

Details of Subjects for the June 18 Land Use Committee Meeting

Short Term Rental/ Home Sharing Ordinance: The regulation is undergoing a major revision and has recently been returned to the City Council after a recent change by the City Planning Commission in coordination with the City Attorney. Individual rentals are limited to 28 days at a time. Other regulations apply to longer term rentals. The maximum number of days a residence can be rented as a short term rental in a single year has ranged 120 and 240 days. The proposed ordinance would also include requiring the owner to live on the property and limit one short term rental per property. In other words, an apartment building or condo cannot simultaneously rent out multiple individual units. The proposed ordinance would also require registration of the property and payment of the applicable taxes and fees. As the proposed ordinance now stands, the maximum number of days that the short term rental unit can be rented is 120 days unless it meets a number of provisions. Those provisions, which allow rental of up to 240 days by an administrative process with no public hearing, include:

- Notification of abutting property owners/occupants, including an outline of a complaint process and a 24-hour, 7 day a week complaint system
- Host must have had a home sharing permit/registration for at least six months or have hosted for at least 60 days
- A verified process for enforcement of the regulations
- Permits must be renewed annually
- There is a per night surcharge to help offset cost of enforcement and compliance

Second Dwelling/Accessory Dwelling Unit (ADU) Ordinance: An ADU is defined as an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. ADUs include efficiency units, manufactured homes, and Movable Tiny Houses/trailers. The Accessory Dwelling Unit Ordinance was approved by the City Planning Commission and is undergoing formal drafting of the proposed ordinance. Provisions include:

- ADUs are approved ministerially and do not need to go through a public hearing for approval.
- ADUs, can be attached to or detached from an existing dwelling, are limited to one ADU per lot, and can be built in any zone where residential uses are permitted. They are only permitted on a single family lot with an existing single family residence or where a new single family dwelling is proposed.
- The maximum size of a detached ADU is 1200 square feet and cannot exceed two stories. For attached ADUs, the maximum size is 50% of the floor area of the existing or proposed residence up to a maximum of 1200 square feet.
- No ADUs may be sited between the front of the primary residence and the street except on a through lot or if added to an existing garage.
- Except as otherwise noted, ADUs are required to meet all underlying zoning regulations, including setback, lot coverage, and height requirements of the zone.
- No ADUs are permitted in Hillside Areas except when located within a half mile of a public transit stop and adjoining a street meeting standard roadway dimensions.
- No setbacks are required for an existing garage that is converted to an ADU. ADUs that are constructed above or attached to a garage will need to provide a setback that is no more than five feet from the side and rear lot lines.

- One additional parking space is required unless the ADU is located within a half mile of a public transit stop, within one block of a car share parking lot, or it is attached to the primary structure.
- Parking, including tandem parking, is allowed in rear and side setback areas, but not in the front setback.
- ADUs must not adversely impact equine keeping uses in either K (equine keeping) districts, and in non-K districts. Specifically, no part of the ADU may be closer to the rear lot line than the closest part of the primary residence or more than 50 feet from the closest part of the primary residence. Additionally, side yard setbacks must be at least 10 feet for lots wider than 60 feet.
- ADUs can be rented but not separately sold. Trailers may be sold separately only if moved off of the property.

Noisy Residences/Party Houses

The City recently adopted an ordinance to control residences that are frequently guilty of excessive noise. After a complaint of loud or unruly gatherings at residences in the City there will be an inspection, followed by an escalating series of administrative fines, starting at \$100 for the first violation. The City definition of “Loud or Unruly Gathering” means “a gathering of persons at any Residence where Loud or Unruly Conduct occurs at the Residence or within 500 feet of the Residence, and which threatens or interferes with the public health, safety or welfare, or the comfortable enjoyment of life and property”. In other words, if the noise or obstruction of the street is tangible at 500 feet from the residence, it is subject to an order by a police officer requiring persons to leave the residence, the issuance of a citation/fine, posting of the notice on the front door, and/or the arrest of any person committing a violation. Fines escalate from \$100 for a first violation to \$500 for a second, \$1,000 for a third, \$2,000 for a fourth violation, \$4,000 for a fifth violation, and \$8,000 for each subsequent violation. The officer has the discretion of not issuing a citation if the noise ceases immediately after the officers visit. A number of incidents have recently occurred in Tarzana, including at least two where noisy parties have repeatedly taken place. The TPOA Board voted unanimously to support the Noisy Residences ordinance.