

CITY OF SAN DIEGO COUNCIL AGENDA



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Mark Kersey • Fifth District

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Scott Sherman • Seventh District

David Alvarez • Eighth District

Georgette Gómez • Ninth District

**Andrea Tevlin
Independent
Budget Analyst**

**Mara W. Elliott
City Attorney**

**Elizabeth Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building
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Monday, July 16, 2018

**AGENDA FOR THE
SPECIAL COUNCIL MEETING OF
MONDAY, JULY 16, 2018, AT 12:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

Alternate formats:

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Senate Bill 343 (Late-arriving materials):

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

ROLL CALL

REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS

ADOPTION AGENDA, DISCUSSION ITEMS

ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

Item 600: **An Amendment to the City's Municipal Code and Local Coastal Program to Include Regulations for Short Term Residential Occupancy.**

Total Estimated Cost of Proposed Action and Funding Source:

Cost will be incurred by the General Fund and by license fees.

Council District(s) Affected: Citywide.

Proposed Actions:

Proposed code amendments to the City's Municipal Code (Chapter 1, Article 1, Division 2; Chapter 1, Article 2, Division 1; Chapter 5, Article 10, Division 1; Chapter 5, Article 10, Division 2; Chapter 9, Article 8, Division 5; Chapter 11, Article 3, Division 1; Chapter 12, Article 6, Division 2; Chapter 12, Article 6, Division 3; Chapter 13, Article 1, Division 2; Chapter 13, Article 1, Division 3; Chapter 13, Article 1, Division 4; Chapter 13, Article 1, Division 5; Chapter 13, Article 1, Division 6; Chapter 13, Article 2, Division 15; Chapter 14, Article 1, Division 3; Chapter 14, Article 1, Division 6; Chapter 14, Article 2, Division 5; Chapter 15, Article 2, Division 1; Chapter 15, Article 2, Division 3; Chapter 15, Article 5, Division 2; Chapter 15, Article 6, Division 3; Chapter 15, Article 10, Division 3; Chapter 15, Article 13, Division 4) and Local Coastal Program relating to short term residential occupancy will be presented.

An ordinance will be presented that amends the enforcement provisions of the Municipal Code to include the Treasurer's Office as an Enforcement Official and to create authority for the City Manager to issue administrative subpoenas. An ordinance will also be presented that regulates Short Term Residential Occupancy (STRO). This ordinance amends the Municipal Code to include short term residential occupancy licensing and operating regulations and repeals the bed and breakfast and boarder and lodger uses and regulations. Additionally, the amendments regulate hosting platforms and hosts, impose good neighbor policies, require minimum stays in some areas, require the payment of fees, address enforcement, and establish limits on the number of licenses, with some areas excluded from this numerical limit.

City Council will also consider licensing and enforcement fees associated with the amendments presented, including an Affordable Housing Impact Fee. Should the City Council choose to adopt these fees, the fee adoptions will be made at this meeting through resolutions.

Subitem-A: (O-2018-130)

Introduction of an Ordinance amending Chapter 1, Article 1, Division 2 of the San Diego Municipal Code by amending Section 11.0210 to include the City Treasurer as a director and enforcement official, and amending Chapter 1, Article 2, Division 1, by adding a new Section 12.0106, to provide City departments under the City Manager with the authority to issue administrative subpoenas to obtain documents and other evidence necessary to determine whether violations of the San Diego Municipal Code exist.

Subitem-B: (O-2018-135 Cor. Copy)

Introduction of an Ordinance amending the Municipal Code to create licensure and registration requirements for short term residential occupancy; limitations on the number of licenses for whole home short term residential occupancy, except for within the Mission Beach Community Plan area; and operating requirements for whole home and home share short term residential occupancy. The Ordinance also creates requirements for hosting platforms to do the following: provide written notice to hosts about the City's transient occupancy tax and short term residential occupancy requirements; collect the Affordable Housing Impact Fee and transient occupancy taxes if the hosting platform also collects rent; and exercise reasonable care to confirm that a dwelling unit has the required Short Term Residential Occupancy License and Transient Occupancy Registration Certificate before collecting a fee for providing booking services.

Subitem-C: (R-2018-623)

Resolution approving a Short Term Residential Occupancy License Fee of \$949.

Directing the City Clerk to amend the Ratebook of City Fees and Charges maintained in the Office of the City Clerk to include the fee described above.

Subitem-D: (R-2018-641)

Resolution approving an Affordable Housing Impact Fee for Short Term Residential Occupancy of \$2.73 per night.

Committee Actions Taken: N/A

Planning: Elyse Lowe, (619) 236-7168

City Attorney Contact: Shannon M. Thomas

ADJOURNMENT