

Bond Case Briefs

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ZONING & PLANNING - CALIFORNIA

Keen v. City of Manhattan Beach

Court of Appeal, Second District, Division 8, California - April 6, 2022 - Cal.Rptr.3d - 2022 WL 1021928

Owner of property rented on short-term basis petitioned for writ of mandate to enjoin city from enforcing zoning ordinances prohibiting short-term rentals.

The Superior Court enjoined ban on short-term rentals pending approval of zoning ordinances by Coastal Commission. City appealed.

The Court of Appeal held that:

- City's residential zoning ordinances always permitted short- and long-term rentals, and thus ban on short-term rentals was amendment to local coastal program requiring approval by Coastal Commission;
- Short-term residential rentals did not fall within definition of "hotels, motels, and time-share facilities"; and
- Court of Appeal would not take judicial notice of decades-old definition of "hotel."