Legislation Details (With Text)

File #:	20-1203	**Version:** 2	**Name:**	CA/CD5 - STR ORD	
Type:	Emergency Ordinance		**Status:**	Adopted	
File created:	11/30/2020		**In control:**	City Council	
On agenda:	12/8/2020		**Final action:**	12/15/2020	
Title:	Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.77, related to short-term rentals; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Citywide)				
Sponsors:	COUNCILWOMAN STACY MUNGO, FIFTH DISTRICT, COUNCILMEMBER JEANNINE PEARCE, SECOND DISTRICT, COUNCILWOMAN SUZIE A. PRICE, THIRD DISTRICT				
Indexes:					
Code sections:					
Attachments:	1. 120820-ORD-55sr&att.pdf, 2. 121520-ORD-32att.pdf, 3. 120820-ORD-55 Correspondence.pdf, 4. ORD-20-0045 (EMERG).pdf, 5. ORD-20-0045 (FINAL).pdf				

Date	Ver.	Action By	Action	Result
12/15/2020	2	City Council	approve recommendation and adopt	Pass
12/8/2020	1	City Council	approve recommendation to declare Emergency Ordinance No. ORD- , read, and adopted as read and laid over to the next regular meeting of the City Council for final reading	Pass
12/8/2020	1	City Council	approve recommendation to declare an emergency to exist	Pass

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating Chapter 5.77, related to short-term rentals; and declaring that this ordinance shall take effect immediately, read and adopted as read. (Citywide)

At its meeting on November 17, 2020, the City Council considered whether to request an amendment to Chapter 5.77, "Short-Term Rentals", of the Long Beach Municipal Code (LBMC) to primarily lift the prohibition on, and regulate, un-hosted short-term rentals (STRs) within the City. The revised draft Ordinance is attached for the City Council's consideration, approval, and adoption.

Consistent with the City Council's direction, Staff used the prior draft Ordinance presented to the Council on May 19, 2020 (which included regulations on un-hosted STRs), and made the following revisions:

- An STR Operator shall not operate more than one (1) primary residence STR and more than one (1) non-primary residence STR within the City;
- The total number of non-primary residence STR registrations shall not exceed 800 dwelling units, and this number shall be reviewed by the City Council on an annual basis; and
- No more than four (4) occasional event permits may be issued per STR during its annual term of registration.

Due to staff's experience and feedback received during the initial implementation process of Chapter 5.77 of the LBMC thus far, staff has additionally made the following revisions for the Council's consideration:

- Clarifying the definition of "primary residence" to specifically include multi-unit buildings on a single parcel and a building in a residential development project;
- Adding a definition of "residential development project";
- Clarifying the definition of "Host" to include an authorized tenant;
- Clarifying that the City will use a "notice and takedown" approach for Hosting Platforms with respect to unauthorized STRs, meaning Platforms will be prohibited from processing, completing, or authorizing any booking transaction for an STR when notified by the City that a valid current STR registration number has not been issued;
- As previously requested, the Petition process to restrict un-hosted STRs will be conducted by census block group; and
- It is a specific violation of Chapter 5.77 (and therefore subject to all appropriate civil or criminal penalties) to exceed the maximum number of occasional events permitted per registration year.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Negative Declaration (ND 07-19) was certified by the City Council for this "project" on June 16, 2020. A Resolution directing the Director of Development Services to submit a request to the California Coastal Commission for a finding of conformance in the City's Coastal Zone has been prepared and is also submitted for the Council's consideration and adoption.

At its meeting on November 17, 2020, the City Council requested an amendment to Chapter 5.77, “Short-Term Rentals”, of the Long Beach Municipal Code (LBMC) to primarily lift the prohibition on, and regulate, un-hosted short-term rentals (STRs) within the City. The City Attorney prepared the revised draft Ordinance, which is attached in an accompanying item, for the City Council’s consideration, approval and adoption.

The purpose of this specific item is to notify the public that the City Council will be considering whether to adopt the amended Ordinance as an urgency/emergency in accordance with Long Beach Charter section 211, in light of the COVID-19 pandemic and applicable Health Orders, including provisions related to the operations of STRs.

Since the CDC has stated that unhosted Short-Term Rentals are a safe lodging option that has the lowest exposure to additional people, we encourage the City Council’s approval of

urgency so individuals traveling for the holiday have additional options of safe places to quarantine.

[Timing Considerations]

Due to the urgency of this item, no fiscal analysis was conducted.

URGENCY STATEMENT

This is an urgent item due to the impacts caused by COVID-19.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING AND RESTATING CHAPTER 5.77, RELATED TO SHORT-TERM RENTALS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

CHARLES PARKIN
CITY ATTORNEY

BY: MONICA J. KILAITA
DEPUTY CITY ATTORNEY

STACY MUNGO
COUNCILWOMAN, FIFTH DISTRICT

JEANNINE PEARCE
COUNCILMEMBER, SECOND DISTRICT

SUZIE PRICE
COUNCILWOMAN, THIRD DISTRICT