



CITY COUNCIL AGENDA STATEMENT



July 28, 2020

File ID: 20-0311

TITLE

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.39, HOTELS/MOTELS, REGARDING GUEST ROOM INSPECTIONS FOR EQUIPMENT AND AMENITY MINIMUM REQUIREMENTS FOR HOTEL/MOTEL OPERATING PERMITS (SECOND READING AND ADOPTION)

RECOMMENDED ACTION

Council adopt the ordinance.

SUMMARY

Chapter 5.39 of the Municipal Code requires that hotel/motel establishments comply with biennial health inspections conducted by state certified environmental health specialists. However, regional availability for environmental health specialists is limited and the biennial health inspections pose an overly onerous burden on the hotel/motel industry given that the City performs annual hotel/motel guestroom minimum requirements that meet the state health inspection requirements. The Police Department recommends amending the existing ordinance to require hotel/motel establishments to meet guest room minimum requirements as defined by Chapter 15.20.080. The amendment reduces costs to the hotel/motel establishments, only changes which entity performs the inspections and improves the safety of the community by requiring that the hotel/motel establishments meet the requirements on an annual basis as stated in Chapter 15.20.080 of the Municipal Code. All other terms within the ordinance remain unchanged.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15309 Class 9 (Inspections) and Section 15061(b)(3); because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Thus, no further environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

Chapter 5.39 of the Municipal Code was established in 2006 to enhance the health, public safety and welfare of residents and visitors to the City. Among other requirements, hotel/motel establishments are required to

meet biennial inspections performed by an environmental health specialist registered with the California Department of Health Services. The regional availability for environmental health specialists is limited and difficult to solicit, making the requirement overly onerous to the hotel/motel industry. The City of Chula Vista's Code Enforcement Division performs annual public health inspections that comply with Chapter 5.39 of the Municipal Code health requirements which are stated in 15.20.080 of the Municipal Code health requirements. Minimum requirements in 15.20.080 are comparable to the items inspected by an environmental health specialist.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

The requirement for a biennial inspection as stated in Chapter 5.39.050 and the guest room minimum requirements as stated in Chapter 15.20.080 do not have any fiscal impact.

ONGOING FISCAL IMPACT

Amendments to Chapter 5.39.050 have no foreseeable fiscal impact to the City.

ATTACHMENTS

Attachment 1: Ordinance amending Chula Vista Municipal Code Chapter 5.39 Hotels/Motels

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