

From: Andy Oliver <andy0573@yahoo.com>
Sent: Thursday, January 11, 2024 3:39 PM
To: Council District 4 <District4@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>
Subject: SHORT TERM RENTAL LEGISLATION PROPOSAL

-EXTERNAL-

Hi Daryl & City Clerk,

As a follow up to last Monday's community meeting, I wanted to follow up with you and provide as much information as possible for the City Council Meeting on Tuesday regarding short term rental ordinance reform. First, I've attached the info for Garden Grove. I suggest this be the model for Long Beach, both in terms of policy and enforcement.

[Short Term Vacation Rental | City of Garden Grove](#)

Short Term Vacation Rental | City of Garden Grove

<https://gocity.org/code-enforcement/short-term-vacation-rental>

I will also attach the example I found from Lakewood – our neighboring community, who has banned STRs. They have a well-crafted ordinance as well.

[https://urldefense.com/v3/_https://www.lakewoodcity.org/Business/Short-term-rentals_!!Om87Lau1CqIOZggK5D2I7Sk1nklaHT9elnNi0ggPz6OmjZdfDd0tw9Bcs92D-xLDGHcyH-s0xxqHsmge4nD9Tx2qPh7Mb\\$](https://urldefense.com/v3/_https://www.lakewoodcity.org/Business/Short-term-rentals_!!Om87Lau1CqIOZggK5D2I7Sk1nklaHT9elnNi0ggPz6OmjZdfDd0tw9Bcs92D-xLDGHcyH-s0xxqHsmge4nD9Tx2qPh7Mb$)

From our research, both Garden Grove and Lakewood have drafted the best ordinances related to the issue - the **banning of short term rentals in residential neighborhoods**.

REASONS STRs DO NOT BENEFIT NEIGHBORHOODS

1. SAFETY

Not knowing who's coming in and out of the neighborhood daily, or weekly. The transient nature of STRs invites crime, drugs, prostitution, pedophiles, human trafficking, etc into safe, family neighborhoods when you can't background check who's operating the property or who's inhabiting it. Neighborhoods need SAFETY and STABILITY. STRs destroy both. People need to have safe communities where neighbors know one another.

2. OVERALL NUISANCE IMPACTING QUALITY OF LIFE

Noise, parties, trash, parking, street congestion, traffic, cannabis smoke (I have re-attached the San Luis Obispo odor ordinance), drug use, etc.

3. DECREASE IN HOME VALUES

STRs make it harder for a resident to sell their home. They negatively impact potential buyers because who wants to live next to a hotel? Commercialization should not be in a neighborhood. People buy into residential neighborhoods that are quiet and safe. They also reduce the number of homes people in Long Beach are able to rent long-term.

4. POLICE RESOURCES

Banning STRs in residential neighborhoods would help free up the resources of the local police.

ULTIMATELY, BANNING SHORT TERM RENTALS FROM OPERATING IN RESIDENTIAL NEIGHBORHOODS WOULD SOLVE THE MULTITUDE OF PROBLEMS (See Garden Grove & Lakewood's enforcement policies of ban)

On the longbeach.gov community development – code enforcement – short term rentals (STRs) webpage, please remind the Council to look at #4 and #5.

4. Ensure that such short-term rental activities do not become a nuisance, or threaten the public health, safety or welfare of neighboring properties.

5. Safeguard the residents of Long Beach by ensuring that short-term rental activities do not threaten the character of residential neighborhoods.

The shooting at our residence clearly and emphatically contradicts what was set forth by Community Development on this public webpage. It has deeply harmed and traumatized our community, and as a consequence - it is no longer safe.

AREAS FOR REFORM

1. PROHIBITING SHORT TERM RENTALS IN RESIDENTIAL NEIGHBORHOODS

See Garden Grove and Lakewood.

2. I SUGGEST MODIFICATION TO ORDINANCE 5.77.090 (D) ENFORCEMENT ---ANY STR IN VIOLATION AND DEEMED A NUISANCE PROPERTY AND HAS HAD THEIR LICENSE REVOKED SHOULD NOT BE ALLOWED TO RE-REGISTER THE PROPERTY, REGARDLESS OF WHO THE STR OPERATOR IS. THEY SHOULD NOT BE ALLOWED TO REGISTER AGAIN SINCE THEY HAVE PROVEN AN INABILITY TO COMPLY WITH THE LAW. THE PROPERTY WOULD BE ON THE LIST FOR PROHIBITED BUILDINGS INDEFINITELY.

3. I PROPOSE ADDING AN ORDINANCE FOR IMMEDIATE SHUTDOWN TO A PROPERTY DEEMED A NUISANCE AND/OR WHERE A CRIME HAS OCCURRED ON THE PROPERTY OR ON NEIGHBORING PROPERTIES BY EITHER PROPERTY OWNER, MANAGER OR RENTER/GUESTS/OR PERSONS AT THE PROPERTY. THESE PROPERTIES SHOULD BE IMMEDIATELY RED-FLAGGED AND ALL CITY DEPARTMENTS MADE AWARE RIGHT AWAY.

Given our experience, I suggest a BAN is really the best way to go since the City of Long Beach has proven they do NOT have the ability to enforce the CODE. We all left the meeting still very unclear about the STR hotline and how that's actually used as an enforcement mechanism. Luis could not give a firm or clear answer on HOW MANY violations or call-ins it requires to take action on a nuisance property. Was he implying that a neighbor living next to a nuisance STR would have to suffer indefinitely? At what point would trigger a field investigation in order to interview the neighborhood and get to the bottom of the issues? Does Code Enforcement not have access to the representatives of Airbnb, VRBO, Peerspace and other hosting platforms? At the meeting, Luis seemed to indicate that he had no idea how to contact those sites in order to take a listing down. **THIS IS A HUGE PROBLEM!**

4. NEIGHBORS MUST BE NOTIFIED AND ALERTED AT LEAST 60 DAYS BEFORE A SHORT TERM RENTAL IS BEING PUT INTO THEIR NEIGHBORHOOD. EVERY NEIGHBOR MUST BE GIVEN THE APPROPRIATE CONTACT INFORMATION FOR THE HOMEOWNER, THE STR OPERATOR/PROPERTY MANAGER (PHONE, ETC), ALL HOSTING PLATFORMS AS WELL AS CONTACT INFO FOR ALL CITY OFFICIALS RELATED TO THE MAINTENENCE & REGULATION OF SUCH PROPERTY.

ULTIMATELY, BANNING SHORT TERM RENTALS FROM OPERATING IN RESIDENTIAL NEIGHBORHOODS WOULD SOLVE THE MULTITUDE OF PROBLEMS (See Garden Grove & Lakewood's enforcement policies of ban)

Thank you for your attention to this matter,
Andy Oliver

Short Term Rental (STR) Enforcement Update

City Council Meeting
October 22, 2019



The GG Municipal Code...

- Short-Term vacation rentals are **prohibited in residential zones** of the City of Garden Grove.
 - ❖ **Hotels/motels are only allowed in commercial zones** with a CUP.
 - ❖ Renting out a residence in the City's residential zones for 30 days or less is punishable as a misdemeanor and fines can be imposed up to **\$1,000 per day per violation**, six months in jail, or both.
 - ❖ Each day that a violation exists constitutes a separate offense and can result in these penalties for each violation upon verification.
- The **advertisement of residential property for a commercial purpose violates GGMC Section §8.02.010.**
 - ❖ A **\$1,000 fine is assessed for each violation** of this code.



The affects of STRs...



Potential impacts to housing inventory



Changing the neighborhood character



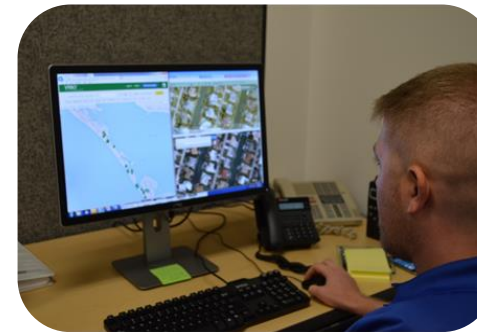
Visitors are unaware local municipal codes



Transform quality of life in the area and disturbance to neighbors



Complaints of trash, parking and property maintenance issues



Impact to local economy and resort district area

STR Enforcement History

Letters issued to
business rental
licenses
October 2017



CE transitioned
to Building & Safety
January 2018



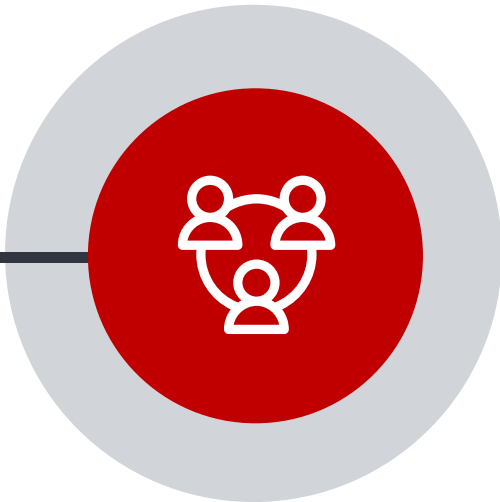
STR Citation
Enforcement
February 2018




HOST COMPLIANCE
Pilot Program
January 2019




HOST COMPLIANCE
City-wide Program
July 2019 to Present



WEBSITE

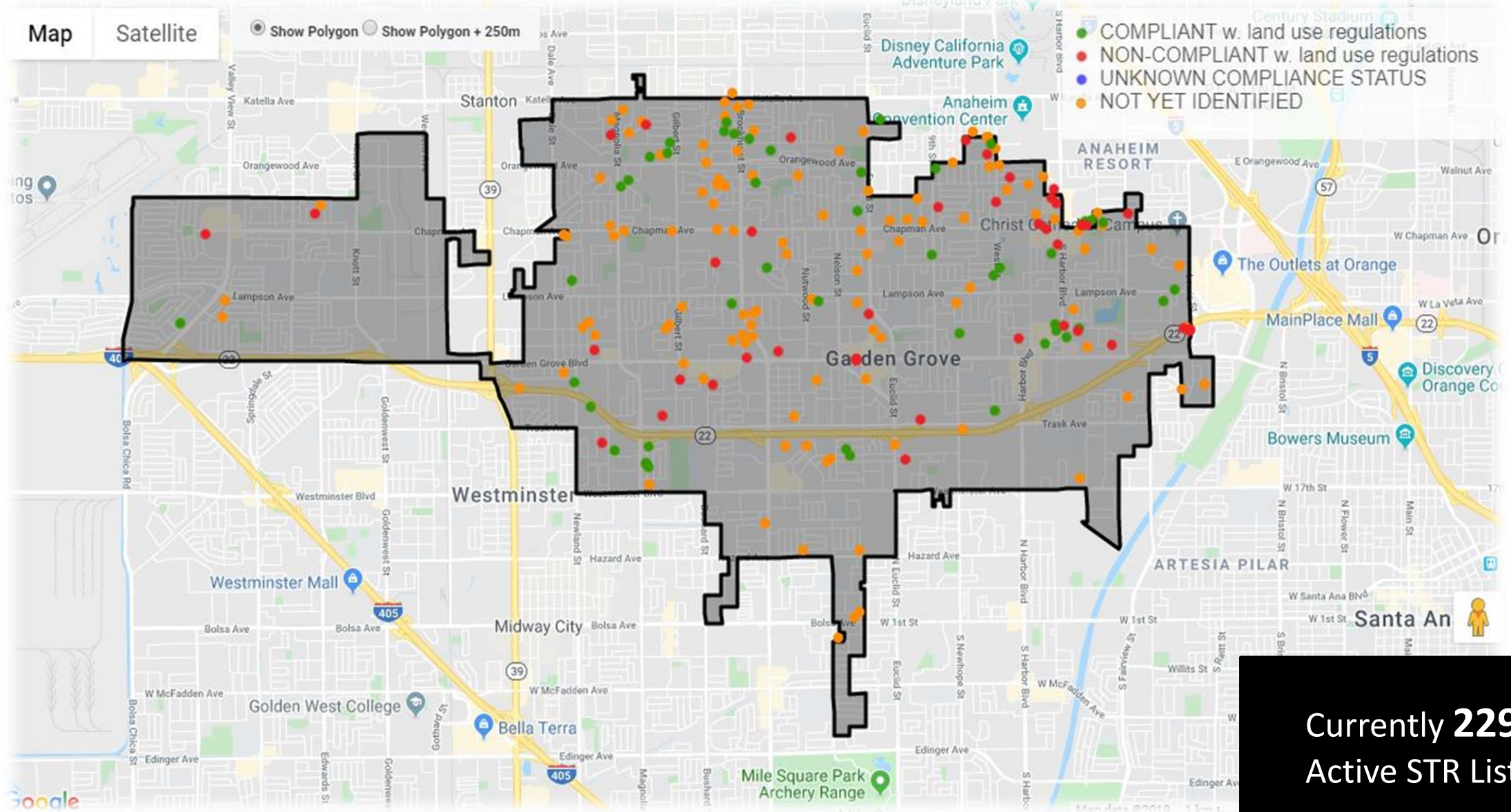
AFFIDAVIT
PROCESS

28
CITATIONS

\$28K
FINES



STR listings identified by Host Compliance...



Currently **229**
Active STR Listings

STR Investigation Process

Complaint
received or
found through
third-party

Property owner is
identified

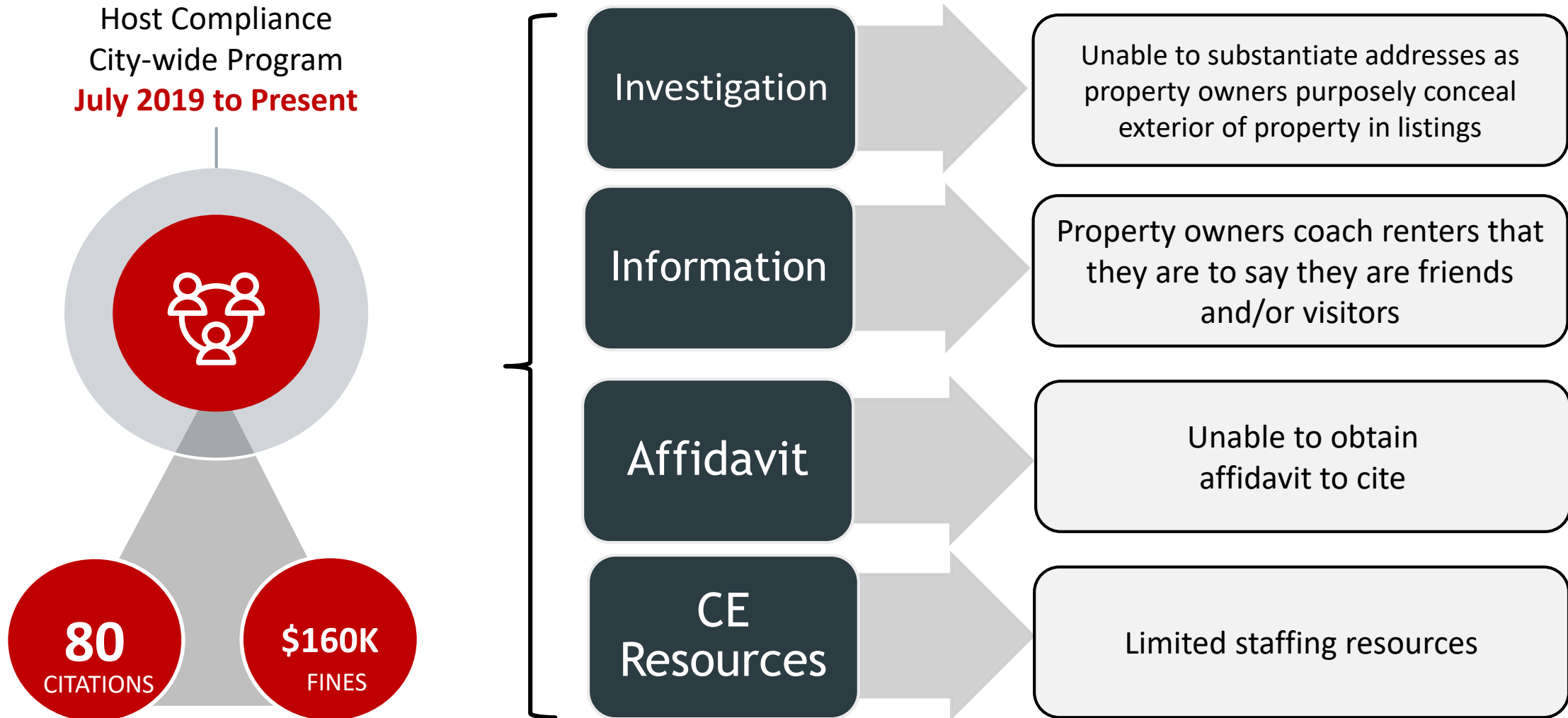
Conduct **field**
inspection and
notify property
owner

Door hanger is
placed on
property

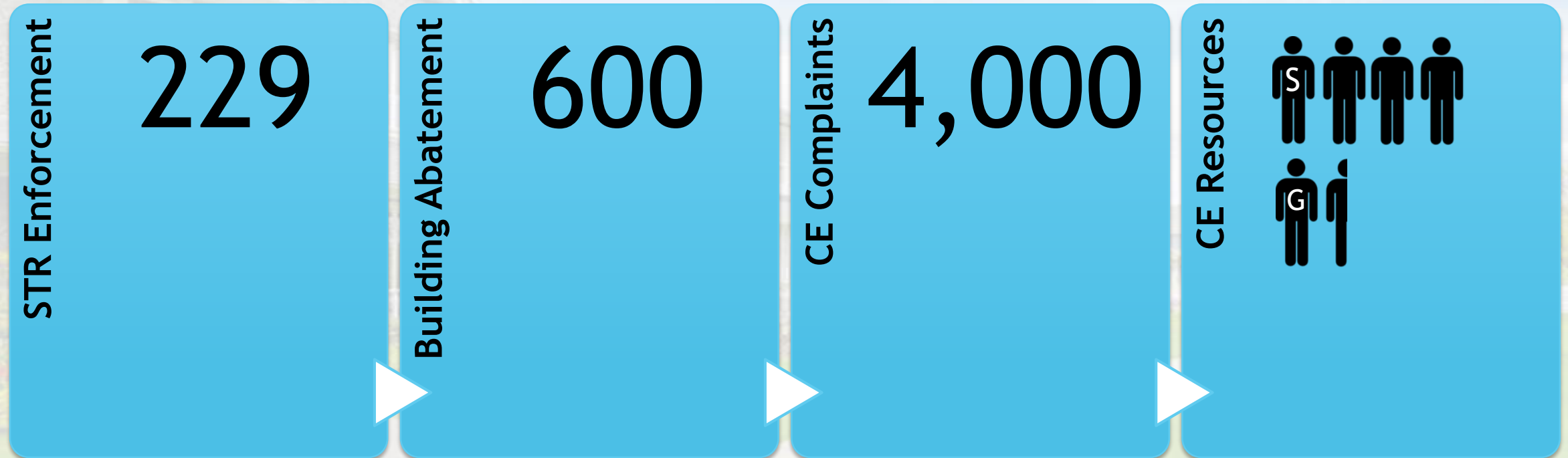
Notice of
Violation is sent
out via mail

Citation
issued \$1000 for
land-use and a
\$1000 for
advertising

STR Enforcement Challenges



Code Enforcement Activity



What's next...

ORDINANCE NO. 2023-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING SHORT TERM RENTALS

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS
FOLLOWS:

SECTION 1. The following new Subsection F.3. is added to Section 9320 of the Lakewood Municipal Code:

“3. All Short Term Rentals, and any advertising for such, shall be prohibited after June 30, 2023, except as set forth in this subsection. Any property at which there is a valid Short Term Rental Permit which was issued pursuant to the applicable provisions of Title VI of this Code prior to March 1, 2023, may continue to host Short Term Rentals through June 30, 2024, after which date the prohibition shall apply and such Rentals must cease. Any such pre-existing Permit shall be null and void as of June 30, 2023, unless its use is fully compliant with all provisions in this Code pertaining to Short Term Rentals, including but not limited to the full payment of all fees and taxes owed to the City through that date. Thereafter, any Permit remaining in effect shall be automatically and immediately canceled in the event of any violation of any provision of this Code pertaining to Short Term Rentals, including but not limited to delinquency in the payment of any fees or taxes owed to the City. Any violation of any provision of this Code pertaining to Short Term Rentals shall be subject to the issuance of an Administrative Citation pursuant to the procedures set forth in Section 4900, et seq., of this Code, in addition to any other applicable remedies, and any such Citation shall bear a fine in the maximum amount authorized by State law.”

SECTION 2. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. This Ordinance has no impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or circumstance. The City Council declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraph, sentences, clauses, phrases, or portions

thereof be declared invalid, unenforceable, or unconstitutional.

SECTION 4. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause the Ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.


ADOPTED AND APPROVED this 25th day of April, 2023, by the following roll call vote:

	AYES	NAYS	ABSENT
Mayor Croft	<u>X</u>	_____	_____
Council Member Chase	<u>X</u>	_____	_____
Council Member Pe	<u>X</u>	_____	_____
Council Member Rogers	<u>X</u>	_____	_____
Council Member Wood	<u>X</u>	_____	_____



Mayor

ATTEST:



City Clerk