

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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RECORD PACKET COPY

October 17, 2002

Thu 16a**TO: COMMISSIONERS AND INTERESTED PERSONS****FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO AREA OFFICE
DIANA LILLY, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE****SUBJECT: REVISED FINDINGS ON MAJOR AMENDMENT 1-02 A (Short Term Rentals) TO THE CITY OF IMPERIAL BEACH LOCAL COASTAL PROGRAM (For Public Hearing and Possible Action at the Meeting of November 5-8, 2002)**

SYNOPSIS**SUMMARY OF COMMISSION ACTION**

At the Commission meeting of September 9, 2002, the Commission reviewed the City of Imperial Beach LCP Amendment #1-02A pertaining to a prohibition of short-term rentals of residential properties outside the Seacoast Commercial and Mixed Use Districts. In its action on LCPA #1-02A, the Commission denied the implementation plan as submitted. Part B of the amendment, which prohibited secondhand stores, was approved as submitted and is not the subject of these revised findings.

The Commission action denied the plan over the staff recommendation of approval as submitted. The findings have been revised to reflect the Commission's action, including changes to the cited goals and policies of the LUP, and changes throughout the entire findings for denial.

COMMISSION VOTES

Imperial Beach LCPA 1-02A, reject as submitted:

Commissioners Voting "Yes": Dettloff, Hart, Kruer, McClain-Hill, Orr, Peters, Potter, Rose.

Commissioners Voting "No": Chairman Wan.

SUMMARY OF AMENDMENT REQUEST

The proposed amendment would alter the certified LCP implementation plan. The intent of the amendment is to prohibit short-term (less than 30 consecutive days) rental of residential properties throughout the city, except in the Seacoast Commercial Zone and the Seacoast Mixed Use Overlay Zone. The prohibition would not apply to bed and breakfast-type inns, motels, hotels, or timeshare developments.

The appropriate resolutions and motions begin on page 3. The findings for rejection of the Implementation Plan Amendment as submitted begin on page 4.

ADDITIONAL INFORMATION

Further information on the Revised Findings for City of Imperial Beach LCP Amendment #1-02 may be obtained from Diana Lilly, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

On June 30, 1981, the City of Imperial Beach formally submitted its Land Use Plan (LUP) for Commission approval. The plan, as originally submitted, comprised the City's entire General Plan (10 elements and a policy plan). Since the plan contained a large volume of material that was not coastal-related and policies addressing coastal issues were found throughout many of the elements, staff summarized the coastal policies into one document. This policy summary along with the Land Use Element was submitted to the Commission as the LCP Land Use Plan.

On September 15, 1981, the Commission found substantial issue with the LUP, as submitted, denied and then conditionally approved the LUP with recommended policy changes for all policy groups. The City resubmitted the LCP Land Use Plan in early 1982, incorporating most of the Commission's suggested policy modifications. This included modification language related to the preservation and protection of Oneonta Slough/Tijuana River Estuary and South San Diego Bay, preservation and enhancement of coastal access and the provision for visitor-serving commercial uses in the Seacoast District. On March 16, 1982, the Commission certified the City of Imperial Beach LCP Land Use Plan as submitted. The land use plan was effectively certified by the Commission on November 18, 1982. In 1983, prior to certification of the Implementation Plan, the Commission approved an amendment to the LUP to correct a mapping error.

On August 15, 1983, the City began issuing coastal development permits pursuant to Section 30600.5 (Hannigan provisions) of the Coastal Act based on project compliance with its certified LUP. The City then submitted its entire Zoning Ordinance in order to implement the provisions of the certified Land Use Plan. The zoning ordinance was

completely rewritten in order to implement the LUP. On September 26, 1984, the Commission approved the LCP/Implementation Plan as submitted. As of February 13, 1985, the City has been issuing coastal development permits under a certified local coastal program. Subsequent to the Commission's actions on the land use plan and implementation plan, there have been twenty-three amendments to the certified local coastal program.

B. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

MOTION: *I move that the Commission adopt the revised findings in support of the Commission's action on September 9, 2002 concerning City of Imperial Beach LCPA 1-02A.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the September 9, 2002 hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

**PART IV. FINDINGS FOR REJECTION OF THE CITY OF IMPERIAL BEACH
IMPLEMENTATION PLAN AMENDMENT 1-02A, AS SUBMITTED**

A. AMENDMENT DESCRIPTION

LCP amendment 1-02 A affects the operation of short-term rentals. The intent of the amendment is to prohibit short-term (less than 30 consecutive days) rental of residential properties throughout the city, except in the Seacoast Commercial Zone and the Seacoast Mixed Use Overlay Zone. Specifically, the amendment would add language to four different sections of the zoning code as follows:

- A description of "Time share unit" would be added to the Definitions chapter of the zoning code;
- A "prohibition of short-term rental of residential property for remuneration" would be added to the Miscellaneous Uses chapter, and the terms "remuneration", "residential property" and "short-term rental of residential property" would be defined; a limited number of existing short-term residential rentals would be permitted until January 1, 2007; and arranging for or using a residential property for a short-term rental would be made an infraction;
- Short-term rentals would be added as permitted use in the C-2 Seacoast Commercial Zone (subject to conditions established by the City);
- Short-term rentals would be added as permitted use in the MU-2 Mixed Use Overlay (subject to conditions established by the City).

The prohibition on short-term rentals would not include legally established bed and breakfast inns, motels, hotels, and timeshare developments. The addition of the Timeshare definition has been included simply because the City's existing code lacked such as definition. The amendment would not change the areas where timeshares are currently permitted and would define a time share unit as:

"a unit in a project in which a purchaser receives a right in perpetuity, for life, or for a term of years to the recurrent exclusive use or occupancy of a lot, parcel, unit or segment of real property annually or on some other periodic basis, for a period of time that has been, or will be, allotted from the use or occupancy periods onto which the project has been divided."

B. FINDINGS FOR DENIAL

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

1. Prohibition of Short-term Residential Rentals. The certified LUP has a number of goals and policies relevant to the rental of residential units. Goal 11 states in part:

GOAL 11 SMALL BEACH ORIENTED TOWN

a. Residential Neighborhoods

Future plans should foster keeping residential neighborhoods stable, well-maintained, and pedestrian oriented [...]

d. Visitor/Resident Balance

The California Coast is an extremely desirable place to live, work and recreate that belongs to all the people. As such, congenial and cooperative use by both residents and visitors is recognized. Such use should capture the best attributes of the City and creatively determine the acceptable place, scale, intensity, rate and methods for development consistent with resource protection and the retention of the character of a small beach-oriented town.

Policy L-3 Residential Uses and Neighborhoods states in part:

c. Single Family/Multi-Family Balance

The retention and expansion of stable, owner-occupied, single family neighborhoods is essential in order to maintain the goal of a small beach-oriented town. These areas shall be protected from intrusion of traffic and conflicting land uses such as multifamily structures or commercial developments.

d. High Density Residential

Higher density neighborhoods shall be located near public transportation facilities. Development shall emphasize human scale, aesthetically pleasing buildings with active and passive private and common open space. Areas shall be protected from the intrusion of traffic and conflicting land uses.

Table L-2, LAND USE DESIGNATIONS AND SPECIFICATIONS states in part:

R-1500 Residential (3 stories)

The R-1500 Residential land use designation provides for the development of detached and attached single family and multi-family dwellings (duplexes, apartments, condominiums, townhomes) with a maximum density of one unit per every 1,500 sq. ft. of land. This designation will permit as many as 29 units per net acre of land. Uses such as parks, libraries, churches, schools, family day-care homes, and other uses, which are determined to be compatible with and oriented toward serving the needs of the zone are also allowed. The intent of this designation is to provide for an intense residential living environment in typically two and three-story units. Extensive landscaping and recreational amenity packages should be provided in development of this density.

C-2 Seacoast Commercial (3 stories)

The Seacoast Commercial land use designation provides for land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in this designation will be visitor-serving retail such as specialty stores, surf shops, restaurants, hotels and motels, etc. In order to promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-thru establishments, drive-thru services for restaurants, banks, dry cleaners, and other similar auto related business establishments shall be prohibited in this zone. Residential uses may (included below) be permitted above the first floor at a maximum density of one unit per every 1,500 square feet of land. Discretionary permit review by the City shall be required for such residential use.

MU-2 Mixed Use Overlay

The Mixed Use Overlay land use designation provides for future expansion of uses allowed in the C-2 Land Use Designation in an orderly way without requiring the amendment of the General Plan. In this overlay designation, commercial activities would be allowed to expand into areas otherwise designated as Residential. Discretionary permit review by the City shall be required for such commercial use.

The L-4 Commercial Uses and Areas contains specific policies for commercial uses and areas, and states:

e. Seacoast Commercial (C-2 & MU-2)

The Seacoast commercial area shall serve as a visitor serving, pedestrian-oriented commercial area. Existing residential uses shall be slowly transitioned to new visitor serving commercial uses. As part of the design review, 2nd or 3rd stories may be required to be set-back from Seacoast Drive.

Timeshares shall be prohibited on the first floor unless 25% are reserved for overnight accommodation.

Policy L-6 states:

L-6 Tourist Commercial Uses

Imperial Beach should provide, enhance and expand tourist commercial uses to the extent that they can be compatible with the small beach oriented town character of the City.

Policy P-2 states:

P-2 Ocean and Beach Are The Principal Resources

The ocean, beach and their environment are, and should continue to be, the principal recreation and visitor-serving feature in Imperial Beach. Oceanfront land shall be used for recreational and recreation-related uses whenever feasible.

The purpose and intent of the proposed ordinance amendment is to limit the use of residential properties for short-term, vacation length (less than 30 days) rentals. The City has reported that in early 2001, owners of condominium units along South Seacoast Drive began complaining about neighboring units being rented out on a weekend basis. The complaints stated that these overnight patrons created excessive noise, parking problems and trash.

South Seacoast Drive is designated R-1500, a high-density residential designation. According to the City, while owners of residential properties are free to rent out their properties, rentals offered on a daily or weekly basis fall under the City's definition of a "Hotel", which is "any establishment offering commercial transient lodging accommodation on a less than monthly basis to the general public..." (Municipal Code Section 19.04.410). The City's position is that the certified LCP does not permit commercial establishments such as hotels in residentially zoned areas. Thus, the City has indicated that the intent of the proposed amendment is not to eliminate an existing, legally established use, but to clarify that short-term rentals are not permitted in residential zones, so as to maintain the integrity of the residential zones and neighborhoods. Therefore, the proposed amendment would add a prohibition on short-term residential rentals throughout the city, except in the C-2 (Seacoast Commercial) zone and MU-2 Overlay zone.

Together, the C-2 and MU-2 designations cover the beach area from approximately Palm Avenue south to Imperial Beach Boulevard (see Exhibit #4), or roughly half of the city's beachfront. This area, referred to generally as the Seacoast Commercial zone, is the city's principal visitor-serving commercial zone. The purpose of the zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. The dominant type of commercial use in this zone is visitor-serving commercial leaseholds which include uses such as specialty stores, surf shops, restaurants, hotels and motels. According to the City, most recent developments along Seacoast Drive in the C-2 area have been mixed-use housing/commercial projects, which have increased the housing stock available for short-term rentals. With its mixture of retail, restaurant, and recreational facilities, this area is well suited for short-term, tourist-oriented accommodations.

The MU-2 Mixed Use Overlay is applied to the R-1500 high-density residential designation located seaward of the Seacoast Commercial designation (see Exhibit #4). It is intended to be a transition zone between residential and commercial uses. In this

overlay designation, commercial activities are allowed to expand into areas otherwise designated as Residential, and existing residential uses are to be slowly transitioned to new visitor serving commercial uses. Thus, this area is also well suited for short-term rentals. Overall, the City estimates there are 80-100 dwelling units typically being offered for short-term rental in the Seacoast Commercial area. However, currently there is only one motel located directly on the beach on the Seacoast Commercial area, and that facility only has 38 rooms. Even with additional hotel/motel development in this area, beachfront availability is limited.

The concern with the proposed amendment is the potential impacts to visitors by the elimination of a source of overnight visitor-serving accommodations. The LUP calls for the preservation of the character of residential areas of the City but also states that oceanfront land shall be used for recreational and recreation-related uses whenever feasible. The LUP allows for uses in residential areas that are compatible with the residential character of those neighborhoods. In Imperial Beach, short-term rentals have occurred in residential areas adjacent to the beach over a prolonged period of time. Although the City has presented some anecdotal evidence about problems with short-term rentals, it has not established that short-term rentals significantly degrade the residential character of residential beachfront areas. Short-term rentals have been occurring openly for the past two to three decades and are widely advertised as available for public rental. Prohibiting these uses would have a significant impact on the character of the community and the supply of visitor-serving overnight accommodations.

In Imperial Beach, restricting short-term residential rentals to the commercial area as proposed, would exclude approximately 50% of the City's residential beachfront housing from merely having the potential to be available to visitors. This would place a significant restriction on the availability of a potential source of lower-cost, overnight visitor-serving accommodations. There are only a limited number of hotel/motel rooms in Imperial Beach, but residential short-term rentals make up for this limitation. For example, currently, advertised rates for a beachfront condominium sleeping approximately six persons average in the vicinity of \$1,400 per week, which would be a considerably less per-person cost than an average hotel. Thus, short-term rentals are a particularly attractive option for families with children and can be a lower-cost alternative to a beachfront hotel or motel. Phasing out short-term rentals in beachfront residential areas would significantly reduce coastal access and affordable recreational opportunities serving the general tourist population.

Additionally, by prohibiting vacation rentals throughout the City, except in the Seacoast Commercial district, the proposed amendment would not allow oceanfront land to be used for recreational-related uses whenever feasible. The proposed amendment would have an adverse impact on visitors, and would not enhance and expand tourist commercial uses, which is inconsistent with Policies L-6 and P-2 of the certified LUP.

The record indicates that short-term rentals are compatible with stable, well-maintained residential neighborhoods, and the small beach oriented town character of the City,

particularly in the high density zoned areas along the shoreline. Outside the Seacoast commercial district, the remaining beachfront area is zoned R-1500. As stated above, the LUP describes this designation as providing for the development of:

“detached and attached single family and multi-family dwellings (duplexes, apartments, condominiums, townhomes) with a maximum density of one unit per every 1,500 sq. ft. of land...Uses such as parks, libraries, churches, schools, family day-care homes, **and other uses, which are determined to be compatible with and oriented toward serving the needs of the zone are also allowed.** The intent of this designation is to provide for an **intense residential living environment** in typically two and three-story units” (emphasis added).

The zoning ordinance for the R-1500 zone lists the following permitted uses:

19.17.020. Permitted uses.

A. The following uses are permitted in the R-1500 zone, provided that all projects containing two to four units shall be subject to the approval of a site plan review by the community development department and five or more units shall be subject to the approval of a site plan review by the planning commission:

1. Detached or attached residential dwelling units;
2. Accessory buildings, **structures and uses customarily incidental to any permitted use;** [emphasis added]
3. Private garages to accommodate not more than four cars per dwelling unit;
4. Family day care facilities as permitted in Chapter 19.64;
5. Home occupations as permitted in Chapter 19.74;
6. Swimming pools, spas and hot tubs as permitted in Chapter 19.70;
7. Signs as permitted in Chapter 19.52;
8. Satellite dish antennae as permitted in Chapter 19.71.

B. The following uses are permitted in the R-1500 zone subject to the approval of a conditional use permit:

1. Churches;
2. Day care centers;
3. Library;
4. Mobile home parks;
5. Parks;
6. Senior housing as permitted in Chapter 19.67;
7. Schools.

Both the LUP and IP envision that uses related to typical residential uses will occur in high-density residential areas. Citizen testimony in front of the Coastal Commission has asserted that vacation rentals have been operating in Imperial Beach for at least 20 years. And in fact, on a limited basis, residential rentals have been operating with at least partial City approval and consent. The City has stated that, in the past, business license

applications for residential rentals were not routed to the City's Community Development Department for planning and zoning clearance, and thus, a number of licenses for short-term rentals were issued, and Transient Occupancy Taxes (TOT) were collected through these permits. For example, as of December 11, 2000, there were nine TOT payers located in the area south of Imperial Beach Boulevard along Seacoast Drive.

Because the owners of these sites were operating in good faith that they were in compliance with local ordinances, the proposed amendment contains a "grandfathering" provision that will allow for these nine units to continue to be used for short-term rentals until 2007. However, despite evidence that vacation rentals have been customarily operating in high-density residential areas, under the proposed amendment, no other short-term residential rentals would be permitted outside the Seacoast Commercial area from this point on.

As noted above, vacation rentals are a use that occurs extensively throughout San Diego County. The proposed amendment, which assumes, despite evidence to the contrary, that vacation rentals are an incompatible use in a high-density residential area and thus, can be prohibited without adverse impacts to visitors, has the potential to set an adverse precedent that could adversely impact the character of beach communities and the supply of overnight visitor-serving accommodations through San Diego County.

If the City proposed a more narrowly crafted amendment that prohibited residential rentals in low-density areas that are removed from the beach and where short-term rentals have not historically occurred, or perhaps placed an upper limit on the number or percentage of vacation rentals in residential areas, the impact to low-cost visitor-serving accommodations would be limited and perhaps could be found consistent with the LUP. However, as proposed, the prohibition on short-term rentals would have a significant adverse impact on visitors and would set an adverse precedent for balancing the needs of residents and visitors. Therefore, as proposed, the amendment cannot be found in conformance with and adequate to carry out, the certified land use plan, and is inconsistent with the public access and recreation policies of the Coastal Act and must be denied.

PART IV. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform to CEQA provisions. In the case of the subject LCP amendment, the Commission finds that approval of the subject LCP amendment, as submitted, would not result in significant environmental impacts under the meaning of the California Environmental Quality Act.

The proposed amendment to the City of Imperial Beach's Implementing Ordinances have been found inconsistent with and inadequate to carry out the policies of the certified land use plan. The amendment would have an adverse impact on visitor-serving accommodations and low-cost recreational facilities. Therefore, the Commission finds that a significant unmitigable environmental impacts under the meaning of CEQA will result from the approval of the proposed LCP amendment as modified.

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JUN 10 2002

ORDINANCE NO. 2002-977

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING THE ZONING ORDINANCE (TITLE 19) BY ADDING SECTION 19.04.756, WHICH DEFINES TIME SHARE UNIT, TO CHAPTER 19.04, ADDING SECTION 19.74.110 TO CHAPTER 19.74 TO PROHIBIT THE SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY FOR REMUNERATION, AND AMENDING SECTIONS 19.27.020 AND 19.27.140 TO ALLOW SHORT TERM RENTAL OF RESIDENTIAL PROPERTY IN THE C-2 (SEACOAST COMMERCIAL) AND MU-2 (MIXED USE OVERLAY) ZONES. (GPA/LCPA/ZCA 01-03) M.F. 560

WHEREAS, the Imperial Beach City Council adopted an Interim Urgency Ordinance, Ordinance No. 2001-966, on May 2, 2001, temporarily prohibiting the occupancy of a dwelling unit for a period of thirty consecutive calendar days or less in certain Residential Zones, until such time that an appropriate study of the effect of such short-term rentals is conducted and a permanent ordinance is adopted; and

WHEREAS, such study has now been conducted and an ordinance has been presented to the City Council for consideration; and

WHEREAS, a duly noticed public hearing has been conducted by the City Council on January 16, 2002 and public testimony has been heard and considered; and

WHEREAS, it is in the best interests of the residents of the City of Imperial Beach to prohibit the short term rental of dwelling units in certain residential zones; and

WHEREAS, the City Council of the City Of Imperial Beach hereby finds that the proposed regulations would not have a significant impact on the environment and, pursuant to the California Environmental Quality Act Guidelines Section 15061.b3 (General Rule), would be exempt from the California Environmental Quality Act as the proposed amendment would prohibit a land use (short-term rental) in residential zones and would allow, by clarifying through these proposed provisions, short-term rentals in the commercial zones; and

WHEREAS, the City Council of the City Of Imperial Beach hereby finds that the proposed General Plan Amendment/Local Coastal Plan Amendment, pursuant to Government Code Section 65300.5, is internally consistent with the other policies of the General Plan, and also finds the proposed Zoning Ordinance Amendment, pursuant to Government Code Section 65860, is consistent with the General Plan/Local Coastal Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:

SECTION 1: Section 19.04.756 is hereby added to Chapter 19.04 (Definitions) of the Imperial Beach Municipal Code to read as follows:

"19.04.756 'Time share unit' means a unit in a project in which a purchaser receives a right in perpetuity, for life, or for a term of years to the recurrent exclusive use or occupancy of a lot, parcel, unit or segment of real property annually or on some other periodic basis, for a period of time that has been, or will be, allotted from the use or occupancy periods onto which the project has been divided."

SECTION 2: Section 19.74.110 is hereby added to Chapter 19.74 (Miscellaneous Uses)

Exhibit #1
City of Imperial Beach
LCPA 1-2002 A
Short-term Rentals
Resolution of Approval

19.74.110 Prohibition of short-term rental of residential property for remuneration.

A. The following defined words shall have the following meanings for the purposes of this section. The following definitions shall prevail in case of conflict with the definitions set out in Chapter 19.04.

1. "Remuneration" means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.
2. "Residential property" means any dwelling unit, except those dwelling units lawfully established as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.
3. "Short-term rental of residential property" means the commercial use, by any person, of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendars days.

B. Short-term rental of residential property for remuneration is prohibited, except as otherwise expressly permitted by this title.

C. Until January 1, 2007, those dwelling units located in the R-1500 or R-2000 zone shall be excepted from the prohibition contained in paragraph B of this section for which:

1. appropriate returns have been filed and transient occupancy taxes have been collected from the transient and remitted to the City for all rental periods of less than 30 consecutive calendar days for that dwelling unit, for the period May 2, 2000 to May 2, 2001; and
2. the owner, or management or agent of the property owner, possesses a valid City of Imperial Beach business license; and
3. the City Manager has issued a Provisional Permit pursuant to City Council Resolution No. 2001-5445, adopted on May 16, 2001.

D. After January 1, 2007, those dwelling units excepted in paragraph C shall be subject to the prohibition set forth in paragraph B of this section and rental of such dwelling unit as a short-term rental shall be prohibited and subject to liability and enforcement as set out in this chapter.

E. Liability and Enforcement.

1. Any person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise, who arranges or negotiates for the use of residential property in violation of the provisions of this section is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this section.
2. Any person who uses, or allows the use of, residential property in violation of the provisions of this section is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this section.

SECTION 3: In subparagraph A, 21 is hereby added to Section 19.27.020 of Chapter 19.27 (C-2 Seacoast Commercial Zone) of the Imperial Beach Municipal Code to read as follows:

21. Short term rental of residential property subject to conditions established by City Council Resolution.

SECTION 4: In subparagraph A, 2 is hereby added to Section 19.27.140 (MU-2 Mixed Use Overlay) of Chapter 19.27 of the Imperial Beach Municipal Code to read as follows:

2. Short term rental of residential property subject to conditions established by City Council Resolution.

SECTION 5: This ordinance shall become effective only when certified by the California Coastal Commission but not sooner than thirty (30) days following its passage and adoption by the City Council.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, held on the 6th day of February, 2002, and thereafter **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 6th day of March 2002 by the following roll call vote:

AYES:	COUNCILMEMBERS:	MCCOY, ROGERS, WINTER, ROSE
NOES:	COUNCILMEMBERS:	NONE
DISQUALIFIED:	COUNCILMEMBERS:	BENDA (DUE TO A POTENTIAL CONFLICT OF INTEREST)

Diane Rose

DIANE ROSE, MAYOR

ATTEST:

Linda A. Troyan

LINDA A. TROYAN, CITY CLERK

APPROVED AS TO FORM:

Lynn R. McDougal

LYNN R. MCDOUGAL

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be true and exact copy of Ordinance No. 2002-977, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING THE ZONING ORDINANCE (TITLE 19) BY ADDING SECTION 19.04.756, WHICH DEFINES TIME SHARE UNIT, TO CHAPTER 19.04, ADDING SECTION 19.74.110 TO CHAPTER 19.74 TO PROHIBIT THE SHORT-TERM RENTAL OF RESIDENTIAL PROPERTY FOR REMUNERATION, AND AMENDING SECTIONS 19.26.020, 19.27.020, 19.27.140, AND 19.28.020 TO ALLOW SHORT TERM RENTAL OF RESIDENTIAL PROPERTY IN THE C-1 (GENERAL COMMERCIAL), C-2 (SEACOAST COMMERCIAL), MU-2 (MIXED USE OVERLAY), AND C-3 (NEIGHBORHOOD COMMERCIAL) ZONES. (GPA/LCPA/ZCA 01-03) M.F. 560.

Jul *Magueline M. Hald*
CITY CLERK

5/30/02
DATE

RESOLUTION NO. 2002-5575

RESOLUTION ADOPTING AN APPLICATION FOR
A SHORT-TERM RENTAL PERMIT,
ESTABLISHING CRITERIA, STANDARDS AND A PROCEDURE
FOR CITY MANAGER REVIEW OF SUCH APPLICATIONS,
AND ESTABLISHING AN APPLICATION FEE

WHEREAS, on March 6, 2002, the Imperial Beach City Council adopted Ordinance No. 2002-977 amending the zoning ordinance (Title 19) to prohibit short-term rental of residential property for remuneration in residential zones and allowing short-term rental of residential property in the C-2 (Seacoast Commercial) and MU-2 (Mixed Use Overlay) Zones; and

WHEREAS, pursuant to that ordinance, short-term rental of residential property is defined as the commercial use, by any person, of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendars days; and

WHEREAS, the City Council desires to establish criteria, standards and conditions to be used by the City Manager in approving Short-Term Rental Permits for those units engaging in short-term rental of residential property for remuneration within the C-2 (Seacoast Commercial) and MU-2 (Mixed Use Overlay) Zones; and

WHEREAS, the City Council has also determined that it is in the best interests of the residents of the City to adopt a fee for processing an application for a Short-Term Rental Permit, which fee shall not exceed the cost of processing the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:

1. All property owners, managers or agents who rent dwelling units as short-term rentals within the C-2 (Seacoast Commercial) and MU-2 (Mixed Use Overlay) Zones shall apply for a Short-Term Rental Permit (hereinafter "Short-Term Permit").
2. A property owner, or manager or agent of the property owner, shall make application with the City for a Short Term Permit, as set forth herein.
3. Application shall be made on the form designated by the City Manager.
4. The application for a Short-Term Permit shall be accompanied by a non-refundable application fee of one hundred dollars (\$100).
5. In making a determination as to issuance of a Short-Term Permit for a particular dwelling unit or dwelling units, the City Manager shall consider the following criteria:
 - A. The dwelling unit must be located in the C-2 or MU-2 zones;
 - B. Evidence that the property owner, or manager or agent of the property owner, possesses a valid City of Imperial Beach business license; and
 - C. Evidence that the appropriate returns have been or will be filed and transient occupancy taxes have been or will be collected from the transient and remitted to the City, in accordance with Chapter 3.24 of the Imperial Beach Municipal Code (IBMC), for all rental periods of less than 30 consecutive calendar days for that dwelling unit.
6. All Short-Term Permits issued pursuant to this Resolution shall be subject to the following

Exhibit #2
City of Imperial Beach
LCPA 1-2002 A
Short-term rental Permit Criteria

standard conditions:

- A. Within ten (10) days of issuance of a Short-Term Permit, the owner must obtain and pay the appropriate fee for any City of Imperial Beach license, pursuant to the IBMC for each specific rental unit.
- B. The owner or agent must present proof that the Covenants, Conditions and Restrictions (CC&R's) for the subject property do not prohibit the short-term rental of dwelling units.
- C. The owner or agent shall limit overnight occupancy of the short term rental unit to a specific number of occupants, with the number of occupants not to exceed that permitted by the provisions of Uniform Housing Code as adopted by Chapter 15.24 of the IBMC (one person per 200 square feet, plus one person).
- D. The owner or agent shall use best efforts to insure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of the IBMC or any State law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs.
- E. A notice not exceeding 8-1/2" by 11" in size shall be posted at each short-term rental unit. This required notice shall be displayed in a window, in a location which is clearly visible from a common area or public right-of-way, and shall clearly state the name of the managing agency, agent, property manager, or owner of the unit, permit number, and a local or toll free telephone number at which that party may be reached on a 24-hour basis, in lettering of sufficient size to be easily read.
- F. The owner or agent shall ensure that a representative is available by telephone through a local or toll free number on a 24-hour basis to respond to calls regarding the condition and/or operation of the short-term rental unit. Failure to respond to calls in a timely and appropriate manner may result in revocation of the Short-Term Permit. For purposes of this section, responding in a timely and appropriate manner shall mean that a response to an initial call shall be made within one (1) hour of the time the call was made, and within twelve (12) hours of the initial call, corrective action shall be commenced to address any violation of this Resolution or the Short-Term Permit.
- G. The owner or agent shall, upon notification that occupants and/or guests of his/her short-term rental have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the IBMC or any State law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by occupants or guests.
- H. The owner or agent of a short-term rental unit shall use best efforts to insure compliance with all the provisions of Chapter 8.36 of the IBMC regarding garbage and refuse.
- I. The owner of the short-term rental unit shall post a copy of the Short-Term Permit and a copy of the conditions set forth in this Resolution in a conspicuous place within the unit.
- J. The City Manager shall have the authority to impose additional conditions as he/she deems necessary to achieve the objectives of this Resolution.
- K. Information as to Ordinance No. 2002-977 and Resolution No. 2002-5575 and any extensions thereof shall be stated in the rental information and rental agreement provided by the owner or agent to prospective renters or prospective purchasers, prior to their occupancy or purchase of the unit.
- L. A violation of the Short-Term Permit constitutes a violation of the Imperial Beach Municipal Code, which may be abated as a public nuisance under Chapter 1.16 of the Code or as an infraction under Chapter 1.12 of the Code.

- 7. Permits and fees required by this Resolution shall be in addition to any license, permit or fee required under the IBMC. The issuance of a permit pursuant to this Resolution shall not relieve the owner or agent of the obligation to comply with all provisions of the IBMC pertaining to the use and occupancy of the dwelling unit or the property on which it is located.
- 8. The failure of an agent to comply with any provision of this Resolution shall be deemed non-compliance by the property owner.
- 9. Existing owners of short-term rental units shall make application for a Short-Term Permit pursuant to this Resolution within thirty (30) days after adoption of this Resolution.
- 10. If an application for a Short-Term Permit is denied by the City Manager, the owner or agent may, within ten days of the date of denial, appeal to the City Council by written notice of appeal filed with the City Clerk. Such appeal shall specifically set forth the basis for such appeal.
- 11. Upon receipt of such appeal, the City Clerk shall set the matter for public hearing in the manner prescribed and shall forward the findings of fact to the City Council.
- 12. The City Council may, after the public hearing and consideration of the matter, affirm, modify, or overturn the decision of the City Manager. The decision of the City Council shall be final and conclusive.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 20th of March, 2002, by the following roll call vote:

AYES:	COUNCILMEMBERS: MCCOY, ROGERS, WINTER, ROSE
NOES:	COUNCILMEMBERS: NONE
ABSENT:	COUNCILMEMBERS: NONE
DISQUALIFIED:	COUNCILMEMBERS: BENDA

Diane Rose
DIANE ROSE, MAYOR

ATTEST:

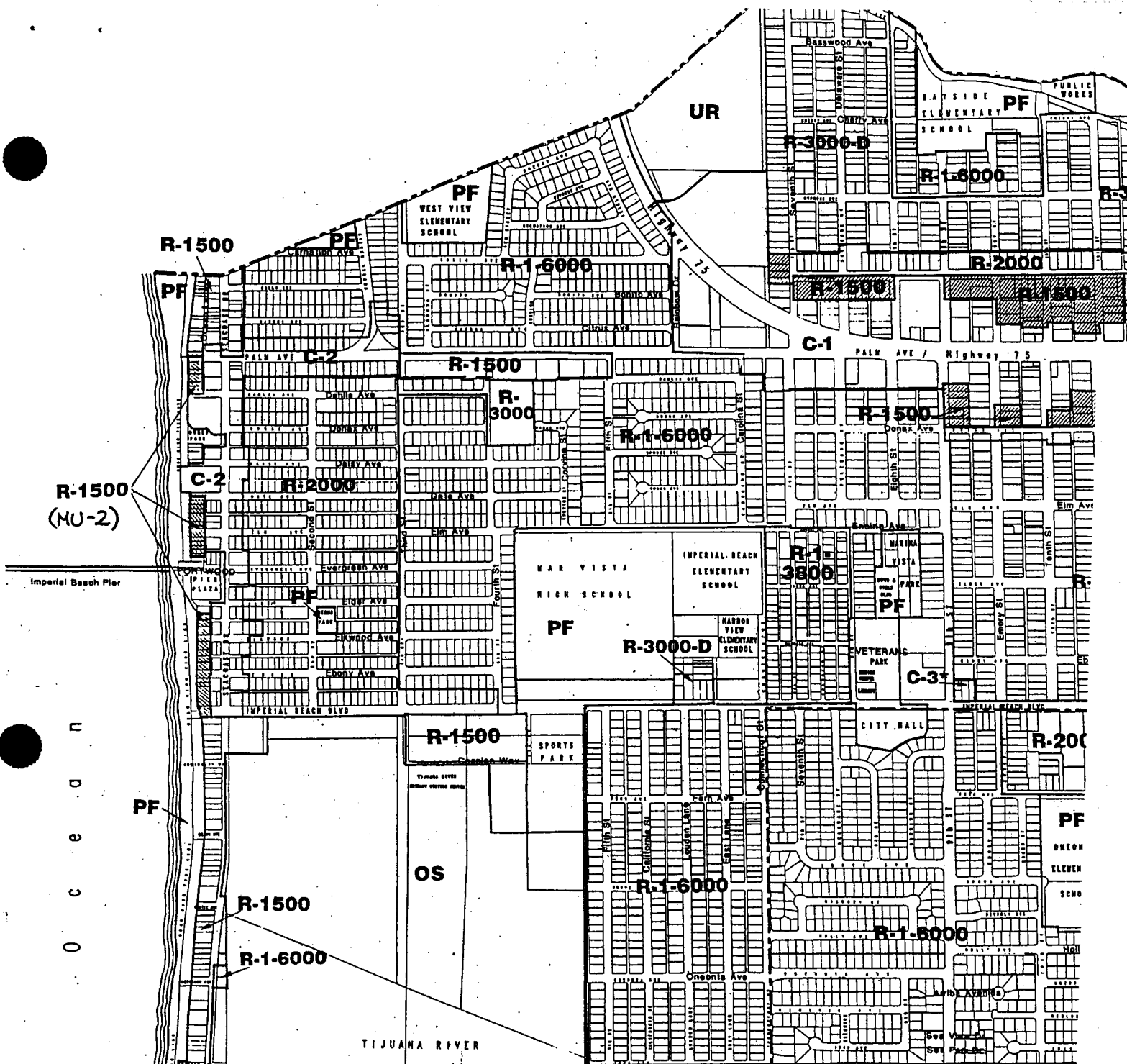
Linda A. Troyan

LINDA A. TROYAN

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2002-5575 – A Resolution adopting criteria, standards and conditions to be used by the City Manger in approving Short-Term Rental Permits for the short-term rental of residential property pursuant to Ordinance No. 2002-977.

for Vaigneline M. Hald
CITY CLERK

5/30/02
DATE



R-1500
(MU-2)

Imperial Beach Pier

O C C E A N

CITY OF IMPERIAL BEACH

GENERAL PLAN/LOCAL COASTAL PLAN
AND ZONING ORDINANCE LAND USE MAP

- CITY BOUNDARY
- COASTAL ZONE BOUNDARY

- R-1-3800 SINGLE FAMILY RESIDENTIAL
- R-1-6000 SINGLE FAMILY RESIDENTIAL
- R-3000-D RESIDENTIAL
- R-3000 RESIDENTIAL
- R-2000 RESIDENTIAL
- R-1500 RESIDENTIAL

- C-1 GENERAL COMMERCIAL
- C-2 SEACOAST COMMERCIAL
- C-3 NEIGHBORHOOD COMMERCIAL
- MU-1 MIXED USE
- MU-2 MIXED USE
- PF PUBLIC FACILITY
- OS OPEN SPACE
- UR URBAN RESERVE

UR
REAR FI
NAVAL OUTLYING L
IMPERIAL

Exhibit #3
City of Imperial Beach
LCPA 1-2002 A
Certified Land Use Map

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

We write to respectfully state our opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

Rentals make it possible for families to enjoy our seashore at affordable rates. We own properties that would be affected by this amendment and request the coastal commission's support to allow management of rentals to remain under the control of individual property home owner's associations.

We are well aware of the California Coastal Commission and its mission of maintaining access to affordable visitor-serving uses the California coastline. Please do not allow the City to close off the opportunities families have to visit the seashore.

Respectfully,

Rhonda and Frank Moe
1460 Seacoast Dr. #12
Imperial Beach, CA 91932

LETTERS OF OPPOSITION

CITY OF IMPERIAL BEACH
LCPA 1-2002A
short-term Rentals

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SFP 06 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:
My name is Mike Bibbey. My family operates a shell shop in Imperial Beach.

I want to express my opposition to the Coastal Commission's adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

A large number of our customers are folks who come to IB on vacations and visits. This change is so short sighted. It will severely impact the transfer of tax dollars to the City of Imperial Beach and to the State of California. Renters pay TOT taxes and my customers pay sales tax dollars.

Please vote against this unfair amendment. It is bad for the City of Imperial Beach.

Respectfully,



Mike Bibbey
Bibbey Shell Shop
903 Seacoast Drive
Imperial Beach CA 91932

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SEP 06 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

My name is Joseph Melluso. I operate a restaurant, The Tin Fish, at the end of the IB Pier.


Thank you for the opportunity to express my opposition to the Coastal Commissions adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

With out vacationers in the summer and weekend renters in the off season our business would be in great peril.

These folks come here with their families and they spend money in our IB economy. We need them. We have beautiful and a very clean city of which we are proud and we should share that with more people not fewer.

Please vote against this unfair amendment. We should be finding ways to encourage more visitors to our seashore not fewer

Respectfully,

 Joseph Melluso

Joseph Melluso
The Tin Fish
910 Seacoast Drive
Imperial Beach Ca 91932

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED
SEP 06 2002
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:
My name is David Arrington I operate a restaurant and Bakery at 875 Seacoast Drive. Imperial Beach CA 91932.

Thank you for the opportunity to express my opposition to the Coastal Commissions adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

Our customers are, for the most part, folks who come to IB on vacation. We presently are in our seventh successful year. If it were not for the vacationers we probably would need to close our doors.

I hope the Coastal Commission will vote against this unfair amendment once all of the facts are presented on how bad it would be for the City of Imperial Beach and the City of San Diego.

Adopting this policy will essentially take away an excellent opportunity to inject much needed revenue into the city coffers while introducing many visitors to our wonderful California coastline and the beautiful Cities of San Diego and Imperial Beach. What better way to promote tourism for the good of us all?

Please continue the mission of the California Coastal Commission to maintain access to affordable visitor serving uses on the California coastline and reject this amendment.

Please do not allow the City to close off the opportunities families have to visit the seashore.

Respectfully,

DAVID ARRINGTON

David E Arrington
Grandmas Pantry
875 Seacoast Drive
Imperial Beach CA 91932

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SEP 06 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

My name is Matthew Morgan I operate a restaurant, The Forum adjacent to the area in question.

Thank you for the opportunity to express my opposition to the Coastal Commissions adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

Vacationers and visitors are the life blood of our business. We have a successful restaurant where on any weekend you can see a full house of vacationers and visitors enjoying our special, "All you can eat fish". We have had people from all over the world visit us.

Please vote against this amendment. Our Local Merchant Group is constantly looking for ways to encourage visitors. This amendment does the opposite.

Respectfully,

Matt Morgan

Matt Morgan
The Forum
1079 Seacoast Drive
Imperial Beach Ca 91932



James & Deborah Janney
764 5th Street
Imperial Beach, Ca 91932
619-575-0925



September 6, 2002

California Coastal Commission
Attn.: Ms. Diana Lilly, San Diego Area
7575 Metropolitan Drive, #103
San Diego, CA 92108-4402

Subject: Imperial Beach, LCP Amendment 1-02

Dear Ms. Lilly and California Coastal Commissioners:

My wife and I are in **opposition** to the amendment proposed to the LCP involving short-term rentals in Imperial Beach. City Council minutes will indicate that an equal number of citizens were opposed to any change in the existing regulations as were for it. Furthermore, an adoption of an ordinance by the City Council whose majority resides within one block of the beachfront seems questionable.

The issue of Vacation Rentals is effectively an issue of property rights. The original objection to Vacation Rentals in Imperial Beach involved one small area along the coast. The city has adopted a resolution that encompasses the whole city. This issue should be left up to the individual condominium and homeowner associations Vs establishing new laws and regulations.

Please return this amendment to the City of Imperial Beach for further review.

Sincerely,


James and Deborah Janney

RECEIVED

SEP 06 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

DATE: September 4, 2002

TO: Diana Lilly
California Coastal Commission

FROM: Kathy Howard
1610 B Seacoast Drive
Imperial Beach, CA 91932
(619) 482-2368

RE: Against Zoning Amendment

I strongly urge you to vote NO on the zoning amendment to limit rentals of residential properties of 30 days or less within the City of Imperial Beach.

I am an owner of such a beachside rental and feel that the City has taken away my property rights which were in place when I purchased the property. I have been a good and faithful citizen and have followed all City regulations. I maintain a current business license and pay TOT taxes. I have even advertised my rental on the City's official website and with it's full sanction. Yet now, the City seeks to prohibit these same rentals which generate much needed tourism and tax revenue for a near bankrupt city.

I enjoy renting my beachside unit and have had no problems with any of my tenants. All are thrilled to be able to vacation on our beautiful coastline and enjoy California at its best. Many of these tenants are young families with children who would not otherwise be able to afford a vacation at a California seaside hotel.

The Coastal Commission's responsibility is to guard and protect the public's right to have access to our coastline. By passage of this amendment you are limiting this access.

Please vote NO on the amendment to prohibit short term rentals of less than 30 days.

Ms. Lilly,

Please do not endorse or cause to be made into law the City of Imperial Beach, Local Coastal Project #1-02. Diane Rose has Greg Wade , an amateur , with no legal training of any kind what- so- ever, writing laws for the City of Imperial Beach.

Plan # 2 would in part make it illegal to sell any used items in Imperial Beach. They are attempting to limit thrift shops and this is a way to goad a brush to do that with. By this law they will have outlawed all nautical memorabilia, antique shops, used box sales at moving supply stores, all types of play it again sports equipment and fitness machines, pawn shops, used cars or trucks, used videos, even cell phone stores would be unable to sell re-conditioned phones...etc. etc.

We stopped Rose and Wade here locally, at council meeting 08-14-2002, from enacting an ordinance #2002-986-0610-50. This law if passed would have prohibited all citizens of I.B. from ever having even a single employee at their residence for any purpose at all. No picking up girl scout cookies- no yoga lessons, no help with research on the internet, you couldn't even write a book with a typist.

As far as I know all six new candidates for office are united in this request. We have a lot of bad work to undo down here.

Thank you
John Carr
Candidate for Mayor

September 4, 2002

Ms. Diana Lily
Planner, Coastal Commission
Fax 619-767-2384

RECEIVED

SEP 04 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Dear Ms. Lilly:

I am a property owner on Seacoast Drive in Imperial Beach.

I am very much against any prohibition of short term rentals on Seacoast Drive.

Short term rentals have brought revenue into Imperial Beach through increased tourism and have opened up the beach to greater public access.

I feel that the rental issue should be decided by the individual property owners. In the case of Seacoast Drive most properties are condominiums. Each condominium has decided and made a part of its bylaws whether or not short term rental are allowable. Our condominium complex allows short term rentals.

Thank you for your consideration.



Kenneth J. Jenkins

Local address: 1516 Seacoast Dr

Mailing address: 626 South Lake Ave, Pasadena, CA 91106

Tel 626-792-2179

Fax 626-792-2411

RECEIVED

SEP - 4 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

GREGG H. EILERS
8425 134th Avenue NE
Redmond, WA 98052
Phone 425-941-9722
Fax 425-885-7143
Email greggegg@msn.com

September 4th, 2002

Ms. Diana Lilly
Coastal Commission

Dear Ms. Lilly:

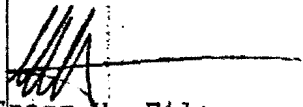
It was brought to my attention that there will be discussion about the City of Imperial Beach's decision to stop vacation rentals and restrict access to the beach for tourists from out of town.

Briefly, here is my story. I bought a condo to rent it out to vacationers several years ago. Before buying it, I checked with the IB City Manager who told me there was nothing to stop me from renting it for less than 30 days at a time. Now the city has restricted me from renting after 5 years. I am one of the few who have a permit to continue to rent short term in the interim. My unit provides numerous people, most out of state, with the opportunity to stay on the beach and experience the beach, surf, etc. It also provides my family the opportunity to come to California and enjoy the coast. I live in Seattle. If I am restricted from renting short term I will have to sell the condo as the rent pays my mortgage. Then only one household will have access to the beach instead of many.

Please do what you can to override the City of IB's misguided ordinance. There are few places in IB that the public can stay on the beach. My unit is one of them. Don't allow the City of IB to stop the public from staying on and using the beach.

You may contact me at the above address, phone and email.

Thank you for listening.



Gregg H. Eilers
Owner 1610B Seacoast Drive

Deborah Mendes
1460 Seacoast Drive #5
Imperial Beach, CA 91932
(619) 429-8536

California Coastal Commission
7575 Metropolitan Dr
San Diego, CA 92108
Att: Ms. Diana Lilly (619) 767-2384 FAX

9/4/02

Dear Diana Lilly,

I am writing regarding the action to be considered regarding the Imperial Beach Amendment 1-02 to be acted upon by the Coastal Commission on Sept 9th, 2002.

Please note that this letter is **IN OPPOSITION TO** the Coastal Commission **PROHIBITING VACATION RENTALS** in Imperial Beach especially within the R-1500 zoning where the city of Imperial Beach required business licenses, collected TOT tax, and fined people for not collecting TOT tax for the past 20 years. A number of people purchased properties on the promise they were permitted by the city. Now an apparent change in zoning **INTERPRETATION** will restrict access to the California Coastline, especially the Public Beach. We only have 1 hotel and 1 motel along the beach. Vacation rentals offer upscale accommodations for people unwilling to accept substandard living conditions for their weekly beach vacation.

Diane Rose has apparently made offers to the existing hotel to "remodel". She has agreed to abandon a campaign promise of restricting height limits along the beach as well as other modifications on a case by case basis. Many here believe this will lead to legal challenges from others who will demand the same treatment. How many tall hotels can our little beach accommodate? We believe the city is best served by not changing what has occurred for 20 years with no extra infrastructure or public services required. Help Imperial Beach survive. **VOTE NO.** We need Vacation Rentals. Elections are 2 months away. The Mayor and Council may be entirely different by mid-November. Let the new leaders in Imperial Beach decide if they want this action. We do not want our small city to disincorporate. Help us help ourselves in promoting access to the Coastline for tourists and other visitors to our town by allowing vacation rentals to exist where not prohibited by Condo CC&Rs.

Also definitions of "secondhand stores" and "antique stores" requires more work.

Cordially,


Deborah J. Mendes

John J. Haupt III
1650D Seacoast Drive
Imperial Beach, CA 91932
(619) 425-1111

California Coastal Commission
7575 Metropolitan Dr
San Diego, CA 92108
Att: Ms. Diana Lilly-Planning

9/4/02

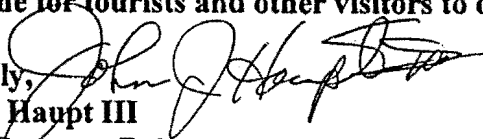
Dear Ms. Lilly,

It was a pleasure speaking over the phone with you regarding The Amendment 1-02 to be acted upon by the Coastal Commission on Sept 9th, 2002.

Please note that this letter is **IN OPPOSITION TO** the Coastal Commission **PROHIBITING VACATION RENTALS** in Imperial Beach especially within the R-1500 zoning where the city of Imperial Beach required business licenses, collected TOT tax, and chased people for collection of the TOT tax for the past 20 years. A number of people purchased properties on the promise they were permitted by the city. Now an apparent change in zoning **INTERPRETATION** will restrict access to the California Coastline, especially the Public Beach. We only have 1 hotel and 1 motel along the beach. Vacation rentals offer upscale accommodations for people unwilling to accept substandard living conditions for their weekly beach vacation.

Diane Rose has apparently made offers to the existing hotel to "remodel". She has agreed to abandon a campaign promise of restricting height limits along the beach as well as other modifications on a case by case basis. Many here believe this will lead to legal challenges from others who will demand the same treatment. How many tall hotels can our little beach accommodate? We believe the city is best served by not changing what has occurred for 20 years with no extra infrastructure or public services required.

Help Imperial Beach survive. Vote no. We need Vacation Rentals. The current mayor and city council apparently have no vision of where the city will gain needed revenues. Elections are 2 months away. There will be changes. We do not want our small city to disincorporate. Help us help ourselves in promoting access to the Coastline for tourists and other visitors to our town.

Sincerely,

John J. Haupt III
1650D Seacoast Drive

faxed to Diana Lilly 619-767-2384

September 4, 2002

Dear Ms. Lilly:

Please convey my thoughts on this subject to the Coastal Commissioners in the appropriate manner.

I have and still oppose the restrictive nature the City of Imperial Beach has placed on most of the City's property owners by the short-term rental amendment.

This issue has been controversial and divisive within the community for some time now with opinions pretty much split down the middle and you should be aware that litigation is imminent.

I certainly feel that the City of Imperial Beach has over reached on this matter and that you the Coastal Commission can bring some fairness to bare

Respectfully,

Jim Lathers

1690 D

Seacoast Drive

Imperial Beach CA 91932 .(619 (424 7642

September 4, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

We write to respectfully state our opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

We visited Imperial Beach for a week as a family in July, which made staying in multiple small hotel rooms both inconvenient and too costly for us. Besides, there is something very pleasant and relaxing about staying in a fully furnished, friendly residence, as compared to the typically sterile hotel and motel rooms.

We think it's great that we in California have access to affordable visitor-serving uses along our coastline. Please don't lock our family out from this great experience. In addition, we paid a tax to the City on our rental which I would think is helpful to them. I do not understand why they would walk away from that.

Respectfully,

Jeff J. Glowacki
2350 So. Bentley Ave. #13
Los Angeles, CA 90064

By E-mail
to:

September 4, 2002

Ms. Diana Lilly
Staff Analyst
California Coastal Commission ITEM MON 7a
7575 Metropolitan Drive
San Diego, CA 92108 USA

SUBJECT: IMPERIAL BEACH LOCAL COASTAL PROGRAM AMENDMENT 1-02

Dear Ms. Lilly:

The Coastal Commission should deny the ill-considered plan by the City to forbid the voluntary use of delightfully pleasant apartments, condominiums, or flats by their owners for summer time short-term visitor rentals.

As visitors from Europe, we have stayed for two weeks in Imperial Beach during four of the last five years. We found our vacation residence, to be the right combination of good functional size - as opposed to cramped hotel rooms -, location near the shoreline, and reasonable price. On our trip this summer we heard that our vacation apartment may not be available in the future. We hope you will not allow the City to close it. In our other travels in the US we stay in motels but for us, there is nothing like the homey quality of the well-furnished and cared-for apartment on the South Seacoast of "IB".

With friendly wishes,

Ben Pyfer

Please provide a copy of this letter to the California Coastal Commissioners.
Thank you.

Ben Pyfer
Nuertinger Str. 44
71032 Boeblingen Germany

RECEIVED

SEP 04 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

1600-C Seacoast Drive
Imperial Beach CA 91932

619-423-2489

September 4, 2002.

Diana Lilly
California Coastal Commission
7575 Metropolitan Drive
San Diego CA 92108

Dear Ms. Lilly,

Thankyou for your time, when I came to your office to pick up the Synopsis for the meeting on September 9, 2002 at Westin Hotel LAX.

My husband and I are both very concerned about the amendment to prohibit short-term rentals of residential properties in Imperial Beach, especially along the beach.

We are against this, as my Husband pointed out at an open meeting of the City Council last year, here are a few of our reasons:

1. Loss of Revenue to the City in T.O.T. Tax
2. Holiday Makers spending more money here, so our town would become more prosperous, and would survive.
3. We would be stripped of our Property Rights to use our properties as income producing on a short term basis, as was the case when we purchased in 1990.
4. Some residents of Encinitas tried to prohibit Short Term Rentals, but the Court ruled against them.
5. Jan/Dec 2000 – of the 111 crimes committed on beat 706 our Sheriff could not recall one that involved a vacation renter. Our town seems safer with Short Term Rentals.

RECEIVED

SEP 04 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

I love living on the beach, but by passing this amendment you will be preventing families, especially those with children, from spending their hard earned vacations here, and enjoying our wonderful California Coastline.

During the hearings at Imperial Beach last year possibly 50 o/o of the Homeowners on South Seacoast Drive were against this amendment. I believe the Coastal Commission is a fair agency and will hear both sides before they commit to this amendment.

PLEASE DO NOT PASS THIS AMENDMENT TO PROHIBIT SHORT TERM RENTALS IN IMPERIAL BEACH.

Yours sincerely,

Joan O'Brien

Joan O'Brien
And for Bill O'Brien who is away at present.

FAX TO DIANA LILLY 619-767-2384

September 4, 2002

California Coastal Commission ITEM MON 7a
 San Diego Area
 7575 Metropolitan Drive
 Suite 103
 San Diego, California 92108-4402 USA
 Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SEP 05 2002

CALIFORNIA
 COASTAL COMMISSION
 SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

My name is Alex Jones Jr. My wife and I own a condominium at 1270 Seacoast Drive #202 Imperial Beach CA 91932.

Thank you for the opportunity to express my opposition to the Coastal Commissions adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

We write to respectfully state our opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

I am sure that the Coastal Commission will prudently vote against this unfair amendment once all of the facts are presented on how bad it would be for the City of Imperial Beach and the City of San Diego. Adopting this policy will essentially take away an excellent opportunity to inject much needed revenue into the city coffers while introducing many visitors to our wonderful California coastline and the beautiful Cities of San Diego and Imperial Beach. What better way to promote tourism for the good of us all?

We are well aware of the California Coastal Commission and its mission of maintaining access to affordable visitor serving uses the California coastline.

Please do not allow the City to close off the opportunities families have to visit the seashore.

Respectfully

Alex Jones

Vicki Dutch-Jones

Date: 09/05/02

TO: Diana Lilly,
Coastal Planner. California Coastal Commission:
San Diego Coastal District, CA

RECEIVED

SEP 05 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

RE: Public Hearing Notice
City of Imperial Beach Local Coastal Program
Major Amendments 1-02

Diana,

I left a phone message on your answering service this morning regarding a presentation I gave to the City of Imperial Beach Representatives at a public hearing meeting in 2001.

I attached my presentation, which is against prohibiting short-term rental throughout the city. (less than 30 consecutive days). If you can I would like my presentation to be made available to attendees at the Public Hearing, on 09/09/02 at Westin Hotel -LAX.

I recall at one of those IB public hearing meetings a majority of homeowners on South Seacoast Drive and that general area, voted in favor of the short-term rental (less than 30 consecutive days).

However there were also many renters (non-owners) at those meetings who were very vocal and who voted against the short-term rentals (less than 30 consecutive days).

I think in fairness to all the homeowners who voted in favor of short-term rental (less than 30 consecutive days), The California Coastal Commission should at least question the evidence presented by The City of Imperial Beach representatives.

Thank you

Sincerely

Bill

Bill O'Brien
619 423 2489

William O'Brien

Imperial Beach – From Space
Population 27,000

GlobeXplorer™



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City of Imperial Beach – California
Municipal Code – Ordinance # 2001-996

RECEIVED

SEP 05 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

- As Interim Ordinance as an Urgency Measure Prohibiting Short-Term Rentals in Residential Zones
- Ordinance # 2001-996 Section 1.
Findings and Determination

Findings & Determination Section 1.

Current and Immediate Threat!!

- City Council states short-term rentals less than 30 days are a current and immediate threat, to public health, safety or welfare of citizens.
- Can the City of Imperial Beach STAFF or City Council Members - PROVE THAT
- If they can show us the... PROOF

Findings & Determination Section 1.
Threat to Public Health !!

- First lets look at threat to public health.
- What threat are we talking about ?
- Naval Helicopters fly over us daily until 10.30 PM creating serious chemical and noise pollution on South Seacoast Drive.
- This is a real threat to public health, not short-term rentals.

Excessive Pollution from Helicopter-Noise and Chemicals



Low flying daily over Seacoast Drive

Ream Field - Imperial Beach From Space

Every Year
Thousands of
'Copter Flights
in-out
of Ream Field

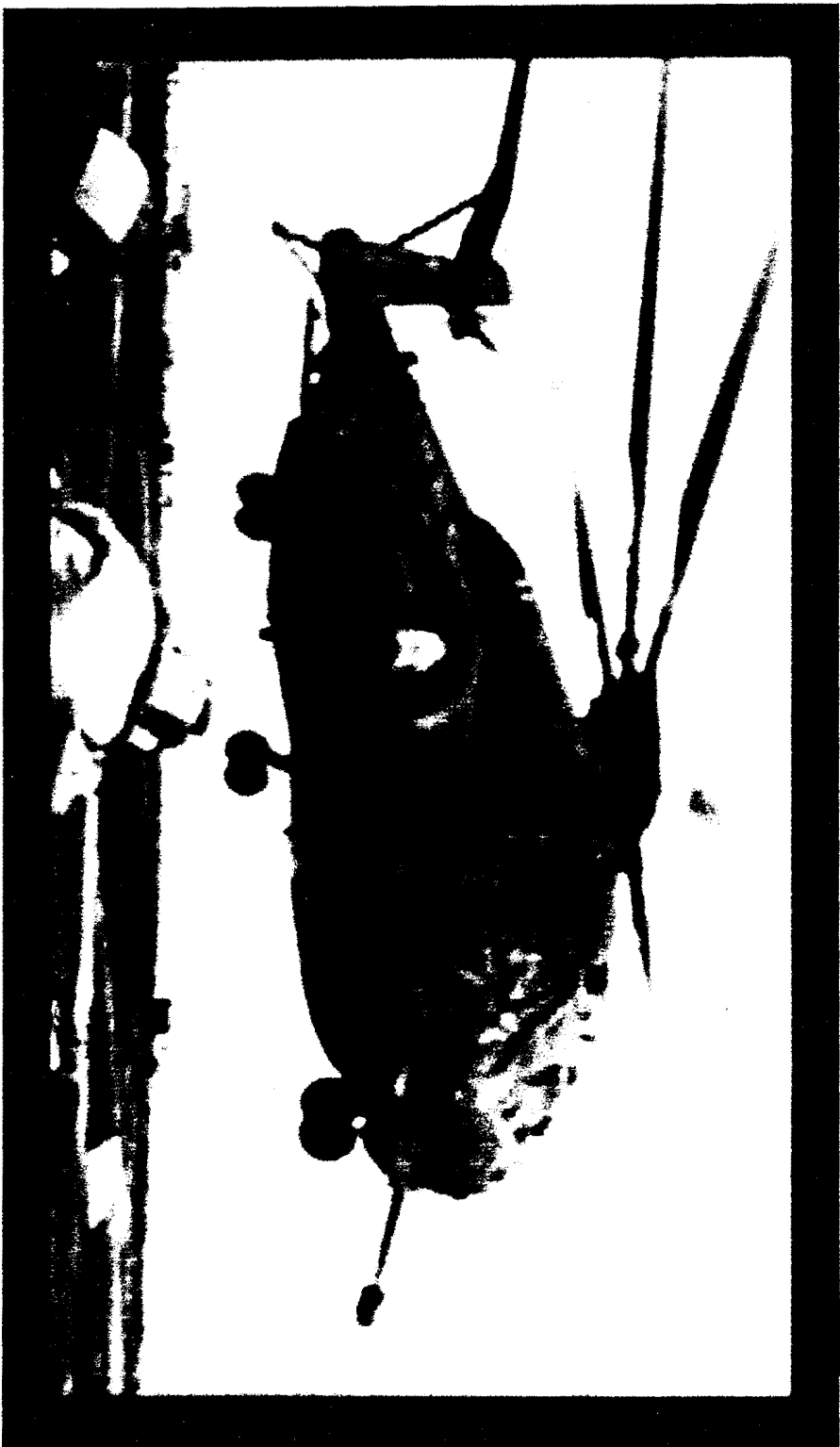


GlobeXplorer™

© 2000 Globexplorer, AirPhotoUSA

Ream Field

Noise – Chemical Pollution



*Findings & Determination Section 1.
Threat to public Safety !!*

- Second lets look at threat to public safety
- What threat are we talking about ?
- In year 2000 the Sheriff's Department responded to 2,172 calls for service in Beat 706 that includes Seacoast Drive

*Safety on Seacoast Drive
Sheriff's Beat No. 706 Records*



Sheriff has no evidence that short-term rentals
committed any of 2,176 offences in 2000

*Findings & Determination Section 1.
Threat to Public Safety*

- And in 1999 Sheriff's Dept answered 1,667 service calls in Beat 706 that includes Seacoast Drive .
- Sheriff has **NO** records to show short-term renters committed any of the 1,667 crimes.
- So why are you attacking short-term rentals

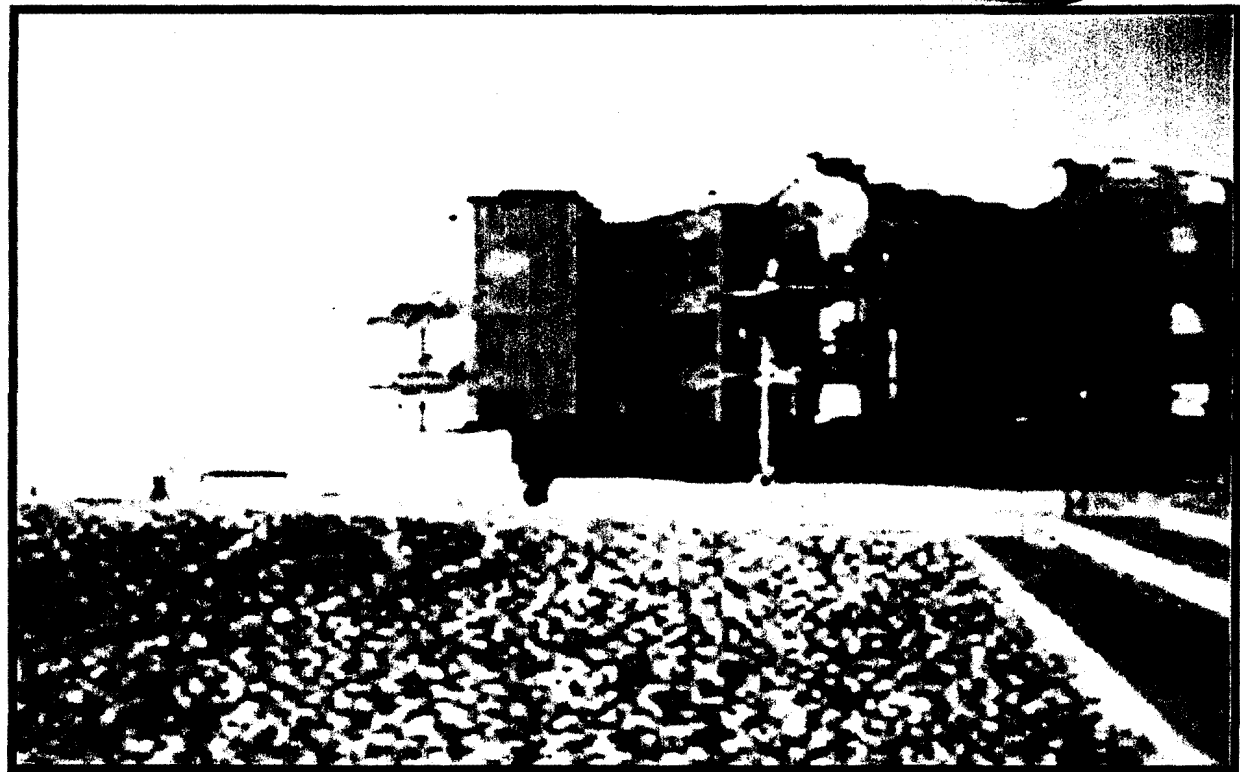
*Findings & Determination Section 1.
Threat to Public Welfare Quality of Life !!*

- Third lets look at threat to public welfare.
- What threat are we talking about ?
- Short-term renters (less than 30 days)
pay rent @ \$1200-\$1500 per week
- Other renters (more than 30 days)
pay rent @ \$650-\$1200 per month.

Quality of Life - is subjective
Seacoast Drive - 2001

High income
condos. on
Beach.


Priced at
\$550,000
and UP



Increase TOT revenue for IB

Findings & Determination Section 1.
IS IT BIASED !!



- Against a majority of property owners !!.
 - Owners take the risks , pay property taxes and invest in Imperial Beach.
 - By eliminating short-term rentals you deprive owners of their full property rights.
- 


Findings & Determination Section 1.
Is it Biased !!

- At City Council Meeting of 04/18/2001.
- The majority of claims made in public testimony supported short-term rentals
- 12 owners supported short-term rentals
- 9 owners opposed short-term rentals.

*Findings & Determination Section 1.
Ignores Majority !!*



Ordinance # 2001-966 Section 1.
Findings & Determination

- OMITS the public testimony of supporters of short-term rentals.
 - WHY ????
- 

Boca Rio Homeowners Assoc. Seacoast Dr.
Amending CC&R's

- In 1999, a BRHOA Board Member asked homeowners to vote to change CC&R's and eliminate short-term rentals of less than 30 days
- Result: 43% supported short-term rentals
25% opposed short-term rentals
32% did not vote.

From Space
Boca Rio – S. Seacoast Drive IB

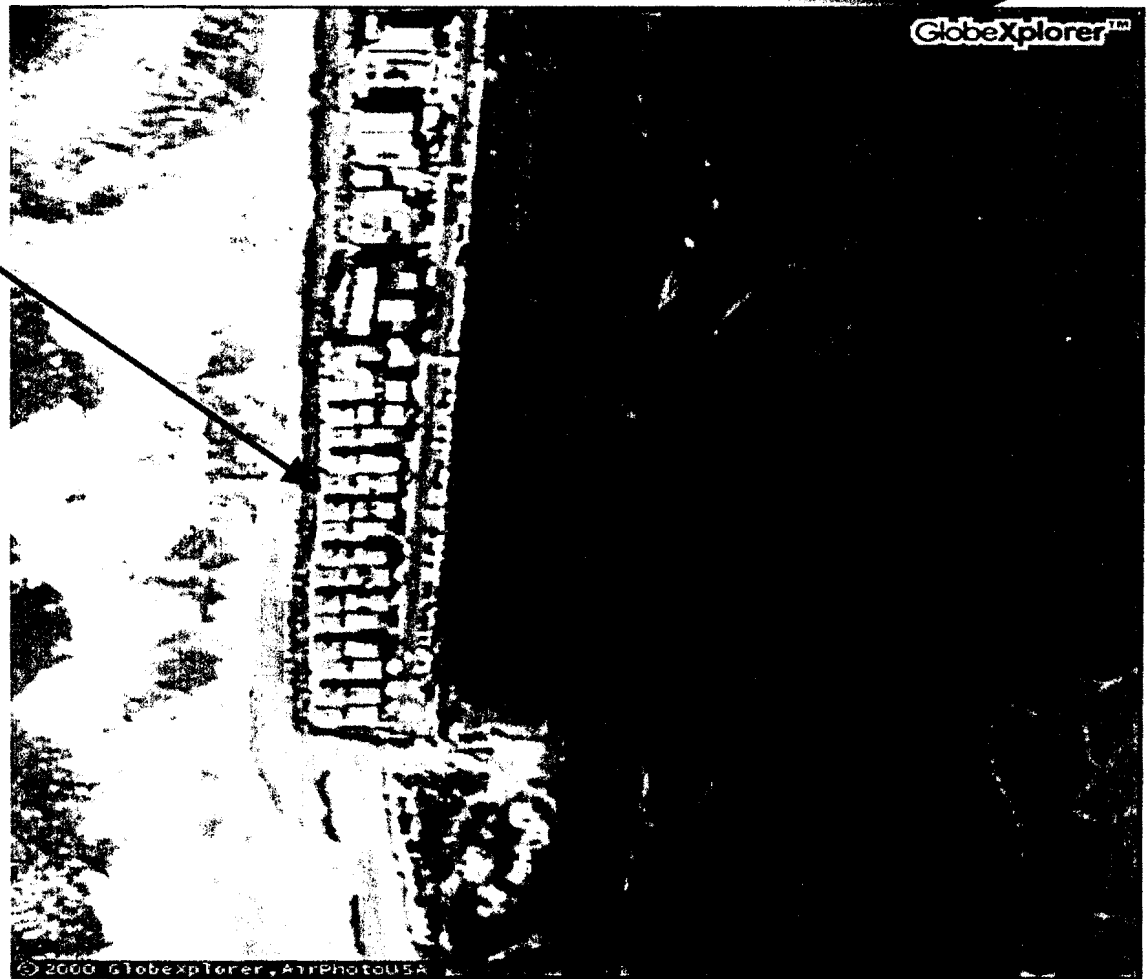
44 UNITS

25%

Owner Occupied

75%

Non-Owner
Occupied



Boca Rio Homeowners - Seacoast Dr.

VOTED NO

- In 2001 the same BRHOA ex-Board Member is still trying to eliminate short-term rentals in Boca Rio and pushed the issue to IB City Council Public level.
- Boca Rio Owners voted **NO** in 1999
- And they will vote **NO** again in 2001.

Who opposes Short-Term Rentals ?

- Many who oppose short-term rentals are renters...why ...because
- They pay low monthly rents to live on the beach \$650 – \$1,200 per month
- They have NO capital invested.
- They pay NO property taxes.

*Escalating Property Costs
prohibit low rents on Seacoast Dr*


- To get a fair return on investment (ROI)
- New Owners can't rent at \$ 650 - \$1200 per month.
- When they pay \$350,000 + for sea front units

*Escalating Property Costs
on Seacoast Dr.*



A new owner must pay per month:

- Mortgage @ 7%..... \$ 2,040
 - Property Tax/Ins..... \$ 350
 - Association Fee.....\$ 220

 - TOTAL.....\$ 2,610 / month
- 

Imperial Beach
BIG PICTURE – The future

- Develop Imperial Beach's natural assets
- Focus on Highest Priorities such as maintaining fiscal stability and long term growth for City's survival.
- Stop wasting time on lesser priorities like short-term rentals on S. Seacoast Dr.

Imperial Beach – The Future High Tech Business

- Begin talks with High Tech. Companies.
- Develop an R&D relationship with UCSD.

Create a Research & Development Park in
Ream Field

Develop Ream Field into New R&D Park


R & D Facilities
to support
International
Companies.

Currently
Ream Field
is empty Space



Imperial Beach – The Future



- Encourage High Tech. Companies to locate there.
 - Develop the necessary infrastructure.
 - Offer effective incentives.
- 

Imperial Beach – The Future
Global Tourism



- Foster National and International Tourism
- Make contact with,
- Marriott – Holiday Inn
- Hyatt – Radison – Hilton etc.
- Promote high income up-scale housing
- We don't need more low income housing

Pier Plaza - Imperial Beach From Space -2001

Market – IB
to
Global
Tourists



City of Imperial Beach
Don't Eliminate Short-term Rentals

By eliminating short-term rentals on South Seacoast Dr. you deprive owners of their full property rights.

- And the City is deprived of needed revenue.

Thank you.....Bill O'Brien
1600-C Seacoast Dr. Imperial Beach. CA.

Sept 5, 2002

California Coastal Commission ITEM ~~1017-02A~~
San Diego, California Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SEP 06 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:
My name is Richard Schaumburg. My wife and I operate a gift shop, I.B. By The Sea Gifts, and One Source Realty, in Imperial Beach, CA. 91932.


Thank you for the opportunity to express my opposition to the coastal Commissions adoption of the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

We rely on vacation renters visiting Imperial Beach to keep our doors opened. I am sure that the Coastal Commission will prudently vote against this unfair amendment once all of the facts are presented on how bad it would be for the city of Imperial Beach and the city of San Diego. Adopting this policy will essentially take away an excellent opportunity to inject much needed revenue into the city coffers while introducing may visitors to our wonderful California coastline and the beautiful cities of San Diego and Imperial Beach. What better way to promote tourism for the good of us all?

Please continue the mission of the California Coastal Commission of maintaining access to affordable visitor serving uses the California coastline and reject this amendment.

Please do not allow the City to close off the opportunities families have to visit the seashore.

Respectfully,



Richard and Cheryl Schaumburg
862 Sea Coast Dr.
Imperial Beach, CA 91932

~~7/20~~

Dear California Coastal Commissioners and Ms. Lilly:

I am an owner of a beachfront condominium in Imperial Beach, California, and am writing you to express my OPPOSITION to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30 day) rental of available condominiums, flats or apartments by visitors to the California coast.

I have met many lovely visitors from California and around the world in my 12 years as an owner here, who have rented our properties on Seacoast Drive at very affordable prices.

I am well aware of the California Coastal Commission's mission to maintain access to our coastline and believe this mission is strengthened by short term rental opportunities.

Please do not allow the City to close off the opportunities families have to visit the seashore.

Respectfully,

Dennis R. Piper
1600-D Seacoast Drive
Imperial Beach, CA 91932

IB LCPA 1-02

September 5, 2002

California Coastal Commission ITEM ~~XXXX~~
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

RECEIVED

SEP 09 2002

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

We are writing to respectfully state our opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

We have visited Imperial Beach with our family many times over the last year to get away from the heat of Arizona and we much prefer staying in a fully furnished, friendly residence on the ocean as compared to the typical hotel and motel rooms.

We are well aware of the California Coastal Commission and its mission of maintaining access to affordable visitor-serving uses on the California coastline.

IB is a wonderful convenient reasonable place to stay. Please do not allow the City to close off the opportunities our family has to visit the seashore.

Respectfully,



Steve and Linda Kirkpatrick
PO Box 40908
Tucson, AZ 85717

DALL & ASSOCIATES

6700 FREEPORT BOULEVARD SUITE 206 SACRAMENTO, CALIFORNIA 95822-5927 USA
Tel. ++916.392.0282 Senders' Direct Dial Number: ++916.392.0283
Fax: ++916.392.0462 Sender's E-mail: NDall49@aol.com

September 7, 2002

ITEM ~~MON 7a~~

Received at Commission
Meeting

Ms. Sara Wan, Chairperson
and Commissioners
California Coastal Commission
45 Fremont Street, 20th Floor
San Francisco, California 94105-2219

SEP - 9 2002

From: _____

SUBJECT: CITY OF IMPERIAL BEACH LCP AMENDMENT NO. 1-02 - PROHIBITION
OF VISITOR-SERVING USE IN SOUTH SEACOAST DISTRICT

Dear Madam Chair and Commissioners:

This firm has very recently ^{been} retained by Visit IB, a voluntary association of 67 owners and managers of visitor-serving properties, restaurants, shops, and other businesses in the City of Imperial Beach. Visit IB opposes the City's proposal to prohibit the traditional visitor-serving use of condominiums in the fully developed medium-high density South Seacoast District for short-term (fewer than 30 days) vacation rentals. (Exhibit 1 contains a highlighted copy of the City's Land Use Map that depicts the South Seacoast R-1500 District relative to the adjacent public beach, accessways, and ocean.)

This matter comes before the Commission as Component 1 of City's proposed LCP (Implementation Program) Amendment No. 1-02 ("the LCPA"; LCPA Component 1 is described in the second through fourth bullets on pages 4 and 5 of the Commission staff report, dated August 22, 2002). Members of Visit IB advised the City of their objections to the prohibition during local hearing on the LCPA. Visit IB respectfully requests the Commission to reject the LCPA, pursuant to Coastal Act §30513, because, as described below, the prohibition is inconsistent with, and inadequate to carry out, the certified City LCP Land Use Plan. The LUP constitutes the sole standard of review for the LCPA.

Existing Conditions

Although the City limits include a total of 3.5 miles of Pacific Ocean beach frontage, a large ocean recreational pier, a nationally recognized wetlands preserve, a large State park, and frontage on San Diego Bay, it contains fewer than 150 motel rooms, mostly in older and deteriorated structures, 1/3 of which are substantially inland from the beach (the "Hawaiian Gardens"). As a result, the City ranks near last among coastal communities in the provision of visitor-serving overnight lodging facilities. To both save and generate revenue, the City has divested itself of its pier and tidelands, and has leased its beach ("Ocean Avenue"), Dunes Park, and beach public accessways to the Port of San Diego for annual subventions.

Concurrently, the City has emphasized its objective to maximize single family residential development and use along the oceanfront of the deteriorated "commercial" district

DALL & ASSOCIATES

Chair Sara Wan and Commissioners
California Coastal Commission
Re: City of Imperial Beach LCPA No. 1-02
September 7, 2002

between Imperial Beach and Palm Avenues. In the post-9/11 hotel-motel industry climate, construction of a new larger hotel or motel along the City's oceanfront is highly speculative, constrained by the limited amount of space to provide mandatory on-site parking (e.g., at the deteriorated Seacoast Inn site), and would likely require a substantial and risky public monetary contribution to obtain financing.

By contrast, the now fully developed South Seacoast District, which is located south of Imperial Beach Boulevard, has since before enactment of the Coastal Act and certification of the City's original LCP in the mid-1980's successfully served as an area in which well-maintained condominiums have been made available by their private owners for short-term and seasonal vacation rental. Approximately 1/4 of the units are owned by persons who purchased them as their own vacation homes and who make them available for rental by other vacationers during the season. Visitors to IB came from throughout the US and the world.

Presently, 88 units are available in the South Seacoast District for short-term vacation rental. During the last three years, when all available oceanfront family rental units have been 100% occupied between June and August, TOT payments to the City by members of Visit IB alone have increased from \$30,764 (2000) to \$68,625 (2001) and \$66,435 through August, 2000, with an estimated total of \$85,000 for all of 2002. Visit IB estimates that if the City rigorously implemented its TOT collection through education of all owners of vacation rentals, and enforcement where necessary, it would likely generate an additional \$100,000 for the chronically revenue-strapped City budget.

Standard of Review

The Coastal Act, which guides the policies and implementation of Local Coastal Programs (LCP's), gives clear priority to, and protects, the use of private land along the ocean for uses that serve coastal recreation. (PRC §§30220, 30221.) §30222 specifically affords priority to such visitor-serving uses over private residential uses along the shoreline, as here. The Commission-certified LCP Land Use Plan (which the City styles its "Coastal Plan" and has conjoined with its General Plan) carries out the Coastal Act's policies through two policies, P-2 and P-7:

Policy P-2: "The ocean, beach and their environment are, and should continue to be, the principal recreation and visitor-serving feature in Imperial Beach. Oceanfront land shall be used for recreational and recreation-related uses whenever feasible." (Coastal Plan, page P-10, emphasis added.)

Policy P-7: "The City and its business community should take direct action to increase the amount of tourist oriented business both [sic] along the beachfront, South San Diego Bayfront and inland areas." (Id., emphasis added.)

DALL & ASSOCIATES

Chair Sara Wan and Commissioners
California Coastal Commission
Re: City of Imperial Beach LCPA No. 1-02
September 7, 2002

LUP (Coastal Plan) policies P-2 and P-7 are further effectuated through the land use categories identified in Policy L-2 (page L-4) and, by reference, in Table L-2 (page L-8). Table 2 authorizes the rather intense development of both detached and multi-family duplex, apartment, condominium, and townhouse development in the (South Seacoast) R-1500 district, at a density of one unit per 1,500 square feet of land (29 du/a). In reflection of existing conditions and to carry out relevant LUP policies, uses that are "compatible with and oriented towards serving the needs of the zone are also allowed." At the time of Commission certification of the current LCP in the mid-1990's, vacation rentals already constituted a traditional use in the South Seacoast District, which the formulation of the R1500 designation in Table L-2 allows.

In its local action to approve the LCPA, the City found that "it is in the best interests of the residents of the City of Imperial Beach to prohibit the short term rental of dwelling units in certain residential zones". (See, Commission staff report, Exhibit 1, "Resolution of Approval".) Although the City therein asserts that the proposed Zoning Ordinance Amendment "is consistent with the General Plan/Local Coastal Plan" [the LUP], it provides no analysis or evidence whatsoever of the LCPA's conformity with, or adequacy to carry out, the above-referenced applicable LUP policies, as required by §30513. Instead, the City relies on what reportedly were two (2) complaints by tenants at Boca Rio, who were unable to persuade the homeowners association to prohibit vacation rentals through its CC&R's, and across from a new condominium building. (See, Staff Report, City of Imperial Beach City Manager to Mayor and Council, April 18, 2001 and audio tape recordings of City Council hearing on the LCPA. The complaints reportedly involved an Eastern European mother's hanging a washed cloth diaper out to dry and a women's basketball coach lodging her players in a modern, large unit during a regional tournament.)

On its face, the City's elevation of its residential objectives to the detriment of existing and growing visitor-serving vacation rentals in the South Seacoast District is inconsistent with the LUP, and identification of a small number of complaints as the alleged basis for the draconian LCPA simply lacks proportionality. Moreover, as noted in the Commission staff report (at page 5), an ironic effect of the LCPA is to allow vacation rentals of condominium units that are time-shared, which would result in limiting coastal vacation access in the South Seacoast District to that subset of visitors who can or chose to buy a vacation interval, rather than the coastal recreational public at large.

It is also noteworthy that the certified existing City Zoning Ordinance (1) actually requires a larger quantity of offstreet parking for vacation rentals in the South Seacoast District (2 spaces/unit) than for hotel/motel units with cooking facilities, e.g., suites (1.5 spaces/unit). (See, City Zoning Code Sections 19.48.030 and 19.48.040.)

As a practical matter, members of Visit IB (Dr. and Mrs. Laskar) previously retained

DALL & ASSOCIATES

Chair Sara Wan and Commissioners
California Coastal Commission
Re: City of Imperial Beach LCPA No. 1-02
September 7, 2002

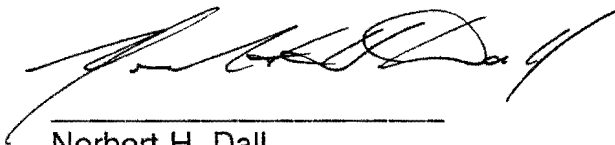
counsel to prepare a proposed Vacation Rental Compliance Program (June, 2001), performance standards in which the City substantially incorporated in Council Resolution 2002-5575, but then limited to the area between Imperial Beach and Palm Avenue, north of the Seacoast District. (See, Commission Staff Report, Exhibit 2). Visit IB supports these standards and urges that they be made applicable to the South Seacoast District. They include requirements for obtaining a short-term rental permit and related special business license, paying an application fee, filing and paying TOT revenues and forms, limiting the occupancy of vacation rental units consistent with the Uniform Housing Code, posting a notice for 24-hour contact of the unit owner or agent, and 16 other standards.

Conclusion

Component 1 of the City's LCPA, which would prohibit the traditional vacation rental of condominiums in the South Seacoast District to coastal visitors from throughout the United States and other countries, is inconsistent with applicable LUP policies that provide and allow for such uses, including along the City's entire developed beachfront and in the certified R-1500 District. Component 1 of the LCPA should therefore be rejected by the Commission.

Thank you for this opportunity to comment on a matter of great importance to public coastal recreational access and the members of Visit IB.

Sincerely yours,

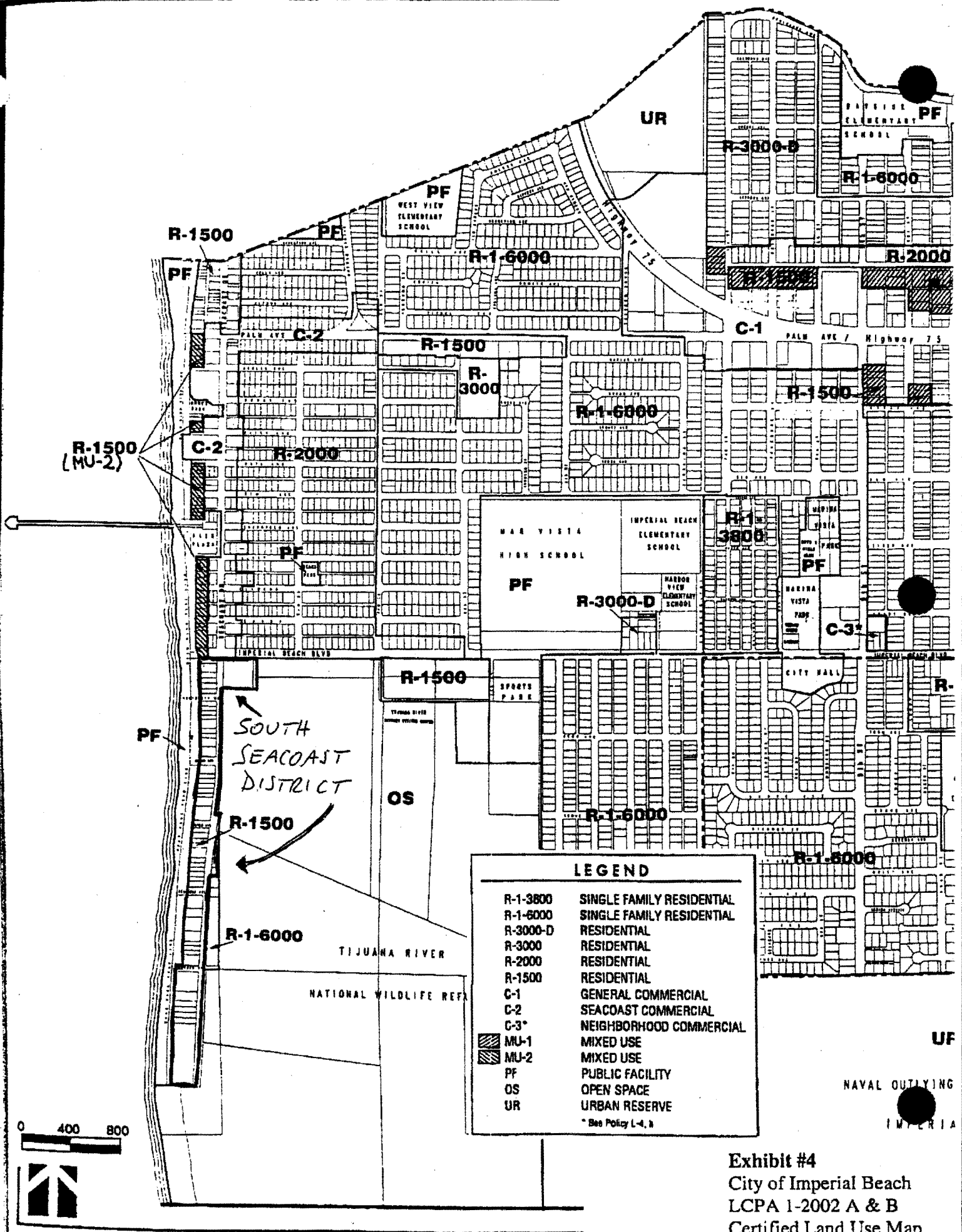


Norbert H. Dall
Consultant to Visit IB

223:2266.070902

Enclosures: Exhibits 1 and 2

c: Ms. Diana Lilly, Staff Analyst, CCC-SD (by facsimile)
Ralph Faust, Esq., Chief Counsel, CCC-SF
Amy Roach, Deputy Chief Counsel, CCC-SF
✓ Ms. Sherilyn Sarb, San Diego Area Manager, CCC-SD
Members, Visit IB
City Manager, City of Imperial Beach



LEGEND

R-1-3800	SINGLE FAMILY RESIDENTIAL
R-1-6000	SINGLE FAMILY RESIDENTIAL
R-3000-D	RESIDENTIAL
R-3000	RESIDENTIAL
R-2000	RESIDENTIAL
R-1500	RESIDENTIAL
C-1	GENERAL COMMERCIAL
C-2	SEACOAST COMMERCIAL
C-3*	NEIGHBORHOOD COMMERCIAL
	MU-1 MIXED USE
	MU-2 MIXED USE
PF	PUBLIC FACILITY
OS	OPEN SPACE
UR	URBAN RESERVE

* See Policy L-4, h

Exhibit #4
 City of Imperial Beach
 LCPA 1-2002 A & B
 Certified Land Use Map

DL

RECEIVED

SEP 13 2007

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

September 5, 2002

California Coastal Commission ITEM MON 7a
San Diego Area
7575 Metropolitan Drive
Suite 103
San Diego, California 92108-4402 USA
Attn. Ms. Diana Lilly, Staff Analyst

SUBJECT: IMPERIAL BEACH LCP AMENDMENT 1-02

Dear California Coastal Commissioners and Ms. Lilly:

I am writing to respectfully state my opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short term (less than 30-day) rental of available condominiums, flats, or apartments by visitors to the California coast.

I have visited Imperial Beach with my family many times over the last year to get away from the heat of Arizona and the gray skies of Portland, Oregon and I much prefer staying in a fully furnished, friendly residence on the ocean as compared to the typical hotel and motel rooms.

I am well aware of the California Coastal Commission and its mission of maintaining access to affordable visitor-serving uses on the California coastline.

IB is a wonderful convenient reasonable place to stay. Please do not allow the City to close off the opportunities my family and I have to visit the seashore.

Respectfully,



Meighan Kirkpatrick
3211 N. Christmas Ave.
Tucson, AZ 85716

DL
537 W. Villa Rita Drive
Phoenix, AZ 85023
September 9, 2002

Ms. Diana Lilly, Staff Analyst
California Coastal Commission
ITEM MON 7a
7575 Metropolitan Drive Suite 103
San Diego, CA 92108-4402

RE: Imperial Beach LCP Amendment 1-02

Dear Ms. Lilly and California Coastal Commission:

We write to respectfully state our opposition to the City of Imperial Beach's amendment to its Local Coastal Program, which would prohibit short-term (less than thirty day) rental of available condominiums, flats or apartments by visitors to the California coast.

We have visited Imperial Beach many times over the past years to get away from the heat of Arizona and we much prefer staying in a fully furnished, friendly residence on the ocean as compared to the typical hotel and motel rooms.

We are aware of the California Coastal Commission and its mission of maintaining access to affordable visitor-serving uses of the California coastline. Imperial Beach is a wonderful, convenient, reasonable place for visitors to stay. Please don't allow the City to close off the opportunities we have to visit the seashore.

Respectfully,

James C. Leach
Sanita M. Leach

James C. Leach
Sanita M. Leach

7a

~~MEMORANDUM~~

STATEMENT OF SALLY O'NEILL BEFORE THE CALIFORNIA COASTAL COMMISSION IN OPPOSITION TO IMPERIAL BEACH LCP AMANDMENT NO 1-02 (SEPTEMBER 7, 2002)

Received at Commission Meeting

SEP - 9 2002

Madam Chair and Commissioners:

From:

I am Sally O'Neill. Since 1978 I have owned a two bedroom condominium in the South Seacoast District. Over the years I have made this available to family and friends for weekly vacation rental during the summer. I have also rented it for longer periods of time. I have had a city license to rent from the time we started occasionally renting it.

I was never aware that TOT was required to be collected and paid to the City for short term rental until June of 2001. At that time, I went to the City, explained that I was renting both long and short term and wanted to secure a new license number. I was told that my license payment would not be accepted and no new license would be issued because of a pending change. I therefore was one of those not grandfathered for short-term rental.

I am a law-abiding citizen and I pay my taxes. I would have collected and paid TOT if ever I was aware it was required. I paid this City license fee over 20 years and I was never told by the City (in person or by mail)that TOT collection was required. When I paid the license fee there were no hand-outs or enclosures ever explaining the responsibility of collecting TOT. It was never mentioned ever! Furthermore, nowhere on my renewal application form did it state an added tax is due the city for short term rental.

What the City is proposing in its LCP Amendments is wrong.

The seasonal use of my condominium for vacation rental is not only a traditional use that precedes the current LCP and the General Plan, but it is the kind of allowed "compatible use" in the high density South Seacoast Drive District that the Plan - which you approved - has in mind.

Please reject the City's LCP Amendment. It is inconsistent with the Land Use Plan and the Coastal Act to which it must conform.

Thank you.

Ms. Sally A. O'Neill
1514 South Seacoast Drive
Imperial Beach, California 91932

Copy: Ms. Diana Lilly, Coastal Commission Staff analyse, San Diego

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

IB LCPA
#1-02-11B

FACT SHEET ON TRANSIENT RENTALS

1. Rentals of less than 30 days are a Commercial Use that is not allowed in residential zones.
2. Commercial transient lodging accommodations are not compatible with residential use.
3. Most residents on South Seacoast Drive are opposed to this use.
4. This use does not encourage home ownership or resident occupancy.
5. This use destroys the "Quality of Life" for existing residents.
6. Our residential neighborhood will not be enhanced or revitalized by allowing this use.
7. Homeowners will be forced to pay higher lending rates and cost if this use is allowed.
8. The Federal Americans with Disabilities Act (ADA) (Title 24) regulations may apply to this use.
9. Long term residents are being displaced by transient use.
10. Common area homeowner facilities are being subjected to increased use causing inconvenience to permanent residents.
11. Noise levels increase with transient occupancy, disrupting the quite enjoyment of permanent residents.
12. Commercial cleaning and maintenance associated with this use will disrupt permanent residents.
13. Privacy of permanent residents is being violated.
14. Homeowner expenses will rise due to additional maintenance, cleaning, and repairs.
15. Transient occupants with pets are often ignore homeowner's association rules and local ordinances.
16. City Budgets will be increased: Police, Fire, Lifeguard, and Maintenance.
17. Since there is no on-site management, transient occupants are unaware of Condominium Rules and Regulations and make enforcement difficult.
18. Zoning changes require long and costly notification and hearing processes.
19. Transient use on South Seacoast Drive is competing with the existing commercial tourist zone.
20. Safety and Security is compromised with transient use.
21. Insurance costs may increase significantly for homeowner associations and residents.

Received at Commission Meeting

SEP - 9 2002

From: _____

SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD

1620 B SEACOAST DRIVE (619) 424-8900

TO: THE IMPERIAL BEACH CITY COUNCIL

We are against changing the residential zoning of our neighborhood to allow any commercial uses. Renting a residence for less than 30 days is classified as commercial use: "...transient lodging accomodation on a less than monthly basis to the general public.... (19.04.410 R-1500 High Density Residential Zone" is not a permitted use. Transient Occupancy destroys the residential character of our neighborhood.

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Please enforce the existing ordinances and make no changes to the current uses that are allowed in our neighborhood.

Thank you for your consideration.

Mark Lashlee
(PRINT) First NAME Last

642 Ocean Lane 7
Address Imperial Beach, CA 91932


Signature Date 3/24/01

619 423-4718
(AreaCode) PHONE

COMMENTS:

My wife & I Rented the apartment at 1620 C ^{Seacoast} IN approximately 1997 and were told the owners of 1620 D (upstairs) were only in residence 2 weeks of the year. It was true, Harold & Vanna Price were only ~~the~~ in residence 2 to 3 weeks a year; the rest of the time they rented to large groups of vacationers. They were UNRuly, inconsiderate, NOISY

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Thank you for your consideration.

JACQUELINE T. SHIELDS 1600 A SEACOAST DRIVE _____
(PRINT) First NAME Last Address Apt. #

Jacqueline T. Shields 3/6/01 619 429-4432
Signature Date (AreaCode) PHONE

COMMENTS: *If you change the zoning, I hope, you will be able to address and solve the following:*

1. *Development Plan says no new changes & no eminent domain. Yet, you are already considering a zone change at this time. Will you also change to put eminent domain back in? You are the Bd of Directors.*
2. *The city has no maximum occupancy statute. We have had at Boca Rio 10, 12, 23 people in a unit, as short term vacationers. Very difficult to tie that into the quality of life for those year round occupants who wish to enjoy normal hours of peace and quiet.*
3. *at Boca Rio, there is one parking place per unit*

File: 1notok.doc

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<u>TRAVIS BRAZIL</u> (PRINT)First NAME Last	<u>1230 SEACOAST</u> Address	<u>5</u> Apt. #
<u>Travis Brazil</u> Signature	<u>3-7-01</u> Date	<u>(619) 423-2799</u> (AreaCode) PHONE

COMMENTS:

WE WISH TO MAKE SOUTH SEA COAST OUR
HOME WITHOUT THE PROBLEMS OF TRANSIENT
OCCUPANCY. THIS IS THE MAIN REASON
WE CHOSE 1230 SOUTH SEA COAST
IMPERIAL BEACH

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
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1620 B SEACOAST DRIVE (619) 424-8900**

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Thank you for your consideration.

Florence Kleinschmidt 1240 Seacoast Dr _____
(PRINT)First NAME Last Address Apt. #

Florence Kleinschmidt 3/7/2001 (619) 429-4504
Signature Date (AreaCode) PHONE

COMMENTS:

We wish to keep from being
invaded by weekly transients
as they cause problems for the
home owners and long term
rental residents.

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Thank you for your consideration.

<u>Colleen Moore</u>	<u>785 Seacoast</u>		
(PRINT) First NAME Last	Address	Apt. #	
<u>Colleen Moore</u>	<u>4/11/01</u>	<u>648</u>	<u>429-4796</u>
Signature	Date	(AreaCode)	PHONE

COMMENTS:

THIS IS TAKING BUSINESS
AWAY FROM US WHO ARE
PAYING TAXES!

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Thank you for your consideration.

 J ANELLA BLACK 1680 Seacoast Dr. # D
(PRINT)First NAME Last Address Apt. #

 Janella Black 3/3/01 (619) 423 - 6860
Signature Date (AreaCode) PHONE

COMMENTS:

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Thank you for your consideration.

Carolyn Minor 1580 "A" Seacoast Dr A
(PRINT)First NAME Last Address Apt. #

Carolyn Minor 3/01/01 (619) 575-2575 (DON'T give out)
Signature Date (AreaCode) PHONE (UNLISTED)

COMMENTS: STOP short term use.
We live next door to two (2) transient units
at 1570 "C" & "D" Seacoast Drive.
The transient/motel people coming and going
every few days is very disruptive to our quiet enjoyment
of this residential 4-plex. Animals poop on our patios, lots
of people in and out every few days at all hours of
the day and night. They take up parking since there
is only 1 carport per condo. — Others park on the street
where parking is very limited (They often have more
than 2 cars & lots of people.) Common areas are crowded.
Please stop this. These are homes, not motel rooms.
This is too much stress on residents. We want
to live in a neighborhood of homes — Not a motel.
Please do not allow this to continue.

Comments by Sharon Kleinschmidt

I started vacationing in I.B. over 20 years ago and stayed at the charming Seacoast Inn. Because I enjoyed I.B. and its hometown feeling I purchased a condo over 9 years ago. I chose to purchase in a smaller 8-unit condo as it gives the feeling of ownership pride.

I am a working mother with a son appreciate the permanent neighbors in our condo.

But last year 2000 this feeling of security, noise environment, and quality of life was interrupted. Transient renters intruded our privacy by moving in after midnight, moving out before 7 am on Sunday, clumping up and down the stairs, knocking on my door asking for information (example: how do you get into the garage?).

I am prone to migrant headaches and need to protect my health, as I am the sole breadwinner.

When we go on a vacation we prefer to stay at a hotel where there is a doorman, security guard, desk clerk, daily maid service, and a maintenance person.

Since personally experiencing the transient renters I vote no to changing the rental policy south of I.B. Blvd.

A handwritten signature in black ink, reading "Sharon Kleinschmidt". The signature is written in a cursive, flowing style with a large initial "S".

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Thank you for your consideration.

<u>Sharon K. Kleinschmidt</u>	<u>1244 Seacoast Drive</u>
(PRINT)First NAME Last	Address Apt. #
	<u>Imperial Beach Ca 91932</u>
<u>Sharon K Kleinschmidt</u>	<u>6/17/2001</u>
Signature Date	(AreaCode) PHONE
	<u>() 619 - 429 - 4504</u>

COMMENTS:

See attached

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NANKY LBA WETNICK 1168 SEACOAST DR
(PRINT) First NAME Last Address Apt. #

Nancy Wetnick
Signature Date () (AreaCode) PHONE

COMMENTS:

My family has lived at this address since WWII. This is a horrible idea. There are already 2 sleep dwellers on both sides of our home. What are we doing to our city?!

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Thank you for your consideration.

ARLYNE BRAZIL 1230 SEACOAST DR 5-
(PRINT) First NAME Last Address Apt. #

Celyne Bozice 3/7/01 619 423 2799
Signature Date (Area Code) PHONE

COMMENTS:

We have Rented in Mission Beach,
Ventura + Oxnard where there is weekly
Rentals. The reason we choose Imperial Beach
is because it is quiet, No all night parties,
Beer drinking on Beach + Congestion,
We love it here + hope that the Beach
will remain a quiet Community for families

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Thank you for your consideration.

GEORGE LOPEZ 1470 Seacoast Dr A
(PRINT)First NAME Last Address Apt. #
[Signature] 3/10/01 619 4248X39
Signature Date (AreaCode) PHONE

COMMENTS:

Please do not destroy the tranquility of Imperial Beach as it is today.
Thank you.

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Fred & Dee McLean 1312-A Seacoast Dr, I.B.
(PRINT)First NAME Last Address Apt. #

Dee McLean 3/10/01 619 575-8863
Signature Date (AreaCode) PHONE

Verne F McLean II 3/10/01

COMMENTS:

In the March issue of The Imperial Beach
Sun, Mayor Rose stated, "I can tell you,
that as your mayor, I will use the full
authority of my office to defend our General
Plan and the vision that we all share
for our City's future." I hope that
this resolve extends to South Seacoast
Drive!

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<u>MARILYN</u> (PRINT)First	<u>DOLEZAL</u> NAME Last	<u>1690 Seacoast Dr</u> Address <u>IB, Ca 91932</u>	<u>C</u> Apt. #
<u>Marilyn Dolezal</u> Signature	<u>3-3-01</u> Date	<u>(619) 575-1705</u> (AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
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Deirdre Nostrand 11600B Seacoast Dr. B
(PRINT) First NAME Last Address Apt. #

Deirdre Nostrand 3/3/01 619 575-4069
Signature Date (AreaCode) PHONE

COMMENTS:

Hotel/Transient occupancy residents are
more prone to be loud and disruptive at
all hours even during the week and
they disturb homeowners and renters.
Transient occupancy residents have no
respect for our landscaping, water bills,
gas bill, laundry facility, trash bins and
recycle bins.

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Emmett Casey 1660 Seacoast Dr C
(PRINT) First NAME Last Address Apt. #
Emmett Casey 3-1-01 (619) 575-8788
Signature Date (AreaCode) PHONE

COMMENTS:

We need to have a stable
environment with people who really
care about their home.
Thank you

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<u>WILLIAM J PROUT</u> (PRINT)First NAME Last	<u>1251 7th ST</u> Address	<u> </u> Apt. #
<u>William J Prout</u> Signature	<u>3/5/01</u> Date	<u>(619) 424-6825</u> (AreaCode) PHONE

COMMENTS:

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Thank you for your consideration.

PARKS

Henry Parks

239 Palm IB

(PRINT) First NAME Last Address Apt. #

[Signature]

3/5/01

619
()

424-5654

Signature

Date

(AreaCode)

PHONE

COMMENTS:

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1620 B SEACOAST DRIVE (619) 424-8900

TO: THE IMPERIAL BEACH CITY COUNCIL

We are against changing the residential zoning of our neighborhood to allow any commercial uses. Renting a residence for less than 30 days is classified as commercial use: "...transient lodging accomodation on a less than monthly basis to the general public.... (19.04.410 R-1500 High Density Residential Zone" is not a permitted use. Transient Occupancy destroys the residential character of our neighborhood.

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Thank you for your consideration.

FRED J PERRY 1620 SEACOAST DR B
(PRINT) First NAME Last Address Apt. #
Fred Perry 3-1-01 (619) 424-8900
Signature Date (AreaCode) PHONE

COMMENTS:

Noise - Laundry is not meant to
leave your washing in laundry room
while guest go to rightseeing all
day & night
When six (6) or more people take a
shower - too hot water for the
permet residents
noise - walls are not to stop the
noise - babies and kids crying

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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Thank you for your consideration.

Rosemary Perry 1620 Seacoast Drive Imperial Beach CA
(PRINT) First NAME Last Address Apt. #
Rosemary Perry 3/7/01 619 424 8900
Signature Date (AreaCode) PHONE

COMMENTS:

Disrupts our quality of life. It's like
living in a fish bowl.

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<u>PAULETTE CRYDERMAN</u>	<u>369 DAISY AVE</u>		
(PRINT)First NAME Last	Address	Apt. #	
<u>P. Cryderman</u>	<u>3-6-01</u>	<u>619.575-2447</u>	
Signature	Date	(AreaCode) PHONE	

COMMENTS:

Noise - DISRUPTION of family way of life

We lived at 1610-A Seacoast Dr -

We moved - This was not what or why

we rented there - It cost us money

for 2 - two moves -

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Thank you for your consideration.

SHIPLEY

SHARON A. 1630A SEACOAST DRIVE
(PRINT) First NAME Last Address Apt. #
Signature Date (AreaCode) PHONE
3/02/01
619 575 0169
Apt. # A

COMMENTS:

- ① EVERY UNIT WOULD NEED BE MADE HANDICAPPED ACCESSABLE
- ② HOW WOULD YOU LIKE TO WAKE UP AT 3:00AM by the WHEELS + BAWLING of 10 seiteases or more, + renters (revelous) ^{going} past your FRONT DOOR, NOT TO MENTION SLAMMING of CAR DOORS??
- ③ THIS IS PROMOTED BY GREED + CARELESSNESS of CERTAIN REALTORS

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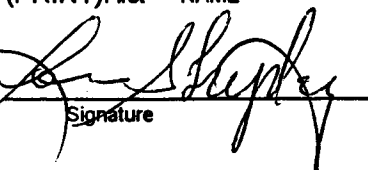
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<u>LOREN SHIPLEY</u> (PRINT) First NAME Last	<u>1630-A SEACOAST DR</u> Address	<u>A</u> Apt. #
 Signature	<u>3/5/01</u> Date	<u>619 575-0169</u> (AreaCode) PHONE

COMMENTS:

- 1) None of these Condos are Handicapp Friendly - There could be law suits if we go transient housing week or week-end rentals
- 2) How does the City know when they rent weekly or week-end they have been doing this for last 2 years
- 3) Several Months ago - one weekly rental had a "Great" loud party at 2:30 AM - Went down to quiet them, they were hanging on rafters / crawling out the window and throwing bottles / beer cans into the ocean - Nice image for I.B.

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Thank you for your consideration.

Janet A. Hasemeyer 1246 Seacoast Dr. I.B.
(PRINT) First NAME Last Address Apt. #

Janet Hasemeyer 3/6/01 (619) 429-5844
Signature Date (AreaCode) PHONE

COMMENTS:

I have had personal experience with Transient Occupancy at our Condominium - even though it is against our CC + R's and has been Stopped.

* My main concern is security. We have a gated condo complex. Weekly Transient rentals compromise our security + safety by giving keys + codes to transient renters + housekeepers.

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Thank you for your consideration.

<u>SANDRA BOURDON</u>	<u>288 Broadway St.</u>	<u>#66</u>
(PRINT)First NAME Last	Address	Apt. #
<u>Sandra Bourdon</u>	<u>3/5/01</u>	<u>(619) 420 1618</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

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Thank you for your consideration.

Emily C. Romero 1180 Seacoast DR _____
(PRINT)First NAME Last Address Apt. #

Emily Romero 3/4/01 () 662-7160 work
Signature Date (AreaCode) PHONE

COMMENTS:

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<u>MARCILLE TAYLOR</u>		<u>1242 SEACOAST DRIVE</u>	<u> </u>
(PRINT)First	NAME	Last	Address
			<u>IMPERIAL BEACH, CA</u>
			<u>91932</u>
			Apt.#
<u>Marcille Taylor</u>		<u>04/11/01</u>	<u>619 575-7856</u>
Signature	Date	(AreaCode)	PHONE

COMMENTS:

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<u>CAROLE COREY</u>		<u>PO BOX 1506</u>		<u> </u>
(PRINT)First	NAME	Last	Address	Apt. #
<u>Carole Corey</u>		<u>3/5/01</u>	<u>(619) 424-7529</u>	<u> </u>
Signature		Date	(AreaCode) PHONE	

COMMENTS:

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RANDOLPH C HARRIS 1286 Seacoast Dr
(PRINT) First NAME Last Address Apt. #

Randolph C Harris 4 Mar 01 619 424 7528
Signature Date (AreaCode) PHONE

COMMENTS:

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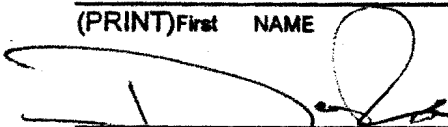
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DAVID	RECKER	1354 SeaCoast	
(PRINT)First	NAME	Address	Apt. #
		619 429 1867	
Signature	Date	(AreaCode) PHONE	

COMMENTS:

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VINCENT Ray Johnston 1360 C
(PRINT) First NAME Last Address Apt. #
MVP for Aug-14-01 619 515 9207
Signature Date (AreaCode) PHONE

COMMENTS:

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SEAN Hodgess 1460 Seacoast Dr. 7
(PRINT)First NAME Last Address Apt. #
[Signature] 3/4/01 619 575-9194
Signature Date (AreaCode) PHONE

COMMENTS:

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<u>DANIEL A. JENSEN</u>	<u>1000 2nd St</u>	<u>4</u>
(PRINT)First NAME Last	Address	Apt. #
<u>[Signature]</u>	<u>01 MAR 01</u>	<u>(619) 999-7560</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

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<u>VERNE</u>	<u>Dodds</u>	<u>1470 SEACOAST DR</u>	<u> </u>
(PRINT)First	NAME	Last	Address
<u>Verne</u>	<u>Dodds</u>	<u>3-4-01</u>	<u>619-423-4138</u>
Signature	Date	(AreaCode)	PHONE

COMMENTS:

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<u>Wendy Parks</u>		<u>239 Palm IB</u>		
(PRINT)First	NAME	Last	Address	Apt. #
<u>[Signature]</u>		<u>3/5/01</u>	<u>424-5654</u>	
Signature		Date	(AreaCode) PHONE	

COMMENTS:

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Dudley C Temple 1620A Seacoast Dr A
(PRINT) First NAME Last Address Apt. #
[Signature] 3-4-01 619 423-2930
Signature Date (AreaCode) PHONE

COMMENTS:

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Please enforce the existing ordinances and make no changes to the current uses that are allowed in our neighborhood.

Thank you for your consideration.

<u>Karen</u>	<u>Lichtman</u>	<u>1252 Seacoast Drive</u>	<u></u>
(PRINT)First	NAME	Address	Apt. #
<u>Karen Lichtman</u>	<u>3/5/01</u>	<u>(619) 575-0849</u>	<u></u>
Signature	Date	(AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

We are against changing the residential zoning of our neighborhood to allow any commercial uses. Renting a residence for less than 30 days is classified as commercial use: "...transient lodging accomodation on a less than monthly basis to the general public.... (19.04.410 R-1500)High Density Residential Zone" is not a permitted use. Transient Occupancy destroys the residential character of our neighborhood.

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Please enforce the existing ordinances and make no changes to the current uses that are allowed in our neighborhood.

Thank you for your consideration.

<u>RUTH</u> (PRINT)First	<u>RADIGAN</u> Last	<u>2661 CAPITAN DV</u> Address	<u></u> Apt. #
		<u>CHUIA VISTA, CA. 91911</u>	
<u>Ruth Radigan</u> Signature	<u>3/25/01</u> Date	<u>(619) 585-9811</u> (AreaCode) PHONE	

COMMENTS:

Encourages instability in a neighborhood.

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

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Thank you for your consideration.

CLAIRE GOVEA 1580 Wilcox Dr #131
(PRINT)First NAME Last Address CHULA VISTA CA-91911 Apt #604
Claire Govea 3/6/01 (619) 482-9552
Signature Date (AreaCode) PHONE

COMMENTS:

I am unhappy because my friend is upset with
the situation regarding transients or short term renters

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**

1620 B SEACOAST DRIVE (619) 424-8900

TO: THE IMPERIAL BEACH CITY COUNCIL

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Thank you for your consideration.

<u>MICHAEL SCRIBNER</u>	<u>1000 2ND ST. #2</u>	<u>2</u>
(PRINT)First NAME Last	Address	Apt. #
<u></u>	<u>3-6-01</u>	<u>619 423 3643</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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Thank you for your consideration.

<u>Kevin</u> (PRINT) First	<u>Moya</u> NAME Last	<u>1650 Seacoast Dr #A</u> Address	<u>A</u> Apt. #
<u>Kevin Moya</u> Signature	<u>3-4-01</u> Date	<u>(619) 575-7525</u> (AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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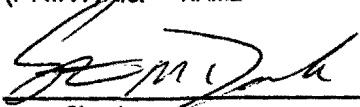
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Thank you for your consideration.

<u>STEVEN</u>	<u>DARK</u>	<u>1660 SEACOAST DR</u>	<u>A</u>
(PRINT)First	NAME Last	Address	Apt. #
<u></u>		<u>04/19/01</u>	<u>(619) 628-8224</u>
Signature		Date	(AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

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Thank you for your consideration.

<u>Susan</u>	<u>Kells</u>	<u>1670 Seacoast dr</u>	<u>203</u>
(PRINT)First NAME	Last	Address	Apt. #
<u>[Signature]</u>	<u>03-04</u>	<u>(619) 575-7226 -</u>	
Signature	Date	(AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

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Thank you for your consideration.

<u>Robert Ricci</u> (PRINT)First NAME Last	<u>1670 SEACOAST</u> Address	<u>8</u> Apt. #
<u>Robert Ricci</u> Signature	<u>9/7/01</u> Date	<u>(619) 575-7226</u> (AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**

1620 B SEACOAST DRIVE (619) 424-8900

TO: THE IMPERIAL BEACH CITY COUNCIL

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<u>Michael</u>	<u>Gillard</u>	<u>1660 Seacoast Dr</u>	<u>D</u>
(PRINT)First	NAME	Last	Address
<u>J. F. [Signature]</u>		<u>3-4-1</u>	<u>(619) 423 0416</u>
Signature		Date	(AreaCode) PHONE

COMMENTS:

I feel the value of the property will go
down if this happens

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**

1620 B SEACOAST DRIVE (619) 424-8900

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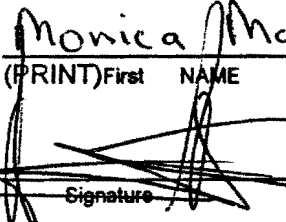
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Thank you for your consideration.

<u>Monica Magana</u>		<u>1660 Seacoast Dr</u>	<u>D</u>	
(PRINT)First	NAME	Last	Address	Apt. #
		<u>3-4-1</u>	<u>(619) 423-0416</u>	
Signature		Date	(AreaCode)	PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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<u>D. Linda Baucus</u> (PRINT)First NAME Last	<u>1570 SEACOAST DR</u> Address	<u>A</u> Apt. #
<u>[Signature]</u> Signature	<u>3/5/01</u> Date	<u>(619) 607-2532</u> (AreaCode) PHONE

COMMENTS:

LEAVE MY NEIGHBORHOOD ALONE

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

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Thank you for your consideration.

<u>JOSEPHINE</u> (PRINT)First	<u>REAL</u> NAME Last	<u>1308 WILLIAM AVE</u> <u>CHULA VISTA, CA 91911</u> Address	<u> </u> Apt. #
<u>Josephine Real</u> Signature	<u>3/6/01</u> Date	<u>(619) 422-2116</u> (AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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<u>Paul D. Maxe III</u> (PRINT)First NAME Last	<u>1610 Seacoast Drive</u> Address	<u>A</u> Apt. #
<u></u> Signature	<u>3/4/01</u> Date	<u>(619) 423-1583</u> (AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**

1620 B SEACOAST DRIVE (619) 424-8900

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Thank you for your consideration.

2002/2/22

DANIEL DOUGRA 1690 SEACOAST DR C
(PRINT) First NAME Last Address Apt. #

[Signature] 3-3-01 () 619-375-1705
Signature Date (AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**
1620 B SEACOAST DRIVE (619) 424-8900

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Thank you for your consideration.

<u>MARILYN</u>	<u>DOLEZAL</u>	<u>1690 Seacoast Dr</u>	<u>C</u>
(PRINT)First	NAME	Last	Address
			<u>SB, Ca 91932</u>
			Apt. #

<u>Marilyn Dolezal</u>	<u>3-3-01</u>	<u>619 5575-1705</u>	
Signature	Date	(AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD**

1620 B SEACOAST DRIVE (619) 424-8900

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Thank you for your consideration.

MARK BRADLEY 1610 SEACOAST DR A
(PRINT)First NAME Last Address Apt. #
Signature Date (AreaCode) PHONE
4 MAR 01 (619) 423 1583

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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Thank you for your consideration.

MARY MELLENDEZ O'NEILL 355 DEL MAR AVE.
(PRINT) First NAME Last Address Chula Vista, CA 91910 Apt. #

M. Melendez O'Neill 3/05/01 () 426-9642
Signature Date (AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
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1620 B SEACOAST DRIVE (619) 424-8900**

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Thank you for your consideration.

<u>JESSIE CHAMBLISS</u>	<u>618 MYRA AVE C.V.</u>			
(PRINT)First	NAME	Last	Address	Apt. #
<u>Jessie B Chambliss</u>	<u>3/6/01</u>	<u>619</u>	<u>425-2899</u>	
Signature	Date	(AreaCode)	PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
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<u>Jared</u> (PRINT)First	<u>Moya</u> NAME Last	<u>1650 Seacoast Dr</u> Address	<u>A</u> Apt. #
<u>Jared</u> Signature	<u>3-4-01</u> Date	<u>(619) 575-7525</u> (AreaCode) PHONE	

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

TO: THE IMPERIAL BEACH CITY COUNCIL

We are against changing the residential zoning of our neighborhood to allow any commercial uses. Renting a residence for less than 30 days is classified as commercial use: "...transient lodging accomodation on a less than monthly basis to the general public.... (19.04.410 R-1500) High Density Residential Zone" is not a permitted use. Transient Occupancy destroys the residential character of our neighborhood.

We support increased tourism uses in Imperial Beach, however these uses should not destroy existing residential housing. Commercial uses on Seacoast Drive should be encouraged in the areas already zoned and being used for commercial tourist businesses.

Owner occupied and rental units are being converted to commercial use (Transient Occupancy) in our residential zoned neighborhood. Our residentially zoned neighborhoods should be retained and enhanced. Any commercial use will destroy these areas. Increased home ownership and long term occupancy should be encouraged and preserved.

As homeowners and/or renters we should not have to deal with the problems that commercial (Transient Occupancy) use causes in a residential neighborhood.

Please enforce the existing ordinances and make no changes to the current uses that are allowed in our neighborhood.

Thank you for your consideration.

<u>Janet Loken</u>	<u>1570 Seacoast</u>	<u>B</u>
(PRINT)First NAME Last	Address	Apt. #
<u><i>Janet Loken</i></u>	<u>Mar 4 5 01</u>	<u>(619) 5752526</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

These people often park in my space, I have
to clean up their dog's poop. They had a
BBQ in my garden and cooked my plants.

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
FOR PRESERVING OUR RESIDENTIAL NEIGHBORHOOD
1620 B SEACOAST DRIVE (619) 424-8900**

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LINDA J. LOFTIS 2439 Calle Guibunda LL 92137
(PRINT)First NAME Last Address Apt. #
Linda J. Loftis 3/2/2007 () NA
Signature Date (AreaCode) PHONE

COMMENTS:

I feel that your Transient Occupancy
is a Bad idea for South Seacoast.
to continue such would destroy the
Quality of those living here. I'm also
Concerned about the Safety & Security
of the homeowner's as well.

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Thank you for your consideration.

DEBRA WEAVER 1680 B SEACOAST DR B
(PRINT)First NAME Last Address Apt. #

Debra Y. Weaver 3/5/01 619 575-7075
Signature Date (AreaCode) PHONE

COMMENTS:

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
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<u>Judith R. Collins</u>	<u>1360 SEA COAST DR</u>	<u>10</u>
(PRINT)First NAME Last	Address	Apt. #
<u>JR Collins</u>	<u>3/4/01</u>	<u>619 424-6975</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

I was told before I lived here it was
rented to 4 (people) people & it turned out to
be 17 people instead of 4. This should not
happen in a 3 bedroom townhouse.

**SOUTH SEACOAST DRIVE HOMEOWNERS AND RESIDENTS
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<u>ROGER MASCONE</u>	<u>1000 2nd ST</u>	<u>3</u>
(PRINT) First NAME Last	Address	Apt. #
<u>R MASCONE</u>	<u>3/6/01</u>	<u>619 423-5847</u>
Signature	Date	(AreaCode) PHONE

COMMENTS:

ZONING codes should be strictly ENFORCED in cases such as these.

For those out of state owners utilizing REALTOR/BROKERAGE SERVICES - The Broker should be held accountable for code violations

R MASCONE

Please see "*'s" at bottom of Sheet.

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Thank you for your consideration.

Luanna Coker Harris 1286 Seacoast Dr 41
(PRINT) First NAME Last Address Apt. #

Luanna Coker Harris 3/4/01 619 691-5630
Signature Date (AreaCode) PHONE

COMMENTS:

I was told before I lived here it was
rented to 4 (four) people & it turned out to be
17 people instead of 4. This should not happen
in a 2 bedroom townhouse.

- * This comment pretains to the residence of
- * 1360 Sea Coast Dr. 'A'. Judith K. Collines and Not to ~~this~~ the
- * residences of 1286 Sea Coast Dr. Luanna Coker Harris.

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Thank you for your consideration.

NANCY LEA WETNICK 1168 SEACOAST DR
(PRINT) First NAME Last Address Apt. #

Nancy Wetnick _____
Signature Date (AreaCode) PHONE

COMMENTS:

My family has lived at
this address since WWII.
This is a horrible idea. There
are already 2 sleep dwellers
on both sides of our home.
What are we doing to our city?!