



PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

Regular PEQC Meeting Notice and Agenda

Website: www.cityofgardena.org

Tuesday, September 6, 2022 – 7:00 PM
1700 W. 162nd Street, Gardena, California

In order to minimize the spread of the COVID 19 virus Governor Newsom has signed Assembly Bill 361 that temporarily suspend requirements of the Brown Act. Gardena Board/Commission/Committee Members may attend this meeting telephonically.

The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email cityclerk@cityofgardena.org at least 24 hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

The City of Gardena thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone **courteously**;
- Listen to others **respectfully**;
- Exercise **self-control**;
- Give **open-minded** consideration to all viewpoints;
- Focus on the issues and **avoid personalizing debate**; and
- **Embrace respectful disagreement** and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

Thank you for your attendance and cooperation.

PARTICIPATE BEFORE THE MEETING by emailing the Planning Commission at PlanningCommissioner@cityofgardena.org by 5:00p.m. on the day of the meeting and write "Public Comment" in the subject line.

PARTICIPATE DURING THE MEETING VIA ZOOM

- Join Zoom Meeting Via the Internet or Via Phone Conference:
<https://us02web.zoom.us/j/84267932918>
- Via Phone Conference Phone number: US +1 669 900 9128, Meeting ID: 842 6793 2918
Press *9 to Raise Hand and *6 to unmute when prompted.
- If you wish to speak on a specific agenda item during the meeting you, may use the "Raise your Hand" feature during the item you wish to speak on. For Non-Agenda Items you will be allowed to speak during Oral Communications. Members of the public wishing to address the Commission/Committee/Board will be given three (3) minutes to speak.

1. **CALL MEETING TO ORDER**

2. **ROLL CALL**

1. Steve Sherman
2. Deryl Henderson
3. Stephen Langley
4. Jules Kanhan
5. Kale Morita

3. **APPROVAL OF MINUTES**

3.A August 16, 2022 MEETING
[22_08_16 PCMIN.pdf](#)

4. **ORAL COMMUNICATIONS**

This is the time where the public may address the Planning Commission on items that are not on the agenda, but within the Planning Commission's jurisdiction. Comments should be limited to three minutes.

5. **PUBLIC HEARING ITEMS**

5.A **Zone Text Amendment #2-22 (Ordinance No. 1844)**

Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide

[Staff Report.pdf](#)

[Attachment A - Council Agenda Staff Report.pdf](#)

[Attachment B - Council PowerPoint Presentation.pdf](#)

[Attachment C - Public Comment.pdf](#)

[Attachment D - Resolution No. PC 11-22_Draft Ordinance.pdf](#)

6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

7. **PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS**

8. **ADJOURNMENT**

The Planning and Environmental Quality Commission will adjourn to the next meeting at 7:00pm on September 20, 2022.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at www.CityofGardena.org.

Dated this 2nd day of September 2022.

/s/ GREG TSUJIUCHI
Greg Tsujiuchi, Secretary
Planning and Environmental Quality Commission

MINUTES
Regular PEQC Meeting Notice and Agenda of the
Planning and Environmental Quality Commission
Tuesday, August 16, 2022

The Regular PEQC Meeting Notice and Agenda of the Planning and Environmental Quality Commission of the City of Gardena, California, was called to order at 7:00 PM on Tuesday, August 16, 2022, in the 1700 W. 162nd Street, Gardena, California.

PARTICIPATE BEFORE THE MEETING by emailing the Planning Commission at planningcommissioner@cityofgardena.org by 5:00p.m. on the day of the meeting and write "Public Comment" in the subject line.

PARTICIPATE DURING THE MEETING VIA ZOOM

- Join Zoom Meeting Via the Internet or Via Phone Conference:
<https://us02web.zoom.us/j/82284659195>
- Via Phone Conference Phone number: US +1 669 900 9128, Meeting ID: 822 8465 9195 Press *9 to Raise Hand and *6 to unmute when prompted.
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1. **CALL MEETING TO ORDER**

The meeting was called to order at 7:00PM

2. **ROLL CALL**

Present: Chair Stephen P Langley; Vice Chair Deryl Henderson; Member Steve Sherman; Member Kale Morita
Absent: Member Jules Kanhan

3. **APPROVAL OF MINUTES**

3.A July 19, 2022 MEETING

A motion was made by Commissioner Sherman and seconded by Chair Langley to approve the minutes of the meeting on July 19, 2022. The minutes were approved 3-0-1

Ayes: Langley, Sherman, Morita
Noes: None
Abstain: Henderson

4. **ORAL COMMUNICATIONS**

Chair Langley invited anyone from the public to speak on any issues not on the agenda; however, there were no members of the public wishing to speak under oral communications.

5. **PUBLIC HEARING ITEMS**

None

6. **OTHER MATTERS**

6.A **Extension Request for Tentative Tract Map No. 82958 (TTM #2-19)**

A request for extension of time of Tentative Tract Map No. 82958, to subdivide the property at 1621 W. 147th Street creating six condominium units, per Chapter 17.08 of the Gardena Municipal Code, and directing staff to file a Notice of Exemption

APPLICANT: Julio Vargas

LOCATION: 1621 W 147th Street (APN: 6103-031-075)

Senior Planner Amanda Acuna explained an oral history for the approval of the project and the ordinance to approve an extension of time for a subdivision map and recommended that Planning Commission open the public hearing, receive testimony from the public, approve a 12-month time extension for Tentative Tract Map No. 82958 (TTM #2-19) and file a notice of exemption.

The applicant explained the reasoning for their request for an extension for time.

Chair Langley closed the public hearing.

MOTION: It was moved by Vice Chair Henderson and seconded by Commissioner Sherman to approve the extension request for Tentative Tract Map No. 82958 (TTM #2-19), by vote of 3-0-1, with Commissioner Morita abstaining from the vote due to proximity to his property, approving a 12-month extension of time for the tentative map, and directing staff to file a Notice of Exemption.

The motion passed by the following roll call vote:

Ayes: Henderson, Sherman, Langley

Noes: None

Abstain: Morita

7. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Community Development Director, Greg Tsujiuchi was absent, and Ms. Acuna had presented the Planning Commissioners with two upcoming Gardena events and stated if any of the commissioners were interested, to please let staff know to reserve tickets for the events below.

- Jazz Festival on August 28, 2022
- Food, Wine, and Brew on September 24, 2022

Ms. Acuna also stated there will be an in-person Planning Commissioner training event at a TBA location for Los Angeles County on September 12, 2022. If the date is in conflict with any commissioners, there will also be an Orange County training event on November 18, 2022, instead if they wish to attend.

Assistant City Attorney Lisa Kranitz regrestfully informed the Commission that former City Attorney, Peter Wallin, had passed away and that there will be a ceremony if the commissioners wish to attend.

8. **PLANNING & ENVIORNMENTAL QUALITY COMISSIONERS' REPORTS**

Commissioner Morita stated he had attended the U-Haul community meeting, thought the event was insightful and noted that the major attendance was from the residents of the Rosecrans Place development. He had also noted that he attended the Cocoon housing development grand opening and saw the automated parking structure in operation.

9. **ADJOURNMENT**

Chair Langley adjourned the meeting at 7:17 P.M.

Respectfully submitted,

GREG TSUJIUCHI, SECRETARY
Planning and Environmental Quality Commission

STEPHEN LANGLEY, CHAIR
Planning and Environmental Quality Commission

CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STAFF REPORT

RESOLUTION NO. PC 11-22
ZONE TEXT AMENDMENT #2-22
AGENDA ITEM #5.A

DATE: September 6, 2022

TO: Chair Langley and Members of the Planning and Environmental Quality Commission

PREPARED BY: Amanda Acuna, Senior Planner

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code.

BACKGROUND

The Community Development Department has received numerous inquiries regarding the legality of short term rentals (STRs). An STR is any rental of a dwelling of thirty days or less. The City's position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.

On August 9, 2022, the City Council discussed various policy options for STRs and heard concerns from the public on potential loss of neighborhood character and challenges with enforcement. The Council also had concerns on the adverse impacts to noise, trash, crime, traffic, and parking these uses would have to the residential neighborhoods.

After considering the staff report (Attachment A), power point presentation (Attachment B) and the discussion¹, the Council directed staff to draft an ordinance prohibiting all STRs within the residential zones. At the same meeting Councilmember Francis made a

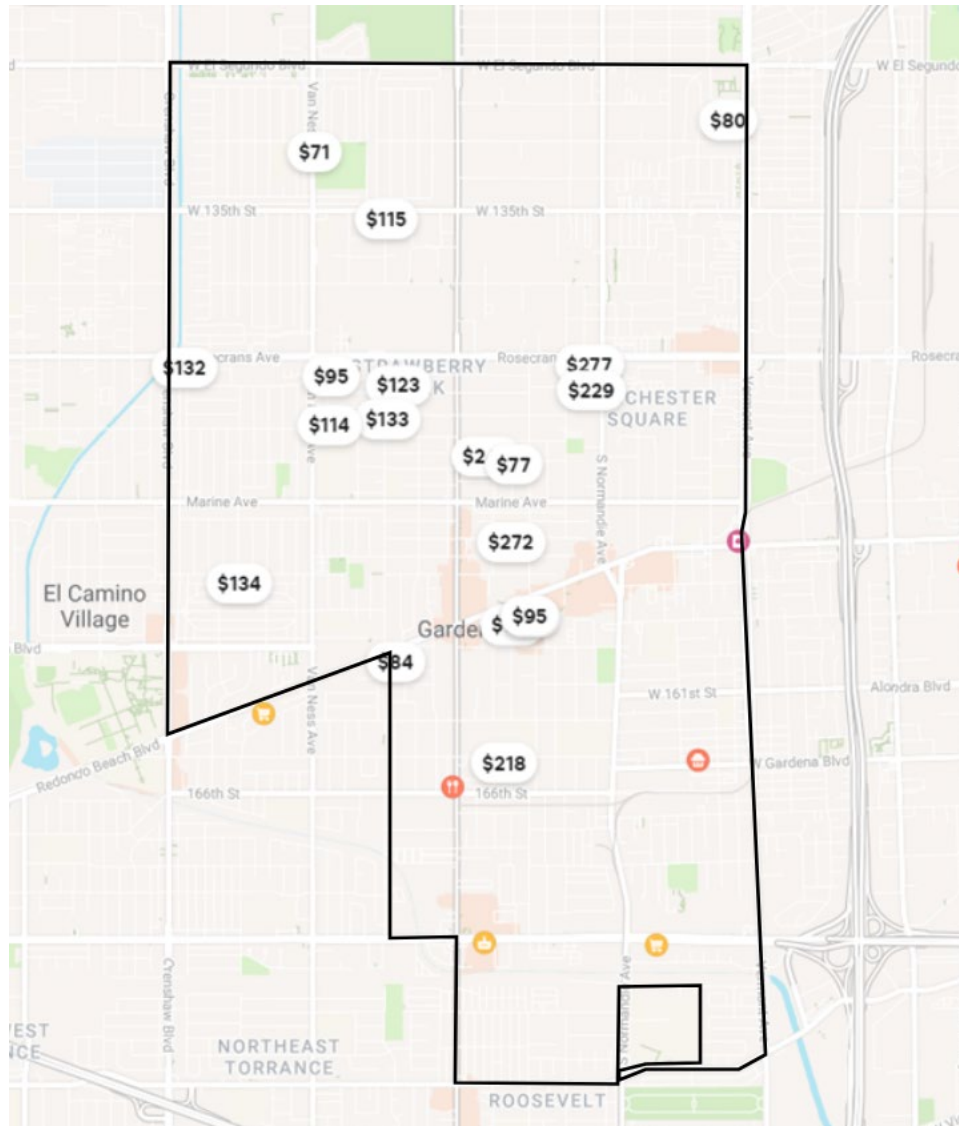
¹ The power point indicates that Inglewood prohibits STRs. However, Inglewood has now adopted an ordinance stringently regulating STRs.

directive to place a moratorium on all STRs within the City. The directive was seconded by Council Member Henderson and an urgency ordinance is scheduled to go before the City Council at the regularly scheduled meeting of September 13, 2022.

ANALYSIS

The City has already seen the establishment of short-term rentals within the corporate boundaries and has received several inquiries about the legality of having a short-term rental in the City. The desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium. Online platforms such as Airbnb and VRBO currently have numerous listings for properties within Gardena (Figure 1 – Airbnb Listings).

Figure 1 – Airbnb Listings



Additionally, the Community Development department has received inquiries about using private homes for events such as weddings. Similar to traditional STRs of home rentals, owners have begun using their homes for other business enterprises which involve the short-term use of their home. There are now websites that are devoted to hourly rentals of pools in single-family homes or use of homes as event spaces. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions. Therefore, the draft ordinance proposes to amend the City's Zoning Code to prohibit all types of short-term rentals in all residential zones.

ENVIRONMENTAL IMPLICATIONS

The project is exempt from the provisions of CEQA pursuant to Section 15061(b)(3), which exempts projects where it can be seen with certainty that the activity in question does not have a significant effect on the environment.

NOTICING

The public hearing notice for this zoning amendment was published in the Gardena Valley News on August 25, 2022. A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall and are considered part of the administrative record.

On August 20, 2022, the City Clerk's office received a public comment (Attachment C) which has been made part of the administrative record.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Open the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 11-22 recommending that the City Council adopt Ordinance No. 1844 (Attachment D).

ATTACHMENT

A – Council Agenda Staff Report

B – Council Power Point Presentation

C – Public Comment Received

D – Resolution No. PC 11-22

Exhibit A: Draft Ordinance 1844



City of Gardena City Council Meeting

Agenda Item No.: 12.A
Department: Community Development
Meeting Date: August 9, 2022

AGENDA STAFF REPORT

AGENDA TITLE:

Short Term Rentals for Lodging Discussion

RECOMMENDATION:

Provide direction to staff to draft an ordinance.

BACKGROUND:

Community Development has received numerous inquiries regarding the legality of short term rentals (STRs). An STR is any rental of a dwelling of thirty days or less. The City's position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid.

According to the appellate court, Manhattan Beach's ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city's argument that the STRs were prohibited under the theory of permissive zoning. Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.

Despite the City's position that these uses are not allowed, sites such as Airbnb and VRBO have numerous listings for properties within Gardena. Regulations relating to STRs can either be totally permissive, completely prohibitive, or somewhere in between. Various options and possible provisions are as follows:

- Complete ban on STRs
- No regulations on STRs outside of registration, business license fee (\$10) and paying TOT (11%)
- Allow home share only – owner must be present during rental

- Santa Monica defines home-sharing as renting one or more bedrooms in a primary residence for 30 or fewer consecutive days
- Limit the type of properties – single family home, duplexes, apartments
 - Note that no home which has an ADU or SB 9 unit may be used for STRs. Home sharing *may* be allowed
- Limit the number of total STRs in the City at any one time
 - If this option were chosen, then how to choose: first come – first serve until they are filled; deadlines with a lottery; reapply every number of years to give other people a chance
- Require that this be person’s primary residence
 - What would the minimum occupancy period be to establish primary residence – some cities are as low as 60 – others require 270
- Limit the number of STRs one person can have – even if through a corporation
- Limit the number of rental days allowed per year
- Limit the number of people per bedroom
- Require insurance coverage
- Establish a registration fee

Regulations in neighboring jurisdictions cover a wide range of options:

- Carson – appears to be allowed
- El Segundo – home sharing in property owner’s primary residence only in the R-2 and R-3 zones (Pilot program)
- Hawthorne – allowed with limitations
- Hermosa Beach – only allowed in non-conforming residences in certain non-residential zones, otherwise prohibited by Code
- Inglewood – moratorium
- Lawndale – prohibited by code
- Lomita – prohibited in SB 9 development by Code
- Manhattan Beach – prohibited by Code in residential zones; need to amend for coastal areas
- Redondo Beach - prohibited
- Torrance – in residential zones only allowed as a home share with a host living onsite

It is staff’s belief that regulations are required as these rentals turn residential uses into commercial uses and change the character of the neighborhood. Additionally, there is evidence from various studies that these types of rentals lead to increases in rent and housing prices, thereby reducing the supply of housing, including affordable housing.

Other Short Term Rental Uses

In addition to the traditional STRs of home rentals, owners have begun using their homes for other business enterprises which involve the short-term use of their home.

There are now websites that are devoted to hourly rentals of pools in single-family homes, the most popular of which is www.swimply.com. Additionally, owners are renting their homes for use as event spaces. Currently, there do not appear to be any pools for rent in Gardena. Community Development has received inquiries about using private homes for events such as weddings. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions.

Unlike STRs for lodging, these uses are prohibited under the Gardena Municipal Code as they are not listed as an allowed use. However, staff believes that such uses should be specifically addressed in accordance with the City Council's desires.

Conclusion

The City Council should discuss these issues and provide direction to staff to draft an ordinance.

Submitted by: Greg Tsujiuchi
Prepared by: Lisa Kranitz

Date: August 4, 2022

August 9, 2022

City Council Meeting

Short Term Rentals (STR's)



Introduction

- What is a Short Term Rental (STR) ? – Typically defined as a rental of a dwelling unit which is shared, in whole or in part, for periods of 30 days or less as a way of generating rental income. May include swimming pools and special event venues.
- Why is this being brought forth for discussion?
 - The GMC does not specifically prohibit STR's
 - Keen v. City of Manhattan Beach
 - Increase of inquiries on the ability to have STR's in the City
 - Increase of complaints regarding STR's
 - Numerous listings for properties within Gardena on platforms such as Airbnb, VRBO, etc.

Prohibit or Permit STR's

- Prohibit STR's – Direct Staff to Draft an Ordinance Prohibiting STR's
 - Redondo Beach
 - Manhattan Beach
 - Inglewood (moratorium)
 - Lawndale
- Permit STR's - Direct Staff to Draft an Ordinance Allowing STR's with No Regulations other than Business License and TOT
 - Lomita
 - Carson?

Direct Staff to Work with the Planning Commission to Draft an Ordinance with Regulations

- El Segundo
- Hermosa Beach
- Torrance
- Hawthorne

Discussion

Possible Provisions

- Hosted
 - Home-sharing: Renting one or more bedrooms in a primary residence for 30 or fewer consecutive days
 - Primary resident must be present during rental during most hours
- Un-Hosted
 - Renting of a dwelling unit, in whole or in part, to any person(s) for 30 or fewer consecutive days
 - The primary resident does not live on-site throughout the visitor's stay
- Limiting the type of properties and zones
 - Single family home, Duplexes, Apartments
 - Not allowed within ADU or SB 9 unit
 - Not allowed within Affordable Housing Unit

Possible Provisions

- Limiting total number of STRs in the City - Establishing selection process
- Limit the number of STRs one person can have – even if through a corporation
- Require Inspections by staff
- Allow or not allow multiple bookings
- Limit the number of rental days allowed per year
- Limit the number of people per bedroom
- Require insurance coverage
- Require posting of contact and management information
- Establish a registration fee
- Allow by ministerial or discretionary approval
- Establish parking or noise standards

Becky Romero

From: Alejandra Orozco
Sent: Monday, August 22, 2022 9:53 AM
To: Becky Romero
Subject: FW: Short term rentals

-----Original Message-----

From: Sherelle [REDACTED]
Sent: Saturday, August 20, 2022 8:38 AM
To: City Council.web <CityCouncil.web@cityofgardena.org>
Subject: Short term rentals

Dear City Council

I totally disagree with you all banning Short term rentals. I think Gardena is a progressive city but this ordinance is fear based. Take a step back. Think who is considering buying here. Think of the age bracket condemning this. Think progressively. Do not ban but make rules. We need to attract \$\$ in this city. Not stalemate it.

Thank You
Sherelle
[REDACTED]

RESOLUTION NO. PC 11-22

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 1844 AMENDING TITLE 18 OF THE GARDENA MUNICIPAL CODE TO PROHIBIT SHORT-TERM RENTALS OF RESIDENCES FOR LODGING PURPOSES AND SHORT-TERM RENTALS OF RESIDENCES FOR OTHER COMMERCIAL USES NOT LISTED AS ALLOWED USES UNDER THE GARDENA MUNICIPAL CODE

WHEREAS, short-term rentals of residences for lodging purposes and short term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code; and

WHEREAS, based on the recent case of *Keen v. City of Manhattan Beach* (2022) 77 Cal.App.5th 142, cities may no longer rely on permissive zoning to exclude short-term rentals; and

WHEREAS, Gardena has already seen the establishment of short-term rentals in the City and has received a number of inquiries about the legality of having a short-term rental in the City; and

WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium; and

WHEREAS, the City Council has become aware that people are using their private residences for commercial enterprises such as renting the house or backyard out for events; and

WHEREAS, the City Council has become aware of new platforms that allows people to rent out their pools by the hours; and

WHEREAS, short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply; and

WHEREAS, on September 6, 2022, the Planning Commission of the City of Gardena held a duly noticed public hearing on the draft Ordinance at which time it considered all evidence, both written and oral;

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

The Planning Commission hereby recommends that the City Council adopt the Ordinance attached hereto as Exhibit A making changes to Title 18 (Zoning) of the Gardena Municipal Code, to prohibit short-term rentals in the City. For all of the reasons set forth in the staff report and as set forth in the Ordinance, the Planning Commission believes that these changes represent good land use practices which are required by public necessity, convenience, and the general welfare.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2022.

STEVE LANGLEY, CHAIRMAN
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:

GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 6th day of September 2022, by the following vote:

AYES:
NOES:
ABSENT:

Attachments:

Exhibit A – Draft Ordinance No. 1844

ORDINANCE NO. 1844

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE ZONING CODE TO PROHIBIT SHORT-TERM RENTALS

WHEREAS, short-term rentals of residences for lodging purposes and short term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code; and

WHEREAS, based on the recent case of *Keen v. City of Manhattan Beach* (2022) 77 Cal.App.5th 142, cities may no longer rely on permissive zoning to exclude short-term rentals; and

WHEREAS, Gardena has already seen the establishment of short-term rentals in the City and has received a number of inquiries about the legality of having a short-term rental in the City; and

WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium; and

WHEREAS, the City Council has become aware that people are using their private residences for commercial enterprises such as renting the house or backyard out for events; and

WHEREAS, the City Council has become aware of new platforms that allows people to rent out their pools by the hours; and

WHEREAS, short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply; and

WHEREAS, on September 6, 2022 the Planning Commission of the City of Gardena held a duly noticed public hearing on an amendment to the Zoning Code which would prohibit all short-term rentals in the City after which the Planning Commission adopted Resolution No. PC 11-22, recommending that the City Council adopt the Ordinance; and

NOW, THEREFORE, the City Council of the City of Gardena does ordain as follows:

SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings.

SECTION 2. Chapter 18.04 of the Gardena Municipal Code is hereby amended by adding Section 18.04.417 and Section 18.04.418 to read as follows:

18.04.417 Short-term day-use rental.

“Short-term day-use rental” means a residential unit, or portion thereof, including any amenity on the premises, that is offered or provided to paying guest(s) for hourly or daily use. Short-term rental day use shall not include the use of any residential unit for which a film permit has been obtained in accordance with Chapter 5.36.

18.04.418 Short-term lodging rental.

“Short-term lodging rental” means a residential dwelling unit, or portion thereof, that is offered or provided to a paying guest(s) for thirty (30) or fewer consecutive nights. The term “short-term rental lodging” shall not include hotels, motels, inns or bed and breakfast inns.

SECTION 3. Section 18.12.040 of the Gardena Municipal Code relating to prohibited uses in the R-1 zone is hereby amended to read as follows:

18.12.040 Uses prohibited.

The following uses are prohibited in the R-1 zone:

- A. Short-term day-use rentals;
- B. Short-term lodging rentals; and
- C. All uses not listed in Sections [18.12.020](#) and [18.12.030](#) ~~are deemed to be expressly prohibited in the R-1 zone,~~ except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 4. Section 18.14.040 of the Gardena Municipal Code relating to prohibited uses in the R-2 zone is hereby amended to read as follows:

18.14.040 Uses prohibited.

The following uses are prohibited in the R-2 zone:

- A. Short-term day-use rentals;
- B. Short-term lodging rentals; and

- C. All uses not listed in Sections [18.14.020](#) and [18.14.030](#) ~~are deemed to be expressly prohibited in the R-2 zone~~, except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 5. Section 18.16.040 of the Gardena Municipal Code relating to prohibited uses in the R-3 zone is hereby amended to read as follows:

18.16.040 Uses prohibited.

The following uses are prohibited in the R-3 zone:

- A. Short-term day-use rentals;
- B. Short-term lodging rentals; and
- C. All uses not listed in Sections [18.16.020](#) and [18.16.030](#) ~~are deemed to be expressly prohibited in the R-3 zone~~, except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 6. Section 18.19.050 of the Gardena Municipal Code relating to prohibited uses in the Mixed Use Overlay zone is hereby amended to read as follows:

18.19.050 Uses prohibited.

The following uses are prohibited in the Mixed Use Overlay zone:

- A. Short-term day-use rentals;
- B. Short-term lodging rentals; and
- C. All uses not listed in Sections [18.19.030](#) and [18.19.040](#) ~~are deemed to be expressly prohibited in the R-1 zone~~, except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 7. Section 18.20.040 of the Gardena Municipal Code relating to prohibited uses in the Commercial-Residential zone is hereby amended by adding a new L and M and relettering subsection L as subsection N to read as follows; all other provisions remain the same:

18.20.040 Uses prohibited.

- L. Short-term day-use rentals;
- M. Short-term lodging rentals; and

- N. ~~Any other~~ All uses not listed in Section [18.20.020](#) or [18.20.030](#), except those determined to be similar pursuant to the provisions of Section [18.42.040](#)

SECTION 8. Section 18.28.040 of the Gardena Municipal Code relating to prohibited uses in the Home Business zone is hereby amended by adding a new L and M and relettering subsection L as subsection N to read as follows; all other provisions remain the same:

18.28.040 Uses prohibited.

L. Short-term day-use rentals;

M. Short-term lodging rentals; and

N. ~~Uses other than those specifically set forth or provided for in Sections [18.28.020](#) and [18.28.030](#),~~ All uses not listed in Sections [18.28.020](#) and [18.28.030](#), except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 9. Section 18.36.050 of the Gardena Municipal Code relating to prohibited uses in the M-1 zone is hereby amended to read as follows:

18.36.050 Uses prohibited.

A. Cocktail lounges;

B. Displays and sales of motor vehicles from vacant or unimproved lots;

C. Outdoor sales conducted on vacant lots and not related to the business on the premises; ~~and~~

D. Residential uses unless the use is an SRO for which a CUP has been approved pursuant to section 18.36.030 or there is an overlay allowing housing on the property;

E. Short-term day-use rentals; and

F. Short-term lodging rentals.

SECTION 10. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 11. The City Clerk shall cause this ordinance to be published as required by law.

SECTION 12. The City Council finds that, regarding the California Environmental Quality Act (CEQA), there is no possibility that the adoption of this ordinance may have a significant adverse effect on the environment (CEQA Guideline section 15061 (b)(3)).

PASSED AND ADOPTED by the City Council of the City of Gardena, California at a regular meeting thereof held on October 11, 2022.

Tasha Cerda, Mayor

ATTEST:

Mina Semenza, City Clerk

APPROVED AS TO FORM:

Carmen Vasquez, City Attorney