The purpose of this chapter is to reduce the proliferation of the illegal land use of unlawful short-term, transient, and vacation rentals and the associated negative effects caused by this illegal land use on the City's residents, businesses, and visitors, including excessive traffic, reductions in available parking, unlawful conversions of residential property, unlawful conversions of existing affordable housing units into illegal short term vacation rentals, and inundation of the City's low-density, quiet residential neighborhoods with commercial visitors and activity that adds traffic, noise, and destroys their quiet, low-density residential character. The City intends this prohibition on advertisements for unlawful short-term, transient, and vacation rentals will apply to the extent of, but not beyond, the limit of the City's power, consistent with the First Amendment to the United States Constitution and Article I, Section 2 of the California Constitution, and any preemptive state or federal laws.

This advertising ban applies to advertisements for short-term, transient, and vacation rentals, which are prohibited under the following sections of the Calabasas Municipal Code:

- (A) The Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days in exchange for any form of compensation is prohibited in all residential zones as this land use is not provided for in Calabasas Municipal Code Section 17.11.010, Table 2-2, which lists all allowable land uses in residential zones. Under the principle of permissive zoning, any land use not expressly allowed or permitted via a determination of substantially similar use under Calabasas Municipal Code Section 17.11.020 is prohibited. Calabasas Municipal Code Section 17.11.020 provides for the City to approve a land use that is

substantially similar to a listed land use, but only after finding that the land use is consistent with the General Plan, meets the stated purpose and general intent of the zoning district in which the use is proposed to be located, would not adversely affect the City's public health, safety, and general welfare, and that the proposed use shares characteristics common with, and is not of a greater intensity, density or generate more environmental impact than, those listed in the zoning district in which it is to be located. Short-term, transient, or vacation rentals are not consistent with the General Plan's designated land uses for residential zones. The sole exception is a lawfully approved bed and breakfast inn operated in full compliance with applicable federal, state, and local rules and regulations including all required permits from the City, which is a conditionally permitted use in the Residential, Rural and Rural Community zones as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2. A bed and breakfast inn is not permitted in any single-family or multi-family residential zone under Calabasas Municipal Code Section 17.11.010, Table 2-2. A lawfully operated bed and breakfast inn must conform to the definition of bed and breakfast inn in Calabasas Municipal Code Section 17.90.020, the parking requirements of Calabasas Municipal Code Section 17.28.040, Table 3-11, which requires 1 parking space for each guest room or suite or 1 parking space for every two beds, whichever is greater, and all other applicable rules and regulations.

- (B) The Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days in exchange for any form of compensation is prohibited in all commercial zones as this land use is not provided for in Calabasas Municipal Code Section 17.11.010, Table 2-2, with the following exception:
 - (1) Lawfully approved hotels and motels operated in full compliance with all applicable federal, state, and local rules and regulations including all required permits from the City, which are a conditionally permitted use in the Commercial Retail, Commercial Office, Commercial Mixed Use, and Commercial Business Park zones, as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2, and

- (C) The Calabasas Municipal Code provides that any short-term, transient, or vacation rentals of property or a portion thereof for less than 30 days in exchange for any form of compensation is prohibited in all special purpose zoning districts as this land use is not provided for in Calabasas Municipal Code Section 17.11.010, Table 2-2, with the following exception:

- (1) Lawfully approved bed and breakfast inns operated in full compliance with applicable federal, state, and local rules and regulations including all required permits from the City, which are a conditionally permitted use in the Hillside/Mountainous zones as stated in Calabasas Municipal Code Section 17.11.010, Table 2-2. A lawfully operated bed and breakfast inn must conform to the definition of bed and breakfast inn in Calabasas Municipal Code Section 17.90.020, the parking requirements of Calabasas Municipal Code Section 17.28.040, Table 3-11, which require 1 parking space for each guest room or suite or 1 parking space for every two beds, whichever is greater, and all other applicable rules and regulations.

Section 5.20.020. Definitions.

For purposes of this chapter the following definitions apply:

“Advertisement” means any writing, picture, video, or other communication in fixed form shown, made available, published, or presented to the public in any medium or manner, whether in writing, in person, online, or otherwise via the internet, for the purpose of soliciting an unlawful short-term rental in the City of Calabasas, to help facilitate an unlawful short-term rental in the City of Calabasas, or to announce the availability of any property or portion thereof in the City of Calabasas for rental or occupancy for an unlawful short-term rental.

“Broker or property manager” means person, firm, partnership, association, corporation, company, syndicate, estate, trust, business trust, or organization of any kind who offers to rent or arranges for persons to rent an unlawful short-term rental or otherwise oversees and facilitates the operation of an unlawful short-term rental.

“Person” shall mean any person, individual, firm, partnership, association, corporation, company, syndicate, estate, trust, business trust, or organization of any kind.

“Property owner” means any person, firm, partnership, association, corporation, company, syndicate, estate, trust, business trust, or organization of any kind with a beneficial ownership interest in a property.

“Tenant” means any person, firm, partnership, association, corporation, company, syndicate, estate, trust, business trust, or organization of any kind with a leasehold interest in a property.

“Unlawful short-term rental” means any rental or occupancy of any property or a portion thereof located in the City of Calabasas for any purpose, including but not limited to a vacation, for less than 30 days if that rental or occupancy occurs in exchange for any form of compensation or consideration. Short-term rentals or occupancies that occur at lawfully approved hotels, motels, and bed and breakfast inns operated in full compliance with all applicable federal, state, and local rules and regulations including any and all required permits from the City are lawful.

Section 5.20.030. Prohibition on Advertising for Unlawful Short-Term Rentals.

- (A) All persons, including property owners, tenants, and broker or property managers, are prohibited from publishing, displaying, transmitting, sending, or posting anywhere, whether online or via the internet, in a newspaper, or in any other writing, any advertisement for an unlawful short-term rental of any property or a portion thereof located in the City. This prohibition includes causing or maintaining in any manner or medium the display, publication, transmittal or posting of an advertisement for an unlawful short-term rental by any person.
- (B) This prohibition does not apply to any advertisement for lawfully approved hotels, motels and bed and breakfast inns located in the City and operated in full compliance with all applicable federal, state, and local rules and regulations including any and all required permits from the City.

Section 5.20.040. Penalties and Enforcement.

- (A) Any person, including property owners, tenants, and broker or property managers, whether as principal, agent, employee, officer, partner, manager, member, trustee, or otherwise, violating any provision of this chapter shall be guilty of a misdemeanor as provided in Title 1, Chapter 16, Section 1.16.010 of this Code and, upon conviction thereof, shall be subject to the penalties provided therein. Such person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed, continued, maintained, or permitted by such person and shall be punishable as provided in this section.
- (B) In addition to the remedies provided in subsection (A) of this section, the City shall have the power to enforce violations of any provision of this chapter by any lawful means permitted by this Code or by applicable law, including, but not limited to, by imposing administrative remedies under Chapter 17 of Title 1 of this Code and by seeking a civil injunction from a court of competent jurisdiction

against any persons who maintain an advertisement in violation of any provision of this chapter.

SECTION 3. California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during public comment on the matter, and hereby determines that that this ordinance is exempt from the California Environmental Quality Act review under Title 14, section 15061(b)(3) as there is no potential for causing a significant effect on the environment. Furthermore, this ordinance will not cause a direct or indirect physical change to the environment and is therefore exempt pursuant to Title 14, Section 15378(b)(2) and (3) of the California Code of Regulations.


The adoption of this ordinance is therefore exempt from CEQA review pursuant to Sections 15301 and 15061(b)(3) of the CEQA Guidelines.

SECTION 4. Severability. Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

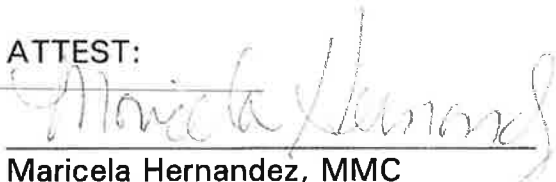
SECTION 5. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 6. Certification. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.


PASSED, APPROVED AND ADOPTED this 14th day of March, 2018.



Fred Gaines, Mayor

ATTEST:


Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:


Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

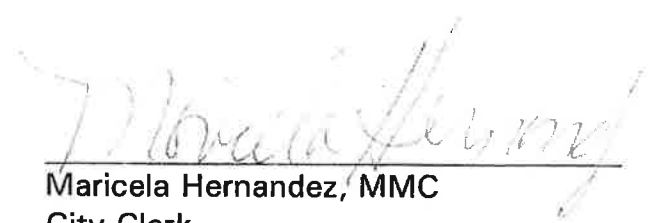
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2018-363** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 28th day of February, 2018, and adopted and passed by said Council at a regular meeting held on the 14th day of March, 2018, by the following vote:

AYES: Mayor Gaines and Councilmembers Bozajian, Maurer and Weintraub.

NOES: None.

ABSTAIN: None.

ABSENT: Mayor pro Tem Shapiro.



Maricela Hernandez, MMC
City Clerk
City of Calabasas, California

ORDINANCE NO. 2018-358**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING CALABASAS MUNICIPAL CODE SECTION 9.28.010 OF CHAPTER 9.28 RELATED TO LOUD, UNNECESSARY AND UNUSUAL NOISE AND ADOPTING A NEW CHAPTER 9.36 RELATED TO UNRULY GATHERINGS.**

WHEREAS, the City of Calabasas (the "City"), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws that promote the public health, safety and general welfare of its residents; and

WHEREAS, the City Council finds and declares that some parties or other large gatherings of people frequently become loud and unruly to the point that they constitute a threat to the peace, health, safety, or general welfare of the public as a result of conduct such as one or more of the following: excessive noise, excessive traffic, obstruction of public streets or crowds who have spilled over into public streets, obstruction of rights of way by people or vehicles participating in these large gatherings, public intoxication and consumption of illegal substances, the consumption by and provision of alcohol to minors, fights, disturbances of the peace, vandalism, urinating or defecating in public, and litter; and

WHEREAS, the City Council finds and declares that the Los Angeles County Sheriff's Department and City personnel and other law enforcement personnel are called upon to respond, sometimes on multiple occasions, to locations of such loud or unruly gatherings in order to restore and maintain the peace and protect public safety, causing a burden on City resources, causing delays in law enforcement's ability to respond to regular emergency calls, and compromising community safety; and

WHEREAS, the City Council desires to protect the public health, safety, general welfare, and quiet enjoyment of property in the City by the adoption of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that the adoption of this ordinance amending the City's noise ordinance, and prohibiting loud and unruly gatherings will

have a significant effect on the environment. Accordingly, under the provisions of § 15061(b)(3) and § 15378(b)(5) of Division 6 of Title 14 of the California Code of Regulations, the CEQA Guidelines, the adoption of this ordinance is not subject to the requirements of the California Environmental Quality Act.

SECTION 3. The City Council hereby amends Calabasas Municipal Code Chapter 9.28 to read as follows, with additions denoted by underlined text and deletions denoted by ~~strike-through text~~:

9.28.010 - Loud, unnecessary and unusual noise.

Notwithstanding any other provisions of this ~~chapter and in addition thereto~~ municipal code that regulate noise, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standard which may be considered in determining whether a violation of the provisions of this section exists may include, but not be limited to, the following:

- A. The level of noise;
- B. Whether the nature of the noise is usual or unusual;
- C. Whether the origin of the noise is natural or unnatural;
- D. The level and intensity of any background noise;
- E. The proximity of the noise to residential sleeping facilities;
- F. The nature and zoning of the area within which the noise emanates;
- G. The density of the inhabitation of the area within which the noise emanates;
- H. The time of the day or night the noise occurs;
- I. The duration of the noise;
- J. Whether the noise is recurrent, intermittent, or constant; and
- K. Whether the noise is produced by a commercial or noncommercial activity.

SECTION 4. The City Council hereby adds Calabasas Municipal Code Chapter 9.36, to read as follows:

Chapter 9.36 –UNRULY GATHERINGS ON RESIDENTIAL PROPERTY

9.36.010 - Definitions

- A. For purposes of this chapter, the following definitions shall apply:
 - 1. “Loud or unruly gathering” means a gathering of eight (8) or more persons for a social occasion or any other activity at any residential unit or accessory structure on the same parcel as a residential unit during which loud or unruly conduct occurs.
 - 2. “Responsible person” means and includes without limitation:
 - i. Any person(s) who is present at and rents, leases or otherwise is in charge of the residential unit where a loud or unruly

gathering or a gathering that becomes loud and unruly occurs;
or

- ii. Any person(s), including any business, company or entity, who organizes or sponsors a loud or unruly gathering or a gathering that becomes loud and unruly; or
 - iii. Any person(s) who attends or is present at a loud or unruly gathering or a gathering that becomes loud and unruly and engages in loud or unruly conduct.
 - iv. If the responsible person is a juvenile, then the parent(s) or guardian(s) of that juvenile shall also be considered a responsible person.
3. "Residential unit" means any residential "dwelling unit," such as a single-family dwelling or residence, and each unit of all multiple dwelling unit properties that were developed as apartment buildings, duplexes triplexes, fourplexes, cooperatives ("co-ops"), condominiums, or townhomes. A residential unit also includes: (i) any other buildings, structures and improvements on the parcel, as well as balconies, decks, patios, yards, and all other interior and exterior areas; and, (ii) common use or other areas of multiple dwelling unit properties. "Residential Unit" also includes any dwelling unit or other residential structure that has been permitted or used for any transient or short-term commercial use.
 4. "Owner" means any person(s), including any natural person, firm, association, organization, partnership, trust, business, corporation, company or other entity, who owns the residential unit where a loud or unruly gathering occurs. "Owner" also includes but is not limited to: (i) any person who has a possessory or use interest in a residential unit, whether as a lessee, sublessee, licensee, guest, promoter or sponsor, (ii) managers, members, officers, general partners or trustees of an owner; and to, (iii) agents thereof with actual or apparent authority, possession, or control of a residential unit.
 5. "Juvenile" means any person under the age of eighteen (18) years old.
 6. "Minor" means any person under the age of twenty-one (21) years old.

B. As used in this chapter, "loud or unruly conduct" includes, without limitation, any or all of the following:

1. Loud or other noise from any activity, cause or source that results in a violation of Section 9.28.010 of the municipal code, or any successor provision thereof;

2. Obstruction or congestion(whether partial or complete) of public streets, public rights-of-way, or private streets by persons or vehicles;
3. Obstruction or congestion (whether partial or complete) of fire lanes, emergency access streets, driveways, and fire access zones on properties by people or vehicles;
4. Public drunkenness or drinking in public;
5. The service of alcohol to minors;
6. The service of alcoholic beverages without a State license;
7. Possession and/or consumption of alcohol by minors;
8. Assaults, batteries, fights, domestic violence or other disturbances of the peace;
9. Vandalism or destruction of real or personal property;
10. Littering of any trash, debris, ;bottle, cans or other items of personal property on real property, or on any public right-of-way or other public property;
11. Urinating or defecating in public; or
12. Violation of any local, state, or federal law regulating controlled substances or drug paraphernalia, except that conduct authorized by and compliant with California Health and Safety Code section 11362.1 et seq. shall not be a violation of this Chapter; or
13. Trespassing.
14. Public assemblies in violation of State Fire and Building Codes in combination with one or more other instances of conduct described in this subsection;
15. Use or maintenance of any device or equipment allowing for the amplification of sound (including but not limited to voice and music) that violates Section 9.28.010, or any successor provision thereof. This subsection shall not apply to alarm or security systems that are installed at a residential unit.

C. "Loud or unruly conduct" does not include any activity that is protected by Article 1, Section 4 of the California Constitution, protected by the First or Fourteenth Amendments to the United States Constitution, or exclusively regulated by and compliant with the California Alcoholic Beverage Control Act.

9.36.020. Loud or Unruly Gathering—Public Nuisance.

- A. It shall be unlawful and constitute a public nuisance for any owner or responsible person to cause or allow a loud or unruly gathering to occur at any residential unit within the City. A loud or unruly gathering may be abated by the city by all reasonable means, including, but not limited to: (i) an order of a peace officer to an owner or responsible person to immediately terminate the occasion or activity; (ii) an order of a peace officer to all non-

resident persons who are engaging in loud or unruly conduct at a gathering to immediately leave the premises; (iii) an order of a peace officer issued under Chapter 9.04; and/or (iv) any other lawful order or abatement method provided for by this Code and applicable law. It shall be unlawful and a violation of this chapter for any person to fail to comply with an order of a peace officer that is issued in connection with a loud or unruly gathering under this section or any other applicable provision of this Code.

- B. Nothing in this section shall be construed to impose liability on an owner, resident of the residential unit, the person in charge of the residential unit, or the organizer or sponsor of the gathering, for the conduct of persons who are present without the express or implied consent of the owner, resident, person in charge of the residential unit or the organizer or sponsor, as long as the owner, resident, person in charge of the residential unit or the organizer or sponsor has taken all available steps necessary to exclude such uninvited persons from the residential unit, such as, prior to the loud or unruly gathering, actively terminating a tenancy as evidenced by a properly served Notice to Quit and/or by an unlawful detainer lawsuit that has been filed with the Los Angeles County Superior Court and served on the defendant(s) prior to the loud or unruly gathering occurring, or filing a police report of a trespasser's presence.

9.36.030 Posting of Notice of Violation Regarding Loud or Unruly Gathering.

- A. A City Code Enforcement Officer or any peace officer responding to a Loud or Unruly Gathering may post, on the front entrance of the Residence at which the Loud or Unruly Gathering occurs, a notice of violation pursuant to the requirements set forth in Section 1.17.040 of this Code
- B. It shall be unlawful for any person to alter, tamper with or deface a posted notice described in Subsection (1) of this Section, or remove it prior to 30 days from the date of the posting.
- C. A copy of the notice posted pursuant to Subsection (1) of this Section and containing a reference to this Chapter 9.36 shall be served on the Owner by personal service or by depositing in the mail for delivery by the United States Postal Service, in a sealed envelope, postage prepaid, addressed to the Owner shown on the County's last equalized property tax assessment roll. Another copy of the notice shall be filed with the City Clerk.

9.36.040 Citation and Other Remedies.

- A. In addition to any other remedies and penalties available under this Code and applicable law, a City Code Enforcement Officer may issue a Citation to the Owner and/or Responsible Person or Persons for a violation of Sections

9.36.020 or 9.36.030, pursuant to the requirements and procedures set forth in Chapter 1.17 of this Code.

- B. As a further alternative and notwithstanding Section 1.17.080 of this Code, a City Code Enforcement Officer may issue a Citation to the Owner and/or Responsible Person or Persons for a violation of Sections 9.36.020 or 9.36.030, without first issuing a Notice of Violation.
- C. Any violation of Sections 9.36.020 or 9.36.030 may be prosecuted as a misdemeanor. In cases where the City Prosecutor elects to criminally prosecute such a violation, the defendant shall be subject to the penalties provided for by this Chapter in addition to the fines, penalties, and maximum term of imprisonment specified in Section 1.16.020 of this code.

9.36.050 Fines and Penalties for Violations.

An Owner and/or Responsible Person issued a Citation for a violation of Sections 9.36.020 or 9.36.030 shall be subject fines and penalties as set by the City Council by resolution.

SECTION 5. If any section, subsection, 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 of the City of Calabasas hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 6. Effective Date:


This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 7. Certification:

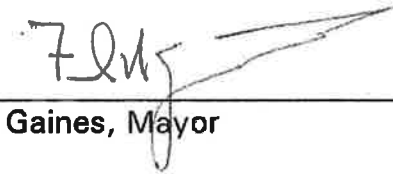
The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 24th day of January, 2018.

ATTEST:



Maricela Hernandez, MMC
City Clerk



Fred Gaines, Mayor

APPROVED AS TO FORM:



Dave Fleishman
Colantuono, Highsmith & Whatley PC
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)


I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2018-358** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 10th day of January, 2018, and adopted and passed by said Council at a regular meeting held on the 24th day of January, 2018, by the following vote:

AYES: Mayor Gaines, Mayor pro Tem Shapiro, Councilmembers Bozajian, Maurer and Weintraub.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Maricela Hernandez, MMC
City Clerk
City of Calabasas, California