



## CITY COUNCIL STAFF REPORT

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**TO:** Honorable Mayor and City Council **DATE:** June 17, 2019

**FROM:** Matthew Bronson, City Manager

**PREPARED BY:** Bruce Buckingham, Community Development Director  
David Hale, City Attorney

**SUBJECT:** Second Reading and Adoption of Ordinance No. 19-04 to Amend Municipal Code Article IX (Development Code) and Approve a Local Coastal Program Amendment to Regulate Short-Term Rentals (Development Application 19-07)

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### **RECOMMENDATION**

- 1) Conduct second reading, by title only, and adopt Ordinance No. 19-04 amending Article IX of the Grover Beach Municipal Code to regulate short-term rentals; and
  - 2) Adopt the Resolution approving a Local Coastal Program Amendment.
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### **BACKGROUND**

At the June 3, 2019 Council meeting, the City Council conducted a public hearing, and introduced and conducted a first reading, by title only, of Ordinance No. 19-04 amending Article IX of the Grover Beach Municipal Code to regulate short-term rentals (STRs). The amendment to Article IX requires the Council adopt a resolution to approve a Local Coastal Program (LCP) Amendment. The California Coastal Commission will consider the LCP Amendment in August or September 2019. Staff is requesting that the Council conduct second reading of the Ordinance, by title only, and adopt the Resolution to approve the LCP Amendment.

#### **Summary of Ordinance Revisions**

At the June 3, 2019 Council meeting, the Council made several minor revisions to the draft ordinance as shown below. These revisions have been incorporated into the ordinance (reference Attachment 1).

*Section 4.10.185.G Maximum Number.* The Council discussed potential revisions to the ordinance that would establish a maximum number or cap on non-owner occupied STRs and the concept of giving a priority to existing non-owner occupied STRs under the cap. The end result was the Council revised the ordinance to include a cap that should be adequate to allow all currently operating non-owner occupied STRs to apply for a STR permit and provide additional capacity for new non-owner occupied STR permits to be submitted. As a result, the Council did not include language to give a priority to currently operating non-owner occupied STRs under the cap.

The ordinance establishes a total cap of 100 non-owner occupied STRs broken down by 40 in the Coastal Zone and 60 outside the Coastal Zone. Within the Coastal Zone, there are 27 non-owner occupied STRs currently operating which would allow 13 additional non-owner occupied

STRs assuming that all non-owner occupied STRs operating within the last year apply for a permit. Outside the Coastal Zone, there are approximately 43 non-owner occupied STRs currently operating which would allow 17 additional non-owner occupied STRs assuming that all existing non-owner occupied STRs apply for a permit. The ordinance text was revised as follows:

The maximum number of non-owner occupied STRs shall be 40 within the Coastal Zone area and 60 within the non-Coastal Zone area. There is no limit on the number of owner-occupied STRs in the city. STR permit applications shall be reviewed on a first-come, first-serve basis with a waiting list for new STR permits once all authorized STR permits are issued.

*Section 4.10.185.H.1 Maximum Occupancy of a Non-Owner Occupied Rental.* The Council discussed this section and decided to increase the number of renters based on the formula of two renters per bedroom plus two additional renters, which is the same as owner-occupied STRs. The following table shows the revisions made by the Council (deletions showed in ~~strike-through~~ and additions shown in double underline):

Maximum Occupancy of a Non-Owner Occupied Rental

Number of Bedrooms	Maximum Number of Renters	Additional Daytime Guests Allowed from 7:00 a.m. to 10:00 p.m.
0 (studio)	2	0
1	<del>2</del> <u>4</u>	2
2	<del>4</del> <u>6</u>	3
3	<del>6</del> <u>8</u>	4
4 or more	<del>8</del> <u>10</u>	5

*Section 4.10.185.H.2 Maximum Occupancy of an Owner Occupied Rental.* The Council also discussed this section and decided to add “3” and “4 or more” bedrooms to the table with the corresponding number of renters. This resulted in no longer needing to include “Bed and Breakfast Inn” as a use in the Development Code because it will be replaced by an owner-occupied STR. The following table shows the revisions made by the Council:

Maximum Occupancy of an Owner Occupied Rental

Number of Bedrooms	Maximum Number of Renters	Additional Daytime Guests Allowed from 7:00 a.m. to 10:00 p.m.
0 (studio)	2	No Limit
1	4	No Limit
2	6	No Limit
<u>3</u>	<u>8</u>	<u>No Limit</u>
<u>4 or more</u>	<u>10</u>	<u>No Limit</u>

*Section 9.10.050 Short-Term Rental Definitions.* The definition of “owner-occupied short-term rental” was revised to reflect the revision to allow for more than two bedrooms as follows:

“Owner Occupied Short-Term Rental” is a short-term rental in which the owner resides on the property during the time a renter is occupying the residence ~~and no more than two bedrooms shall be occupied by renters.~~

*Section 4.10.040 Bed and Breakfast Inns.* As previously discussed, this section is no longer needed because it is replaced by owner-occupied STRs and will be deleted in its entirety.

*Section 2.20.030 Residential Zones Allowable Land Uses and Permit Requirements.* This section will be amended to delete “Bed and Breakfast Inn”.

*Section 3.50.040 Required Parking Spaces.* Table 3.3 will be amended to delete the parking requirements for “Bed and Breakfast Inns”.

*Section 9.10.020 Definitions.* The definition for “Bed and Breakfast Inn” will be deleted.

#### Ordinance Effective Date

Following the adoption of the ordinance, staff will forward the Local Coastal Program amendment to the Coastal Commission which would hold a hearing in either August or September. The ordinance would become effective the day after Coastal Commission action which would start the 60 day period for STRs to submit an application.

#### **ALTERNATIVES**

The City Council has the following alternatives:

1. Conduct second reading, by title only, and adopt Ordinance No. 19-04 amending Article IX of the Municipal Code to regulate short-term rentals; and
2. Adopt the Resolution approving a Local Coastal Program Amendment; or
3. Provide alternative direction to staff.

#### **PUBLIC NOTIFICATION**

The agenda was posted in accordance with the Brown Act.

#### **ATTACHMENTS**

1. Ordinance No. 19-04
2. Local Coastal Program Amendment Resolution

**ORDINANCE NO. 19-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH  
ADDING SECTIONS 4.10.185, 6.20.075, 9.10.050, DELETING SECTION  
4.10.040, AND AMENDING SECTIONS 2.20.030, 2.30.030, 3.50.040, 6.10.020,  
6.30.080, AND 9.10.020 OF THE GROVER BEACH MUNICIPAL CODE  
ARTICLE IX TO REGULATE SHORT-TERM RENTALS**

**WHEREAS**, the City of Grover Beach (“City”) is a general law city and a political subdivision of the State of California; and

**WHEREAS**, it was held in Ewing v. City of Carmel-by-the-Sea, 234 Cal. App. 3d 1579 (1991) that a city ordinance prohibiting short term (less than 30 days) transient commercial use of residential property was constitutional, as it was reasonably related to the governmental interest in maintaining the residential character of the zoned district, and because the diminution in plaintiffs' ownership rights were outweighed by the public interest in maintaining residential neighborhoods; and

**WHEREAS**, while the use of privately-owned residential dwellings as short-term rentals provides the City with additional transient occupancy tax revenue, there are various secondary negative effects associated with the use of residential dwellings as short-term rentals on certain residential neighborhoods that need to be addressed via an appropriate City regulatory program; and

**WHEREAS**, the intent of this ordinance for the City of Grover Beach Municipal Code (“GBMC”) Article IX Chapter 4 Section 4.10.185 (“Short-Term Rentals”) is to regulate short-term rentals of private property in the City of Grover Beach, whether or not such rentals are for vacation purposes; and

**WHEREAS**, based on complaints received from residents the City Council has determined that adding Development Code Chapter 4 Section 4.10.185 to regulate short-term rentals will improve the ability of the City to regulate the use of short-term rentals thereby reducing potential negative secondary impacts on surrounding residences and requiring a local contact person to address complaints and/or disturbance at the subject property, and would thereby protect public health and safety; and

**WHEREAS**, this amendment is not a project within the meaning of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) Section 15378 and is therefore exempt from CEQA because it will not result in any direct or indirect physical changes in the environment.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GROVER BEACH DOES  
ORDAIN AS FOLLOWS:**

**Part 1.** Recitals. The above recitals are true and correct and are incorporated as though fully set forth herein.

**Part 2.** Article IX Development Code, Chapter 2 Zones and Allowable Uses, Section 2.20.030 Residential Zones Allowable Land Uses and Permit Requirements, Table 2.2 is hereby amended as follows:

Table 2.2. Residential Zones Allowable Land Uses and Permit Requirements							
Land Use	R1	CPR1 <sup>1</sup> / CR1 <sup>1</sup>	R2	CR2 <sup>1</sup>	R3	CR3 <sup>1</sup>	Specific Use Regulations
<b>Residential</b>							
Accessory Structure	P	P	P	P	P	P	Section 4.10.030
<del>Bed and Breakfast Inn</del>	<del>UP</del>	<del>UP</del>	<del>UP</del>	<del>UP</del>	<del>UP</del>	<del>UP</del>	<del>Section 4.10.040</del>
Boarding House	--	--	--	--	UP	UP	
Day Care - Large Family Home	AUP	AUP	AUP	AUP	AUP	AUP	Section 4.10.070
Day Care - Small Family Home	P	P	P	P	P	P	
High Occupancy Residential Use	--	--	--	--	UP	UP	Section 4.10.060
Home Occupation	P	P	P	P	P	P	Section 6.20.070
Multi-family Dwelling	--	--	P	P	P	P	Section 4.10.120
Residential Care 1-6 clients	P	P	P	P	P	P	
Residential Care – 7 or more clients	--	--	--	--	UP	UP	
Residential Common Area Developments (PUDs)	--	--	P	P	P	P	Section 4.30
Second Residential Dwelling	P	P	P	P	P	P	Section 4.10.170
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Section 4.10.185</u>
Single Family Dwelling	P <sup>2</sup>	P <sup>2</sup>	P	P	P	P	Section 2.20.050
Single Room Occupancy Facility	--	--	UP	UP	UP	UP	Section 4.10.200
Senior Housing	--	--	UP	UP	UP	UP	Section 4.10.180
Transitional & Supportive Housing	P	P	P	P	P	P	
<b>Recreational, Education &amp; Public Assembly</b>							
Community Gardens	P	P	P	P	P	P	
Meeting Facility, public or private	UP	UP	UP	UP	UP	UP	
Park, Playground (public)	UP	UP	UP	UP	UP	UP	
Public or Quasi-public Facility	UP	UP	UP	UP	UP	UP	
<b>Transportation &amp; Infrastructure</b>							
Parking Facility	--	--	UP	--	UP	--	
Telecommunication Facility	UP	UP	UP	UP	UP	UP	Section 4.40
<b>End Note</b>							
1. Projects located in the Coastal Zone may require a Coastal Development Permit (See Section 6.20.040). 2. New construction or additions to single family dwellings north of West Grand Avenue that exceed 15 feet in height as measured in Section 3.10.030.C. require approval of a Development Permit (See Chapter 6 Procedures).							
<b>Legend</b>							
P Permitted Use UP Use Permit Required -- Use Not Allowed							

**Part 3.** Article IX Development Code, Chapter 2 Zones and Allowable Uses, Section 2.30.030 Commercial Zones Allowable Land Uses and Permit Requirements, Table 2.4 is hereby amended as follows:

Table 2.4 Commercial Zones Allowable Land Uses and Permit Requirements								
Land Use	CB	CB-O	NC	OP	RC	VS/ CVS <sup>1</sup>	CC <sup>1</sup>	Specific Use Regulations
<b>Manufacturing Uses</b>								
High Technology Uses	P <sup>4</sup>	P <sup>4</sup>	--	--	--	P <sup>4</sup>	P	
Manufacturing - Artisan	--	--	--	--	--	--	UP	Section 3.10.020
<b>Recreation, Education &amp; Public Assembly</b>								
Commercial Recreation Facility - Indoor								
≤ 3,000 sf	UP	UP	UP	--	UP	UP	UP	
> 3,000 sf	UP	UP	--	--	UP	UP	UP	
Commercial Recreation Facility – Outdoor								
Health/Fitness Facility	AUP <sup>4</sup>	AUP	AUP	--	AUP	AUP <sup>4</sup>	AUP	
Meeting Facility, Public or Private								
≤ 3,000 sf	--	AUP	AUP	AUP	AUP	AUP	AUP	
> 3,000 sf	--	UP	UP	UP	UP	UP	UP	
Park, Playground (Public)	P	P	P	P	P	P	P	
Public or Quasi-Public Facility	UP	UP	UP	UP	UP	UP	UP	
Recreational Vehicle Park	--	--	--	--	--	UP	--	
Specialized Education/Training	--	UP	--	--	UP	--	UP	
Studio – Art, Dance, Martial Arts	AUP <sup>4</sup>	AUP	AUP	--	AUP	AUP <sup>4</sup>	AUP	
<b>Residential</b>								
Home Occupation	P	P	P	P	P	P	P	Section 6.20.070
Live/Work Unit	--	UP	UP	UP	--	--	UP	Section 4.10.090
Mixed-Use Project	UP	UP	UP	UP	UP	UP <sup>2</sup>	UP	Section 4.10.110
Multi-Family Dwelling	--	UP	--	--	--	--	--	Section 2.30.040
Residential Care Facility for the Elderly	UP <sup>4</sup>	UP	--	--	--	--	--	
Senior Housing	UP <sup>4</sup>	UP	--	--	--	--	--	Section 4.10.180
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Section 4.10.185</u>
Single Room Occupancy Facility	--	UP	--	--	--	--	--	Section 4.10.200
<b>Retail</b>								
Adult Business	--	--	--	--	UP	--	--	Section 4.20
Automobile Service Station	--	--	--	--	UP	--	--	
Bar/Tavern/Night Club	UP	UP	--	--	UP	UP	--	
Building/Landscape Materials, Indoor	P	P	--	--	P	--	--	
Building/Landscape Materials, Outdoor	--	UP	--	--	UP	--	--	
General Retail, except the following:								
Alcoholic Beverage Sales	UP	UP	UP	--	UP	UP	--	

Table 2.4 Commercial Zones Allowable Land Uses and Permit Requirements								
Land Use	CB	CB-O	NC	OP	RC	VS/ CVS <sup>1</sup>	CC <sup>1</sup>	Specific Use Regulations
Drive-thru	--	--	--	--	UP	--	--	
Floor area (single tenant over 5,000 square feet)	P	P	--	--	P	P	P	
Operating between 10:00 p.m. and 7:00 a.m.	AUP	AUP	--	--	AUP	AUP	UP	
Resale Stores	P	P	P	AUP	P	P	P	Section 4.10.160
Thrift Store	AUP	AUP	AUP	-	AUP	--	--	Section 4.10.210
Plant Nursery	AUP	AUP	--	--	AUP	AUP	AUP	
Restaurant	P	P	P	AUP	P	P	AUP	
Drive-thru	--	--	--	--	UP	--	--	
Live Entertainment	P	P	P	P	P	P	AUP	Section 4.10.080
Sidewalk Seating	P	P	--	--	--	P	--	Section 4.10.190
Vehicle Sales	--	--	--	--	UP	--	--	
Wine Tasting	P	P	--	--	--	P	P	
<b>Services</b>								
Animal Care Facility	--	AUP	AUP	--	AUP	--	AUP	
Automated Teller Machine (ATM)	P	P	AUP	AUP	P	P	P	
Business Support Services	P	P	P	P	P	--	P	
Child Day Care - Day Care Center	--	UP	UP	UP	UP	--	UP	
Equipment Rental	--	--	--	--	UP	--	--	
Financial Institutions	P	P	--	--	P	--	--	
Lodging	UP	UP	--	--	UP <sup>3</sup>	UP	UP	
Massage Establishments	P <sup>4</sup>	P	P	P	P	--	P	Section 4.10.100
Medical Services - Clinic /Urgent Care	--	UP	--	UP	UP	--	--	
Medical Services - Doctor Office	P	P	P	P	P	--	AUP	
Medical Services - Extended Care	--	UP <sup>4</sup>	--	UP	UP	--	--	
Office – Business/Service	P	P	P	P	P	P <sup>4</sup>	P	
Office - Professional	P	P	P	P	P	P <sup>4</sup>	P	
Personal Services	P	P	P	P	P	P	AUP	
Personal Services -Restricted	--	--	--	--	UP	--	--	
Repair Services – Small Equipment	--	P	P	--	P	--	--	
Recycling – Reverse Vending Machines	--	P	--	--	P	--	--	Section 4.10.150
Recycling – Small Collection Facility	--	P	--	--	P	--	--	Section 4.10.150
Vehicle Rental	--	AUP	--	--	AUP	AUP <sup>5</sup>	AUP <sup>5</sup>	Section 2.30.050
Vehicle Repair & Services	--	--	--	--	UP	--	--	
<b>Transportation &amp; Infrastructure</b>								
Parking Facility	UP	UP	UP	UP	UP	UP	UP	
Telecommunication Facility	UP	UP	UP	UP	UP	UP <sup>6</sup>	UP	Section 4.40

Table 2.4 Commercial Zones Allowable Land Uses and Permit Requirements								
Land Use	CB	CB-O	NC	OP	RC	VS/ CVS <sup>1</sup>	CC <sup>1</sup>	Specific Use Regulations
<b>End Note</b>								
1. Projects located in the Coastal Zone may require a Coastal Development Permit (See Section 6.20.040). 2. Use not allowed west of the Union Pacific Railroad tracks or on APN 060-011-036. 3. Use not allowed on West Grand Avenue. 4. Permitted above or behind ground floor commercial uses on West Grand Avenue. 5. Permitted if visitor-serving (e.g., automobiles or beach related vehicles). No moving trucks. 6. Telecommunication facilities are prohibited west of Highway 1, unless they are not visible from public viewing areas, meet the standards of Section 4.40.030.A.1, or such a prohibition would result in a conflict with Federal Law. (Am. Ord 14-4)								
<b>Legend</b>								
P Permitted Use AUP Administrative Use Permit Required UP Use Permit Required -- Use Not Allowed								

**Part 4.** Article IX Development Code, Chapter 4 Standards for Specific Development and Land Uses, Section 4.10.185 Short-Term Rentals is hereby added as follows:

**4.10.185 Short-Term Rentals**

**A. Purpose.**

1. This Section provides standards to regulate short-term rentals where allowed by Chapter 2 (Zones and Allowable Uses). The intent of these requirements is to ensure short-term rentals are operated in a way that minimizes impacts on surrounding residential uses, provides basic life safety measures, and operate consistent with applicable sections of the Municipal Code.
2. This Section is not intended to provide any owner of a single family dwelling, multi-family dwelling, or mobile home with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner’s residence that may prohibit the use of an owner’s residence for short-term rental purposes as defined in this Section.

**B. Applicability.**

1. The provisions of this Section shall apply to all short-term rental units, including owner occupied and non-owner occupied short-term rentals. All standards of the underlying zone shall continue to apply to a permitted short-term rental. This Section does not apply to legally established lodging or bed and breakfast uses, which are regulated separately.
2. Short-term rental units shall only be allowed within a legally constructed single family dwelling, multi-family dwelling, multi-family dwellings within a mixed-use project, or mobile home as defined in Section 9.10.020, except short-term rentals shall be prohibited in the following types of dwellings: live-work units, caretaker residences, and accessory dwelling units unless exempt as specified in Subsection Q.



3. Short-term rentals shall be prohibited in any residence subject to an affordable housing covenant or deed restriction imposed or required by the city.
4. Short-term rentals shall be prohibited in recreational vehicles, motor homes, travel trailers, truck campers, tent trailers, boats and other similar vehicles.

**C. Permit Required.**

1. No person shall rent, offer to rent, or advertise for rent a residential dwelling to another person or group for a short-term rental without a short-term rental permit approved and issued in a manner provided for by this Section, except as specified in Subsection P.
2. A short-term rental permit must be renewed on an annual basis in order to remain valid. If a short-term rental permit is not renewed prior to its expiration date, it shall expire automatically. Under such conditions, the owner shall be required to apply for and obtain a new short-term rental permit, subject to the regulations and administrative rules in effect at the time an application is submitted.
3. Any proposed change to the permit conditions or material facts relating to the information contained in the permit application shall require the owner to submit a new short-term rental permit application.
4. A short-term rental permit is only valid for the address and owner on the short-term rental permit. The short-term rental permit is non-transferable to another residential unit and any change in property ownership shall require a new short-term rental permit application be submitted within 60 days.
5. A short-term rental permit shall be valid only for the number of bedrooms in existence at the time the short-term rental permit is issued. A short-term rental permit shall not authorize the use of any bedrooms in excess of those identified in the short-term rental permit. If additional bedrooms are added to the subject dwelling, a new short-term rental permit shall be required.

**D. Application Requirements.** The owner shall submit a short-term rental permit application, application submittal requirements, and fee approved in the City's Master Fee Schedule.

**E. Application Approval.** The Community Development Director shall approve the short-term rental permit if the owner demonstrates compliance with this Section, agrees to abide by the short-term rental permit conditions, and a site inspection has verified compliance.

**F. Permit Approval Notification.** The City shall notify all property owners and occupants in writing within a 150 foot radius upon issuance of a short-term rental permit for a non-owner occupied short-term rental indicating the rental address, owner's name, hotline contact information, and the maximum number of occupants allowed. No notification is required for owner-occupied short-term rentals.

**G. Maximum Number.** The maximum number of non-owner occupied STRs shall be 40 within the Coastal Zone area and 60 within the non-Coastal Zone area. There is no limit on the number of owner-occupied STRs in the city. STR permit applications shall be reviewed on a first-come, first-serve basis with a waiting list for new STR permits once all authorized STR permits are issued.

**H. Permit and Operating Requirements.** The owner shall be responsible to ensure that renters comply with all the requirements of this Section. The short-term rental shall comply with the following standards:

1. Maximum Occupancy of a Non-Owner Occupied Rental. The maximum occupancy permitted for a non-owner occupied short-term rental unit shall be limited to the following:

Number of Bedrooms	Maximum Number of Renters	Additional Daytime Guests Allowed from 7:00 a.m. to 10:00 p.m.
0 (studio)	2	0
1	4	2
2	6	3
3	8	4
4 or more	10	5

2. Maximum Occupancy of an Owner-Occupied Rental. The maximum occupancy permitted for an owner-occupied short-term rental unit shall be limited to the following:

Number of Bedrooms	Maximum Number of Renters	Additional Daytime Guests Allowed from 7:00 a.m. to 10:00 p.m.
0 (studio)	2	No Limit
1	4	No Limit
2	6	No Limit
3	8	No Limit
4 or more	10	No Limit

3. Parking. The number of on-site parking spaces shall be provided as required by Development Code Section 3.50 Parking Regulations based on the type of residential unit, except that the required parking spaces may be in either a garage, carport or designated driveway with approved hardscape material. Parking spaces shall meet the minimum dimensions required by Section 3.50. Short-term rental parking shall also comply with the following:

- a. If a garage is utilized as required parking, access shall be provided at all times the short-term rental is operational.
- b. The property owner shall require the renters to utilize the designated on-site parking to the maximum extent feasible.
- c. A site plan shall be provided to the guests indicating the location of the required on-site parking spaces and, if applicable, where parking is prohibited, such as within a common driveway. The site plan shall be posted in a conspicuous place on the inside of the premises near the front door at all times the unit is being rented.

4. Local Contact Person. Short-term rental units shall have a local contact person who is available 24-hours per day, seven days per week. The local contact person must be able to be present at the short-term rental within 30 minutes of receiving a complaint at all times the short-term rental is operational. The contact information shall be submitted to the City when an application for permit is submitted and the owner shall immediately provide the city in writing of any change to the local contact person.

5. **Property Maintenance.** The property shall be maintained in a neat and clean appearance at all times. The owner shall provide appropriate trash and recycling containers which must be stored in a location not visible from the street. Containers shall be placed at the appropriate pick-up location weekly, no more than 24-hours prior to pick-up, and returned to storage no more than 12-hours after pickup.
6. **Good Neighbor Brochure.** The property owner shall require any renter to sign an agreement acknowledging they have been provided a copy of the City's "Good Neighbor Brochure" and agree to comply with the regulations and the consequences for violating the regulations. If the rental is through a third party hosted by an on-line platform, the owner shall require the third party to provide an on-line link to the Good Neighbor Brochure and a mechanism by which a renter shall acknowledgement receipt of the Good Neighbor Brochure and agree to comply with the regulations and the consequences for violating the regulations.
7. **Life Safety Measures.** The following life safety measures shall be provided:
  - a. Smoke detectors in each bedroom and the hall leading to the bedrooms.
  - b. Carbon monoxide detector.
  - c. Fire extinguisher in or near kitchen.
  - d. A site plan indicating the location of the electrical, gas and water shut-off locations.
  - e. If the residence has a fire sprinkler system, an annual inspection shall be made to ensure proper operation.
8. **Posting Permit.** The short-term rental permit shall be posted in a conspicuous place on the inside of the premises near the front door at all times the unit is being rented.
9. **Noise and Conduct.** The owner or the local contact person shall ensure that the renters and/or guests of the short-term rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental. 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 rental between the hours of 10:00 p.m. and 7:00 a.m. The renters and/or guests shall comply with the City's Noise Ordinance at all times.
10. **Signage.** No on-site signage shall be allowed to advertise short-term rentals.
11. **Advertising Requirements.** All advertisements for short-term rentals shall include the city's short-term rental permit number and the maximum permitted overnight occupancy as stated on the approved short-term rental permit.
12. **Payment of Transient Occupancy Tax.** The owner shall pay the transient occupancy tax in compliance with Municipal Code Article X Chapter 6 and the Administrative Rules. Payment of transient occupancy tax shall be required upon the effective date of the ordinance. The owner may submit payment of the transient occupancy tax directly to the City or make payment through a short-term rental platform that has a current agreement with the City.
13. **Business Tax Certificate.** The owner of a short-term rental that has an active short-term rental permit shall have a valid Business Tax Certificate at all times.

14. Compliance with laws. The owner shall ensure that the short-term rental is operated in a manner that complies with all applicable federal, state and local laws, rules and regulations and private governing documents, including, without limitation, conditions, covenants and restrictions (“CC&Rs”) that are valid and enforceable pursuant to the Davis-Stirling Common Interest Development Act, as set forth in California Civil Code Section 4000 et seq., pertaining to the use and occupancy of the short-term rental.
  15. Additional conditions or requirements may be required as determined by the Community Development Director to achieve the purpose and intent of this Section.
- I. Rental Agreements.** The owner shall enter into a written rental agreement with the renter of any short-term rental property, or shall enter into an agreement provided by a third party rental agency, or hosted on-line platform, which agreement shall, at a minimum, include the following:
1. The name, address, mobile phone, and email address of the renter.
  2. The terms and conditions of the rental agreement, including occupancy limits.
  3. Acknowledgment by the renter that he or she is legally responsible for compliance by all renters and any guests of the short-term rental with the requirements of this Section and the terms of the rental agreement.
  4. Acknowledgment by the renter they have reviewed the Good Neighbor Brochure as specified in Subsection H.6.
  5. Acknowledgment and agreement that the City may inspect the short-term rental property for cause upon 24-hour notice.
- J. Owner Responsibilities.** An owner may authorize an agent to comply with the requirements of this Section on behalf of the owner. However, 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 rental of the short-term rental, regardless of whether such noncompliance was committed by the owner’s authorized agent, local contact person, renter or guest of the short-term rental.
- K. Violations.**
1. Notice of Violation. The City may issue a notice of violation to the owner, local contact person, renters, or guests pursuant to Municipal Code Article I, Chapter 4, if a violation of this Section is committed, caused or maintained by any of the above parties.
  2. Responding to Hotline. The City may issue a notice of violation to the owner if the local contact person fails to respond when contacted by the hotline.
  3. Administrative Citation. The City may issue an administrative citation to the owner, local contact person, renters, or guests pursuant to Municipal Code Article I, Chapter 4, if a violation of this Section is committed, caused or maintained by any of the above parties. Nothing in this Section shall preclude the City from also issuing an administrative citation upon the occurrence of the same offense on a separate day. Unless otherwise provided

herein, any person issued an administrative citation pursuant to this Section shall for each separate violation be subject to the following fines: (1) an administrative fine in an amount of \$500 for the first citation; (2) an administrative fine in an amount of \$750 for a second citation issued within a 24 month period of the date of the first offense; and (3) an administrative fine in an amount of \$1,000 for a third and any subsequent citation issued within a 24-month period of the date of the first offense. Notwithstanding the above, operating a short-term rental without a validly issued short-term rental permit in good standing shall be subject to: (1) a fine in an amount of \$500 for the first citation; and (2) a fine in an amount of \$1,000 for a second and any subsequent citation issued for operating without a short-term rental permit.

4. **Infraction.** The City may issue an infraction citation to the owner, local contact person, renters, or guests pursuant to Municipal Code Article I, Chapter 2, including, but not limited to, the imposition of any and all criminal penalties set forth therein if there is any violation of this Section 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. Unless otherwise provided herein, any person convicted of an infraction shall, for each separate violation of this Section be subject to: (1) a fine in an amount of \$500 for a first conviction of an offense; (2) a fine in an amount of \$750 for a second conviction within a 24-month period of the date of the first offense; and (3) a fine in an amount of \$1,000 for the third conviction within a 24-month period of the date of the first offense. Notwithstanding the above, operating a short-term rental without a validly issued short-term rental permit in good standing shall be subject to: (1) a fine in an amount of \$500 for a first conviction of an offense; and (2) a fine in an amount of \$1,000 for a second and any subsequent conviction for operating without a short-term rental permit.
  5. **Additional Conditions.** A violation of any provision of this Section by the owner, local contact person, renters, or guests shall authorize the Community Development Director, to impose additional conditions on the use of any given short-term rental to ensure that any potential additional violations are avoided.
  6. **Permit Modification, Suspension and Revocation.** Unless otherwise provided in this Section, a violation of any provision of this Section by the owner, local contact person, renters, or guests shall constitute grounds for modification, suspension and/or revocation of the short-term rental permit and/or any affiliated licenses or permits.
  7. **Public Nuisance.** It shall be a public nuisance for any person to commit, cause or maintain a violation of this Section.
- L. Permit Revocation.** A short-term rental permit may be revoked under any of the following conditions:
1. The City issues three or more violations related to the operation of the short-term rental within any two-year period.
  2. The short-term rental is found to be noncompliant with any portion of this Section, the Administrative Rules, or the short-term rental permit conditions.

3. Abandonment of the use for a period of 12 months or more (demonstrated by a lack of payment of transient occupancy taxes).
4. Failure to pay a citation related to operation of a short-term rental within 15 days of issuance.
5. The owner provided materially false or misleading information in any submittal required by this Section.
6. Any instance of transient occupancy tax fraud or transient occupancy tax delinquency of more than three months.
7. Credible evidence is presented to the City, after issuance of a short-term rental permit, that there are private governing documents, including, without limitation, conditions, covenants and restrictions ("CC&Rs") that are valid and enforceable pursuant to the Davis-Stirling Common Interest Development Act, as set forth in California Civil Code Section 4000 et seq., which prohibit the use of the dwelling for short-term rental purposes, as defined in this Section, the owner shall have thirty days after being notified of receipt of such evidence by the city to provide written authorization from the owner's homeowner association that allows the owner to continue to use the owner's property for short-term rental purposes until expiration of the current short-term rental permit. If no such written authorization is provided as set forth herein, the owner's short-term rental permit shall be summarily revoked.
8. A permanent ban on the rental of the subject short-term rental pursuant to an order issued by a court of competent jurisdiction.
9. If the subject property lacks adequate onsite parking, or impedes ingress and/or egress access to the subject property or adjacent properties.

**M. Permit Revocation Process.** If a short-term rental permit is revoked, the following applies:

1. The Community Development Director shall notify the property owner in writing that the short-term rental permit has been revoked and specify the reasons for the revocation.
2. A property that has a short-term rental permit revoked cannot reapply for a period of two years.
3. Notification shall be sent to all owners and occupants within 150 feet of the subject short-term rental of any revocation.
4. A decision by the Community Development Director to revoke a short-term rental permit is appealable to the Planning Commission as specified in Section 7.20 Appeals.

**N. Denial of Permit.** A short-term rental permit may be denied for the following reasons:

1. At the time the short-term rental permit application or annual permit renewal is submitted, the short-term rental property has an active code violation related to structures, land use or life safety issues.

2. The owner has had a prior short-term rental permit suspended or revoked, or has been cited for violating any provision of this Section or the Municipal Code related to the use or maintenance of the property of the short-term rental in the prior two years.
  3. Failure to make transient occupancy tax payments in accordance with Municipal Code Article X, Chapter 6 or the Administrative Rules.
  4. There is credible evidence that there are any private governing documents, including, without limitation, conditions, covenants and restrictions (“CC&Rs”) that are valid and enforceable pursuant to the Davis-Stirling Common Interest Development Act, as set forth in California Civil Code Section 4000 et seq., which prohibit the use of such owner’s single-family dwelling, multi-family dwelling, or mobile home for short-term rental purposes as defined in this Section.
  5. If the subject property lacks adequate onsite parking, or impedes ingress and/or egress access to the subject property or adjacent properties.
  6. The owner fails to provide any of the required application information or demonstrate compliance with the requirements of this Section or the Administrative Rules.
- O. Administrative Rules.** The City Manager, or designee, shall have the authority to establish administrative rules and regulations consistent with the provisions of this Section for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this Section, and establishing procedures for complaints. A copy of such administrative rules and regulations shall be on file in the office of the city clerk and posted on the city’s website.
- P. Effect of Ordinance on Existing Short-Term Rentals.** All owners advertising or operating a short-term rental property on the effective date of the ordinance enacting this Section shall have 60 days from the effective date to submit a short-term rental permit application in compliance with this Section. Failure to submit a short-term rental permit application in compliance with this Section shall result in the owner not being eligible to apply for a short-term rental permit or be authorized to operate a short-term rental for a six-month period after the expiration of the 60 day application period.
- Q. Effect of Ordinance on Existing or Proposed Accessory Dwelling Units.** Accessory dwelling units and second residential dwellings that are existing, under construction, or in building plan review prior to the adoption of this ordinance may be used as a short-term rental.
- R. Definitions.** Definitions for this Section are in Development Code Section 9.10.050.

**Part 5.** Article IX Development Code, Chapter 6 Procedures, Section 6.10.020 Authority for Land Use and Zoning Decisions is hereby amended as follows:

Table 6.1 (Review Authority), below, identifies the Review Authority responsible for reviewing and making decisions on each type of development application required by this Development Code.

Table 6.1 Review Authority				
Type of Action	Code Section	Review Authority		
		Director	Commission	Council
General Plan Amendment	7.30	Recommend	Recommend	Decision
Local Coastal Program Amendment	7.30	Recommend	Recommend	Decision <sup>1</sup>
Development Code Amendment	7.30	Recommend	Recommend	Decision
Coastal Development Permit	6.20.040	Recommend <sup>2</sup>	Decision	Appeal
Development Permit	6.20.060	Recommend	Decision	Appeal
Use Permit	6.20.090	Recommend	Decision <sup>3</sup>	Appeal <sup>3</sup>
Variance	6.20.100	Recommend	Decision	Appeal
Administrative Development Permit	6.20.020	Decision	Appeal	Appeal
Administrative Use Permit	6.20.030	Decision	Appeal	Appeal
Home Occupation Permit	6.20.070	Decision	Appeal	Appeal
<u>Short-Term Rental Permit</u>	<u>4.10.185</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
Temporary Use Permit	6.20.080	Decision	Appeal	Appeal
Interpretations	1.10.050	Decision	Appeal	Appeal
Note: 1. The decision by the City Council does not take effect until it is certified by the California Coastal Commission. 2. The Director may approve a Coastal Development Permit in compliance with Section 6.20.040. 3. The City Council shall be the Review Authority for Use Permits for Commercial Cannabis Retailer and Microbusinesses with retailer uses.				

**Part 6.** Article IX Development Code, Chapter 6 Procedures, Section 6.20.075 Short-Term Rental Permit is hereby added as follows:

**6.20.075 Short-Term Rental Permit**

Refer to Section 4.10.185.

**Part 7.** Article IX Development Code, Chapter 6 Procedures, Section 6.30.080 Permit Revocations is hereby amended as follows:

- A. Permit Revocations.** The City’s action to revoke a permit or approval shall have the effect of terminating the permit or approval and denying the privileges granted by the original approval.
- B. Hearing and notice required.** The Commission shall hold a public hearing to revoke a permit or approval granted in compliance with the provisions of this Development Code. The hearing shall be noticed and conducted in compliance with Section 7.10 (Public Hearings).
  - 1. Ten days before the public hearing, notice shall be mailed or delivered to the applicant being considered for revocation and the property owner of the site.
  - 2. Exceptions.



~~a. The only exception to the 10-day notice provision shall be for Temporary Use Permits, which shall only require a 24-hour notice, because of their short-term nature.~~

b. Short-Term Rental Permits.

### **C. Findings**

1. Permits. A Use Permit or other development permit or approval (except a Variance, see Subsection 2., below) may be revoked by the Commission, if it makes any one of the following findings:
  - a. Circumstances under which the permit or approval was granted have been changed by the applicant to an extent that one or more of the findings that justified the original approval can no longer be made, and the public health, safety, and welfare require revocation.
  - b. The permit or other approval was granted, in whole or in part, on the basis of a fraud, misrepresentation, or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit or approval.
  - c. One or more of the conditions of the original permit or approval have not been substantially fulfilled or have been violated.
  - d. The approved use or structure has ceased to exist or has been suspended for a period in excess of 12 months.
  - e. An improvement authorized in compliance with the permit or approval is in violation of any applicable code, law, ordinance, regulation, or statute.
  - f. The improvement/use allowed by the permit or approval has become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance.
2. Variances. A Variance may be revoked by the Commission, if the Commission makes any one of the following findings, in addition to any one of the findings specified in Subsection 1, above:
  - a. Circumstances under which the original approval was granted have been changed by the applicant to a degree that one or more of the findings contained in the original approval can no longer be made in a positive manner, and the grantee has not substantially exercised the rights granted by the Variance.
  - b. One or more of the conditions of the Variance have not been met, or have been violated, and the grantee has not substantially exercised the rights granted by the Variance.

**Part 8.** Article IX Development Code, Chapter 9 Definitions, Section 9.10.020 is hereby amended as follows:

~~**Bed and Breakfast Inn (B&B).** The use of a single residential structure with three up to five bedrooms that are is used for the purpose of lodging transient guests. No meals may be prepared or sold to persons other than overnight guests.~~

**Part 9.** Article IX Development Code, Chapter 9 Definitions, Section 9.10.050 Short-Term Rental Definitions are hereby added as follows:

#### **9.10.050 Short-Term Rental Definitions**

"Advertise", "Advertisement" or "Advertising" shall mean the publication of any statements, phrases, words, photographs, drawings or other images for the purpose of informing any member of the public of the ability or availability to use a specific dwelling unit for short-term rental purposes, as described in this Section. For purposes of this definition, publication shall include but not be limited to verbal, written, printed, electronic, televised or broadcast set forth or contained in any newspaper, magazine, newsletter, website, solicitation, handbill, business card, flyer, outdoor advertising display, billboard, cable, satellite or digital radio or television broadcast, social networking site or any other electronic and digital media.

"Applicable laws, rules and regulations" means any federal, state and local laws, rules, and regulations and private governing documents, including, without limitation, conditions, covenants and restrictions ("CC&Rs") that are valid and enforceable pursuant to the Davis-Stirling Common Interest Development Act, as set forth in California Civil Code Section 4000 et seq., pertaining to the use and occupancy of a privately owned single-family dwelling, multi-family dwelling or mobile home as a short-term rental.

"Bedroom" means any habitable room normally occupied with no less than 70 square feet of floor area and no horizontal dimension less than seven feet with at least one wall located along an exterior wall with a window and equipped with a heating source as required by the California Building Code.

"Good Neighbor Brochure" means a document prepared by the City that summarizes the general rules of conduct and applicable short-term rental regulations to be adhered to by renters.

"Guest" means an invitee of a renter or other person visiting a renter of a short-term rental unit who does not rent the unit. Guests shall only be allowed at the short-term rental between the hours of 7:00 a.m. and 10:00 p.m.

"Hotline" means the telephonic service operated by or for the city for the purpose of receiving complaints regarding the operation of any Short-Term Rental and forwarding the complaints to the local contact person.

"Local Contact Person" means the person designated on the short-term rental permit who shall be available 24-hours a day, seven days a week for the purpose of responding in-person to the short-term rental site within 30 minutes of receiving a complaint regarding the condition, operation, or conduct of guests and is authorized by the owner to take remedial action and who responds to violations.

"Non-Owner Occupied Short-Term Rental" is a short-term rental in which the owner does not reside in the residence during the time a renter is occupying the residence.

“Owner Occupied Short-Term Rental” is a short-term rental in which the owner resides on the property during the time a renter is occupying the residence.

“Owner” means the person or entity holding legal title and/or equitable title to the real property that is the subject of a short-term rental permit. The owner may allow a person to act as their authorized agent.

“Renter” means a person renting or occupying a short-term rental property in accordance with the terms of this Section. For purposes of this Section, “renter” shall have the same meaning as “transient,” as defined in Municipal Code Article X Chapter 6.

"Short-term rental" or "STR" shall mean the rental of a private residence, or any portion of the private residence, for less than thirty or less consecutive days for which a rental contract for occupancy has been made which the short-term rental use is permitted to operate, pursuant to a current and valid short-term rental permit on file with the city. A short-term rental may be either an owner-occupied or non-owner occupied short term rental.

**Part 10.** Article IX Development Code, Chapter 3 Standards for All Development and Land Uses, Section 3.50.040 Required Parking Spaces, Table 3.3 is hereby amended as follows:

Table 3.3: Required Parking Spaces by Land Use	
Land Use	Parking Requirement
<b>Residential</b>	
Single Family	2 garage spaces per unit
Multi Family	1 guest space per every 4 units plus parking per unit as follows: <ul style="list-style-type: none"> <li>• Studios: 1 space per unit</li> <li>• One-bedroom units: 1 space per unit</li> <li>• Two or more bedroom units:                             <ul style="list-style-type: none"> <li>○ Extremely-low-, very-low-, and low-income affordable housing units in all zones: 1.5 spaces per unit</li> <li>○ CVS, VS, CB, CBO, and CC zones: 1.5 spaces per unit</li> <li>○ All zones other than CVS, VS, CB, CBO and CC zones: 2 spaces per unit</li> </ul> </li> </ul>
<del>Bed &amp; Breakfast Inn</del>	<del>1 space per guest room plus 2 spaces for the on-site owner/manager. Parking spaces may be located in the driveway.</del>
Boarding House	1 space per every 2 units
Caretaker's Residence	1 space per unit

Table 3.3: Required Parking Spaces by Land Use	
Land Use	Parking Requirement
Day Care – Small Family Home	None beyond the parking required for the residential dwelling
Day Care – Large Family Home	1 on-site passenger loading space, which may be located in the driveway, in addition to the parking required for the residential dwelling
High Occupancy Residential	1 space per adult occupant, minus 2 spaces of the aggregate
Live/Work	Each live/work unit shall provide parking based on the area of commercial or industrial use, or a minimum of two spaces, whichever is greater. The Review Authority may modify this requirement for the use of existing structures with limited parking.
Residential Care 1-6 clients	None beyond the parking required for the residential dwelling
Residential Care - 7 or more clients	1 space per every 3 beds
Residential Care Facility for the Elderly	1 space per every 3 beds
Residential Common Area Developments (PUDs)	2 garage spaces per unit plus 1 guest space per every 2 units. However, no guest parking is required for units served by an individual driveway 20 feet or more in length.
Second Residential Dwelling	See Section 4.10.170, Second Residential Dwelling
Senior Housing	1 space per unit plus 1 guest space per every 4 units
Single Room Occupancy Facility	1 space per every 3 units
Transitional & Supportive Housing	None beyond the parking required for the residential dwelling
<b>Retail</b>	
Adult Business	1 space per 300 square feet of floor area
Automobile Service Station	1 space per 300 square feet of floor area
Bar/Tavern/Night Club	1 space per 200 square feet of floor area and any outdoor use area
Building/Landscape Materials	1 space per 300 square feet of floor area plus 1 space per 1,500 square feet of outdoor use area
Fuel Dealer	1 space per 300 square feet of floor area plus 1 space per 1,500 square feet of outdoor use area

Table 3.3: Required Parking Spaces by Land Use	
Land Use	Parking Requirement
Retail	1 space per 300 square feet of floor area plus 1 space per 1,500 square feet of outdoor use area
Plant Nursery	1 space per 300 square feet of floor area plus 1 space per 1,500 square feet of outdoor use area
Restaurant	<ul style="list-style-type: none"> <li>When located on a site with multiple uses and restaurant square footage is less than 50% of the total building square footage on site: 1 space per 300 square feet of floor area and outdoor seating area</li> <li>Otherwise: 1 space per 200 square feet of floor area and outdoor seating area</li> <li>No additional parking is required for sidewalk seating in accordance with Section 4.10.190</li> </ul>
Vehicle Sales	1 space per 300 square feet of floor area
Wine Tasting	1 space per 300 square feet of floor area plus 1 space per 1,500 square feet of outdoor use area
<b>Services</b>	
Animal Boarding	1 space per employee plus 1 space for animal loading and unloading
Animal Care Facility	1 space per 300 square feet of floor area
Business Support Services	1 space per 300 square feet of floor area
Catering Service	1 space per 300 square feet of floor area
Child Day Care – Day Care Center	1 space per 300 square feet of floor area
Equipment Rental	1 space per 300 square feet of floor area
Financial Institutions	1 space per 300 square feet of floor area
Lodging	1 space per guest room
Maintenance Service – Client Site Services	1 space per 300 square feet of floor area
Massage Establishments	1 space per 300 square feet of floor area
Medical Services – Clinic/Urgent Care	1 space per 300 square feet of floor area
Medical Services – Doctor Office	1 space per 300 square feet of floor area
Medical Services – Extended Care	1 space per every 3 beds
Mortuary/Funeral Home	1 space per 300 square feet of floor area

Table 3.3: Required Parking Spaces by Land Use	
Land Use	Parking Requirement
Office	1 space per 300 square feet of floor area
Personal Service	1 space per 300 square feet of floor area
Repair Services	1 space per 300 square feet of floor area
Vehicle Rental	1 space per 300 square feet of floor area
Vehicle Repair and Services	1 space per 300 square feet of floor area
<b>Industry, Manufacturing &amp; Processing</b>	
High Technology Uses	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Manufacturing, Artisan	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Manufacturing/Processing	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Media Production	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Printing and Publishing	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Recycling-Processing Facilities	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Storage-Warehouse	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Storage-Outdoor	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Storage – Personal Storage Facility	1 space per 50 storage units, minimum of 2 spaces
Storage-Vehicles	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
Wholesaling and Distribution	1 space per 750 square feet of floor area plus 1 space per 2,000 square feet of outdoor use area
<b>Recreational, Education &amp; Public Assembly</b>	
Commercial Recreation Facility - Indoor	Theater/Cinema: <ul style="list-style-type: none"> <li>1 space per 20 square feet of seating floor area</li> </ul> Other: <ul style="list-style-type: none"> <li>1 space per 500 square feet of floor area</li> </ul>

Table 3.3: Required Parking Spaces by Land Use	
Land Use	Parking Requirement
Commercial Recreation Facility – Outdoor	1 space per 1,000 square feet of lot area
Community Gardens	2 spaces
Health/Fitness Facility	1 space per 300 square feet of floor area
Meeting Facility, public or private	1 space per 4 seats, but not less than 1 space per 40 square feet of floor area of the largest meeting hall
Recreational Vehicle Park	1 space per unit plus 1 guest space per every 4 units
Specialized Education/Training	1 space per 300 square feet of floor area
Studio – Art, Dance, Martial Arts	1 space per 300 square feet of floor area
Transportation & Infrastructure	
Freight Terminal	1 space per 300 square feet of office floor area
Parking Facility	1 space per 300 square feet of office floor area
Telecommunication Facility	1 space per 300 square feet of office floor area

**Part 11.** Article IX Development Code, Chapter 4 Standards for Specific Development and Land Uses, Section 4.10.040 Bed & Breakfast Inns is hereby deleted:

**4.10.040 ~~Bed & Breakfast Inns~~**

- ~~A. **Purpose.** This Section provides standards for the development and operation of Bed and Breakfast Inns (B&B) where allowed by Chapter 2 (Zones and Allowable Land Uses). The intent of these provisions is to ensure the compatibility between the B&B and surrounding residential uses.~~
- ~~B. **Limitation on number.** In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no bed and breakfast shall be located within 300 feet of an existing bed and breakfast.~~
- ~~C. **Exterior appearance.** The exterior appearance of a B&B shall maintain its residential character.~~
- ~~D. **Limitation on services provided.** Service shall be limited to the rental of bedrooms or suites; and meal/beverage service shall be provided for registered guests only. Separate/additional kitchens for guests are not allowed. Additional services and special events may be allowed only as specifically provided by the Use Permit approval for the facility, where the Review Authority determines that the type and frequency of the approved services and events will not adversely affect the residential character of the neighborhood, or allow for a use more intensive than typically associated with a B&B.~~
- ~~E. **Signs.** The Review Authority may approve one sign.~~

**Part 12. Severability.** The City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Part 13. Repeal of Conflicting Provisions.** The provisions of this ordinance shall govern and supersede any other provisions of the Grover Beach Municipal Code as heretofore adopted by the City of Grover Beach that are in conflict with the provisions of this ordinance.

**Part 14. Effective Date.** This Ordinance shall not become effective and in full force and effect until 12:01 a.m. on the thirtieth day after adoption by the City Council, or 12:01 a.m. on the day after final certification by the California Coastal Commission, whichever occurs later. However, within fifteen (15) days after adoption by the City Council, the Ordinance shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

**INTRODUCED** at a regular meeting of the City Council held on June 3, 2019 and **PASSED, APPROVED,** and **ADOPTED** by the City Council on the 17<sup>th</sup> day of June, 2019, on the following roll call vote, to wit:

AYES: Council Members -  
NOES: Council Members -  
ABSENT: Council Members -  
ABSTAIN: Council Members -  
RECUSED: Council Members -

**\*\* D R A F T \*\***

\_\_\_\_\_  
JEFF LEE, MAYOR

Attest:

\_\_\_\_\_  
WENDI SIMS, CITY CLERK

Approved as to Form:

\_\_\_\_\_  
DAVID P. HALE, CITY ATTORNEY



**RESOLUTION NO. 19-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, CALIFORNIA AUTHORIZING AND DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO SUBMIT THE LOCAL COASTAL IMPLEMENTATION AMENDMENT ASSOCIATED WITH ORDINANCE NO. 19-04 TO THE CALIFORNIA COASTAL COMMISSION FOR FINAL CERTIFICATION**

**WHEREAS**, the Local Coastal Program Amendment associated with Ordinance No. 19-04 would amend the City's Development Code to regulate short-term rentals; and

**WHEREAS**, the Ordinance requires a Local Coastal Program Amendment because it is amending Development Code Chapters 2, 3, 6, and 9; and

**WHEREAS**, the Local Coastal Program Amendment is intended to be carried out in a manner that is fully in conformity with the Coastal Act; and

**WHEREAS**, the Planning Commission held a public hearing on May 22, 2019 and recommended the City Council approve the Development Code Amendment and Local Coastal Program Amendment; and

**WHEREAS**, the amendments are not a project within the meaning of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) Section 15378 because the amendments will not result an direct or indirect physical change in the environment; and

**WHEREAS**, the City Council at its meeting on June 3, 2019 conducted the first reading of Ordinance No. 19-04; and

**WHEREAS**, the City Council at its meeting on June 17, 2019 adopted Ordinance No. 19-04; and

**WHEREAS**, the proposed Local Coastal Program Amendment will take effect automatically upon final certification by the Coastal Commission unless revisions are made by the Coastal Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Grover Beach **DOES HEREBY AUTHORIZE AND DIRECT** the Community Development Director to submit a Development Code amendment to regulate short-term rentals associated with Ordinance No. 19-04, to the California Coastal Commission for final certification.

Upon motion by Council Member \_\_\_\_\_, second by Council Member \_\_\_\_\_, and on the following roll call vote:

AYES: Council Members  
NOES: Council Members –  
ABSENT: Council Members –  
ABSTAIN: Council Members –

the foregoing Resolution was **PASSED, APPROVED, AND ADOPTED** at the Regular Meeting of the City Council of the City of Grover Beach, California, this 17<sup>th</sup> day of June, 2019.

**\*\*DRAFT\*\***

\_\_\_\_\_  
JEFF LEE, MAYOR

ATTEST:

\_\_\_\_\_  
WENDI SIMS, CITY CLERK