

**AGENDA FOR THE  
SPECIAL COUNCIL MEETING OF  
TUESDAY, NOVEMBER 1, 2016, AT 10:00 AM  
CIVIC CENTER CONCOURSE  
GOLDEN HALL  
202 "C" STREET  
SAN DIEGO, CA 92101**

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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**

**ADOPTION AGENDA, DISCUSSION, HEARINGS**

**NOTICED HEARINGS:**

ITEM-600: Proposed Amendments to San Diego Municipal Code 131.0112(a)(6)(K) regarding Visitor Accommodations as they relate to Short Term Vacation Rentals. (Citywide.)

**ITEM DESCRIPTION:**

Direct the City Attorney to prepare an ordinance to form and correctness to make the necessary amendments to the Municipal Code in order to clarify the description of "Visitor Accommodations" and the definition of "transient" in order to address Short Term Vacation Rentals.

**TODAY'S ACTION IS:**

Take the following action:

Direct the City Attorney, per Charter Section 40, to prepare an ordinance to form and correctness that would:

- 1) Delete the word “primarily” in the description of *Visitor Accommodations* in SDMC Section 131.0112 (a) (6) (K) – “Uses that provide lodging, or a combination of lodging, food and entertainment, primarily to visitors and tourists. (Outside the Coastal Overlay Zone, includes SRO hotels.)”
- 2) Clarify that “visitor” and “tourist” are “transients,” as defined in SDMC Section 35.0102, which states “any person who exercises Occupancy, or is entitled to Occupancy, by reason of concession, permit, right of access, license, or other agreement for a period of less than one (1) month.”

**STAFF SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: To be determined.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

On May 29, 2015, the Smart Growth and Land Use Committee voted 4-0 to request the Mayor’s Office develop a budget for enhanced Code Enforcement to address issues raised by the public regarding noise, occupancy, trash and other matters for inclusion in the FY16 budget. Secondly, they directed City staff to draft an ordinance on short-term vacation rentals and homesharing using feedback from the public and Councilmembers; Development Services Department’s suggested approach, and the Councilmembers’ memos. They also directed City staff to then have that ordinance go through the normal review process, which would include the Technical Advisory Committee, Code Monitoring Team, Community Planners Committee, and Planning Commission.

The Short Term Vacation Rental (STVR) Home Sharing Ordinance was brought to the Planning Commission on December 3, 2015. Four speaker slips in favor of the proposed ordinance and 184 speaker slips in opposition were submitted to the Planning Commission. After the public hearing, the Commission made a motion to return the item to staff for further evaluation and continued the item to January 28, 2016, to address the ministerial permit aspect, registration fee, verified complaints causing revocation or possible triggering of the Neighborhood Use Permit (NUP) and annual inspection for health and safety code.

On January 5, 2016, the Smart Growth and Land Use Committee Consultant informed the Planning Commissioners that the item would not return to Planning Commission, but would go directly to the full Council.

Jurado-Sainz/sc

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