

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
301 Ocean Blvd., Suite 300  
Long Beach, CA 90802-  
(562) 590-5071



# W27a

## LCP-5-LGB-19-0074-1 (SHORT-TERM LODGINGS)

JANUARY 13, 2020

### EXHIBITS

#### Table of Contents

Exhibit 1 – Resolution 20.080

RESOLUTION NO. 20.080

1  
2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 LAGUNA BEACH, CALIFORNIA, ADOPTING LOCAL COASTAL  
4 PROGRAM AMENDMENT 15-2254 AS MODIFIED BY THE  
5 CALIFORNIA COASTAL COMMISSION RELATING TO THE  
6 REGULATION OF SHORT-TERM LODGING, AND REQUESTING A  
7 DETERMINATION OF THE EXECUTIVE DIRECTOR OF THE  
8 CALIFORNIA COASTAL COMMISSION THAT LOCAL COASTAL  
9 PROGRAM AMENDMENT 15-2254 IS CONSISTENT WITH THE  
10 ACTION BY THE CALIFORNIA COASTAL COMMISSION

11  
12 WHEREAS, on September 27, 2016, the City Council approved Ordinance No. 1617  
13 to amend provisions of the Laguna Beach Municipal Code regarding short-term lodging  
14 (STLs), and adopted Resolution No. 16.076 to request that the California Coastal  
15 Commission approve Local Coastal Program amendment 15-2254; and

16 WHEREAS, on December 14, 2017, the Coastal Commission approved LCP  
17 amendment 15-2254, with modifications; and

18 WHEREAS, the City and the Coastal Commission entered into a series of tolling  
19 agreements to allow time for parties to discuss and negotiate the Coastal Commission's  
20 suggested modifications and other possible modifications to the City's LCP amendment  
21 application; and

22 WHEREAS, on June 4, 2019, the City Council approved Ordinance No. 1635,  
23 approving modifications to LCP amendment 15-2254; and

24 WHEREAS, on August 13, 2020, the Coastal Commission conducted a public  
25 hearing and continued the matter, directing the Coastal Commission staff to work with the  
26 City to consider additional provisions, including a home-sharing program to promote and  
27 encourage more affordable visitor-serving accommodations, and regulations to provide  
28 protection to the City's long-term rental housing stock in the mixed-use districts; and

WHEREAS, staff of the Coastal Commission and the City met to further discuss and

negotiate in good faith additional modifications to the LCP amendment; and

**WHEREAS**, on October 7, 2020, the Coastal Commission conducted a public hearing and unanimously approved the LCP amendment, with certain modifications; and

**WHEREAS**, on October 30, 2020, a public notice was published in the Daily Pilot, providing notice of a public hearing before the City Council on November 17, 2020; and

**WHEREAS**, on November 17, 2020, the City Council conducted a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES RESOLVE AND ORDER** as follows:

**SECTION 1.** LCP amendment 15-2254, amending Laguna Beach Municipal Code Chapters 25.23, 25.10, 25.12, 25.14, and 25.43 as modified by the California Coastal Commission relating to the regulation of short-term lodging, as attached in Exhibit A and incorporated herein by reference, is approved.

**SECTION 2.** The City's LCP, including LCP amendment 15-2254, shall be carried out fully in conformity with the California Coastal Act.

**SECTION 3.** LCP amendment 15-2254 is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15265(a)(1) of Title 14 of the California Code of Regulations and Chapter 3 of the Coastal Act. Section 15265(a)(1) exempts local governments from the requirements of preparing an environmental impact report or otherwise complying with CEQA in connection with the adoption of a Local Coastal Program.

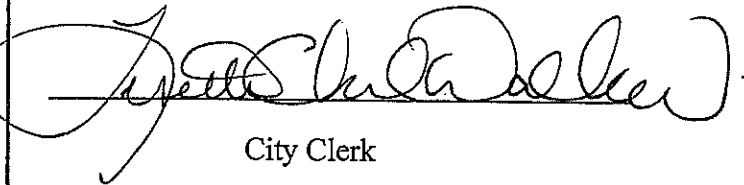
**SECTION 4.** The Executive Director of the California Coastal Commission is requested to determine that LCP amendment 15-2254 is consistent with the action by the California Coastal Commission and, pursuant to Title 14, Section 13551(b) of the Coastal Commission Regulations, LCP amendment 15-2254 shall take effect upon concurrence by the Executive Director of the California Coastal Commission.

ADOPTED this 17<sup>th</sup> day of November 2020.



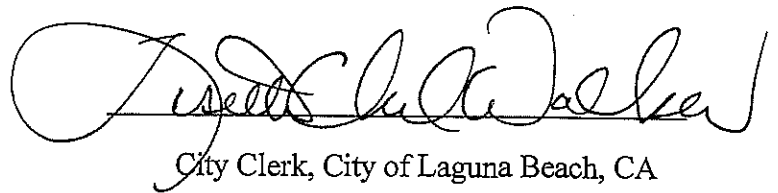
Bob Whalen, Mayor

ATTEST:

  
City Clerk

I, LISETTE CHEL-WALKER, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 20.080 was duly adopted at a Regular Meeting of the City Council of said City held on November 17, 2020 by the following vote:

AYES:	COUNCILMEMBER(S)	Blake, Iseman, Kempf, Dicterow, Whalen
NOES:	COUNCILMEMBER(S)	None
ABSENT:	COUNCILMEMBER(S)	None

  
City Clerk, City of Laguna Beach, CA

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Exhibit A

LCP Amendment 15-2254 and Zoning Ordinance Amendment 20-7584

Existing Municipal Code language is shown in regular font, new text in **bold/underline** font and deleted text in ~~strikethrough~~ font.

25.05.020 Administrative Use Permit Procedure

(D) Public Hearing. No hearing on the application shall be held unless requested by the applicant or other noticed person. In the event a hearing is requested, **with the exception of an application for short-term lodging**, the department of community development shall set a hearing date before the director of community development and shall notice said hearing pursuant to the provisions of subsection (C) of this section. **In the case of a hearing requested for short-term lodging, the department of community development shall set a hearing date before the Planning Commission and shall notice said hearing pursuant to the provisions of subsection (C) of this section.**

(E) Approval. **With exception of an application where a hearing is requested for short-term lodging,** ~~t~~The director of community development or authorized designee shall approve, **conditionally approve**, or deny an administrative use permit based upon compliance or noncompliance with the city's zoning regulations. **In the case of an application for short-term lodging where a hearing is requested, the Planning Commission shall approve, conditionally approve or deny an administrative use permit based upon compliance or noncompliance with the City's zoning regulations. Any decision to approve or conditionally approve an application shall be accompanied by an additional finding that based upon the evidence in the record and conditions of approval, the proposed short-term lodging will have no substantial adverse effect upon abutting properties.**

25.10.005 Uses Permitted Subject to an Administrative Use Permit

1 The following uses may be permitted subject to the granting of an administrative use permit  
2 as provided for in Section 25.05.020;:-

3 (A) Family day care home, large, subject to the following standards:

- 4 (1) The operator of the facility must be licensed pursuant to Chapter 3.5 or 3.6 of  
5 the California State Health and Safety Code;
- 6 (2) A business license shall be obtained in accordance with Chapter 5.08, Business  
7 Licenses;
- 8 (3) No signs identifying the day care facility are permitted other than those  
9 permitted pursuant to Section 25.54.010;
- 10 (4) Parking shall be in compliance with Chapter 25.52;
- 11 (5) Hours of operation shall be limited to the hours between seven a.m. and seven  
12 p.m.;
- 13 (6) Outdoor play for children shall not begin before nine-thirty a.m.;
- 14 (7) The facility shall comply with State Fire Marshal fire and life safety standards.

15 (B) Parking or storage of recreational vehicles (meaning any travel trailer, boat, camper,  
16 motor home, van, travel and utility trailer or converted bus) that is more than twenty  
17 feet in length and more than six feet in height, subject to the following:

- 18 (1) The vehicle shall be owned by the owner of the property or the tenant who is the  
19 primary resident of the property.
- 20 (2) The outdoor parking of such vehicles shall not be closer than five feet to a  
21 property line, shall not be parked in the front or side yards and shall be located  
22 on a paved, or any other stable, all-weather surface approved by the director of  
23 community development.
- 24 (3) The vehicle shall not be connected to electricity, sewer or water.
- 25 (4) The vehicle shall not be used, either temporarily or permanently, for sleeping or  
26 living purposes.
- 27 (5) The vehicle shall not be used for storage of goods, materials or equipment other  
28 than those that constitute part of the unit or are essential for its immediate use.
- (6) The vehicle shall be in operable condition.

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(7) The vehicle shall be effectively screened from a public right-of-way and/or adjacent residences with fencing and/or landscaping to the maximum extent allowed under the zoning regulations.

All vehicles being parked or stored as of the effective date of this subsection and not conforming to the provisions hereof shall within three months after receiving appropriate notice from the community development department, either obtain approval of an administrative use permit or cause the vehicle to be removed from the property.

~~(C) Short term lodging as defined and specified in Chapter 25.23 of this title.~~

**25.12.005 Uses Permitted Subject to an Addministrative Use Permit**

The following uses may be permitted subject to the granting of an Addministrative Use Permit as provided for in Section 25.05.020 ~~of this title~~:

(A) Family day care home, large, subject to the following standards:

- (1) The operator of the facility must be licensed pursuant to Chapter 3.5 or 3.6 of the California State Health and Safety Code;
- (2) A business license shall be obtained in accordance with Chapter 5.08 ~~of this code~~, Business Licenses;
- (3) No signs identifying the day care facility are permitted other than those permitted pursuant to Section 25.54.010 ~~of this code~~;
- (4) Parking shall be in compliance with Chapter 25.52 ~~of this code~~;
- (5) Hours of operation shall be limited to the hours between seven a.m. and seven p.m.;
- (6) Outdoor play for children shall not begin before nine-thirty a.m.;
- (7) The facility shall comply with State Fire Marshal fire and life safety standards.

~~(B) Short term lodging as defined and specified in Chapter 25.23 of this title.~~

(B) ~~(C)~~ Parking or storage of recreational vehicles (meaning any travel trailer, boat, camper, motor home, van, travel and utility trailer or converted bus) that is more than twenty feet in length and more than six feet in height, subject to the following:

- (1) The vehicle shall be owned by the owner of the property or the tenant who is the

primary resident of the property.

- (2) The outdoor parking of such vehicles shall not be closer than five feet to a property line, shall not be parked in the front or side yards and shall be located on a paved, or any other stable, all-weather surface approved by the director of community development.
- (3) The vehicle shall not be connected to electricity, sewer or water.
- (4) The vehicle shall not be used, either temporarily or permanently, for sleeping or living purposes.
- (5) The vehicle shall not be used for storage of goods, materials or equipment other than those that constitute part of the unit or are essential for its immediate use.
- (6) The vehicle shall be in operable condition.
- (7) The vehicle shall be effectively screened from a public right-of-way and/or adjacent residences with fencing and/or landscaping to the maximum extent allowed under the zoning regulations.

All vehicles being parked or stored as of the effective date of this subsection and not conforming to the provisions hereof shall within three months after receiving appropriate notice from the community development department, either obtain approval of an administrative use permit or cause the vehicle to be removed from the property.

**25.14.005 Uses Permitted Subject to an Aadministrative Use Permit**

The following uses may be permitted subject to the granting of an Aadministrative Use Permit as provided for in Section 25.05.020 ~~of this title~~:

(A) Family day care home, large, subject to the following standards:

- (1) The operator of the facility must be licensed pursuant to Chapter 3.5 or 3.6 of the California State Health and Safety Code;
- (2) A business license shall be obtained in accordance with Chapter 5.08 ~~of this title~~, Business Licenses;
- (3) No signs identifying the day care facility are permitted other than those permitted pursuant to Section 25.54.010 ~~of this title~~;



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(4) Parking shall be in compliance with Chapter 25.52 of this title;

(5) Hours of operation shall be limited to the hours between seven a.m. and seven p.m.;

(6) Outdoor play for children shall not begin before nine-thirty a.m.;

(7) The facility shall comply with State Fire Marshal fire and life safety standards.

~~(B) Short term lodging as defined and specified in Chapter 25.23 of this title.~~

(B) ~~(C)~~ Parking or storage of recreational vehicles (meaning any travel trailer, boat, camper, motor home, van, travel and utility trailer or converted bus) that is more than twenty feet in length and more than six feet in height, subject to the following:

(1) The vehicle shall be owned by the owner of the property or the tenant who is the primary resident of the property;

(2) The outdoor parking of such vehicles shall not be closer than five feet to a property line, shall not be parked in the front or side yards and shall be located on a paved, or any other stable, all-weather surface approved by the director of community development;

(3) The vehicle shall not be connected to electricity, sewer or water;

(4) The vehicle shall not be used, either temporarily or permanently, for sleeping or living purposes;

(5) The vehicle shall not be used for storage of goods, materials or equipment other than those that constitute part of the unit or are essential for its immediate use;

(6) The vehicle shall be in operable condition;

(7) The vehicle shall be effectively screened from a public right-of-way and/or adjacent residences with fencing and/or landscaping to the maximum extent allowed under the zoning regulations.

All vehicles being parked or stored as of the effective date of the ordinance codified in this subsection and not conforming to the provisions hereof shall within three months after receiving appropriate notice from the community development department, either obtain approval of an administrative use permit or cause the vehicle to be removed from the property.

Chapter 25.23

SHORT-TERM LODGING

Sections:

- 25.23.010 Purpose and Findings
- 25.23.020 Definitions
- 25.23.030 Permit Required ~~Administrative use permit or conditional use permit.~~
- 25.23.040 Conditions
- 25.23.050 Permit does not run with the land ~~Amortization~~
- 25.23.060 Continuation of legal Short-Term Lodging Units in Residential

Zones

- 25.23.065 Continuation of legal Short-Term Lodging Units in Commercial

Zones

- 25.23.070 Responsibilities of Short-Term Lodging Hosting Platforms
- 25.23.080 Violations

25.23.010 Purpose and Findings

The City Council of the City of Laguna Beach finds and declares as follows:

- (A) Visitors ~~Tourists~~, who rent short-term lodging units, can escalate the demand for City services and create adverse impacts in zoning districts that allow residential uses.
- (B) Short-term lodging units are considered a commercial use, which are not permitted in residentially zoned properties.
- (C) Short-term lodging units can be associated with the depletion of the City's limited supply of multiple-family residential units.
- (~~D~~) Incidents involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking and accumulation of refuse can be associated with ~~directly related to~~ short-term lodging units, which require response from police, fire, paramedic and other City services ~~City services~~ and can escalate the demand for such services.
- (~~E~~) Agents and/or absentee owners operate many short-term lodgings.
- (~~F~~) The restrictions of this Chapter are necessary to prevent the burden on City services

1 and adverse impacts on residential neighborhoods posed by short-term lodgings and to  
2 preserve the City's existing rental housing stock consistent with the adopted  
3 General Plan.

4  
5 25.23.020 Definitions

6 For the purpose of this Chapter, the following definitions shall apply:

- 7 (A) "Booking Transaction" means any reservation or payment service provided by a  
8 person who facilitates a short-term rental transaction between a prospective  
9 transient user and an owner or operator.
- 10 (B) ~~(A)~~ "District" means the zones of the City designated by this Title.
- 11 (C) "Good neighbor brochure" means a document prepared by the City that  
12 summarizes the general rules of conduct, consideration, and respect including  
13 but not limited to the provisions of the City of Laguna Beach Municipal Code  
14 and other applicable laws, rules or regulations pertaining to the use and  
15 occupancy of the short-term lodging units.
- 16 (D) "Home exchange" means the simultaneous exchange of homes by one owner  
17 with another owner in a different city for short periods of time, for not less than  
18 one week and not more than two times in total per calendar year, by written  
19 agreement between both parties to exchange homes without any exchange of  
20 compensation or other consideration.
- 21 (E) "Home sharing" is a form of short-term lodging subject to the provisions of this  
22 Chapter and means a rental in a residential unit for 30 consecutive days or less  
23 during which the host lives on-site for the entirety of the visitor's stay and the  
24 visitor enjoys the non-exclusive shared use of the host's home in exchange for  
25 compensation, including any type of in-kind trade or exchange agreement  
26 between the property owner or designated resident host and the boarder, lodger  
27 or visitor.
- 28 (F) "Hosting Platform" means a person who participates in the short-term lodging  
rental business by collecting or receiving a fee, directly or indirectly through an

1 agent or intermediary, for conducting a booking transaction using any medium  
2 of facilitation.

3 (G) "Large or unruly gathering" means a gathering of persons for social occasion  
4 that results in a public nuisance or threat to the public health, safety or general  
5 welfare or quiet enjoyment of residential property or nearby public property.

6 (H) "Local contact person" means the person designated by the owner or the  
7 owner's authorized agent or representative who shall be available twenty-four  
8 hours per day, seven days per week for the purpose of: (1) responding within  
9 sixty minutes to complaints regarding the condition, operation, or conduct of  
10 occupants of the short-term lodging unit; and (2) taking remedial action to  
11 resolve any such complaints.

12 (I) (B) "Lodging unit" or "Residential Unit" means the same as a "dwelling unit," which  
13 is a room or suite of rooms with a single kitchen used for the residential use and  
14 occupancy of one family, including a single-family residence, an apartment or  
15 other leased premises, a residential condominium unit or any other residential  
16 real estate improvement that is located in a zoning district within which short-  
17 term lodging is allowed pursuant to this chapter and which is rented to person(s)  
18 other than the owner. "Lodging unit" does not include individual guest rooms in a  
19 hotel, motel or similar transient lodging establishment operated by an innkeeper,  
20 as defined in subdivision (a) of Section 1865 of the California Civil Code. The  
21 density standards applicable to short term lodging units shall be no greater than the  
22 density otherwise allowed in the underlying zone.

23 (J) "Operator" means the owner or the designated agent or representative of the  
24 owner who is responsible for compliance with this chapter with respect to the  
25 short-term rental unit.

26 (K)(C) "Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title  
27 to the lodging unit.

28 (L) "Person" means any natural person, joint venture, joint stock company,  
partnership, association, club, company, corporation, business trust, or

organization of any kind.

1  
2 (M) “Responsible person” means an occupant of a short-term lodging unit who is at  
3 least 21 years of age and who is legally responsible for ensuring that all  
4 occupants and/or guests of the short-term rental unit comply with all applicable  
5 laws, rules and regulations pertaining to the use and occupancy of the subject  
6 short-term rental unit.

7 (N) “Rent” means compensation, money, rent, or other bargained for consideration  
8 given in return for occupancy, possession, or use of real property.

9 (O) ~~(D)~~ “Short-term” means occupancy of a lodging unit for a period of thirty consecutive  
10 calendar days or less. “Short-term” shall include the rental of a lodging unit for a  
11 period of more than thirty consecutive days to an entity, person or group of  
12 persons and said entity, person or group of persons sublets or otherwise makes  
13 available the unit to another entity, person or group of persons whereby  
14 separate occupancy durations are established for the other entity, person or  
15 group of persons for a period of thirty calendar days or less.

16 25.23.030 ~~Permit Required Administrative use permit or conditional use permit.~~

17 (A) Short-term lodging units shall only be allowed within the ~~R-1, R-2, R-3, LB/P, C-N,~~  
18 ~~C-1, and CH-M, and VC Zoning D~~ districts, and within the CBD-1, CBD-2, CBD  
19 Central Bluffs, CBD Office and CBD Visitor Commercial Districts of the  
20 Downtown Specific Plan, subject to the approval of an ~~A~~ Administrative U  
21 se ~~P~~ ermit as provided for in Section 25.05.020 of this title and SLV zoning district  
22 subject to the approval of a Conditional Use Permit ~~CUP~~ as provided in Section  
23 25.05.030, ~~issued pursuant to this chapter.~~ No owner of a dwelling unit or units  
24 located outside of those zoning districts shall rent that unit or units for a short-term  
25 (30 consecutive days or less) without a valid administrative use permit or conditional  
26 use permit, as applicable, issued pursuant to this chapter.

27 (B) To protect the long-term rental housing stock, no more than 20% of the total  
28 number of allowable rental units located in the permitted zoning districts may be

1           converted to short-term lodgings, with a maximum number of 300 total short-  
2           term lodgings (not including home share units) allowed city-wide, including  
3           those short-term lodgings units approved prior to October 2020. To promote  
4           home share units as another type of short-term lodging, an additional 165 home  
5           share units may be authorized in single-family, duplex, and triplex dwellings  
6           located in the permitted zoning districts. The Use Permit fees are waived for  
7           home share units.

8           (C) To avoid wholesale conversion of existing and new housing complexes into short-  
9           term lodgings, properties with five or fewer units may only convert a maximum  
10           of one unit into a short-term lodging. Properties with more than five units may  
11           only convert a maximum of 20% of the total number of units into short-term  
12           lodgings (rounded down to the nearest whole number).

13           (D) No owner or tenant of a lodging unit that is restricted by covenant or similar  
14           instrument for the purpose of providing affordable housing, senior housing, or  
15           housing for the disabled shall rent such unit for the purpose of providing short-  
16           term lodging.

17           (E) A home exchange as defined in Section 25.23.020(D) shall not constitute short-  
18           term lodging for the purposes of this Chapter.

19           (F) Existing residential units that are currently non-conforming to any density or  
20           development standard within the underlying zoning district of the subject  
21           property shall be permitted to convert to short-term lodging subject to the  
22           approval of an Administrative Use Permit or Conditional Use Permit.

23           (G) The following information shall be included with the completed application  
24           form:

25           (1) The name, address and telephone number of the owner of the subject short-  
26           term lodging unit;

27           (2) The name, address and telephone number of the operator;

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- (3) The name, address and telephone number (available 24/7) of the local contact person that will be available to physically be able, if necessary, to respond within 60 minutes of notification of a problem resulting from the short-term lodging unit;
- (4) The address of the proposed short-term lodging unit;
- (5) The days of the week, weeks of the month and/or months of the year that the proposed short-term lodging unit will be available for rent on a short-term basis, and the minimum length of stay that the short-term rental will be advertised;
- (6) The number of bedrooms and the applicable overnight and daytime occupancy of the proposed short-term lodging unit;
- (7) The number of parking spaces located on site;
- (8) A site plan and floor plan, drawn to scale depicting the site layout, trash storage area that must be concealed from public view, parking area and a floor plan of the entire unit/rooms to be rented for short-term lodging purposes;
- (9) Acknowledgement of receipt and inspection of the Good Neighbor brochure;
- (10) Evidence that the residence/premises passed a safety inspection conducted by the Laguna Beach Fire Department;
- (11) Evidence that the use of the property is eligible for liability insurance (homeowners or rental property insurance) in the amount of not less than \$500,000.00 to cover injuries, damages, losses and other claims associated with the short-term lodging;
- (12) An estimate of the daily rental fee that will be charged for occupancy of the unit(s);
- (13) An application fee established by resolution of the City Council, except for Use Permit applications for home share units. The Use Permit fees are waived for home shared units;

(14) One set of public notification materials prepared by a qualified and independent vendor as instructed more fully in the "City of Laguna Beach Community Development Department Public Notice Package Requirements."

25.23.040 Conditions

All Administrative Use Permits or Conditional Use Permits (if located in the SLV Zoning District) issued pursuant to this Chapter shall be subject to the following standard conditions. As a result of issues identified during the Administrative Use Permit or Conditional Use Permit review process, other conditions may be imposed to ensure that the proposed use does not adversely affect the health, safety and general welfare of the occupants of adjacent property and the neighborhood. Failure to comply with any of the imposed conditions may be grounds for possible revocation of the Administrative Use Permit or Conditional Use Permit for short-term lodging as provided for in Section 25.05.075.

(A) Overnight occupancy of short-term lodging unit(s) shall be limited to a maximum of two persons per bedroom. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m. with the maximum daytime guests not to exceed two persons per bedroom with a maximum of 20 guests allowed for five bedrooms or more. The following table illustrates the maximum number of occupants: ~~specific number of occupants, and the number of occupants shall not exceed that permitted by the provisions of Title 14 (Building and Construction) and 15 (Fire) of the Laguna Beach Municipal Code;~~

<u>Number of Bedrooms</u>	<u>Total Overnight Occupants</u>	<u>Total Daytime Occupants (Including Number of Overnight Occupants)</u>
<u>0-Studio</u>	<u>2</u>	<u>4</u>
<u>1</u>	<u>2</u>	<u>4</u>
<u>2</u>	<u>4</u>	<u>8</u>



<u>3</u>	<u>6</u>	<u>12</u>
<u>4</u>	<u>8</u>	<u>16</u>
<u>5</u>	<u>10</u>	<u>20</u>
<u>6</u>	<u>12</u>	<u>20</u>
<u>7</u>	<u>14</u>	<u>20</u>

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7 (B) Each newly constructed short-term lodging unit must provide the minimum off-  
8 street parking spaces per the applicable use of "Dwelling, single-family or two-  
9 family", or "Dwelling, multi-family" as set forth in Section 25.52.012(G).  
10 Existing residential units that are proposed to be converted to short-term  
11 lodging units and are currently non-conforming in regard to the number of  
12 required off-street parking spaces shall be permitted to convert to short-term  
13 lodging provided the same number of non-conforming off-street parking spaces  
14 continues to be provided. Existing residential units that are proposed to be  
15 converted to short-term lodging units but currently have no existing off-street  
16 parking shall be considered non-conforming and may be converted to short-term  
17 lodging units without providing additional parking. The maximum number of  
18 vehicles permitted to park at the short-term lodging unit is limited to the  
19 number of on-site parking spaces provided for the short-term lodging unit. No  
20 vehicles of overnight or daytime occupants shall be parked on a street serving  
21 residential homes.

22 (CB) Occupants and/or guests of short-term lodging unit(s) shall not create  
23 unreasonable noise or disturbances and shall comply with the standards and  
24 regulations of the Laguna Beach Noise Ordinance, shall not engage in disorderly  
25 conduct or violate provisions of the Laguna Beach Municipal Code or any State law  
26 pertaining to noise, collection and disposal of refuse, disorderly conduct, the  
27 consumption of alcohol or the use of illegal drugs.;

28 (D) No radio receiver, musical instrument, phonograph, compact disk player,  
loudspeaker, karaoke machine, sound amplifier or any machine, device or

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equipment that produces or reproduces any sound shall be played outside of any short-term lodging unit or be audible from the usable area of any adjacent residences between the hours of 10:00 p.m. and 10:00 a.m.

(E) While the short-term lodging unit is rented, the operator shall designate a local contact person that will be available twenty four hours per day, seven days per week for the purpose of responding within 60 minutes to any issues received from either the neighbors of the short-term lodging unit or the responsible person renting the short-term lodging unit.

(F) The operator shall provide the City with the name, address and telephone number of the local contact person. If the local contact person changes or the contact information changes, the operator shall notify the City of the information of the new local contact person within 24 hours.

(G) Trash and refuse shall not be stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The containers shall be placed out for collection by seven a.m. and taken in by six p.m. to minimize interference with public rights-of-way on the scheduled trash collection days. The operator shall use reasonable prudent business practices to ensure compliance with all of the provisions of Chapter 7.16 (Solid Waste Collection and Disposal) of the Laguna Beach Municipal Code and must provide an appropriate number of and type of receptacles.

(H) Onsite advertising signs for the purpose of leasing the short-term lodging unit as a vacation rental are prohibited.

(I) All advertising (print, online, etc.) must include the City business license and Administrative Use Permit or Conditional Use Permit numbers.

(J) Commercial activities and events such as weddings, receptions and/or large parties are prohibited.

(K) Three or more confirmed violations of large or unruly gatherings, as defined in this chapter, will result in an automatic hearing for revocation of the

Administrative Use Permit or Conditional Use Permit.

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- (L) Each approved short-term lodging unit shall display a valid Administrative Use Permit or Conditional Use Permit Resolution in a visible location near the main entrance within the rental unit and the conditions of the permit shall be posted on the exterior of the rental unit, or property if the unit is set back from the street, in plain view of the public. The permit and conditions shall be on 8.5 x 11 inch paper, protected in plastic, with the print no smaller than a 12 font size.
- (M) ~~(C)~~ A valid business license issued by the City for the separate business of operating short-term lodging unit(s) shall be obtained prior to renting short-term lodging, ~~and~~
- (N) ~~(D)~~ A valid Transient Occupancy Registration Certificate issued by the City for the lodging unit(s) per Chapter 5.05 (Hotel-Motel Room Tax) shall be obtained prior to renting short-term lodging, and the transient occupancy tax shall be paid as required by that chapter. Every Administrative Use Permit or Conditional Use Permit holder for short-term lodging must submit a quarterly return, whether or not the short-term lodging unit was rented during the quarter and/or Transient Occupancy Tax was collected.
- (O) Each owner and/or operator of any short-term lodging unit shall keep and provide any records related to the use and occupancy (dates of stay, rent paid, etc.) of the short-term lodging unit to the Director of Finance or his/her designee, at the time that quarterly Transient Occupancy Tax payments are remitted to the City.
- (P) The property owner must maintain liability insurance (homeowners or rental property insurance) in the amount of not less than \$500,000.00 to cover injuries, damages, losses and other claims associated with the short-term lodging.
- (Q) Notwithstanding any provision of this title to the contrary, and unless otherwise specifically authorized by an Administrative Use Permit or Conditional Use Permit approved pursuant to this chapter, an Administrative Use Permit or Conditional Use Permit for short-term lodging is valid for a maximum of three (3) years from the date of approval of the permit, at which time the permit shall

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expire and be of no further force and effect unless renewed pursuant to this section.

(R) Upon a change in ownership of a short-term lodging unit, or a change of the agent/operator or any material facts set forth in the application for a short-term lodging unit, including an application for renewal of the Administrative Use Permit or Conditional Use Permit as described herein, a new Administrative Use Permit or Conditional Use Permit shall be required to continue operation of the short-term rental property, which the owner shall submit to the City within fourteen days of said change.

(S) An approved Administrative Use Permit or Conditional Use Permit for short-term lodging shall be subject to review if written complaints are received. These reviews may result in a noticed Public hearing before the Planning Commission. Following the public hearing on the matter, the Planning Commission may require immediate compliance with conditions of approval, amendment of the conditions of approval or the commencement of proceedings to revoke the Administrative Use Permit or Conditional Use Permit as provided in Section 25.05.075.

25.23.50 Permit does not run with the land. *Amortization*

(A) Notwithstanding any provision of this Title to the contrary and unless expressly provided otherwise by this chapter, an administrative use permit or conditional use permit approved pursuant to this chapter shall not run with the land. The permission to operate short-term lodging shall be personal and limited to the owner of the property to whom the administrative use permit or conditional use permit is issued.

(B) No person shall convey or transfer or attempt to convey or transfer an administrative use permit or conditional use permit for short-term lodging to any other person. Any conveyance or transfer, or attempt to convey or transfer, an administrative use permit in violation of this section shall be void and shall

constitute a violation of this code.

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2 (C) No person shall convey or transfer or attempt to convey or transfer an  
3 administrative use permit or conditional use permit for short-term lodging from  
4 one property to another property. Any conveyance or transfer, or attempt to  
5 convey or transfer, an administrative use permit in violation of this section shall  
6 be void and shall constitute a violation of this code. ~~The operation of any legal,~~  
7 ~~nonconforming short term lodging unit(s) in existence as of the effective date of this~~  
8 ~~ordinance shall cease and be discontinued within two years from the effective date of~~  
9 ~~the ordinance unless the owner(s) of such units obtain an Administrative Use Permit~~  
10 ~~in accordance with the provisions of this title. This section does not in any way~~  
11 ~~preclude the requirements of Chapter 5.05, which requires the collection of a~~  
12 ~~transient occupancy tax for any person renting a space in a hotel (as defined in~~  
13 ~~Section 5.05.020 of this code) containing three or more units for thirty consecutive~~  
14 ~~calendar days or less.~~

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16 **25.23.60 Continuation of legal short term lodging units in residential zones.**

17 (A) The operation of any legal short-term lodging unit permitted prior to October  
18 2020 and located within the R-1, R-2, R-3 or VC zoning districts may continue  
19 as a legal nonconforming use subject to (1) the requirements set forth below, (2)  
20 continuously maintaining a business license for the short-term lodging unit, (3)  
21 fully and timely complying with applicable requirements for record-keeping and  
22 the collection and remittance of transient occupancy taxes, and (4) complying  
23 with all other conditions of the previously approved permit. No new short-term  
24 lodging may be established within the R-1, R-2, R-3 or VC zoning districts.

25 (B) The right to continue the operation of a preexisting legal short-term lodging unit  
26 pursuant to the provision of subsection (A) shall run with the land.

27 (C) The right to continue the operation of a preexisting legal short-term lodging unit  
28 under this section shall lapse in the event that the use of the unit for short-term  
lodging is abandoned or ceases for a period of twelve or more consecutive

months.

25.23.065 Continuation of legal short - term lodging units in commercial zones.

(A) The operation of any legal short-term lodging unit permitted prior to October 2020 and located within the LB/P, C-N, C-1 or CH-M zoning districts or within the CBD-1, CBD-2, CBD Central Bluffs, CBD Office or CBD Commercial districts of the Downtown Specific Plan may continue as a legal conforming use subject to (1) the requirements set forth below, (2) continuously maintaining a business license for the short-term lodging unit, (3) fully and timely complying with applicable requirements for record-keeping and the collection and remittance of transient occupancy taxes, and (4) complying with all other conditions of the previously approved permit. The establishment of new short-term lodging units within those zoning districts shall conform to the provisions of this chapter.

(B) The right to continue the operation of a preexisting legal short-term lodging unit pursuant to the provisions of subsection (A) shall run with the land.

(C) The right to continue the operation of a preexisting legal short-term lodging unit under this section shall lapse in the event that the use of the unit for short-term lodging is abandoned or ceases for a period of twelve or more consecutive months, and the unit shall not thereafter be reestablished except as provided by this chapter.

25.23.70 Responsibilities of Short - Term Lodging Hosting Platforms.

(A) Hosting platforms shall be responsible for collecting all applicable transient occupancy taxes and remitting the same to the City. The hosting platform shall be considered an agent of the host for purposes of transient occupancy tax collections and remittance responsibilities.

(B) Subject to applicable laws, hosting platforms shall disclose to the City on a regular basis each short-term lodging rental listing located in the City, the

1 names of the persons responsible for each such listing, the address of each such  
2 listing, the length of stay for each such listing, and the price paid for each stay.

3 (C) Hosting platforms shall not complete any booking transaction for any short-term  
4 rental unless it is listed on the City's registry of approved short-term lodging  
5 units at the time the hosting platform receives a fee for the booking transaction.

6 25.23.80 Violations.

7 (A) Additional conditions. In the event a violation of any provision of this chapter by  
8 any occupant, owner, hosting platform or operator of a short-term lodging unit,  
9 the Director of Community Development or his or her designee may impose  
10 additional conditions on the use of the subject short-term lodging unit to ensure  
11 that future such violations are avoided. If a second violation occurs, then the  
12 Director of Community Development may proceed with the commencement of  
13 revocation procedures provided in Section 25.05.075.

14 (B) Administrative use permit modification, suspension and revocation. A violation  
15 of any provision of this chapter by any occupant, owner, hosting platform or  
16 operator of a short-term lodging unit shall constitute grounds for modification,  
17 suspension or revocation of the subject short-term lodging unit administrative  
18 use permit or conditional use permit pursuant to Section 25.05.075 of this code.

19 (C) Administrative citation. In addition or as an alternative to any other remedy  
20 provided by state law or this code, the City may issue an administrative citation  
21 to the owner, hosting platform or operator pursuant to chapter 1.15 of this code  
22 if there is any violation of this chapter committed, caused or maintained by such  
23 person for each day of such violation. In such case, the City shall issue said  
24 citation for the first and any additional violations in the amount of \$1,000 per  
25 violation.

26 (D) Any person, including without limitation owners, hosting platforms or  
27 operators, violating any of the provisions of this chapter shall be guilty of a  
28 misdemeanor. Each day that such a violation occurs shall constitute a separate  
offense.

1 (E) Public nuisance. It shall be a public nuisance for any person to commit, cause or  
2 maintain a violation of this chapter.

3 (F) If a permit to operate a short-term lodging unit is revoked, then the owner of the  
4 subject property to whom the permit issued must wait a minimum of three (3)  
5 years before applying for a new permit to operate short-term lodging.

6 (G) It shall be a violation of this chapter if any person, including without limitation,  
7 owners, hosting platforms or operators, advertises a short-term rental without  
8 an approved permit to operate short-term lodging.

9 25.23.090 Reporting to the California Coastal Commission.

10 (A) Three years after the date of certification of this LCP Amendment No. LCP-5-  
11 LGB-19-0074-1 or three years after October 2020, whichever occurs first, the  
12 City shall provide the California Coastal Commission with a report to include  
13 the following:

14 (1) An update on new housing and hotel units added within the City including  
15 lower and higher cost hotels and affordable and higher cost housing;

16 (2) Total number of dwelling units in the permitted districts as well as the total  
17 number of short-term lodging permits that have been issued;

18 (3) Identification of the housing types and locations of the short-term lodging  
19 permits issued, including home share units.

20 (B) If the report identifies evidence that short-term lodging is contributing to a loss  
21 of lower cost hotel room stock or affordable housing stock, the City shall submit  
22 an amendment to the short-term lodging ordinance and/or other provisions of  
23 the Local Coastal Program to address the identified trend.

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25 25.43.30 Uses Ppermitted

26 Uses permitted in the Village area include all uses permitted in the R-1 Zzone, subject to the  
27 standards of the R-1 Zzone, except as modified in this Cchapter. ~~Short term lodging, as~~  
28 ~~defined and specified in Chapter 25.23, may be permitted subject to the granting of an~~  
~~Administrative Use Permit as provided for in Section 25.05.020 of this title.~~