

## Patricia Salazar

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**Subject:** FW: City of Malibu response to CCC Letter Jan 13: Local Coastal Program Amendment No. LCP-4-MAL-20-0083-2 (Short-Term Rentals – Malibu LCPA No. 19-003)  
**Attachments:** CCC-Letter\_Dated-January-13-2021.pdf; City-Staff-Response-to-January-2021-Letter-from-CCC\_April-2021 comments.pdf

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**From:** Dean Wenner [REDACTED]  
**Sent:** Saturday, April 10, 2021 12:38 PM  
**To:** Reva Feldman <[rfeldman@malibucity.org](mailto:rfeldman@malibucity.org)>; Richard Mollica <[rmollica@malibucity.org](mailto:rmollica@malibucity.org)>  
**Subject:** FW: City of Malibu response to CCC Letter Jan 13: Local Coastal Program Amendment No. LCP-4-MAL-20-0083-2 (Short-Term Rentals – Malibu LCPA No. 19-003)

Hello,

Please see the attached comments to specific areas of the Malibu response on this matter. The responses are notes attached within the file in the yellow highlighted areas of the letter.

I am disappointed in the City response as it seems the hidden agenda of banning otherwise legal and respectful rentals continues. I expected more objectivity and action in regard to facts versus making text and statements to only support staying the course. I'm a proponent of neighbors working out their own squabbles and for Cities to do the same with its citizens but in this case the majority and/or the authority apparently would rather have Malibu much more empty than a reasonably active city. If it were not for the CCC such measures would already be in place which would result in diminishing private owner rights and greatly impacting respectful transient visitor access to the city and coast.

Thank you for your consideration. As the current Ordinance clearly has had a positive impact in regard to City objectives, more stringent and restrictive regulation is not warranted. Based on this response the focus should solely be on MF and MBMF properties going forward.

I also request you to include more information in the City Manager update in regard to what Host Compliance is finding, action against platforms other than Airbnb in regard to the implemented Ordinance, ToT performance in regard to STRs for the quarter, and Code Enforcement actions and effort for non-compliant matters.

Thank you,  
Dean Wenner  
[REDACTED]



# City of Malibu

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Denise Venegas, Coastal Program Analyst  
California Coastal Commission  
South Central Coast District Office  
89 South California Street, Suite 200  
Ventura, CA 93001

**Re: City of Malibu Local Coastal Program Amendment No. 19-003 – Hosted Short-Term Rental Ordinance**

To Denise Venegas:

As requested by California Coastal Commission (CCC) staff, the City is providing additional information on Local Coastal Program Amendment (LCPA) No. 19-003. In addition to the supplemental information provided below, Attachment A provides an expanded consistency analysis table.

In general, the amendment proposes to allow two types of short-term rentals in the City: 1) a hosted short-term rental for single-family dwellings, condominiums and duplexes, and 2) a multi-family (more than 2 dwelling units) short-term rental. A hosted short-term rental would require the property owner or designated operator to live onsite. Up to two multi-family dwelling units on a parcel (not to exceed 40% of the units on a parcel) may be rented un-hosted so long as the other units on the property are rented on a long-term basis. The regulations would apply to multi-family properties regardless of the zoning district the property is located in. This system prevents the conversion of multi-family units into unregistered hotels, protects some of the lowest cost housing in the City, and encourages units to be rented long-term at lower rent as short-term rental is only allowed if all other units are at full occupancy. This will ensure the City maintains a variety of affordable units for long term renters and prevent property owners from utilizing all the rental units as short-term rentals thus operating as a hotel while at the same time providing short-term rentals for visitors. Additional details on these two types of short-term rentals can be found below in the section entitled "Short-Term Rental (STR) Permit Program".

A short-term rental use must be conducted pursuant to a valid short-term rental permit issued by the City. Ordinance No. 472, which approved LCPA No. 19-003, also included amendments to the Malibu Municipal Code (MMC) to amend the City's existing short-term rental regulations (Chapter 17.55). Chapter 17.55 provides the regulations for short-term rentals and amendments to Chapter 17.55, approved under Ordinance No. 472, will incorporate the two short-term rental types. These changes will go into effect after the CCC approves LCPA No. 19-003.

The LCPA seeks to address nuisance issues that have developed under the recent, rapid, and substantial expansion of short-term rental activity in the City and protect residential neighborhood character, housing

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stock availability and variety, while continuing to provide over-night accommodations consistent with the City's LCP and the Coastal Act.

The amendment will ensure that uses and development within the City's jurisdiction of the Coastal Zone advance the overarching goals of protecting coastal resources. In particular, the amendment will ensure that visitor-serving accommodations are available within the City through short-term rental of residential property in a manner that protects residential neighborhoods and preserves the amount and variety of the City's existing housing stock.

#### Number of Short-term Rentals Operating in the City

On September 29, 2020, the City Council adopted Ordinance No. 468 (Enforcement Ordinance), which created a new short-term rental permit system to regulate the short-term rental of residential property. This ordinance, which is located in the MMC, required all short-term rentals located in the City to obtain a permit by January 15, 2021.

A total of 229 short-term rental applications were submitted to the City as of March 16, 2021, and as of that date, 171 applications were approved and 57 were pending. The City currently contracts with Host Compliance to monitor short-term rental listings online and the number of listings is consistent with the number of approved applications. Many of the pending applications that were not approved were due to outstanding code violations (building without permit, wastewater issues, etc.). Once these violations are remedied, the remaining 57 properties could be issued a short-term rental permit.

Since advertising or operating residential property as a short-term rental without a permit as of January 15, 2021 could result in a fine of one thousand dollars (\$1,000.00) per day or violation, or twice the advertised short-term rental's daily rental rate per day or violation, whichever is higher, it is likely that most of the properties that are operating or planning to operate short-term rentals have submitted applications. However, the number of applications could increase as travel restrictions due to COVID-19 relax, summer approaches, and more of the 488 homes that were destroyed by the Woolsey Fire are rebuilt.

It should be noted; however, that the 229 short-term rentals applications do not represent the exact number of short-term rentals operating in the City because only one short-term rental permit is required for each parcel regardless of the number of short-term rental units on the parcel. Since properties can currently have more than one short-term rental, the number of short-term rentals operating in the City would be higher although there is no reliable data to determine the exact number. Information collected from the short-term rental application indicates that 37 of the 229 short-term rental applications are multi-family properties (self-reported). There are a total of 157 units on those multi-family properties and 90 short-term rentals within those units.

In response to the question regarding how many short-term rentals are currently advertised as hosted, this information is not collected by Host Compliance and is not readily available.

Since April 2015, Airbnb has been collecting and remitting Transiency Occupancy Tax (TOT) on behalf of property owners who use its service. Property owners must collect and remit TOT on their own for any short-term rentals which use other vacation rental websites or are made independently. The majority of short-term rentals in the City advertise through Airbnb so these properties would be paying TOT. In addition, Ordinance No. 468 imposed obligations on all online hosting platforms. These obligations include requiring the hosting platform to collect and remit TOT and preventing the booking of short-term rentals unless the property has a short-term rental permit from the City. The ordinance allows a hosting platform to satisfy these obligations

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through a compliance agreement. On February 8, 2021 the City entered into a compliance agreement with Airbnb. This agreement will ensure all short-term rentals pay TOT and that all short-term rentals booked through Airbnb have a valid City short-term rental permit.

#### Number of Short-Term Rental Properties by Zoning District

The following table breaks down the zoning district location of the 229 properties which had submitted applications as of March 16, 2021. The short-term rentals located in commercial zones are in existing nonconforming residential buildings or existing residential dwellings in commercial buildings.

<b>Short-Term Rentals Applications by Zoning District</b>		
<b>Zoning District</b>	<b>Zone Description</b>	<b>Parcel Count</b>
CC	Community Commercial	1
CN	Commercial Neighborhood	2
CR	Commercial Recreation	1
CV-1	Commercial Visitor-Serving-One	2
MF	Multi-family Residential	24
MFBF	Multi-family Beach Front	39
PRF	Private Recreational Facilities	1
RR-1	Rural Residential-One Acre	29
RR-10	Rural Residential-Ten Acre	5
RR-2	Rural Residential-Two Acre	32
RR-20	Rural Residential-Twenty Acre	1
RR-5	Rural Residential-Five Acre	9
SFL	Single-family Low	8
SFM	Single-family Medium	75
	<b>Total</b>	<b>229</b>

While the City does not have information on the number of dwelling units located within parcels zoned Multi-Family (MF), Table 2 indicates that 24 MF parcels and 39 MF Beach Front (MFBF) parcels have submitted applications for short-term rentals. The 2012 Housing Element indicates there are a total of 1,000 multi-family dwelling units in the City but does not provide a breakdown of the zoning districts the units are located in. However, multi-family short-term rentals would be regulated based on property type not zoning district so a multi-family complex in a Single-Family Residential zone would be subject to the non-hosted two dwelling units (not to exceed 40% of the total units) regulations.

#### Accommodations in the City

There are six hotels in the City with 130 hotel rooms and 142 RV sites and 35 tent sites for a total of 307 existing accommodations. The six hotels include: The M Malibu, The Surfrider, Malibu Beach Inn, Malibu Country Inn, The Native, and Nobu Ryokan. The City is currently processing applications for two new hotels which would add an additional 59 rooms, resulting in 366 available hotel accommodations (Attachment B). In addition, the Malibu Beach RV park has a total of 177 accommodations (142 RV sites and 35 tent sites). The accommodations at Malibu Beach RV PARK offer a more affordable alternative for visitors traveling in RVs or those wishing to utilize the tent sites. Nightly RV sites range from \$58 to \$253 depending on the season and location. And nightly rates for tent sites range from \$46.20 to \$110 (Attachment B).

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Information on the average hotel room rate within the City is not readily available but based on staff research, the rate is approximately \$757.75 per room per night. Staff arrived at this rate by determining the rate by room type for four of the existing six hotels in the City. Summer, winter, and summer weekend rates were determined and then averaged by each of the four hotels.

The average room rates for four of the six hotels are noted below.

- The M Malibu - \$252 average
- The Surfrider - \$564 average
- Malibu Beach Inn - \$1,109 average
- Malibu Country Inn - \$838 average

Nightly room rates weren't available for The Native as it is currently being renovated and staff did not include Nobu Ryokan since the hotel is a boutique hotel and the rates can skew the average hotel rate in the City. The starting rate is \$2,000 a night with a minimum two-night stay and rates can go up to \$3,500 a night.

According to Airbnb data available to the City, the average nightly short-term rental rate is \$978.30 so, while short-term rentals offer an opportunity for larger accommodations, they may not always be more affordable for families. However, hosted short-term rentals in which the property owner or designated operator is also on the site may be more affordable than whole house rentals. In addition, some short-term rentals require minimum night stays ranging from 4 to 10 nights, which may not be an option for some visitors. For hotels, a minimum of 2 nights is often required for summer weekend bookings.

#### Short-Term Rental (STR) Permit Program

The section below provides the eligibility, operating and enforcement requirements of the City's STR Permit Program. For the most part, these regulations already exist in the Chapter 17.55 in the MMC. An update to Chapter 17.55, which includes the two short-term rental permit types, was approved as part of Ordinance No. 472 (LCPA 19-003) and will go into effect once the CCC approves LCPA No. 19-003.

#### *Eligibility*

The proposed permit program has two distinct short-term rental permit types: one for owners of single-family residences and condominium units to offer hosted short-term rentals, and one for owners of multifamily parcels to offer up to two units as short-term rentals, as long as all other units are rented long-term.

A "hosted" short-term rental requires the owner or designated operator of single-family properties, including condominiums, to live onsite. That person need only live on the property, not in the same dwelling unit, during the rental. A property owner can assign a "designated operator" to live onsite instead of the owner, during the time of rental. A designated operator, other than the owner, is allowed for up to 60 days cumulatively per calendar year, so long as the designated operator is required to: (1) resolve any nuisance or compliance issues, (2) produce records, and (3) allow Code Enforcement Officers to enter the property. Under the terms of the City's proposed amendment, the designated operator would also have to be located onsite between the hours of 9:00 p.m. and 6:00 a.m. Proof of Primary Residency is required to obtain a Single-Family Residence Short-Term Rental Permit. Applicants can demonstrate primary residency with an active voter registration, a valid driver's license or other government issued identification card.

The amendment will also allow one unit of a duplex to be rented short-term if the owner lives onsite in the other unit and is present during the hours of 9 pm and 6 am. A designated operator may be used for up to 60 days.

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For multi-family properties, defined as more than two (2) dwelling units, those units can be rented un-hosted. Up to two multi-family dwelling units on a parcel (not to exceed 40% of the units on a parcel) may be rented un-hosted so long as the other units on the property are rented on a long-term basis. The regulations would apply to multi-family properties regardless of the zoning district the property is located in.

Property owners of hosted short-term rental properties can rent the primary dwelling, accessory dwelling unit, or guest house as long as owner lives on site in one of the units. There is currently no prohibition against using an accessory dwelling unit as an STR as long as the ADU was legally created, unless otherwise regulated by state law.

Key requirements include:

- An individual may not possess more than one active short-term rental permit, regardless of type.
- A separate short-term rental permit is required for every legal lot or condominium unit (if a condominium unit is to be rented).
- No person may serve as a designated operator for more than one short-term rental concurrently.
- Permits must be renewed annually.

#### *Operating Requirements*

Property owners must comply with all the terms and conditions of the short-term rental program including, but not limited to, the following:

1. Maintain an active permit at all times short-term rentals are conducted
2. Take responsibility for and actively prevent any nuisance activities that may take place during short-term rentals
3. Be available, or designated operator be available, 24/7 via contact information provided to and kept current with City and any guest renting the property
4. Collect and remit TOT
5. Provide basic health and safety features for guests
6. Limit occupancy based on the number of bedrooms on record in City or County documents, as determined by the Planning Director, to two people more than twice the number of bedrooms, but no more than 14 unless a special event permit (SEP) is obtained under MMC Chapter 5.34 (example - for a 3 bedroom property - ((3 bedrooms x 2 people) + 2 people)) = 8 people max occupancy, including owner/designated operator)
7. Maintain liability insurance with minimum limits no less than \$500,000
8. Provide guests with the City of Malibu's Short-Term Rental Code of Conduct (Attachment C)
9. Provide access to the property and documents upon request by City during business hours or when property is rented
10. Comply with all applicable building, fire and other safety codes including noise limitations
11. Maintain a valid Onsite Wastewater Treatment System (OWTS) operating permit (a compliance agreement option is available for those in the process of upgrading)
12. Follow all rules for advertising short-term rentals:
  - immediately remove any advertisement identified by the City as illegal
  - include permit number in all advertisements
  - clearly state in all advertisements related to a HSTR permit that the owner or designated operator will live onsite during the rental (not required for MSTR permits)
  - clearly state occupancy limits
13. Keep permit application information on file with the City current at all times, including the 24/7 contact information for owner / designated operator

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*Enforcement*

The code sets forth special tools for enforcement, including setting a fine for unpermitted short-term rentals of \$1,000 or twice the daily rental rate, whichever is higher, and setting the fine for all other violations at \$500 or twice the daily rental rate. The code also provides explicitly that offering or allowing short-term rental of any location not approved for use as a dwelling unit, such as any vehicle, trailer, tent, storage shed or garage, is prohibited.

Summary

In summary, the permitting requirements in LCPA 19-003 will allow the City to ensure that a variety of visitor-serving accommodations remain available for visitors while better controlling nuisance issues. The requirements will also avoid the proliferation of short-term rental businesses in which corporations and other entities buy up residences to use solely for vacation rentals thus reducing the number of long-term affordable housing options in the City.

For further information, please contact Richard Mollica, Planning Director, at (310) 456-2489, ext. 346 or email at [jkendall@malibucity.org](mailto:jkendall@malibucity.org).

Sincerely,

Justine Kendall  
Associate Planner

ENCLOSED:

- Attachment A: Consistency Analysis Table
- Attachment B: Accommodations in the City
- Attachment C: Short-term Rental Code of Conduct

**ATTACHMENT A**

**Malibu Land Use Plan (LUP) and Coastal Act  
Consistency Analysis – LCPA No. 19-003**

Policy	Consistency Determination
<b>Chapter 2 – Public Access and Recreation and Coastal Act Section 30213</b>	
<p>2.25 New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.</p>	<p>Short-term rentals are limited to existing legally established structures in residential zoning districts. These properties generally have existing off-site parking available on the site; however, there are properties located on the ocean side of Pacific Coast Highway in eastern Malibu that don't meet current parking standards. Parking for the dwelling unit is often located between the front of the building and the edge of Pacific Coast Highway. This forces the public to park on the land side of Pacific Coast Highway thus forcing them to cross Pacific Coast Highway to access the ocean. In these areas, in particular, allowing dwelling units to be utilized solely as un-hosted short-term rentals results in these structures functioning like a hotel which can negatively impact public street parking. This can occur if reserved parking spaces are not provided or the unit is rented to a group of people that arrive in multiple vehicles. Allowing hosted single-family short-term rentals and multi-family short-term rentals, with a limit on the number of rentals allowed, will minimize impacts to public street parking and increase the availability of street parking. This will allow all visitors to enjoy coastal access and recreational opportunities while at the same time providing short-term rental opportunities for those visitors that wish to stay overnight in Malibu.</p>
<p>2.34 Existing, lower cost visitor-serving and recreation facilities, including overnight accommodations, shall be protected to the maximum feasible extent. New lower cost visitor and recreation facilities, including overnight accommodations, shall be encouraged and provided, where designated on the LUP Map. Priority shall be given to developments that</p>	<p>No conversion or removal of lower cost opportunities for visitor-serving accommodations results from the amendment. The amendment ensures that a variety of visitor-serving accommodations is available in the City. The amendment allows for hosted short-term rentals in single-family homes and condominiums which can be more</p>

Policy	Consistency Determination
<p>include public recreational opportunities. New or expanded facilities shall be sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources.</p>	<p>economical than whole house rentals since the property owner or long-term tenant is also on the site.</p> <p>For multi-family properties, defined as more than two (2) dwelling units, these units can be rented un-hosted. Up to two multi-family dwelling units on a parcel (not to exceed 40% of the units on a parcel) may be rented un-hosted so long as the other units on the property are rented on a long-term basis. The regulations would apply to properties with multi-family complexes regardless of the zoning district the property is located in. This system prevents the conversion of multi-family units into unregistered hotels, protects some of the lowest cost housing in the City, and encourages units to be rented long-term at lower rent as short-term rental is only allowed if all other units are at full occupancy. This will ensure the City maintains a variety of affordable units for long term renters and prevent property owners from utilizing all the most affordable rental units as short-term rentals while at the same time providing opportunities for short-term rentals to operate in the City.</p>
<p>2.36 Coastal recreational and visitor serving uses and opportunities, especially lower cost opportunities, shall be protected, encouraged, and where feasible, provided by both public and private means. Removal or conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.</p>	<p>No conversion or removal of lower cost opportunities for visitor-serving accommodations results from the amendment. The amendment ensures that a variety of visitor-serving accommodations are available in the City.</p> <p><b>The amendment allows for hosted short-term</b> rentals in single-family homes and condominiums which can be more economical than whole house rentals since the property owner or long-term tenant is also on the site.</p> <p>For multi-family properties, defined as more than two (2) dwelling units, these units can be rented un-hosted. Up to two multi-family dwelling units on a parcel (not to exceed 40% of the units on a parcel) may be rented un-hosted so long as the other units on the property are rented on a long-term basis. The regulations would apply to properties with multi-family</p>

Policy		Consistency Determination
		complexes regardless of the zoning district the property is located in. This system prevents the conversion of multi-family units into unregistered hotels, protects some of the lowest cost housing in the City, and encourages units to be rented long-term at lower rent as short-term rental is only allowed if all other units are at full occupancy. This will ensure the City maintains a variety of affordable units for long term renters and prevent property owners from utilizing all the most affordable rental units as short-term rentals while at the same time providing opportunities for short-term rentals to operate in the City.
<b>Chapter 3 - Marine and Land Resources and Coastal Act Sections 30231 and 30240</b>		
3.14	New development shall be sited and designed to avoid impacts to ESHA. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective in the context of a Natural Community Conservation Plan that is certified by the Commission as an amendment to the LCP. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA.	Short-term rentals are limited to existing legally established structures in residential zoning districts. This allows the use of developed properties without the need to further disturb the land or impact ESHA.
3.96	New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the Los Angeles Regional Quality Control Board's municipal stormwater permit and the California Ocean Plan.	Short-term rentals are limited to existing legally established structures in residential zoning districts. Based on these limitations, water quality associated with the rental use would be consistent with that of a typical residential dwelling.

Policy	Consistency Determination
<p>3.125 Development involving onsite wastewater discharges shall be consistent with the rules and regulations of the L.A. Regional Water Quality Control Board, including Waste Discharge Requirements, revised waivers and other regulations that apply.</p>	<p>While short-term rentals are limited to existing legally established structures in residential zoning districts, short-term rentals can have an impact on the on-site wastewater system if a structure has large groups of people utilizing the unit or if there is constant and rapid turn-over of the unit. One of the requirements for operating a short-term rental in the City is the property must maintain a valid Onsite Wastewater Treatment System (OWTS) operating permit. This will ensure short-term rentals are consistent with the rules and regulations of the L.A. Regional Water Quality Control Board, including Waste Discharge Requirements.</p>
<p><b>Chapter 4 - Hazards &amp; Shoreline Bluff Development and Coastal Act Policy 30253</b></p>	
<p>4.2 All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.</p>	<p>Short-term rentals are limited to existing legally established structures in residential zoning districts. Regulations require property owners to provide information on methods of emergency communications used by the City in case of an emergency along with information on the Evacuation Zone for the property. In addition, to increase the safety of guests staying in a short-term rental, property owners must ensure that basic health and safety features are provided, including fire extinguishers, smoke detectors, and carbon monoxide detectors.</p>
<p><b>Chapter 5 – New Development and Coastal Act Policy 30250</b></p>	
<p>5.4 Off-street parking shall be provided for all new development in accordance with the ordinances contained in the LCP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings that the provision of fewer parking spaces will not result in adverse impacts to public access.</p>	<p>Short-term rentals are limited to existing legally established structures in residential zoning districts. These properties generally have existing off-site parking available on the site; however, there are properties located on the ocean side of Pacific Coast Highway in eastern Malibu that don't meet current parking standards. Parking for the dwelling unit is often located between the front of the building and the edge of Pacific Coast Highway. This forces the public to park on the land side of Pacific Coast Highway thus forcing the public to cross Pacific Coast Highway to access the ocean. In these areas, in particular, allowing dwelling units to be utilized solely as un-hosted short-term rentals results in these structures functioning</p>

Policy		Consistency Determination
		like a hotel which can negatively impact public street parking. This can occur if reserved parking spaces are not provided or the unit is rented to a group of people that arrive in multiple vehicles. Allowing hosted single-family rentals and multi-family short-term rentals, with a limit on the number of rentals allowed, will minimize impacts to public street parking and increase the availability of street parking. This will allow all visitors to enjoy coastal access and recreational opportunities while at the same time providing short-term rental opportunities for those visitors that wish to stay overnight in Malibu.
5.49	All new development shall comply with the City's water conservation and wastewater regulations.	Short-term rentals are limited to existing legally established structures in residential zoning districts. One of the requirements for operating a short-term rental in the City is the property must maintain a valid Onsite Wastewater Treatment System (OWTS) operating permit. This will ensure short-term rentals are consistent with the rules and regulations of the L.A. Regional Water Quality Control Board, including Waste Discharge Requirements.
<b>Chapter 6 – Scenic and Visual Resources and Coastal Act Policy 30251</b>		
6.5	New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.	Short-term rentals are limited to existing legally established structures in residential zoning districts. This allows the use of developed properties with no adverse impacts on scenic areas visible from scenic roads or public viewing areas. The subject LCPA is limited to the use of existing structures and does not preclude future development from being consistent and requiring review under the Coastal Act.

Policy	Consistency Determination
<p>6.33 The Pacific Coast Highway corridor shall be protected as a scenic highway and significant viewshed.</p>	<p>The capacity of Pacific Coast Highway is exceeded regularly on summer weekends as visitors travel to the beach or enjoy a drive along the coast. The conversion of long term housing to short-term rental use increases traffic impacts to Pacific Coast Highway through increased trip demands of transient occupancy. Allowing only hosted short-term rentals in single family homes/condominiums and limiting the number of short-term rentals in multi-family dwellings will help reduce the traffic on Pacific Coast Highway which will enhance the quality of the visitor experience on Pacific Coast Highway and assure access to recreational opportunities.</p>
<p><b>Chapter 7 – Public Works and Coastal Act Policy 30254</b></p>	
<p>7.16 Additional water storage facilities and/or new pipelines may be allowed in the City to replace deteriorated or undersized facilities and/or to ensure an adequate source of domestic and fire protection water supply during outages or pipeline interruptions provided such facilities are designed and limited to accommodate existing or planned development allowed by the Land Use Plan and can be found to be consistent with all applicable policies of the LCP.</p>	<p>Short-term rentals are limited to existing legally established structures in residential zoning districts. It is expected, that the demand from short-term rentals on domestic and fire protection water supplies would be consistent with that of a typical residential dwelling.</p>

**ATTACHMENT B**

**Supplemental Information**  
**LCPA 19-003 – Short-Term Rentals**

<b><u>Accommodations in Malibu</u></b>			
<b>Name</b>	<b>Address</b>	<b>Accommodation Type</b>	<b>Number</b>
The M Malibu	22541 PCH	Hotel Rooms	18
Nobu Ryokan	22752 PCH	Hotel Rooms	16
Malibu Beach Inn	22878 PCH	Hotel Rooms	47
The Surfrider Hotel	23033 PCH	Hotel Rooms	20
The Native	28920 PCH	Hotel Rooms	13
Malibu County Inn	6506 Westward Road	Hotel Rooms	16
<b>Total Hotel Rooms</b>			<b>130</b>
Malibu Beach RV Park	25801 PCH	RV sites	142
		Tent sites	35
<b>Total Existing Accommodations</b>			<b>307</b>
<b>Pending applications on file with the City</b>			
Malibu Inn Hotel	22959 PCH	Hotel Rooms	20
Sea View Hotel	22741 PCH	Hotel Rooms	39
<b>Total Future Hotel Rooms</b>			<b>59</b>
<b>Overall Total (Existing and Planned)</b>			<b>366</b>

## Malibu Beach RV Park

### Winter Rates (December 1, 2020 through February 28, 2021)\*

All RV Sites = Full Hook Up (Water, Electric, and Sewer) and are Backflushed Excluding Tent Sites.	Weekdays (Sun-Thu)	Weekends (Fri-Sat)	Weekly (7 Days)	Max Stay = 28 Nights (APPROVAL REQUIRED)
<i>Ocean View Premium 50 Amp (No Towables)</i>	104.50	110.00	632.50	2,530.00
Ocean View Premium 30 Amp (No Towables)	93.50	99.00	566.50	2266.00
<i>Ocean View 50 Amp</i>	99.00	104.50	599.50	2,398.00
Ocean View 30 Amp	88.00	93.50	533.50	2,134.00
<i>Partial Ocean View 50 Amp (No Towables)</i>	78.00	84.00	474.00	1,896.00
Partial Ocean View 30 Amp (No Towables)	70.00	76.00	426.00	1,704.00
<i>Mountain View 50 Amp or Premium 30 Amp</i>	82.50	88.00	500.50	2,002.00
Mountain View 30 Amp	58.00	62.50	352.50	1,410.00
Tent Site Ocean View	51.70	57.20	315.70	N/A
Tent Site Mountain View	46.20	51.70	282.70	N/A

## Malibu Beach RV Park

### Spring Rates (March 1, 2021 through May 27, 2021)\*

<b>All RV Sites = Full Hook Up (Water, Electric, and Sewer) and are Back In Only. Excluding Tent Sites.</b>	<b>Weekdays (Sun-Thu)</b>	<b>Weekends (Fri-Sat)</b>	<b>Weekly (7 Days)</b>	<b>Max Stay = 28 Nights (APPROVAL REQUIRED)</b>
<i>Ocean View Premium 50 Amp (No Towables)</i>	114.00	120.00	690.00	2,760.00
Ocean View Premium 30 Amp (No Towables)	102.00	108.00	618.00	2,472.00
<i>Ocean View 50 Amp</i>	108.00	114.00	654.00	2,616.00
Ocean View 30 Amp	96.00	102.00	582.00	2,328.00
<i>Partial Ocean View 50 Amp (No Towables)</i>	96.00	104.00	584.00	2,336.00
Partial Ocean View 30 Amp (No Towables)	80.00	88.00	488.00	1,952.00
<i>Mountain View 50 Amp or Premium 30 Amp</i>	90.00	96.00	546.00	2,184.00
Mountain View 30 Amp	72.00	78.00	438.00	1,752.00
Tent Site Ocean View	51.70	57.20	315.70	N/A
Tent Site Mountain View	46.20	51.70	282.70	N/A

## Malibu Beach RV Park

### Summer Rates (May 28, 2021 through October 31, 2021)

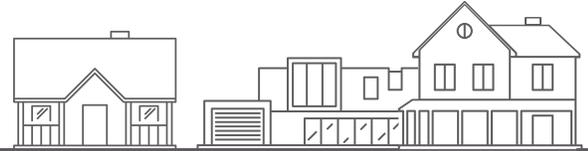
All RV Sites = Full Hook Up (Water, Electric, and Sewer) and are Back In Only. Excluding Tent Sites.	Weekdays (Sun-Thu)	Weekends (Fri-Sat)	Weekly (7 Days)	Max Stay = 28 Nights (APPROVAL REQUIRED)
<i>Ocean View Premium 50 Amp (No Towables)</i>	253.00	264.00	1,529.00	6,116.00
Ocean View Premium 30 Amp (No Towables)	209.00	231.00	1,276.00	5,104.00
<i>Ocean View 50 Amp</i>	220.00	242.00	1,342.00	5,368.00
Ocean View 30 Amp	198.00	225.50	1,215.50	4,862.00
<i>Partial Ocean View 50 Amp (No Towables)</i>	192.00	222.00	1,182.00	4,728.00
Partial Ocean View 30 Amp (No Towables)	117.00	162.50	747.50	2,990.00
<i>Mountain View 50 Amp or Premium 30 Amp</i>	170.50	192.50	1,045.00	4,180.00
Mountain View 30 Amp	137.50	154.00	841.50	3,366.00
Tent Site Ocean View	99.00	110.00	605.00	N/A
Tent Site Mountain View	71.50	93.50	451.00	N/A

## Malibu Beach RV Park

### Fall Rates (November 1, 2021 through December 31, 2021)

All RV Sites = Full Hook Up (Water, Electric, and Sewer) and are Back In Only. Excluding Tent Sites.	Weekdays (Sun-Thu)	Weekends (Fri-Sat)	Weekly (7 Days)	Max Stay = 28 Nights (APPROVAL REQUIRED)
<i>Ocean View Premium 50 Amp (No Towables)</i>	127.05	133.10	768.35	3,073.40
Ocean View Premium 30 Amp (No Towables)	114.95	121.00	695.75	2,783.00
<i>Ocean View 50 Amp</i>	121.00	127.05	732.05	2,928.20
Ocean View 30 Amp	108.90	114.95	659.45	2,637.80
<i>Partial Ocean View 50 Amp (No Towables)</i>	100.80	108.00	612.00	2,448.00
Partial Ocean View 30 Amp (No Towables)	90.11	98.30	548.85	2,195.40
<i>Mountain View 50 Amp or Premium 30 Amp</i>	102.85	123.20	637.45	2,549.80
Mountain View 30 Amp	72.60	78.65	441.65	1,766.60
Tent Site Ocean View	56.87	62.92	347.27	N/A
Tent Site Mountain View	50.82	56.87	310.97	N/A

# SHORT-TERM RENTAL CODE OF CONDUCT



The short-term rental of residential property may only be conducted in Malibu pursuant to a valid Short-Term Rental Permit issued by the City in accordance with the permit regulations set forth in the Malibu Municipal Code (MMC) 17.55. Go to [MalibuCity.org/STR](http://MalibuCity.org/STR) for more information.

The 24-hour contact for this property is \_\_\_\_\_.

They can be reached anytime at \_\_\_\_\_.

## NEIGHBORHOOD REGULATIONS



**Maximum Occupancy:** The maximum occupancy of this property is \_\_\_\_\_.

**Special Events:** Events in which 15 or more people are anticipated to attend may only be conducted pursuant to a Special Event Permit issued by the City.

**Noise:** Unreasonable noise is prohibited. Maintain peace and quiet between 10 PM - 7 AM.

**Parking:** All guests should park onsite whenever possible and abide by all posted street parking signs.

**Trash:** Place containers outside after 5:30 PM the day before collection day and remove all containers no later than 8:00 PM on collection day.

**Fines for Violation of the STR Permit Regulations:** Violations of MMC 17.55 are subject to a fine of \$500 per day or violation, or the short-term rental's advertised daily rate per day or violation, whichever is higher.

## ENVIRONMENTAL REGULATIONS



During your stay, help us protect Malibu by properly disposing of all trash to prevent it from entering the ocean and abiding by our local environmental regulations including the City's Plastic Bag Ban, Polystyrene Foam Ban, Plastic Straws and Cutlery Ban and the Smoking on the Beach Ban.

### Onsite Wastewater Treatment Systems

Most homes in Malibu rely on onsite wastewater treatment systems (septic systems) rather than traditional sewer systems. These systems require special care. Be mindful of what goes down the drain.

## EMERGENCY INFORMATION



### High Risk Fire Hazard Severity Zone

Malibu is in a very high fire hazard severity zone. Exercise extreme caution and situational awareness during your stay. Know your evacuation zone and routes and be prepared to evacuate on short notice.

### Emergency Communications

To receive emergency updates, follow the City's social media accounts:

- [twitter.com/CityMalibu](https://twitter.com/CityMalibu)
- [twitter.com/MalibuEOC](https://twitter.com/MalibuEOC)
- [facebook.com/CityofMalibu](https://facebook.com/CityofMalibu)
- [instagram.com/CityofMalibu](https://instagram.com/CityofMalibu)

If there is a widespread threat, the City may issue a Wireless Emergency Alert (WEA) which goes to all cell phones within the City with no subscriptions necessary, so you may receive a WEA on your mobile device.

### Evacuation Zone

This property at \_\_\_\_\_ is located in Malibu Evacuation Zone \_\_\_\_\_. For more information go to [MalibuCity.org/evac](http://MalibuCity.org/evac).

### Emergency Preparedness

For more information go to [MalibuCity.org/PublicSafety](http://MalibuCity.org/PublicSafety)

## RESOURCES



Los Angeles County Sheriff: 818-878-1808

LA County Fire Prevention: 818-880-0341

Malibu City Hall: 310-456-2489

Malibu Emergency Hotline: 310-456-9982

City Code Enforcement: 310-456-2489, ext. 308

**For life-threatening emergencies, call 9-1-1**