



Legislation Text

File #: 19-0121, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Anne McIntosh, Community Development Director
Nhung Madrid, Senior Management Analyst

SUBJECT:

Consider: Introduction of Ordinance No. 19-0007 Amending the Manhattan Beach Municipal Code to Reinforce the Prohibition on Renting Residential Property for Less Than 30 Days; and Adoption of Resolution No. 19-0011 Amending the Administrative Penalties for Such Rentals (Community Development Director McIntosh).

a) **INTRODUCE ORDINANCE NO. 19-0007**

b) **ADOPT RESOLUTION NO. 19-0011**

RECOMMENDATION:

Staff recommends that the City Council: (1) introduce Ordinance No. 19-0007 amending the Manhattan Beach Municipal Code to reinforce the prohibition of commercial short term rental of residential properties; and (2) adopt Resolution No. 19-0011 amending the penalties for such rental.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the adoption of the above referenced ordinance or resolution.

BACKGROUND/DISCUSSION:

At the March 6, 2019, City Council meeting, staff presented an Ordinance to reinforce the prohibition on renting property in residential zones for less than 30 days, with an exception under limited circumstances. After conducting a duly noticed public hearing, and receiving public testimony, the City Council voted 5-0 to maintain the existing ban of short-term rentals, without exception, and directed staff to prepare an ordinance amending the Manhattan Beach Municipal Code to strengthen the ban of such rentals.

Ordinance No. 19-0007 accomplishes the following:

- Leaves intact the prohibition of renting property in residential zones for less than 30 days
- Extends the prohibition to renters and lessees; and
- Prohibits the maintenance of advertisements of short-term rentals.

Resolution No. 19-0011 sets the administrative fine at \$1,000 per violation. The Council may want to

consider providing staff with more flexibility with respect to maintaining advertisement of short-term rentals after the City issues a cease and desist letter. Currently, the penalty schedule for administrative citations is a sliding schedule starting at \$250.00 for misdemeanor violations.

The City Council also requested additional Code Enforcement staff to work with Host Compliance, a contractor and short-term rentals compliance monitoring and enforcement service, to administer the citywide ban. The City entered into an agreement with Host Compliance effective March 1, 2019. Information related potential additional staffing resources will be brought back to the City Council in May as part of the fiscal year 2020 budget discussions.

PUBLIC OUTREACH:

The January 15, 2019, City Council public hearing was noticed in The Beach Reporter on January 3, 2019, and the March 6, 2019, City Council public hearing was noticed in The Beach Reporter on February 21, 2019.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

ATTACHMENT:

1. Ordinance No. 19-0007
2. Resolution No. 19-0011