



MEMORANDUM

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: ARA MIHRANIAN, AICP, COMMUNITY DEVELOPMENT DIRECTOR 
DATE: JULY 12, 2016
SUBJECT: CODE AMENDMENT TO PROHIBIT SHORT-TERM RENTALS AND THE ADVERTISEMENT OF SHORT-TERM RENTALS IN ALL SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS (CASE NO. ZON2016-00188)

Project Manager: Octavio Silva, Associate Planner 

RECOMMENDATION

Adopt P.C. Resolution No. 2016-__, thereby recommending to the City Council that the Council adopt an Ordinance amending Chapter 17.02 (Single-Family Residential Districts), Chapter 17.76 (Miscellaneous Permits and Standards), and Chapter 17.96 (Definitions) of Title 17 of the City’s Development Code to prohibit short-term rentals and the advertisement of short-term rentals in all of the City’s single-family residential zoning districts.

BACKGROUND

At the October 20, 2015 City Council meeting, in response to the uptick in public complaints regarding the operation of short-term rentals in residential neighborhoods, the City Council requested Staff research how neighboring Cities regulate short-term rentals. The Council’s directive was to provide options that would regulate such uses within City.

On May 17, 2016, Staff reported (see attached Staff Report) to the City Council how other neighboring cities regulate short-term rentals, as well as recommending that the City

Council consider initiating code amendment proceedings to prohibit short-term rentals in all of the City's single-family residential zoning districts. After some discussion and considering public testimony (see attached minutes), the City Council agreed with Staff's recommendation and initiated the code amendment proceedings. Thus, pursuant to Section 17.68.030(A) of the RPVMC, the Planning Commission is being asked this evening to review and recommend draft code language that will be forwarded to the Council for consideration.

A Public Notice of tonight's public hearing was published in the *Peninsula News* on June 23, 2016. Additionally, the Public Notice was also emailed to all "Interested Parties" who previously submitted comments to the City regarding short-term rentals, and on July 1, 2016, a listserve message was sent to Breaking News subscribers, as well as posted on the City's Nextdoor account.

DISCUSSION

Hosting platforms found on the internet, such as Airbnb and Flipkey, have facilitated the popularity of renting single-family residences as vacation rentals on a short term basis. A recent survey of vacation rental websites conducted by an outside source, Host Compliance, found 101 listings and 80 unique short-term rental properties within the City of Rancho Palos Verdes (not including vacation home exchanges). Up until recently, the City received an occasional complaint regarding short-term rentals. However, over the past few months, the City's Code Enforcement Division has received numerous complaints from residents regarding short-term rentals occurring within the City, creating adverse impacts in residential neighborhoods throughout the City. The most common impacts reported include excessive noise, trash and parking problems. More specifically, complaints received indicate that short-term rental properties within the City are typically being utilized as "party-houses" to host weddings or other large banquet-related celebrations, which are often conducted on weekends and extend into late hours of the night.

A number of Cities in the area have taken steps to prohibit short-term rental and related uses within their communities (see attachment). Among the cities located on the Peninsula, Staff found that the City of Rolling Hills adopted an ordinance to prohibit short-term rentals, while the City of Palos Verdes Estates is considering adopting an ordinance to prohibit short-term rentals. Lastly, Staff found that the City of Rolling Hills Estates currently does not have regulations surrounding short-term rentals

Title 17 (Development Code) of the Rancho Palos Verdes Municipal Code (RPVMC) is silent regarding regulations or prohibitions relating to short-term rentals. However, the Zoning Code is structured as a "permissive zoning system" such that short-term rentals, which are uses that are not specifically enumerated in the Zoning Code, are currently considered to be prohibited in the City. In order to eliminate any ambiguity or confusion as to whether or not short term rentals are permitted or prohibited, Staff recommends adding language to the Zoning Code specifically prohibiting short-term rentals.

Proposed Code Language

Pursuant to the City Council's direction, Staff recommends that in order to clearly enumerate the prohibition and distinction between short-term rentals and "bed and breakfast inns," which are conditionally permitted in single-family residential zones, that amendments be considered to Chapter 17.02.025 (Single-Family Residential – Uses and development permitted by conditional use permit), Chapter 17.76.140 (Bed and Breakfast Inns), and Chapter 17.96 (Definitions). The proposed language deletions are shown in ~~strikethrough~~ text, and the proposed language additions are shown in underline text.

17.02.025 - Uses and development permitted by conditional use permit.

- C. ~~Bed and breakfast inns; shall not include short-term rentals as defined in sec. 17.96.1705 of this code, as short-term rentals and the advertisement of short-term rentals are prohibited in all Single-Family Residential (RS) Districts, including the RS-A-5, RS-1, RS-2, RS-3, RS-4 and RS-5 zones;~~

17.76.140 - Bed and breakfast inns.

A. Purpose. This section provides criteria for the development, operation and regulation of bed and breakfast inns in the City. The purpose of this section does not apply to short-term rentals or the advertising of short-term rentals, as defined by sections 17.96.025 and 17.96.1705 of this code, as short-term rentals and the advertising of such uses is prohibited. These criteria ensure that bed and breakfast inns are developed and operated on adequate sites, at proper and desirable locations with respect to surrounding land uses, and the goals and objectives of the general plan and any applicable specific plans. These criteria further ensures that if located in residential districts, bed and breakfast inns are compatible with a residential environment.

17.96.025- Advertisement

"Advertisement" means any printed or lettered announcement, whether in a magazine, newspaper, handbill, notice, display, billboard, poster, email, internet website or application, or any other form.

17.96.1705- Short-Term Rental

"Short-term rental" shall mean:

- a. 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 thirty days, while at least one of the dwelling unit's owners or lessees lives on-site, in the dwelling unit, throughout the visitors' stay;
- b. A rental of a dwelling unit or part of a dwelling unit where lodging is furnished for compensation for a period of less than thirty days without concurrently being occupied by the dwelling unit's owner or lessee.

As noted in the above text, the prohibition of short-term rentals does not include the use of "bed and breakfasts" which is a conditionally permitted use in the City's single-family

residential zoning districts, nor does it include vacation home exchange programs, as such programs which typically don't involve the transaction of money between program participants. It should be noted that the use of short-term rentals is currently permitted at Terranea (Commercial-Recreational Zoning District) for the bungalows, casitas, and villas units owned by private entities when not occupied by the owner. For these units that are rented out as a short-term rentals, Terranea controls the key access and collects the transient occupancy tax that is paid to the City. Staff's proposed prohibition on short-term rentals in single family residential zoning districts would not prohibit the continued operation of short-term rentals at Terranea because the property is not zoned as a single-family residential zoning district.

With over 100 on-line hosting platforms and an equal amount of property listings throughout the City, which are constantly added, changed or removed on a day-to-day basis, compliance monitoring and enforcement of the City's recommended ban can prove to be cumbersome. In order to assist in the enforcement of the prohibition, it is recommended that the advertising of short-term rentals also be prohibited as described in the proposed text shown above. By prohibiting the advertising of short-term rentals, there would be no right to advertise illegal activity, which would allow the City to then take action directly against websites and/or the proprietor that facilitate such rentals and violating properties.

ADDITIONAL INFORMATION

Enforcement

As originally reported to the City Council, due to limited staff resources to monitor hosting platforms or respond to public complaints, Staff intends to utilize a private vendor (Host Compliance) that provides monitoring services of short-term rentals. The use of monitoring services by this vendor, which is the only vendor currently in this niche industry, may provide the City an opportunity to take a more pro-active enforcement approach in identifying violating properties and will minimize potential Staffing costs to enforce the prohibition of short-term rentals and the advertisement of such uses.

Public Outreach

If the proposed code amendments to prohibit the use and advertisement of short-term rentals are approved by the City Council, Staff's approach to inform the public of the ban would be a two-step process. First, Staff would notify the various hosting websites of the City's Ordinance prohibiting the use and advertisement of short-term rentals. Secondly, Staff would conduct a comprehensive public outreach effort that would include specific information related to the ban on the City's website, within the City's quarterly newsletter, as well as the City's social media resources (Facebook and Nextdoor).

Public Correspondence

As of the preparation of this report, Staff received a petition supporting the ban on short-term rentals (see attachment), and an email in opposition to the proposed ban (see attachment). Public correspondence received after the transmittal of this report will be provided to the Commission the night of the meeting as late correspondence.

Environmental Assessment

Staff has reviewed the proposed application for compliance with the California Environmental Quality Act (CEQA). It has been determined that the proposed Code Amendment is exempt from CEQA, pursuant to Section 15061(b)(3) because it consists only of minor revisions and clarifications to an existing zoning code and will not have the effect of deleting or substantially changing any regulatory standards or findings. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment, but rather will clarify prohibited uses of residential property in the City.

CONCLUSION

For the reasons stated throughout the Staff Report, Staff recommends that the Planning Commission review the proposed code language and if the proposed language is acceptable, adopt P.C. Resolution No. 2016-___, thereby recommending that the City Council adopt an ordinance prohibiting the use or advertisement of short-term rentals.

ALTERNATIVES

In addition to Staff's recommendation, the following alternatives are available for the Planning Commission's consideration:

- 1) Adopt P.C. Resolution No. 2016-___, recommending that the City Council approve the proposed Zoning Code Amendments with modifications;
- 2) Direct Staff to come back with modified language for consideration at a continued public hearing; or,
- 3) Direct Staff to come back at the next meeting with a resolution recommending that the City Council reject the prohibition of short-term rentals in the City's residential zoning districts and to develop a process for allowing the use.

ATTACHMENTS

- Draft P.C. Resolution No. 2016-___
 - Draft Ordinance No. ___
- May 17, 2016 City Council Staff Report (includes Table No.1 and public comments)
- May 17, 2016 C.C. Minutes

- Petition in Support of the Short-Term Rental Ban
- Email in Opposition of the Short-Term Rental Ban

P.C. RESOLUTION NO. 2016-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES RECOMMENDING TO THE CITY COUNCIL THAT THE COUNCIL ADOPT AN ORDINANCE AMENDING CHAPTER 17.02 (SINGLE-FAMILY RESIDENTIAL DISTRICTS), CHAPTER 17.76 (MISCELLANEOUS PERMITS AND STANDARDS) AND CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 OF THE CITY'S DEVELOPMENT CODE TO PROHIBIT SHORT-TERM RENTALS AND THE ADVERTISEMENT OF SHORT-TERM RENTALS IN ALL OF THE CITY'S SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS.

WHEREAS, the Development Code (Title 17) is structured as a "permissive zoning system" such that short-term rentals, are uses that are not specifically enumerated in the Zoning Code, and are currently considered to be prohibited in the City; and,

WHEREAS, the City of Rancho Palos Verdes Development Code does not provide sufficient regulations for short-term rentals nor does the Development Code expressly prohibit short-term rentals; and,

WHEREAS, on October 20, 2015, the City Council requested that Staff research how neighboring Cities regulate short-term rentals, and requested that Staff provide the City Council with options for the regulating such uses within the City; and,

WHEREAS, on May 17, 2016, Staff reported to the City Council how other neighboring cities regulate short-term rentals, as well as recommending that the City Council consider initiating code amendment proceedings to prohibit short-term rentals in all of the City's single-family residential zoning districts. After some discussion and considering public testimony, the City Council initiated the code amendment proceedings; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), it has been determined that the proposed Code Amendment is exempt from CEQA, pursuant to Section 15061(b)(3) because it consists only of minor revisions and clarifications to an existing zoning code and will not have the effect of deleting or substantially changing any regulatory standards or findings. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment, but rather will clarify prohibited uses of residential property in the City; and,

WHEREAS, on June 23, 2016, a Public Notice was published in the *Peninsula News* and mailed to all interested parties, providing notice of a public hearing before the Planning Commission on July 12, 2016; and

WHEREAS, on July 12, 2016, 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:

Section 1: The Planning Commission finds that the facts set forth in the recitals of this Resolution are true and correct and are incorporated herein by reference as though set forth in full.

Section 2: The Planning Commission has reviewed and considered the amendments to Chapter 17.02 (Single-Family Residential Districts), Chapter 17.76 (Miscellaneous Permits and Standards) and 17.96 (Definitions) of the City's Municipal Code of Title 17 of the City's Municipal Code.

Section 3: The Planning Commission finds that the amendments to Title 17 are consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that they uphold, and not hinder, the goals and policies of those plans.

Section 4: The Planning Commission finds that the amendments to Title 17 are necessary to preserve the public health, safety, and general welfare in the area.

Section 5: 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 that the City Council adopt an Ordinance entitled, AN ORDINANCE amending "CHAPTER 17.02 (SINGLE-FAMILY RESIDENTIAL DISTRICTS), CHAPTER 17.76 (MISCELLANEOUS PERMITS AND STANDARDS) AND CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 OF THE CITY'S MUNICIPAL CODE TO PROHIBIT SHORT-TERM RENTALS AND THE ADVERTISEMENT OF SHORT-TERM RENTALS" in the form attached to this Resolution as Exhibit "A".

PASSED, APPROVED, AND ADOPTED this 12th day of July 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSSALS:

ABSENT:

David L. Tomblin,
Chairman

Ara Mihranian,
Community Development Director
Secretary to the Planning Commission

EXHIBIT "A"

DRAFT ORDINANCE NO. ___

Please see attached.

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 17.02 (SINGLE-FAMILY RESIDENTIAL DISTRICTS), CHAPTER 17.76 (MISCELLANEOUS PERMITS AND STANDARDS) AND CHAPTER 17.96 (DEFINITIONS) OF TITLE 17 OF THE CITY'S DEVELOPMENT CODE TO PROHIBIT SHORT-TERM RENTALS AND THE ADVERTISEMENT OF SHORT-TERM RENTALS IN ALL OF THE CITY'S SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS.

WHEREAS, the Development Code (Title 17) is structured as a "permissive zoning system" such that short-term rentals, are uses that are not specifically enumerated in the Zoning Code, and are currently considered to be prohibited in the City; and,

WHEREAS, the City of Rancho Palos Verdes Development Code does not provide sufficient regulations for short-term rentals nor does the Development Code expressly prohibit short-term rentals; and,

WHEREAS, on October 20, 2015, the City Council requested that Staff research how neighboring Cities regulate short-term rentals, and requested that Staff provide the City Council with options for the regulating such uses within the City; and,

WHEREAS, on May 17, 2016, Staff reported to the City Council how other neighboring cities regulate short-term rentals, as well as recommending that the City Council consider initiating code amendment proceedings to prohibit short-term rentals in all of the City's single-family residential zoning districts. After some discussion and considering public testimony, the City Council initiated the code amendment proceedings; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), it has been determined that the proposed Code Amendment is exempt from CEQA, pursuant to Section 15061(b)(3) because it consists only of minor revisions and clarifications to an existing zoning code and will not have the effect of deleting or substantially changing any regulatory standards or findings. The proposed Ordinance is an action that does not have the potential to cause significant effects on the environment, but rather will clarify prohibited uses of residential property in the City; and,

WHEREAS, on June 23, 2016, a Public Notice was published in the *Peninsula News* and mailed to all interested parties, providing notice of a public hearing before the Planning Commission on July 12, 2016; and,

WHEREAS, on July 12, 2016, the Planning Commission reviewed and considered the proposed code amendments to Chapter 17.02 (Single-Family Residential Districts),

Chapter 17.76 (Miscellaneous Permits and Standards) and Chapter 17.96 (Definitions) of Title 17 of the Municipal Code Municipal Code, and adopted P.C. Resolution No. 2016-___, recommending that the City Council adopt this Ordinance; and,

WHEREAS, on _____, after notice issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the City Council of the City of Rancho Palos Verdes conducted and concluded a duly noticed public hearing concerning the Municipal Code amendments contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments; and,

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred; and,

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

Section 1. The facts set forth in the Recitals are true and correct.

Section 2: The City Council finds that the amendments to the Title 17 are consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that they uphold, and not hinder, the goals and policies of those plans.

Section 3: The City Council finds that the amendments to Title 17 are necessary to preserve the public health, safety, and general welfare in the area.

Section 4. Chapter 17.02.025 (Single-Family Residential – Uses and development permitted by conditional use permit), Chapter 17.76.140 (Bed and Breakfast Inns, and Chapter 17.96 (Definitions) of the Rancho Palos Verdes Municipal Code are hereby amended to read as follows (proposed deletions ~~struck out~~; proposed additions underlined) :

17.02.025 - Uses and development permitted by conditional use permit.

C. Bed and breakfast inns; shall not include short-term rentals as defined in sec. 17.96.1705 of this code, as short-term rentals and the advertisement of short-term rentals are prohibited in all Single-Family Residential (RS) Districts, including the RS-A-5, RS-1, RS-2, RS-3, RS-4 and RS-5 zones;

17.76.140 - Bed and breakfast inns.

A. Purpose. This section provides criteria for the development, operation and regulation of bed and breakfast inns in the City. The purpose of this section does not apply to short-term rentals or the advertising of short-term rentals, as defined by sections 17.96.025 and 17.96.1705 of this code, as short-term rentals and the advertising of such uses is prohibited. These criteria ensure that bed and breakfast inns are developed and operated on adequate sites, at proper and desirable

locations with respect to surrounding land uses, and the goals and objectives of the general plan and any applicable specific plans. These criteria further ensures that if located in residential districts, bed and breakfast inns are compatible with a residential environment.

17.96.025- Advertisement

“Advertisement” means any printed or lettered announcement, whether in a magazine, newspaper, handbill, notice, display, billboard, poster, email, internet website or application, or any other form.

17.96.1705- Short-Term Rental

“Short-term rental” shall mean:

- a. 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 thirty days, while at least one of the dwelling unit’s owners or lessees lives on-site, in the dwelling unit, throughout the visitors’ stay;
- b. A rental of a dwelling unit or part of a dwelling unit where lodging is furnished for compensation for a period of less than thirty days without concurrently being occupied by the dwelling unit’s owner or lessee.

Section 5. Severability. If any section, subsection, subdivision, 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 6. 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 _____ 2016.

Mayor

ATTEST:

Carla Morreale, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss
CITY OF RANCHO PALOS VERDES)

I, CARLA MORREALE, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. ___ passed first reading on _____, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on _____, and that the same was passed and adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY CLERK

AGENDA DESCRIPTION:

Consideration and possible action to initiate a code amendment regarding short-term rentals in the City (Planning Case No. ZON2016-00188)

RECOMMENDED COUNCIL ACTION:

- (1) Review the options to regulate short-term rentals in the City, including Staff's recommended option to prohibit short-term rentals in the City's single-family residential zoning districts; and,
- (2) If Staff's recommended option is deemed acceptable, initiate Code Amendment proceedings to prohibit short-term rentals in the City's single-family residential zoning districts.

FISCAL IMPACT: If short-term rentals are prohibited in the City's single-family residential zoning districts, in order to monitor hosting platforms on the Internet, funding is recommended to outsource this service in an amount ranging between \$4,500 and \$7,800 annually. A budget appropriation will be brought back to the Council with more information at a later date.

Amount Budgeted:	N/A
Additional Appropriation:	N/A
Account Number(s):	N/A

ORIGINATED BY: Octavio Silva, Associate Planner *OS*

REVIEWED BY: Ara Mhuranian, AICP, Community Development Director *Am*

APPROVED BY: Doug Willmore, City Manager *DW*

ATTACHED SUPPORTING DOCUMENTS:

- A. Public Comments (page A-1)
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BACKGROUND AND DISCUSSION:

At the October 20, 2015 meeting, the City Council requested that Staff research the issue of short-term rentals in neighboring cities and provide options for regulating such uses in the City.

Hosting platforms found on the Internet, such as Airbnb, VRBO and Flipkey, have facilitated the popularity of renting single-family residences as vacation rentals on a short-term basis. While the City does not have a definition for short-term rentals, generally the industry considers a short-term rental to be any single-family residential unit rented for a period of less than 30 consecutive days. A recent survey of vacation rental websites, conducted by an outside source, found 101 listings and 80 unique

short-term rental properties within the City of Rancho Palos Verdes (not including vacation home exchanges).

Up until recently, the City received an occasional complaint regarding short-term rentals. However, over the past few months, the City's Code Enforcement Division has received numerous complaints from residents regarding short-term rentals occurring in the City and adversely impacting a neighborhood's character. Generally speaking, the complaints seem to be focused upon five known residences that are being used to host parties or large groups. The public concerns expressed include excessive noise, parking issues and trash accumulation. The City's Development Code (Title 17) is currently silent as to express regulations or prohibitions relating to short-term rentals. However, the Development Code is structured as a "permissive zoning system" such that short-term rentals, as uses not specifically enumerated in the Development Code, are currently prohibited. That being said, the Development Code being silent regarding short-term rentals in the City's residential districts introduces ambiguity and makes code enforcement more difficult by failing to provide clear direction to the City's residents and property owners.

The City of Rancho Palos Verdes' Development Code, like those of many cities, was not written to anticipate the advent of short-term rentals and their potential to cause negative impacts in the community. As a result, many cities have found themselves reevaluating their codes to address these issues more specifically. A recent survey of local cities found that regulation of short-term rentals varies among jurisdictions (see Table No. 1 below). Among the cities located on the Peninsula, Staff found that the City of Rolling Hills adopted an ordinance to prohibit short-term rentals, while the City of Palos Verdes Estates is considering adopting an ordinance to prohibit short-term rentals. Lastly, Staff found that the City of Rolling Hills Estates currently does not have regulations surrounding short-term rentals, however, it is Staff's understanding that short-term rentals are considered commercial activity and therefore prohibited in residential zones.

Table No. 1: Regulation of Short-Term Rentals

City	Prohibits Short-Term Rentals	Permits Short-Term Rentals by Right	Permits Short-Term Rentals Subject to Conditions	Other
City of Rolling Hills	Prohibited in Single-Family Residential Zones			
City of Palos Verdes Estates	Considering prohibiting short-term rentals in Commercial, Single family, and Multi-Family Zones			

City	Prohibits Short-Term Rentals	Permits Short-Term Rentals by Right	Permits Short-Term Rentals Subject to Conditions	Other
City of Rolling Hills Estates				No adopted ordinance or regulations
City of Manhattan Beach	Prohibited In Single-Family Residential Zones			
City of Hermosa Beach	Considering prohibiting short-term rentals in residential zones			
City of Redondo Beach				Focusing on enhanced public outreach and education
City of Malibu			Requires a Special Use Permit in Residential Zones	
City of Los Angeles		Requires Registration w/ the City		

While there is no clear consensus on the regulation of short-term rentals or a single approach to regulate such uses, the following three options that are commonly considered by cities regulating short-term rentals (as shown in Table No 2 below), as well as the pros and cons of each option, is available for the Council's consideration:

Table No. 2: Pros and Cons of Regulating Short-Term Rentals

Options	Pros	Cons
Prohibit Short-Term Rentals	<ul style="list-style-type: none"> • Preservation of residential character of the neighborhood • Mitigating potential noise, traffic, and parking impacts to neighborhoods 	<ul style="list-style-type: none"> • Transit occupancy taxes cannot be collected • Challenges with monitoring hosting platforms • Challenges with enforcement • Encourages an underground economy
Permit Short-Term Rentals by Right	<ul style="list-style-type: none"> • Means of income for property owners • Increase revenue for the City through collection of TOT and business licenses 	<ul style="list-style-type: none"> • Threats to the residential character of the neighborhood • Potential noise, traffic and parking Impacts to surrounding neighbors • Potential decrease in property values

Options	Pros	Cons
	<ul style="list-style-type: none"> • Reduced housing stock (if continually used as short term rental) • Reduced code enforcement challenges 	
<p>Permit Short-Term Rentals Subject to Conditions (i.e. Conditional Use Permit or Special Use Permit)</p>	<ul style="list-style-type: none"> • Means of income for property owners • Increase revenue for the City through collection of TOT, business licenses and permits • The City's ability to regulate the operation and impose conditions. 	<ul style="list-style-type: none"> • If City's conditions are too strict or complex, operators may not comply • Challenges with enforcement of conditions • Encourages an underground economy

Of the three options listed above, Staff's recommended option is to prohibit short-term rentals in the City's single-family residential zoning districts. Staff's research found that programs enacted to permit and regulate short-term rentals in other cities are often cumbersome and tend to lack effective enforcement and monitoring. In addition, Staff found that some cities, such as Manhattan Beach, which initially sought to permit short-term rentals, reversed their decision after receiving complaints about such uses from the community. Prohibiting short-term rentals would preserve the residential character of the City's neighborhoods and would allow City Staff to take immediate enforcement action, once a violating property is found. It should be noted that this option may present some enforcement challenges, as short-term rental listings vary from day-to-day and can occur on multiple hosting platforms available on the Internet. Furthermore, to minimize Staff resources in monitoring hosting platforms, Staff would have to rely on complaint-based notifications of violating properties. Thus, in an effort to address such challenges, City Staff recently met with a private vendor (Host Compliance) that provides monitoring services of short-term rentals. The cost for such services varies between approximately \$4,500 and \$7,800 a year based on the desired services. The use of monitoring services by this vendor, which is the only vendor currently in this niche industry, may provide the City an opportunity to take a more pro-active enforcement approach in identifying violating properties and will minimize potential Staffing costs to enforce the prohibition of short-term rentals. If the Council is interested in utilizing services provided by this vendor, Staff will come back with a professional service agreement and budget appropriation.

Staff's recommended option would require the initiation of a Code Amendment to expressly prohibit short-term rentals in the City's single-family residential zoning districts. If initiated, the Code Amendment would be reviewed by the Planning Commission at a duly noticed public hearing and a recommendation forwarded to the City Council. More specifically, the City will have to prepare a Code Amendment that addresses the following:

- Codify a definition of short-term rentals.

- Expressly prohibit the use of short-term rentals in all single-family residential zoning districts

It should be noted that the prohibition of short-term rentals does not include the operation of “bed-and-breakfasts” which are a conditionally permitted use in the City’s single-family residential zoning districts and which provide more occupant oversight, since “bed-and-breakfast” uses are generally owner-occupied and operate under established conditions of approval. In addition, the prohibition of short-term rentals would not apply to vacation home exchange programs, as such programs typically do not involve the exchange of money between program participants and do not result in code enforcement complaints. Thus, the “short-term rental” definition that the Planning Commission will be asked to consider will exclude home exchange programs. Additionally, the use of short-term rentals is currently permitted at the Terranea Resort (Commercial-Recreational Zoning District) for the bungalows, casitas, and villas units owned by private entities when not occupied by the owner. For these units that are rented out as a short-term rental, the resort controls the key access and collects the transient occupancy tax that is paid to the City. Staff’s proposed prohibition on short-term rentals in single family residential zoning districts would not apply to the Terranea Resort.

CONCLUSION:

Cities have options available to regulate short-term rentals, each of which presents some positive and negative aspects of regulating such uses. Due to the code enforcement complaints and concerns that prompted this item to be brought before the City Council, Staff is recommending the prohibition of short-term rentals.

ALTERNATIVES:

In addition to the Staff recommendations, the following alternative actions are available for the City Council’s consideration:

1. Identify additional options for Staff to research for Council consideration at a future meeting;
2. Affirm that the City’s Zoning Code, operating as a “permissive zoning system,” currently prohibits short-term rentals because such uses are not specifically enumerated in the Zoning Code, and direct Staff not to proceed with amending the Code; or,
3. Direct Staff to take no action at this time.

Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:31 PM
To: Octavio Silva
Subject: FW: Air bnb on Sunnyside Ridge Road

From: Chrissy K Meisterheim [mailto:ckmeisterheim@gmail.com]
Sent: Wednesday, February 10, 2016 4:13 PM
To: Julie Peterson <JulieP@rpvca.gov>
Subject: Air bnb on Sunnyside Ridge Road

Dear Ms. Julie Peterson

We have been informed that the owners of the property at 2553 Sunnyside Ridge Road use this single-family residential building for short-term rental, advertise and make the property available, in regular daily basis and without special use license, for wedding receptions, baby showers, birthdays and other entertainment purposes. Such unpermitted use adversely impacts the surrounding properties, substantially increases noise, impedes pedestrian access, degrades vehicular circulation and equally important inflicts a negative bearing on the character of the community and the street.

We believe using the property in the single-family residential (RS) district as rental event venue without special use license violates the zoning ordinance, municipal code section 17.02.020, Uses and development permitted (Ord. No. 529, § 17, 11-15-11; Ord. No. 535, § 3, 4-17-12). We hereby request the city of RPV code enforcement to follow-up in this matter and use appropriate enforcing mechanism to a) prevent owners to continue using this property in such manner, or b) require special use license with detailed plan as well as imposing appropriate and reasonable conditions and restrictions to stop all disturbances from this property and to maintain the quite and friendly character of the Sunnyside Ridge Road community.

We appreciate if you keep us informed on any development in this matter. Please feel free to contact me for additional details if needed.

For reference, advertisement for this property can be found here: https://www.airbnb.com/rooms/9493841?s=SPw4T5_G

Sincerely,

Chrissy Meisterheim,
President, Sunnyside Community Association



--

Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:31 PM
To: Octavio Silva
Subject: FW: Sunnyside Ridge Air bnb situation
Attachments: image1.jpeg; ATT00001.txt

-----Original Message-----

From: Michelle Smith [mailto:smsmith831@gmail.com]
Sent: Sunday, March 13, 2016 8:36 PM
To: Julie Peterson <JulieP@rpvca.gov>
Subject: Sunnyside Ridge Air bnb situation

Hi Julie,

I am the neighbor of the house that keeps renting their house out for parties on Air bnb. It's just plain odd how people can subject their once neighbors to this strange situation where complete strangers come into our street... Line it with many cars causing congestion and then proceed to have complete strangers party all evening into the late hours. My only recourse is to wait until the evening hours to call in a noise violation to the police. That doesn't stop all the traffic coming and going and parking on both sides of street and in front of my house. It's just extremely inconsiderate ...

I never see the neighbors, the Meyers, as I am a busy professional that travels for work often during the week. Would be nice to have my peace and quiet back...on weekends. But if I have no ordinance to back me up, I suspect the Meyers will continue to profit at my expense. I am really surprised at their selfishness. Here is an article from Daily Breeze I believe that shows neighboring cities are cracking down on these short term rentals..Aka one night only party situations.

Hoping that my city will help put a stop to people profiting at other's expense. Thanks, Michelle Smith

Redondo Beach Short-term rental crack down

by Megan Barnes

Redondo Beach will soon crack down on property owners who illegally rent out their homes on Airbnb and other popular vacation rental websites.

The City Council on Tuesday voted unanimously to keep short-term rentals outlawed and step up code enforcement rather than tax and regulate the growing industry, which has generated complaints from neighbors who say they now live next to nonstop party houses.

While neighboring cities such as Manhattan Beach and even tiny Rolling Hills have passed ordinances explicitly banning home rentals under 30 days, Community Development Director Aaron Jones said they already

see COUNCIL / 23

... might before finding out that it
... those who haven't
inside the free aquarium a
Manhattan Beach pier, that
it bears. As much as it e
tains, it inspires.

And yet, Skechers C
Beach resident M
along with his assi
Oceanography and
(OTS) Board Presi
Manhattan Beach
know that it can b
nonprofit that lea
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committed \$
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Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:32 PM
To: Octavio Silva
Subject: FW: Inquire about possible zoning code vilolation at 3664 Hightide Dr. RPV

From: Ara Mihanian
Sent: Tuesday, March 15, 2016 10:38 PM
To: Julie Peterson <JulieP@rpvca.gov>
Subject: Fwd: Inquire about possible zoning code vilolation at 3664 Hightide Dr. RPV

Hi Julie.
Can you please provide a response to the email sender

Thanks!
Ara

Sent from my iPhone

Begin forwarded message:

From: <jnbertolina@cox.net>
Date: March 15, 2016 at 9:31:39 PM PDT
To: <planning@rpv.com>
Subject: Inquire about possible zoning code vilolation at 3664 Hightide Dr. RPV

We live across the street from the house on 3664 Hightide Dr, which was sold last May and we had not observed anyone living there. There is a work crew building a swimming pool. In the last few weeks, we have seen a number of different cars parked in the driveway and on the street usually for one or two nights. It has occurred to us that it might be operating as a daily rental and we searched the Air BnB. This appears to be the listing:
[https://www.airbnb.com/rooms/9382619?checkin=04%2F01%2F2016&checkout=04%2F08%2F2016&s=PwIU\\$ROa#host-profile](https://www.airbnb.com/rooms/9382619?checkin=04%2F01%2F2016&checkout=04%2F08%2F2016&s=PwIU$ROa#host-profile)

Needless to say we are very concerned about this situation. We would like to know if this is a violation of the city code as this is a residential single family area.

Thank you for prompt attention and we await your response.



Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:33 PM
To: Octavio Silva
Subject: FW: RPV Nuisance Property - 7242 Avenida Altisima (operating a bed and breakfast out of a residence)

From: Ara Mhrianian
Sent: Monday, March 21, 2016 12:25 PM
To: Nicole Jules <NicoleJ@rpvca.gov>
Cc: Julie Peterson <JulieP@rpvca.gov>
Subject: RE: RPV Nuisance Property - 7242 Avenida Altisima (operating a bed and breakfast out of a residence)

Thanks Nicole.
We are monitoring this situation here in RPV.

Ara Michael Mhrianian
Deputy Director of Community Development



30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275
310-544-5228 (telephone)
310-544-5293 (fax)
aram@rpvca.gov
www.rpvca.gov

WE ARE IN PROCESS OF SWITCHING TO A NEW WEB AND EMAIL DOMAIN. IF YOU HAVE ME IN YOUR CONTACTS, PLEASE SWITCH MY EMAIL FROM ARAM@RPV.COM TO ARAM@RPVCA.GOV.



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

From: Nicole Jules
Sent: Monday, March 21, 2016 9:01 AM

To: Planning <Planning@rpvca.gov>
Cc: Ara Mihranian <AraM@rpvca.gov>
Subject: FW: RPV Nuisance Property - 7242 Avenida Altisima (operating a bed and breakfast out of a residence)

FYI

Nicole
Department of Public Works
310-544-5275

From: Tracy Burns [mailto:akamomma@gmail.com]
Sent: Monday, March 21, 2016 7:21 AM
To: Nicole Jules <NicoleJ@rpvca.gov>
Subject: Re: RPV Nuisance Property - 7242 Avenida Altisima (operating a bed and breakfast out of a residence)

Hi Nicole,

The issue of SHORT TERM Rental properties has come up on the neighborhood website/app "Nextdoor". Seems some property managers and short term rental property owners wanted to drum up support to show the City of PVE for another meeting regarding this issue. When I shared my actual experiences living next to one of these properties, it got heated. I would like to note that I did not give out my address or my neighbors address. SHE joined in the conversation and did it herself, along with her actual AirBnB ad and a long story about her financial needs. If PVE is dealing with this, I'm sure RPV will have to do the same or is already dealing with it. Can you please advise who I should speak with in Code Enforcement and confirm the current laws?

https://countryclubpalosverdes.nextdoor.com/news_feed/?post=22788139

Sincerely,
Tracy Burns

On Mon, Feb 3, 2014 at 5:26 PM, Nicole Jules <NicoleJ@rpv.com> wrote:

Hi Tracy & Ben,

Thank you for your email. I have forwarded your email to our Code Enforcement Officers who will follow-up on this issue as appropriate.

If you have additional questions or concerns, please don't hesitate contacting the City.

Nicole Jules, Senior Engineer

 City of Rancho Palos Verdes
Department of Public Works

30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275
nicolej@rpv.com

(310) 544-5275 – (310) 544-5292 f

From: Tracy Burns [mailto:akamomma@gmail.com]
Sent: Saturday, February 01, 2014 5:38 PM
To: Nicole Jules
Subject: RPV Nuisance Property - 7242 Avenida Altisima (operating a bed and breakfast out of a residence)

City of RPV,

I would like to register a formal complaint about a property owner operating a hotel (DAILY rooms for rent) and an event space out of her home in a residential neighborhood. Since the middle part of 2013 we have noticed a severe increase in traffic, parking problems and late night parties with loud music. Deputies have shown up to the address a couple of times within the last year because of the late night parties with loud music (we did not call, it was other neighbors). Due to all the late night parties, parking problems and unsavory characters constantly coming and going, we conducted some research and found the advertisement for her bed and breakfast. The listing indicates she has been operating since July 2013. The ad states her home is "great for parties" and that she will stay on site in most cases. Both of these assertions are confirmed in the reviews by her paying guests and many complimented her on being a wonderful hostess with some mentioning being served a continental style breakfast. Please review the ad and the reviews written by her numerous paying guests including the DAILY ROOM RATES provided in the link below:

Property information and room rates:

<https://www.airbnb.com/rooms/1055562>

Maura's bio and reviews from paying guests:

<https://www.airbnb.com/users/show/5813489>

Nuisance Property:
Maura Mizuguchi - Owner

7242 Avenida Altisima

Rancho Palos Verdes, CA

90275

Excerpt taken from ad on airbnb:

"If you plan to just rent room(s), you will be sharing the home with the family. You will have full access to the kitchen, dining, deck, pool area, laundry facilities.

Please note the pricing on this site is for the guest room...however, if you are interested in more rooms the pricing is as follows: (note that the pricing is for each room and each room can sleep 2 people)

Master bedroom with a King bed (private bath) available for \$175 per night.

Children room with two twin beds (private bath) available at an additional \$75 per night.

Guest room with a queen bed (shared bath) at \$125 per night.

Extra guest room or playroom with a day bed that turns into two twins or a double bed (shared bath) at \$100 per night.

Extra persons in any of the rooms are \$35 per night.

When requesting a rental please state what rooms you are interested in. Also indicate if you are a couple or singles and ages of children so that we can put you in the correct rooms.

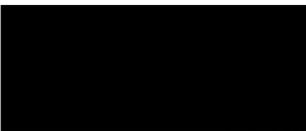
If you rent for just one night instead of two or if you rent the entire house, there will be a cleaning fee.

Housekeeper available to run errands, grocery shop, prepare simple meals, tidy up at \$20 per hour + cost of purchased items."

I do not know what your policy is on processing nuisance properties complaints, but for the sake of neighbor relations I'd prefer to remain anonymous.

Sincerely,

Tracy Burns



--
Tracy

Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:34 PM
To: Octavio Silva
Subject: FW: 7242 Avenida Altisima - Nuisance Property/ Event Space Rental / Hotel (one night minimum stay)

From: Tracy Burns [mailto:akamomma@gmail.com]
Sent: Monday, March 28, 2016 2:24 PM
To: Julie Peterson <JulieP@rpvca.gov>
Subject: 7242 Avenida Altisima - Nuisance Property/ Event Space Rental / Hotel (one night minimum stay)

The owner, Maura Mizuguchi, identified herself and posted this AirBnB ad on the community messageboard on NextDoor in regards to Short Term Rentals.

It should be noted that if you Google "Palos Verdes Party House" the ad Maura posted pops at the top of the results. Also, within the ad she posted there are direct quotes and photos indicating the use of the property. Ex. "This is a great place for a party"; "I may or may not be available on site due to my work schedule and travel schedule"; "One night minimum"; "Accommodating guests for a pool party"- photo caption showing a large group of party goers next to her pool.

----- Forwarded message -----

From: Tracy Burns <akamomma@gmail.com>
Date: Wed, Mar 23, 2016 at 1:44 AM
Subject: Maura - AirBnB Ad
To: Tracy Burns <akamomma@gmail.com>

<https://www.airbnb.com/rooms/1055562?s=6zmQo5N8>

Feng Shui Beach House - Ocean Views

[United States](#)[California](#)[Rancho Palos Verdes](#)
[Rancho Palos Verdes, CA, United States](#)
(111)

[Mm](#)

Private room

8 Guests

5 Beds

Request to Book Instant Book

One-time fee charged by host to cover the cost of cleaning their space

This helps us run our platform and offer services like 24/7 support on your trip.

This helps us run our platform and offer services like 24/7 support on your trip. It includes VAT.

[× Close](#) Request to Book

\$130

Per Night

Check in[]

Check out[]

Guests

[1 ∨]

Request to Book

[] Saved to Wish List Save to Wish List

962 travelers saved this place

Share:

[Email](#) [Email](#) [Messenger](#) [Messenger](#) … More

[Report this listing](#)

You have reported this listing. [Undo?](#)

About this listing

Wake up to panoramic ocean views of the Pacific!

Contact Host



Entry to the home!

The Space

Accommodates: 8

Bathrooms: 3.5

Bedrooms: 1

Beds: 5

Check In: 2:00 PM

Check Out: 12:00 PM (noon)

Property type: House

Room type: **Private room**

House Rules

Amenities

Kitchen

Internet

TV

Shampoo

+ **More**

Kitchen

Internet

TV

Essentials

Shampoo

Heating

Air Conditioning

Washer

Dryer

Free Parking on Premises

Wireless Internet

Cable TV

Breakfast

Pets Allowed

Family/Kid Friendly

Suitable for Events

Smoking Allowed

Wheelchair Accessible

Elevator in Building

Indoor Fireplace

Buzzer/Wireless Intercom

Doorman

Pool

Hot Tub

Gym

24-Hour Check-in

Hangers

Iron

Hair Dryer

Laptop Friendly Workspace

Prices

Extra people: **No Charge**

Security Deposit: **\$1000**

Weekly discount: **9%**

Monthly discount: 51%

Cancellation: **Strict**

Description

The Space

Please read the description in its entirety and state what room(s) you are interested in. The pricing calculated on this site is for the guest room only (occupancy 2). That price is \$130 per night. If you want more rooms or a different room, each room is priced differently.

Welcome to beautiful Palos Verdes, the only area in LA with true shoreline sea cliffs. The house is featured in Ms. Sugita's website as the "Beach House" and incorporates modern Feng Shui principles.

Be our guest or stay on your own at our 4 bedroom, 3.5 bath recently remodeled home overlooking the Pacific Ocean. The house is on a private road. There is a museum feel and gives a sense that you are on the edge of the world.

The house has unobstructed panoramic views of the Pacific Ocean and is peaceful and tranquil. There is a swimming pool and ultimate privacy!

This is not for the bargain hunter, but for those who are looking for upscale accommodations. Competitively, these accommodations are a fraction of the cost to the local hotel rooms that average \$450 per night (double occupancy) at the Terranea resort.

Cable TV, internet available. There is no air-conditioning.

If you plan to just rent room(s), you will be sharing the home with the family. You will have full access to the kitchen, dining, deck, pool area, laundry facilities.

Please note the pricing on this site is for the guest room...however, if you are interested in more rooms the pricing is as follows: (note that the pricing is for each room and each room can sleep 2 people)

Master bedroom with a King bed (private bath) available for \$180 per night. This room has private access to the pool and private access to the front deck of the home. There is a pull-out double bed couch in the master bedroom should you want to house 4 people in the room for an additional \$70 charge.

Children room with two twin beds (private bath) available at an additional \$80 per night. This room has private access to the pool.

Guest room with a queen bed (shared bath) at \$130 per night.

Extra guest room with a queen bed (shared bath) at \$105 per night.

Extra persons in any of the rooms are \$35 per night.

When requesting a rental please state what rooms you are interested in. Also indicate if you are a couple or singles and ages of children so that we can put you in the correct rooms.

If you rent for just one night instead of two or if you rent the entire house, there will be a cleaning fee.

Housekeeper available to run errands, grocery shop, prepare simple meals, tidy up at \$20 per hour + cost of purchased items.

There is an iPhone connection for music in the main living area that hooks to outdoor speakers on the front deck and back pool area.

Layout and Design:

The house is a ranch style with a total of four bedrooms. Two bedrooms, each with a private bath, are at the south side of the house (master room and child's bunk room) are accessible to the pool area. Two bedrooms that share a bathroom are at the north side of the house. In the middle of the house is a large open floor plan where the dining area and living area is one large room. There is a powder room and access to the front deck and backyard pool area. The kitchen connects to the dining room. An office that is closed off from most of the house is also in the center of the house. The house is very contemporary yet very warm with lots of wood.

As guests of the home, you will have full access to the entire place - kitchen, living area, outdoor space, swimming pool.

Guest Access

All condiments, spices, oils are available for the guests! Please help yourself!

Interaction with Guests

I may or may not be available on site due to my work and travel schedule. Housekeeper is available to assist in questions and I am very responsive to texts/emails.

The Neighborhood

The house is on a private street and is very private. Yet the house is close to shops and grocery stores.

Getting Around

It is best to have a car and there is plenty of parking. Uber is readily available if you prefer not to have a car.

Other Things to Note

If you rent just rooms, you will share the house with the family.

The house is on a private street and noise and capacity restrictions apply. All guests must be registered with the host.

There are security cameras and remote security settings.

[+ More](#)

House Rules

Please remove decorative pillows from the bed before sleeping. Do not use the pillows to sleep on. The material is very expensive.

No smoking, no pets. Owners are extremely allergic to cats and dogs.

Wet suits only in tiled areas (bathrooms, laundry room). The house is floored in premium maple and the wood will buckle / rot if any dampness remains on the surface.

No high heels on the wood floor - you will leave knicks and indentations on the wood's surface that will be costly to repair.

Non-smoking house - a fee for odor removal will be charged for non-compliance.

The pool is not heated during the winter. The heating element for jacuzzi is not working properly.

This is a great place for a party. However, the house is on a private street. Please note that everything must be put back in its original place. Fees for clean up and re-positioning of goods and furniture will be assessed if the items are not put back in its original places.

[+ More](#)

Safety Features

Smoke Detector

Carbon Monoxide Detector

Availability

1 night minimum stay

[View Calendar](#)



Sunset views and a view of Catalina island (on left).











[See all 28 photos](#)

111 Reviews

0

Search reviews
Press **‘Enter’** to search

Highlights
View (59)Host (40)Pool (29)Recommend (28)Clean (26)Comfortable (21)Bedroom (20)Area (14)Spacious (12)Location (11)Check in (8)Kitchen (8)Neighborhood (7)Bathroom (6)Arrival (6)

Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:35 PM
To: Octavio Silva
Subject: FW: Short Term Rentals on PVP Peninsula

-----Original Message-----

From: shari graner [mailto:sharigraner@aol.com]
Sent: Thursday, April 28, 2016 9:00 AM
To: Ara Mihranian <AraM@rpvca.gov>
Cc: Octavio Silva <OctavioS@rpvca.gov>; Julie Peterson <JulieP@rpvca.gov>; Gabriella Yap <gyap@rpvca.gov>
Subject: Short Term Rentals on PVP Peninsula

> Good Morning to RPV City Officials :-

>

> I am sure you've seen the April 21st Daily Breeze and PVPeninsula News articles reporting that PVE has joined RH and RHE in developing protocol for short-term and home-stay rentals (Airbnb, vrbo, homestay, etc.). As we know, RPV will be the last city on the bandwagon. I know this is on the slate for your May 17th meeting. These newspaper articles state:

>

> PVE: to city council for approval, a ban on all short-term rentals which includes any space rented for fewer than 30 days. It will be a combined effort between neighborhoods and the city in providing information and monitoring.

>

> RHE: relies on existing municipal code banning commercial uses in residential areas to prevent short-term rentals.

>

> RH: prohibits any home rented for fewer than 30 days.

>

> RPV: nothing yet!

> You may recall my previous email mentioning that my street, Sunnyside Ridge Road, has a real problem with short-term rentals. The home at 2553 is rented (\$500/night) on Airbnb through August and beyond. We endure parties, parking problems, poolside nudity, strangers in our neighborhood. It has come to my attention that porn film producers avail themselves of Airbnb rentals for filming.

> There are two other nearby neighborhood homes here that are short-term rentals - both in view from my home in the canyon behind me. Those homes have PVDE addresses - the Zack home (vrbo.com, \$675.00 / night) and another that the Sheriff's Department has researched enough to know it is rented out over the internet. There are no quiet weekends here in summertime.

> The short-term rental owners stay in other, cheaper (\$85.00/night) Airbnb rentals while their homes are being rented out. They also stay with family members or friends. The one home (with which the Sheriff is familiar) on PVDE may have no inhabitants.

> Allow me to share below the contact information with you for our Sunnyside Ridge Road Homeowners Association Board of Directors for your further communications. I would very much appreciate being copied on any correspondence. Thank you.

Octavio Silva

From: Julie Peterson
Sent: Wednesday, May 04, 2016 2:35 PM
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Subject: FW: Short Term Rentals on PVP Peninsula

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From: shari graner [mailto:sharigraner@aol.com]
Sent: Thursday, April 28, 2016 9:00 AM
To: Ara Mihranian <AraM@rpvca.gov>
Cc: Octavio Silva <OctavioS@rpvca.gov>; Julie Peterson <JulieP@rpvca.gov>; Gabriella Yap <gyap@rpvca.gov>
Subject: Short Term Rentals on PVP Peninsula

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> Allow me to share below the contact information with you for our Sunnyside Ridge Road Homeowners Association Board of Directors for your further communications. I would very much appreciate being copied on any correspondence. Thank you.

>
>
>
>



> Thank you all for your time and consideration.

>

> Shari Graner

>



> sharigraner@aol.com

>

>

> Sent from my iPad

**MINUTES
RANCHO PALOS VERDES CITY COUNCIL
REGULAR MEETING
MAY 17, 2016**

The meeting was called to order at 6:04 P.M. by Mayor Dyda at Fred Hesse Community Park, 29301 Hawthorne Boulevard.

City Council roll call was answered as follows:

PRESENT: Brooks, Campbell*, Duhovic*, Misetich, and Mayor Dyda

ABSENT: None

*Councilman Duhovic and Mayor Pro Tem Campbell arrived late.

Also present were Doug Willmore, City Manager; David Aleshire, City Attorney; Gabriella Yap, Deputy City Manager; Teresa Takaoka, Deputy City Clerk; and, Carla Morreale, City Clerk.

PUBLIC COMMENTS: (This section of the agenda is for audience comments regarding Closed Session items)

None.

CLOSED SESSION ITEMS ANNOUNCED:

City Attorney Aleshire announced the items to be discussed in Closed Session.

RECESS TO CLOSED SESSION:

At 6:05 P.M., the Council recessed to Closed Session.

*Councilman Duhovic and Mayor Pro Tem Campbell arrived at 6:07 P.M., prior to the start of the Closed Session.

RECONVENE TO REGULAR SESSION:

The meeting was reconvened to Regular Session at 7:02 P.M.

ROLL CALL:

City Council roll call was answered as follows:

PRESENT: Brooks, Campbell, Duhovic, Misetich, and Mayor Dyda

ABSENT: None

Also present were Doug Willmore, City Manager; David Aleshire, City Attorney; Gabriella Yap, Deputy City Manager; Michael Throne, Director of Public Works; Cory Linder, Director of Recreation and Parks; Ara Mihranian, Community Development Director; Trang Nguyen, Deputy Director of Finance; Ron Dragoo, Principal Engineer; So Kim, Senior Planner; Octavio Silva, Associate Planner; Teresa Takaoka, Deputy City Clerk; and, Carla Morreale, City Clerk.

Also present were the following: Captain Dan Beringer, Lomita Station, Los Angeles County Sheriff's Department; and Elizabeth Sala, West Vector Control District Board Member.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Deputy City Clerk Takaoka.

CLOSED SESSION REPORT:

City Attorney Aleshire reported on the following Closed Session items: 1) With respect to the Existing Litigation in the Parks, et al. v. The City of Rancho Palos Verdes case, a status report was provided and no reportable action was taken; 2) With respect to the Existing Litigation in the Cherine Medawar; Jill Medawar v. City of Rancho Palos Verdes, et. al. case, a status report was provided and no reportable action was taken; 3) With respect to the item regarding Potential Litigation against the City, based on a letter from attorney Ted. K. Lippincott, a status report was provided and no reportable action was taken; and, 4) With respect to the Public Employee Performance Evaluation of the City Manager, there was discussion and no reportable action taken.

Mayor Dyda reported that the City Council is in the process of creating a process for the performance evaluation which has contributed to the delay, but noted the Council is moving forward in that process.

CEREMONIAL:

Mayor Dyda recognized Dr. George Wissa, business owner of Golden Cove Pharmacy, and presented him with a Certificate of Recognition for his contributions and customer service to the residents of the City and Peninsula.

MAYOR'S ANNOUNCEMENTS:

Mayor Dyda announced that Public Works week was May 15-21 and thanked the Public Works staff for their continual efforts in improving the quality of life for all of the City's residents. Mayor Dyda thanked and recognized the many volunteers who have participated in the Recreation and Parks Volunteer Program contributing to the success of 38 volunteer projects and events throughout the City in 2015.

RECYCLE DRAWING:

Mayor Dyda announced Recyclers of the Month from the May 3, 2016 City Council meeting: Adriana Ginsburg and Sherry Unmack. He indicated that all winners receive a check for \$250 representing a year of free refuse service and urged everyone to participate in the City's Recycling Program.

APPROVAL OF AGENDA:

Councilman Duhovic moved, seconded by Councilman Misetich, to approve the agenda, as presented.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

PUBLIC COMMENTS FOR ITEMS LISTED ON THE AGENDA FOR THE STUDY SESSION:

None.

PUBLIC COMMENTS: (Audience Comments regarding Items Not on the Agenda)

Noel Weiss, provided comments regarding concerns about the Rancho LPG Tank Facility located in San Pedro.

Jim Gordon, Rancho Palos Verdes, provided comments regarding the City's major accomplishment in improving the traffic situation along the Palos Verdes Drive East switchbacks; and noted concern regarding the closure of the bridge at Trump National Golf Course which was to be closed due to geological issues.

Diane Smith, Rancho Palos Verdes, provided comments regarding the improved traffic situation along the Palos Verdes Drive East switchbacks.

Bernadette Sabath, Peninsula Verde resident, Rancho Palos Verdes, provided comments regarding the recent May 10, 2016 Planning Commission meeting where concerns regarding Green Hills Memorial Park were discussed.

CITY MANAGER REPORT:

City Manager Willmore introduced and welcomed the City's new Human Resources Manager, Mary Ortiz Bradley.

City Manager Willmore invited Elizabeth Sala, the City's representative on the West Vector Control District Board, to provide a report and updated information from the West Vector Control.

Elizabeth Sala, West Vector Control District Board Member, provided an oral report regarding health concerns pertaining to West Nile Virus which is transmitted by mosquitos; the new invasive Aedes mosquito which is carrying the Zika Virus; and ticks and Lyme disease.

City Manager Willmore invited Director of Public Works Throne to provide a brief report and presentation in honor of Public Works' Week.

Director of Public Works Throne provided a report and short video clip regarding the responsibilities of the Public Works Department in the areas of construction, maintenance, engineering, administration, and contract management.

CONSENT CALENDAR:

City Clerk Morreale reported that late correspondence was distributed prior to the meeting regarding Item D (Consideration and Possible Action to Reject All Bids received for the RpvTv Building Improvement Project), Item H (Consideration and Possible Action to Award a Professional Services Agreement to KOA Consulting, Inc. to Aid in the Administration of Public Works Projects), Item I (Consideration and Possible Action to Authorize a Project Budget Increase to the Sunnyside Ridge Trail Segment Project that is Cost Neutral to the City Budget), Item J (Consideration and Possible Action to Receive and File a Report on Green Hills Memorial Park regarding Pacific Terrace/Memorial Terrace Mausoleum), and Item L (Consideration and Possible Action to Award a Construction Agreement to Hardy and Harper, Inc. for the Construction of the Annual Sidewalk Repair and Replacement Program Project, and to Award a Professional Services Agreement to Sunbeam Consulting for Inspection Services); and there were requests to speak regarding Item E (Consideration and Possible Introduction of an Ordinance to Permit Special Events on City Property and Public Rights-of-Way), Item I (Consideration and Possible Action to Authorize a Project Budget Increase to the Sunnyside Ridge Trail Segment Project that is Cost Neutral to the City Budget), and Item J (Consideration and Possible Action to Receive and File a Report on Green Hills Memorial Park regarding Pacific Terrace/Memorial Terrace Mausoleum).

Brief discussion ensued between Councilman Duhovic and Principal Engineer Dragoo regarding Item D (Consideration and Possible Action to Reject All Bids received for the RpvTv Building Improvement Project), and Item H (Consideration and Possible Action to Award a Professional Services Agreement to KOA Consulting, Inc. to Aid in the Administration of Public Works Projects).

Councilman Duhovic requested that Item N (Consideration and Possible Action to Approve the Sheriff's Law Enforcement Agreement and Deployment Survey) be removed from the Consent Calendar for separate consideration.

Councilman Misetich moved, seconded by Councilwoman Brooks, to approve the Consent Calendar, as amended, with Item E (Consideration and Possible Introduction of an Ordinance to Permit Special Events on City Property and Public Rights-of-Way), Item I (Consideration and Possible Action to Authorize a Project Budget Increase to the Sunnyside Ridge Trail Segment Project that is Cost Neutral to the City Budget), and Item J (Consideration and Possible Action to Receive and File a Report on Green Hills Memorial Park regarding Pacific Terrace/Memorial Terrace Mausoleum), to follow immediately after the Consent Calendar; and Item N (Consideration and Possible Action to Approve the Sheriff's Law Enforcement Agreement and Deployment Survey) to follow after Regular Business.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

Motion to Waive Full Reading

Adopted a motion to waive reading in full of all ordinances presented at this meeting with consent of the waiver of reading deemed to be given by all Council Members after the reading of the title.

Approval of Minutes

Approved the Minutes of the April 19, 2016 Regular Meeting.

Register of Demands

ADOPTED RESOLUTION NO. 2016-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING FUNDS FROM WHICH THE SAME ARE TO BE PAID.

Consideration and Possible Action to Reject All Bids received for the RPVtv Building Improvement Project

- 1) Rejected all bids received for the RPVtv Building Improvement Project; and,
- 2) Directed Staff to revise the project bidding criteria, modify the scope of work without impacting essential elements of the project, with a goal of decreasing the construction cost, and re-advertise the project as soon as possible.

Consideration and Possible Introduction of an Ordinance to Permit Special Events on City Property and Public Rights-of-Way

This item was removed from the Consent Calendar for separate consideration.

Consideration and Possible Action to Initiate Proceedings for the Annual Levy and Assessments of the Existing Citywide Landscaping and Lighting Maintenance District

1) ADOPTED RESOLUTION NO. 2016-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITYWIDE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT (LLMD) FOR FY 2016-17 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE; 2) ADOPTED RESOLUTION NO. 2016-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, APPROVING THE ENGINEER'S REPORT IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITYWIDE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT FOR FY 2016-17; and, 3) ADOPTED RESOLUTION NO. 2016-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES, DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITYWIDE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT FOR FY 2016-17 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

Consideration and Possible Action regarding Two Claims Against the City by Rick Anthony Egan and Dylan Michael Egan

Rejected the claims and directed Staff to notify the claimants' attorney.

Consideration and Possible Action to Award a Professional Services Agreement to KOA Consulting, Inc. to Aid in the Administration of Public Works Projects

1) Authorized the award of a contract with KOA Consulting, Inc. for Professional Services up to \$100,000 for assistance in the administration of Public Works Projects as needed; 2) Authorized the Mayor and City Clerk to execute the Professional Services Agreement with KOA Consulting, Inc.; and, 3) Authorized the Mayor and City Clerk to execute the Professional Services Agreement, subject to approval as to form by the City Attorney.

Consideration and Possible Action to Authorize a Project Budget Increase to the Sunnyside Ridge Trail Segment Project that is Cost Neutral to the City Budget

This item was removed from the Consent Calendar for separate consideration.

Consideration and Possible Action to Receive and File a Report on Green Hills Memorial Park regarding Pacific Terrace/Memorial Terrace Mausoleum

This item was removed from the Consent Calendar for separate consideration.

Consideration and Possible Action to Authorize the City Clerk to file a Notice of Completion for the ADA Access and Sidewalk Improvements on the Palos Verdes Drive West Project

1) Accepted the project as complete; 2) Authorized the City Clerk to file a Notice of Completion for the project with the Los Angeles County Recorder; and if no claims are filed within 35 days after recordation, send a notice to the surety company to exonerate the Performance Bond; and, 3) Authorized the Director of Public Works to release the 5% construction retention payment to DASH Construction Company, Inc., 35 days after recordation of the Notice of Completion by the Los Angeles County Recorder, contingent upon no claims being filed on the project, and the contractor posting an acceptable warranty bond with the City.

Consideration and Possible Action to Award a Construction Agreement to Hardy and Harper, Inc. for the Construction of the Annual Sidewalk Repair and Replacement Program Project, and to Award a Professional Services Agreement to Sunbeam Consulting for Inspection Services

1) Approved the project specifications on file in the Public Works Department for the Sidewalk Repair and Replacement Program, FY 2015-16; 2) Awarded a Public Works Agreement, in a form approved by the City Attorney, to Hardy & Harper, Inc. for construction services related to the Sidewalk Repair and Replacement Program, FY 2015-16 for an amount not-to-exceed \$303,000; 3) Awarded a Professional Services Agreement, in a form approved by the City Attorney, to Sunbeam Consulting for Construction Management and Inspection services for the amount of \$25,200; and, 4) Authorized Staff to use an additional 10% (\$30,300) for a construction contingency.

Consideration and Possible Action to Award a Construction Agreement to Hardy and Harper, Inc., for the Construction of the Residential Street Rehabilitation Project, Phase I, Area 2 – Concrete and Asphalt Repairs; and to Award a Professional Services Agreement to Anderson Penna Partners, Inc., for Construction Management and Inspection Services

1) Approved the construction plans and project specifications on file in the Public Works Department for the Residential Street Rehabilitation Project, Phase I, Area 2 – Concrete

Asphalt Repairs; 2) Awarded a Public Works Agreement for Construction to Hardy & Harper, Inc. for a not-to-exceed amount of \$1,789,000 for construction services related to the Residential Street Rehabilitation Project, Phase I, Area 2 – Concrete Asphalt Repairs; 3) Awarded a Professional Services Agreement to Anderson Penna Partners, Inc., for Construction Management and Inspection services for the amount of \$259,453; 4) Authorized Staff to use an additional 10% (\$178,900) for project contingency; and, 5) Authorized the Mayor and City Clerk to execute the Professional Services and Construction Agreements, subject to approval as to form by the City Attorney.

Consideration and Possible Action to Approve the Sheriff’s Law Enforcement Agreement and Deployment Survey

This item was removed from the Consent Calendar for separate consideration.

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ITEMS REMOVED FROM THE CONSENT CALENDAR:

Consideration and Possible Introduction of an Ordinance to Permit Special Events on City Property and Public Rights-of-Way

City Clerk Morreale reported there was one request to speak regarding this item.

Minas Yerelian, provided comments regarding the waiver of fees for residents for local events and non-profit organizations to be included in the proposed ordinance.

Discussion ensued among Council Members and staff.

Councilwoman Brooks moved, seconded by Councilman Misetich, to: INTRODUCE ORDINANCE NO. 581, AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES, CALIFORNIA, ADDING A NEW CHAPTER ENTITLED “SPECIAL EVENT PERMITS” TO TITLE 12 OF THE RANCHO PALOS VERDES MUNICIPAL CODE.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

Consideration and Possible Action to Authorize a Project Budget Increase to the Sunnyside Ridge Trail Segment Project that is Cost Neutral to the City Budget

City Clerk Morreale reported that late correspondence was distributed prior to the meeting and there were two requests to speak regarding this item.

Director of Public Works Throne provided a brief staff report and PowerPoint presentation regarding this item.

Discussion ensued among Council Members and staff.

Sharon Yarber, Rancho Palos Verdes, requested information regarding the cost of the proposed changes and the award of the contract; and raised concerns regarding the surface over the concrete walkway as it impacts the safety of equestrians.

Madeline Ryan, Rancho Palos Verdes, provided comments regarding the change in design of the walkway; concerns regarding the surface of the walkway, suggesting the use of compacted decomposed granite for the surface; and, commented on the additional amount of funding to KOA for construction management.

Councilman Duhovic moved, seconded by Councilwoman Brooks, to: 1) Authorize the Director of Public Works to execute a change order to the design contract with KOA in the amount of \$20,000; and, 2) Authorize an increase to the project budget in the amount of \$35,000 to accommodate additional costs associated with the revised design.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

Consideration and Possible Action to Receive and File a Report on Green Hills Memorial Park regarding Pacific Terrace/Memorial Terrace Mausoleum

City Clerk Morreale reported that late correspondence was distributed prior to the meeting and there were four requests to speak regarding this item.

Senior Planner Kim provided a staff report and PowerPoint presentation regarding this item.

Noel Weiss, provided comments regarding the use of an interpretation review process for concerns regarding internments in the Pacific Terrace/Memorial Terrace Mausoleum and storage of vaults on Inspiration Slope at Green Hills Memorial Park.

Sharon Loveys, provided comments and a PowerPoint presentation regarding setbacks and burials at the Pacific Terrace/Memorial Terrace Mausoleum at Green Hills Memorial Park.

Joanna Jones-Reed, Vista Verde, provided comments regarding a recent Planning Commission meeting and concerns regarding Green Hills Memorial Park.

Lori Brown, Vista Verde Condos, Lomita, provided comments regarding the sales of plots as part of the Master Plan of Green Hills Memorial Park.

Discussion ensued among Council Members, staff, and City Attorney Aleshire.

Councilman Duhovic moved, seconded by Mayor Pro Tem Campbell, to receive and file a report on Green Hills Memorial Park regarding the niches and vaults inside the Pacific Terrace/Memorial Terrace Mausoleum.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Missetich and Mayor Dyda
NOES: None
ABSENT: None

RECESS AND RECONVENE:

Mayor Dyda called a recess from 8:29 P.M. to 8:41 P.M.

REGULAR BUSINESS:

Consideration and Possible Action to Appoint a Member to Fill the Vacancy on the Emergency Preparedness Committee (EPC)

As there was no request for a staff report, City Clerk Morreale distributed ballots for the selection of a member to fill the vacancy on the EPC.

After one round of balloting, Joe Locascio was unanimously selected to fill the vacancy on the Emergency Preparedness Committee, said term of office until January 2019.

Consideration and Possible Action to Address Nighttime Activities at Marilyn Ryan Sunset Point Park

Senior Planner Kim provided a brief staff report and PowerPoint presentation regarding this item.

Councilman Duhovic recused himself from the discussion and left the dais at 8:56 P.M.

Discussion ensued among Council Members, staff, and City Attorney Aleshire.

Jerry Duhovic, Rancho Palos Verdes, provided comments regarding concerns about daytime and nighttime activities that occur at the Marilyn Ryan Sunset Point Park, including problems with late night visitors, graffiti, use of alcohol, loud noise and music, and trash.

Mickey Rodich, provided comments regarding concerns about the nighttime activities that take place at the Marilyn Ryan Sunset Point Park.

Councilwoman Brooks, seconded by Councilman Misetich, to: Consider implementing Staff's recommended Option Nos. 8 through 11 and direct Staff to return with details on their implementation.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Misetich and Mayor Dyda
NOES: None
ABSENT: Duhovic (recused)

Councilman Duhovic returned to the dais at 9:14 P.M.

REORDER OF THE AGENDA:

Mayor Pro Tem Campbell moved, seconded by Councilman Misetich, to reorder the agenda to hear Item No. 4 (Consideration and Possible Action to Initiate a Code Amendment regarding Short-Term Rentals in the City) next due to the number of speakers present for that item.

Without objection, Mayor Dyda so ordered.

Consideration and Possible Action to Initiate a Code Amendment regarding Short-Term Rentals in the City (Planning Case No. ZON2016-00188)

City Clerk Morreale reported that late correspondence was distributed prior to the meeting and there were 13 requests to speak regarding this item.

Mayor Dyda stated that due to the number of requests to speak, each speaker would be allowed two minutes to state his/her position regarding this item.

Associate Planner Silva provided a staff report and PowerPoint presentation regarding this item.

Discussion ensued among Council Members, staff, and City Attorney Aleshire.

The following people spoke in support of the staff recommendation to prohibit short-term rentals in the City's single-family residential zoning districts, due to concerns regarding safety issues, traffic and parking problems, use of residences as "party houses," impact on neighborhoods, use of alcohol, excessive noise, trash issues, and large crowds and fighting: Noel Park, Rancho Palos Verdes; Arline Grotz, Rancho Palos Verdes; Jarrod Koch, Rancho Palos Verdes; Justin Holcher, Rancho Palos Verdes; Greg Mitre, Rancho

Palos Verdes; Carmen Mitre, Rancho Palos Verdes; Yulia, Rancho Palos Verdes; and, Chris Huang, Rancho Palos Verdes.

The following people spoke in opposition to the staff recommendation, due to desiring the ability to rent their homes out occasionally for various reasons including renting a home for visiting relatives, keeping a vacant home occupied and maintained, and for rental income or home exchanges: Wes Wang, Rancho Palos Verdes; Ling Tang, Rancho Palos Verdes, Yolanda Pan, Rancho Palos Verdes, and, Alan Siegel, Rancho Palos Verdes.

Councilman Misetich moved, seconded by Councilman Duhovic to approve the staff recommendation to: 1) Review the options to regulate short-term rentals in the City, including Staff's recommended option to prohibit short-term rentals in the City's single-family residential zoning districts; and, 2) Initiate Code Amendment proceedings to prohibit short-term rentals in the City's single-family residential zoning districts.

Discussion continued among Council Members, staff, and City Attorney Aleshire.

The motion passed on the following roll call vote:

AYES: Brooks, Duhovic, Misetich and Mayor Dyda
NOES: Campbell
ABSENT: None

Councilman Misetich moved, seconded by Councilman Duhovic, to extend the meeting to 11:00 P.M.

Without objection, Mayor Dyda so ordered.

RECESS AND RECONVENE:

Mayor Dyda called a brief recess from 10:15 P.M. to 10:24 P.M.

Consideration and Possible Action to Resume the Peafowl Trapping Program for 2016

City Clerk Morreale reported that there were two requests to speak regarding this item.

Councilman Duhovic moved, seconded by Councilwoman Brooks, to waive the staff report.

Without objection, Mayor Dyda so ordered.

Noel Park, Rancho Palos Verdes; Carol Mueller, Rancho Palos Verdes; Anette; and, Bob Koch, Rancho Palos Verdes spoke in support of the staff recommendation.

Natalie Massey, Rancho Palos Verdes, stated that she loves the peafowl and wanted to ensure humane trapping of the peafowl.

Councilman Misetich moved, seconded by Councilwoman Brooks, to: 1) Receive and file a final summary report on the 2015 Peafowl Trapping Program; and, 2) Review the 2016 Peafowl Census Report, and direct Staff to resume the humane trapping and relocation of up to 150 peafowl for 2016 within the five neighborhoods identified in the Peafowl Management Plan.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

Consideration and Possible Action to Approve in Concept a Lease of City Hall Property to the Rancho de los Palos Verdes Historical Society for Storage and Curation of Historic Palos Verdes Peninsula Artifacts

City Clerk Morreale reported that there was one request to speak regarding this item.

Director of Public Works Throne provided a brief staff report and PowerPoint presentation regarding this item.

Discussion ensued among Council Members, staff, and City Attorney Aleshire.

Dwight Abbott, Board Member and Co-Founder, Palos Verdes Historical Society, Palos Verdes Estates, provided comments regarding the purpose of the Historical Society, and the desire to temporarily locate the artifacts trailer of the Historical Society, to be used for storage and cataloging of Peninsula historical artifacts on the City Hall property.

Councilwoman Brooks moved, seconded by Councilman Misetich, to: 1) Approve in concept a lease of City Hall property to the Rancho de los Palos Verdes Historical Society; and, 2) Direct staff to commence lease negotiations and submit to the City Council a draft lease agreement for consideration.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda
NOES: None
ABSENT: None

Councilman Duhovic moved, seconded by Councilwoman Brooks, to extend the meeting to 11:20 P.M.

Without objection, Mayor Dyda so ordered.

Consideration and Possible Action regarding the Fraud, Waste, and Abuse Hotline

City Clerk Morreale reported that there were two requests to speak regarding this item.

City Attorney Aleshire provided a brief report regarding this item.

Discussion ensued among Council Members, staff, and City Attorney Aleshire.

Councilman Duhovic moved, seconded by Councilman Misetich, to extend the meeting to midnight.

Without objection, Mayor Dyda so ordered.

Sheri Hastings, Rancho Palos Verdes, provided comments regarding her software engineer and computer background, stated that there is no anonymity for most programs unless there is a very secure firewall, noting she hacked into the program and was appalled at what her investigations revealed.

Noel Park, Rancho Palos Verdes, provided comments regarding the offensive nature of the Fraud, Waste and Abuse Hotline Program, the waste of money for this program, and encouraged the Council to cancel the program.

Jarel Wheaton, Rancho Palos Verdes, provided comments regarding the offensive nature of the Fraud, Waste and Abuse Hotline Program and risks that the City is exposed to by a Council Member acting inappropriately, noting the Program is not a good use of City funds.

Councilman Duhovic moved, seconded by Mayor Dyda, to approve the staff recommendation to: 1) Direct Staff to revise the City's current Fraud, Waste, and Abuse Hotline Policy to incorporate the recommended changes discussed below, or other changes that the Council deems appropriate, and to present the revised Policy to the Council for adoption; 2) Direct Staff to review the City's website – specifically, the pages concerning the Fraud Hotline – and prepare to make updates with The Network/NAVEX that will implement the changes in the revised Policy and help potential reporters to file appropriate reports; and, 3) Direct that the program continue one additional year, with the initial point of contact being the City Attorney's Office.

City Attorney Aleshire noted that the program as revised will be brought back to the City Council.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda

NOES: None

ABSENT: None

Consideration and Possible Action to Approve the Sheriff's Law Enforcement Agreement and Deployment Survey

In response to questions from Councilman Duhovic, Deputy City Manager Yap provided information regarding the growth rate increase based on new positions with the Sheriff's Department and increased directed patrols on an as-needed basis.

Councilwoman Brooks moved, seconded by Councilman Duhovic, to authorize the City Manager to sign the FY16-17 Law Enforcement Services Agreement for the Peninsula Region (Rancho Palos Verdes, Rolling Hills, and Rolling Hills Estates); and the FY16-17 Rancho Palos Verdes Deployment Survey with the Los Angeles County Sheriff's Department.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Duhovic, Misetich and Mayor Dyda

NOES: None

ABSENT: None

STUDY SESSION:

DISCUSSION TOPICS:

Review of Tentative Agendas and Council Goals and Priorities

This item was continued to the June 6, 2016 City Council meeting.

FUTURE AGENDA ITEMS:

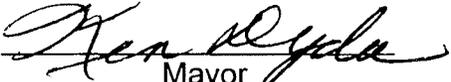
This item was continued to the June 6, 2016 City Council meeting.

CITY COUNCIL ORAL REPORTS:

This item was continued to the June 6, 2016 City Council meeting.

ADJOURNMENT:

At 12:05 A.M. on May 18, 2016, Mayor Dyda adjourned the meeting to an Adjourned Regular Meeting to be held on May 31, 2016 at 6:30 P.M. at Hesse Park for a Budget Workshop.


Mayor

Attest:



City Clerk

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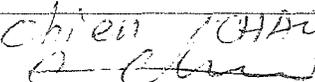
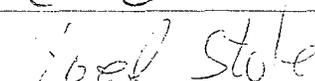
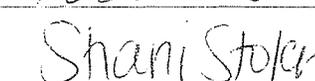
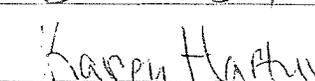
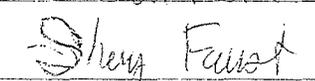
Petition to Ban Airbnb in the City Of Rancho Palos Verdes

Petition summary and background	<p>We the undersigned, are petitioning your office to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p> <p>The homeowners who rent room(s)/homes using these unregulated services are running commercial businesses, a hotel, in residentially zoned areas without business licenses or permits. Further, appropriate hotel taxes are also not being collected on behalf of the city.</p> <p>Having these commercial businesses in our residentially zoned neighborhoods:</p> <ul style="list-style-type: none"> - Reduces property values - Increases traffic and parking congestion - Changes the character of our neighborhoods - Increases crime risk with influx of transient visitors <p>We ask the City Council to follow the lead of Rolling Hills, Manhattan Beach and Santa Monica to ban these short-term rental services from operating within Rancho Palos Verdes.</p>
Action petitioned for	<p>We, the undersigned, are concerned citizens, are petitioning our city leaders to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p>

Printed Name	Signature	Address	Date
JUDY KIZIRIAN			8/8/15
CRISTINA VIFFIS			8/8/15
ERNESTO MOLINA			8/8/15
Janet Louie			8/8/15
MARY SIMONELL			8/8/15
Joseph Simonell			8/8/15
ED DANK			8/8/15

Petition to Ban Airbnb in the City Of Rancho Palos Verdes

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Action petitioned for	<p>We, the undersigned, are concerned citizens, are petitioning our city leaders to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p>

Printed Name	Signature	Address	Comment	Date
Alex Chao				7/27/15
Chien CHAO				7/27/15
Joel Stoler				7/27/15
Shani Stoler				7/27/15
Karen Hartwig				8/1/15
Sherry Faust				8/3/15
VAHID BORDABADI				8/5/15

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Action petitioned for	<p>We, the undersigned, are concerned citizens, are petitioning our city leaders to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p>

Printed Name	Signature	Address	Comment	Date
EMILIO ENRIQUEZ JA.	<i>[Signature]</i>			7/27/15
EISA C. ENRIQUEZ	<i>[Signature]</i>			7/27/15
Mark Jenkins	<i>[Signature]</i>			7/27/15
Wendy Murchick	<i>[Signature]</i>			7/27/15
Kevin Ng	<i>[Signature]</i>			7/27/15
Janet Ng	<i>[Signature]</i>			7/27/15
Rich BAA	<i>[Signature]</i>			8/5/15

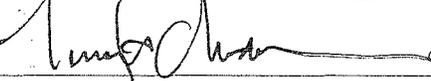
Petition to Ban Airbnb in the City Of Rancho Palos Verdes

Petition summary and background	<p>We the undersigned, are petitioning your office to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p> <p>The homeowners who rent room(s)/homes using these unregulated services are running commercial businesses, a hotel, in residentially zoned areas without business licenses or permits. Further, appropriate hotel taxes are also not being collected on behalf of the city.</p> <p>Having these commercial businesses in our residentially zoned neighborhoods:</p> <ul style="list-style-type: none"> - Reduces property values - Increases traffic and parking congestion - Changes the character of our neighborhoods - Increases crime risk with influx of transient visitors <p>We ask the City Council to follow the lead of Rolling Hills, Manhattan Beach and Santa Monica to ban these short-term rental services from operating within Rancho Palos Verdes.</p>
Action petitioned for	<p>We, the undersigned, are concerned citizens, are petitioning our city leaders to pass a city ordinance to ban short term home and room rental services, such as Airbnb, in the city of Rancho Palos Verdes.</p>

Printed Name	Signature	Address	Date
KENNETH GASH			8/8/15
ANITA GASH			8/8/15
Stacey Michaels			8/16/15
DOUG MARIMON			8/16/15
Jenny Lin			9/18/15
JOAN MEICHTRY			9-18-15

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Printed Name	Signature	Address	Date
KING LOON			8.14.15
Jane Lee			8.14.15
			8.14.15

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Printed Name	Signature	Address	Date
Wendy & Mike Ln			8/20/15

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Printed Name	Signature	Address	Date
Antoinette Laura			8/8/15
Alic Hatamoto			8/8/15
Stephen A'Heath			8/8/15
Brenda A'Heath			8/8/15
Beth Brief			8/8/15
Alic Louie			8/8/15

Octavio Silva

From: Jennifer T. Taggart <
Sent: Tuesday, July 05, 2016 2:29 PM
To: Octavio Silva
Subject: Comments on Code Amendment (Case No. ZON2016-00188)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Silva –

I am a resident of Rancho Palos Verdes and currently live at [redacted] Rancho Palos Verdes, Ca 90725. I serve on the City's Infrastructure Advisory Management Committee, but make these comments only in my capacity as a resident of Rancho Palos Verdes and not in my capacity as a member of the IMAC.

I oppose the proposed Code Amendment to prohibit short-term rentals in specified single-family residential districts and the advertising of such and urge the Planning Commission and City staff to reconsider this issue.

The prohibition is too broad in nature to address the perceived problems. It is my understanding that the proposal is to define short term rentals as rentals for less than 30 days. It is further my understanding that the reason for prohibiting short term rentals is because certain properties are or may be "party houses" and the residential neighborhoods do not want the traffic, noise and trash associated with properties rented for short term party houses.

However, by prohibiting all short term rentals, it will prohibit "good" rentals along with bad rentals. It is overly broad. There is virtually no short term affordable hotel capacity on the Palos Verdes peninsula. Hotels may be located relatively far given our widely spread out community. Accordingly, local short term house rentals are a viable alternative when family or friends come to visit. Short term private rentals are also useful in the event a RPV resident has to relocate for a short time, such as for pest control, appliance repair, or similar activity but want to stay near. My mother, for example, prefers a short term rental near our home instead of staying at the cost prohibitive Terranea or in San Pedro when she comes to visit. The proposed Code Amendment would unnecessarily eliminate such options for her when her short term occupation has never been the source of any traffic, noise or trash complaints.

If the problem is traffic, noise and trash associated with party houses, then a more tailored Code Amendment would be wise. There should be some data gathering to identify precisely what the problem(s) are with respect to short term rentals. If the problem is noise, then perhaps stepped up enforcement of the existing noise ordinance is a preferable option over a blanket prohibition. Or perhaps inclusion of some sort of regulation of short term rentals to address noise complaints, such as revising the noise ordinance to make clear that owners of short term rentals must advise tenants of noise requirements and be subject to fines if the short term tenants are subject of complaints, with an escalation provision for two or more complaints, etc. If the problem is traffic, then short term rentals can be regulated to limit the number of tenant vehicles to the parking spaces associated with the rental unit. Regulation tailored to the problem(s) identified by data would be smarter than a blanket prohibition.

Additionally, would this prohibit the renting out of a room in an existing home? Some properties have tenants that rent rooms....often without a lease. Would such an arrangement qualify as a short term rental and thus be banned by a blanket prohibition? Or would these be allowed but just "whole house" rentals banned? What about a guest house on a property?

Would such a blanket prohibition include short term rentals for film activity?

I urge the Planning Commission to oppose the ban and instead collect data and craft tailored regulations designed to address the actual problems associated with short term rentals in our community.

Jennifer Taggart