

P.C. RESOLUTION NO. 2018-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES RECOMMENDING TO THE CITY COUNCIL THAT AN ORDINANCE BE ADOPTED AMENDING CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 (ZONING) OF THE RANCHO PALOS VERDES MUNICIPAL CODE TO EXPAND THE DEFINITION OF A SHORT-TERM RENTAL (CASE NO. ZON2017-00486).

WHEREAS, the City of Rancho Palos Verdes Municipal Code prohibits the operation of or advertisement for a short-term rental in a single-family and multi-family residential zoning district;

WHEREAS, the City of Rancho Palos Verdes Municipal Code Section 17.96.1705 defines a short-term rental as “a rental of a dwelling unit or part of a dwelling unit to visitors where lodging is furnished for compensation for a period of less than 30 days, except as allowed by Section 17.76.140 (Bed and Breakfast Inns)”;

WHEREAS, on November 8, 2017, the City Council initiated code amendment proceedings to expand the definition of a short-term rental to include certain commercial activities and adopted Urgency Ordinance No. 604U to preserve the public health, safety and welfare while such proceedings were pending;

WHEREAS, on December 14, 2017, a Public Notice was published in the Peninsula News, providing notice of a public hearing before the Planning Commission on January 9, 2018; and

WHEREAS, on January 9, 2018, the Planning Commission held a duly-noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. The Planning Commission has determined that the short-term rental of residential properties in the City for the purposes of hosting weddings, banquets, parties and events present quality of life impacts to the City's residents, as they involve safety, and general welfare concerns, such as noise, traffic, trash, and crime.
2. The City has a compelling interest in protecting the public health, safety and welfare of its citizens, visitors and businesses in preserving the residential character and quiet enjoyment of the neighborhoods within the City.
3. The Planning Commission has reviewed and considered the proposed amendment to Chapter 17.96 (Definitions) of Title 17 of the Rancho Palos

Verdes Municipal Code to expand the definition of a short-term rental to include the rental of a dwelling unit to visitors for compensation, for a period less than 30 days, for commercial purposes, including, but not limited to, lodging, weddings, banquets or events, unless expressly permitted by the City, such as a Film Permit or Conditional Use Permit for a Bed and Breakfast.

4. The Planning Commission finds that the proposed amendment to Title 17 is consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that it upholds, and does not hinder, the goals and policies of those plans. Specifically, the Code Amendment will preserve the rural and open character of the City by prohibiting commercial events in residential neighborhoods.
5. The Planning Commission finds that the amendment to Title 17 is necessary to preserve the public health, safety and general welfare in the City's Residential Zoning Districts.
6. The Planning Commission finds that the proposed amendment is exempt from the requirements of Pursuant to the provisions of the California Environmental Quality Act and Government Code Section 65962.5(f).
7. For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby recommends to the City Council that an Ordinance be adopted entitled, "AN ORDINANCE AMENDING CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 (ZONING) OF THE RANCHO PALOS VERDES MUNICIPAL CODE TO EXPAND THE DEFINITION OF A SHORT-TERM RENTAL (CASE NO. ZON2017-00486)," in the form attached to this Resolution as Exhibit "A".

PASSED, APPROVED and ADOPTED this 9th day of January 2018, by the following vote:

AYES: Commissioners Bradley, Emenhiser, Tomblin, Leon, and Vice-Chair James

NOES: Commissioner Nelson

ABSTENTIONS: None

RECUSALS: None

ABSENT: None



William J. James,
Vice Chairman



Ara Mihranian AICP
Director of Community Development
Secretary to the Planning Commission

EXHIBIT "A"

DRAFT ORDINANCE NO. __

Please see attached.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES AMENDING CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL CODE TO EXPAND THE DEFINITION OF A SHORT-TERM RENTAL (CASE NO. ZON2017-00486).

WHEREAS, the City of Rancho Palos Verdes Municipal Code prohibits the operation of or advertisement for a short-term rental in a single-family and multi-family residential zoning district;

WHEREAS, the City of Rancho Palos Verdes Municipal Code Section 17.96.1705 defines a short-term rental as "a rental of a dwelling unit or part of a dwelling unit to visitors where lodging is furnished for compensation for a period of less than 30 days, except as allowed by Section 17.76.140 (Bed and Breakfast Inns)";

WHEREAS, on November 8, 2017, the City Council initiated code amendment proceedings to expand the definition of a short-term rental to include certain commercial activities and adopted Urgency Ordinance No. 604U to preserve the public health, safety and welfare while such proceedings were pending;

WHEREAS, on December 14, 2017, a Public Notice was published in the Peninsula News, providing notice of a public hearing before the Planning Commission on January 9, 2018;

WHEREAS, on January 9, 2018, the Planning Commission conducted a duly noticed public hearing on this Ordinance and adopted P.C. Resolution No. 2018-03, recommending that the City Council adopt the same;

WHEREAS, on _____, a Public Notice was published in the *Peninsula News*, providing a notice of a public hearing before the City Council on _____;

WHEREAS, on _____, the City Council conducted a duly noticed public hearing on this Ordinance, and all testimony was received was made a part of the public record; and,

WHEREAS, the City Council has duly considered all information presented to it, including the Planning Commission findings, P.C. Resolution No. 2018-03, written staff reports, and any testimony provided at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Rancho Palos Verdes hereby makes the following findings:

- A. The City Council has determined that the short-term rental of residential properties in the City for the purposes of hosting weddings, banquets, parties and events present quality of life impacts to the City's residents, as they involve safety, and general welfare concerns, such as noise, traffic, trash, and crime.
- B. The City has a compelling interest in protecting the public health, safety and welfare of its citizens, visitors and businesses in preserving the residential character and quiet enjoyment of the neighborhoods within the City.
- C. The City Council has reviewed and considered the proposed amendment to Chapter 17.96 (Definitions) of Title 17 of the Rancho Palos Verdes Municipal Code to expand the definition of a short-term rental to include the rental of a dwelling unit to visitors for compensation, for a period less than 30 days, for commercial purposes, including, but not limited to, lodging, weddings, banquets or events, unless expressly permitted by the City, such as a Film Permit or Conditional Use Permit for a Bed and Breakfast.
- D. The City Council finds that the proposed amendment to Title 17 is consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that it upholds, and does not hinder, the goals and policies of those plans. Specifically, the Code Amendment will preserve the rural and open character of the City by prohibiting commercial events in residential neighborhoods.
- E. The City Council finds that the amendment to Title 17 is necessary to preserve the public health, safety and general welfare in the City's Residential Zoning Districts.
- F. The City Council finds that the proposed amendment is exempt from the requirements of Pursuant to the provisions of the California Environmental Quality Act and Government Code Section 65962.5(f).

Section 2. **Section 17.96.1705 (Short-Term Rental)** of Chapter 17.96 (Definitions) of Title 17 (Zoning) of the Rancho Palos Verdes Municipal Code is hereby repealed and replaced with the following:

17.96.1705 - Short-Term Rental

"Short-term rental" means a rental, for compensation, of all or any part of any lot or dwelling unit to visitors for (a) any event or gathering including, but not limited to, weddings, banquets, and parties, or (b) for lodging for a period of less than 30 days, in either case except as allowed by Section 17.76.140 (Bed and Breakfast Inns), or as may be expressly permitted by the City. "For Compensation" includes,

but is not limited to, rental of the property for money, goods, or services, as well as in-kind exchanges of goods, services, or premises.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or circumstance, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 4. Certification and Posting. The City Clerk shall cause this Ordinance to be posted in three (3) public places in the City within fifteen (15) days after its passage, in accordance with the provisions of Section 36933 of the Government Code. The City Clerk shall further certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of the Council of this City.

PASSED, APPROVED and ADOPTED this ___TH day of _____ 2018.

Susan Brooks, Mayor

ATTEST:

Emily Colborn, City Clerk

