CALIFORNIA COASTAL COMMISSION
NORTH CENTRAL COAST DISTRICT
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SAN FRANCISCO, CA 94105
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W13b

LCP-2-PAC-25-0079-2 (City of Pacifica Short-Term Rentals)

August 12, 2026

CORRESPONDENCE 2

CITY OF PACIFICA
170 Santa Maria Avenue • Pacifica, California 94044-2506
www.cityofpacifica.org

Scenic Pacifica
Incorporated Nov. 22, 1957

MAYOR
Christine Boles

VICE MAYOR
Greg Wright

COUNCIL
Sue Beckmeyer
Mary Bier
Mayra Espinosa

August 7, 2026

Dear Honorable Chair Harmon and Coastal Commissioners:

We appreciate the California Coastal Act and the Coastal Commission and offer an early congratulations on the Coastal Commission's 50th Anniversary. We are taking a proclamation reflecting your 50 years of protection to our City Council meeting on September 14, 2026.

The City of Pacifica submitted a Local Coastal Program Amendment to update its Short Term Rental (STR) Ordinance with additional regulatory and permitting requirements to address operational impacts on residential uses. The Ordinance maintains allowances for STRs within the Coastal Zone, continuing to provide important visitor serving accommodations which increases public access to the coast, while preserving the character of the City's coastal neighborhoods. The proposed LCP Amendment was driven by the community and is the culmination of an expansive and thoughtful multi-year public process.

While we appreciate and support the Coastal Commission's protection of coastal access, the City is strongly opposed to the proposed modifications recommended in the staff report. Removing the primary residence requirement and the 60-night limit on unhosted STRs would effectively eliminate the most important regulatory tools that strike the balance between providing overnight visitor accommodations for coastal access and addressing the demonstrated and ongoing negative impacts on residents. We request that the Coastal Commissioners **reject the modifications** recommended by staff and **adopt the Pacifica STR** ordinance as submitted.

The City's ordinance is the result of years of community engagement, policy analysis, and discussion. This extensive process, which began in 2022,resulted in an ordinance that balances the provision of short-term rental opportunities with preserving our community character by reducing exposure to the commercialization and commodification of our neighborhoods. The City had a total of 15 public meetings including 10 public meetings or hearings between June 2024 and August 2025. This LCP amendment reflects years of engaged and careful community work. Hundreds of public comments were received, many documenting the immediate, ongoing, and lived negative impacts of STRs on surrounding residential uses and the need for additional regulatory measures. These are included as an attachment.

The robust public process ensures the right balance between the hosted and unhosted STRs and the quality of life for the residents in Pacifica. Quality of life is specifically mentioned twice in the California Coastal Act (Section 30344(b)(3) and 3004(b), while there is no mention of Short Term Rentals. Pacifica residents work hard, raise families, and participate in the community. These same Pacifica residents led the robust public process that included discussion of their lived experience, the need for coastal access, and the need for the balanced approach that was ultimately included in Pacifica's ordinance.

City staff and Coastal Commission staff have coordinated on two STR ordinances over the past three years, including the establishment of a 150 STR cap to address the negative impacts on housing availability and affordability that was caused by the growing number of housing units being used as STRs in 2023. The Coastal Commission certified that amendment in 2024, and in their deliberations, various Commissioners encouraged the City to explore topics like the danger of housing displacement, hosted versus unhosted, and limiting one STR per natural person to discourage corporate ownership of unhosted STRs as potential future policy considerations for the City. The public comments related to the 150 STR cap from 2022—2023 (also included in the attachment) also illustrate the long-term level of community impact and involvement in developing the City's STR regulations.

The City did return to the policy discussions to further address these issues as noted above, and in November 2024, received positive feedback from Coastal Commission staff on the primary residency and maximum limit on the number of nights that an unhosted STR could be rented. Staff met again in November 2025 to discuss the amendment and submitted the application in December 2025. The matter was originally scheduled for Commission's consideration in February 2026, with a Commission staff recommendation to approve as submitted. Although the hearing was continued due to extensive public comments, the City was surprised by the dramatic changes in the staff's recommendations.

The City opposes the staff recommendations and requests that the Commissioners approve the Pacifica STR ordinance as submitted for the following reasons.

First, Pacifica is strongly supportive of public access to the coast. The staff report states that the provisions in Pacifica's ordinance would make "public access difficult." This is inaccurate. The proposed amendments continue to support STRs as accessory residential uses that provide both income and economic opportunities for residents and provide visitor-serving overnight accommodations as they currently exist, which was already certified by the Coastal Commission in 2024. The staff report incorrectly asserts that the changes requiring primary residency and a maximum number on the nights of unhosted rentals "makes public access more difficult… particularly for larger groups and families, underserved communities and communities of color, and inland communities." The proposed amendment does not reduce the number of available

STRs throughout the City, as the cap remains at 150 units, nor does it reduce the number of nights hosted STRs are available for rental. Pacifica's certified STR ordinance currently allows for 54,750 visitor nights at STRs (150 STRs *365 days). The proposed amendment would still allow for up to 54,750 visitor nights at STRs, as there would be no limit on the number of nights hosted could be rented out, therefore there is no decrease in availability.

Further, with regards to alternative lower-cost overnight visitor accommodations, the City currently hosts seven operating hotels and motels: six located in the coastal zone and one located outside of the coastal zone, across State Route 1 from Pacifica State Beach. The City also offers an additional lower-cost overnight accommodation through the San Francisco RV Park. Throughout the duration of the Ordinance amendment, the City City Council verbalized support for the continued development of hotels and motels to provide additional affordable visitor-serving overnight accommodation, and a total of 107 new hotel rooms are currently under review for planning entitlements.

Second, the proposed amendments would only limit the number of nights that unhosted STRs could be rented out, which does not decrease the number of nights that STRs are available. This limit does, however, address demonstrated impacts to surrounding residential uses. Unhosted STRs are associated with significant adverse impacts. The City has received hundreds of written communications complaining and documenting the negative impacts of unhosted STRs (see Attachment A). Hosted STRs are more likely to not allow excessive noise because the host, who is often a community member, is present as well. There is no limit on the number of nights allowed for hosted because the presence of the host often ensures that the guest at the STR abides by good neighborhood policies. The Pacifica ordinance allows hosted STRs to have a guest every night of the year. Limiting the number of nights of unhosted rentals balances the need for a variety of visitor-serving overnight accommodations while reducing impacts to the surrounding residential uses without reducing the availability of STRs in the City.

Third, the modification to remove the primary residency requirement would allow our coastal neighborhoods to be dominated by Operators who are not present and available to address any issues with the STR operations. While the cap of 150 STRs represents approximately 1 percent of Pacifica's overall housing stock, there is a disproportionate concentration of STRs in the Coastal Zone, with 1.7 percent of housing units being used as STRs, as shown in Table 1.

Table 1. Housing Stock Impacts of STR Accounts in the Coastal Zone (as of December 12, 2025)			
Neighborhood	**No. of Housing Units [a]**	**No. of STR Accounts**	**Percentage of Housing Units with STR Accounts**
Fairmont West	349	1	<0.5
West Edgemar/ Pacific Manor	671	7	1.1
West Sharp Park	1,040	25	2.4
Pedro Point	301	10	3.3
Total in Coastal Zone	***2,574*[b]**	***43***	***1.7***

Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171) Table H1

Note:

a. Estimated based on census block units that most closely represent the neighborhood as defined in the Local Coastal Land Use Plan

b. Includes housing units in all Coastal Zone neighborhoods

During a time when the state of California, and especially the San Francisco Bay Area is experiencing a housing crisis, these small percentages of housings units being used as STRs are having a negative effect on housing availability and therefore are negatively impacting housing affordability.

The City's Housing Element is comprised of policies to encourage new housing choices in high resource areas, preservation, conservation, and improvement of existing affordable housing and other community assets in areas of lower opportunity and concentrated poverty, and protection of existing residents from displacement. Existing housing is typically more affordable than newly constructed units. The removal of existing housing to be used for its primary purpose of providing residential living accommodations from the market negatively impacts housing affordability. It decreases the stock that could otherwise be rented to long-term tenants or sold for long-term residential use.

The LCLUP's climate resiliency policies acknowledge that the majority of older, and therefore more affordable, housing stock is located within the Coastal Zone. Preservation of the existing neighborhoods promotes environmental justice, while allowing unlimited hosted STRs and a 60-night maximum for unhosted STRs provides economic opportunities for residents and visitor-serving overnight accommodations to bolster public access to the coast.

The requirement for the operator to have primary residency ensures that housing remains residential in nature. STRs are differentiated from hotels, motels, and other overnight accommodations as an accessory use that is incidental to the residential uses of the site.

The staff report references legal concerns about the Dormant Commerce Clause of the United States Constitution and indicates that limiting STR regulations would "exclude nonresident owners, including out of state owners, from operating STRs in the City." This is a fundamental misreading of Pacifica's STR primary residency requirements, which are purposely distinguishable from the South Lake Tahoe Property Owners Group v. City of South Lake Tahoe (2023) 92 Cal.App.5th 735 ("South Lake Tahoe") case. In South Lake Tahoe, voters enacted Measure T, which prohibited the use of dwellings in residential zones as short-term or vacation rentals. Measure T created an exception for "permanent residents." (South Lake Tahoe Property Owners Group v. City of South Lake Tahoe, supra, 92 Cal.App.5th at pp. 755-756). A "permanent resident" was defined as a person who lived in the home for the majority of the year and claimed a homeowner's property tax exemption. (Id. at p.744). The South Lake Tahoe court distinguished the South Lake Tahoe STR ordinance from a Santa Monica STR ordinance which was upheld in a Ninth Circuit case, Rosenblatt v. City of Santa Monica, 940 F.3d 439 (9th Cir. 2019) ("Rosenblatt"). In Rosenblatt, the Santa Monica STR ordinance prohibited vacation rentals but created a home-sharing exception allowing rentals where one of the dwelling unit's primary residents lived on-site throughout the visitor's stay. (Rosenblatt v. City of Santa Monica, supra, 940 F.3d at pp. 443, 449 and 450). Critically, the Santa Monica ordinance did not require the primary resident to be the property's owner. The South Lake Tahoe court found that the Santa Monica STR ordinance was distinguishable from the South Lake Tahoe STR ordinance because an out-of-state owner of a Santa Monica property was not prevented from home-sharing and the ordinance applied equally to all property owners-whether they resided in Santa Monica or out of state and thus it did not discriminate against interstate commerce. (South Lake Tahoe Property Owners Group v. City of South Lake Tahoe, supra, 92 Cal.App.5th at pp. 766-767).

Similar to the Santa Monica STR ordinance upheld in Rosenblatt, the City's primary residency requirement for Operators does not treat in-state and out-of-state economic interests differently. Pacifica's STR ordinance requires an "Operator" operating a short-term rental to have their primary residence at the site of the short-term rental (see Pacifica Municipal Code section 9-4. 4903(c)). This requirement is applied equally to in-state and out-of-state property owners in Pacifica and is not tied to owner status. For example, an out-of-state property owner can use their property as an STR by allowing a long-term renter to act as the "Operator" and use a room on the property as an STR. Accordingly, Pacifica's primary residency requirement for Operators does not violate the Dormant Commerce Clause and Coastal Commission staff's recommendation to remove the requirement should be rejected by the Commission.

The primary residency requirement is included in many adopted STR ordinances in San Mateo County and the Bay Area because it is one of the most important policies to protect our neighborhoods, in particular in neighbors that might have significant concentrations of unhosted STRs. Hosted STRs are more likely to be residents who build our social fabric, support local civic institutions, and have families with kids that attend local schools.

Fourth, the staff report also notes that the number of STRs in the Coastal Zone has declined since the new STR provisions went into effect. However, this decline has occurred before the implementation of the Ordinance in the Coastal Zone and reflects normal market fluctuations. The fact that STRs declined in the Coastal Zone without the updated Ordinance highlights that fact that STRs fluctuate on their own, independent of our Ordinance. To use evidence of a decline in STRs before the imposition of the ordinance as evidence that the ordinance will decrease STRs is erroneous reasoning.

Fifth, the staff recommendations are inconsistent with restrictions in place in multiple other cities including our neighbor Half Moon Bay. As noted above, this matter was originally scheduled for Commission's consideration in February 2026. The February 2026 Coastal Commission Staff report included the following statements:

- "At that time [2024], multiple Commissioners encouraged the City to explore further limits on STRs, such as potential STR operator natural person requirements."
- "In conclusion, staff recommends that the Commission find that the proposed IP amendment conforms with and is adequate to carry out the LCP's Land Use Plan (which is the standard of review for the proposed IP changes), and that the Commission certify it as submitted."

In process and content, the City has worked closely with the Commission on this topic and this sudden reversal is without precedent. We are also a public agency, and if we did an about face like this, our constituencies would raise significant questions about our processes and our legitimacy.

Sixth, controlled for size, there are few cities that provide so much open space and connections with the ocean. Fifty percent of the City is protected open space that provides access for all. Linda Mar Beach is a draw and the parking provides an access point for beach goers from throughout the Bay Area. The Pacifica Municipal pier attracted users from throughout the Bay Area before it was closed in June 2026 due to continued damage from the 2024 storms. The City has been, and will continue to be, an enthusiastic and active partner with the Coastal Conservancy and the National Park Service to continue to add to coastal open space similar to Mori Point and other locations.

We are stalwart supporters of the Coastal Act and the role the Coastal Commission plays in protecting the California coastline from offshore oil drilling and other commercial activities that would be damaging to access, the environment, and the quality of life. We ask for the same passion and rigor in certifying community supported and balanced approaches to STRs.

As written, the Pacifica ordinance creates the appropriate balance between coastal access and ensure that our coastal neighborhoods are not dominated and defined by un hosted short term rentals that are owned and operated by absentee corporate owners.

For the reasons stated above, the City urges the Commission to **reject the modifications** and **adopt the proposed LCP Amendment as submitted**.

Sincerely,

Sean Charpentier
City Manager

ATTACHMENT: City of Pacifica STR Public Comments, 2022-2025

Public Comments
Agenda Item 9

Written Comments Received After 12pm on 6/13/2022

June 13, 2022

City Council Meeting

From: David Whitney
To: Coffey, Sarah
Subject: Fwd: Consent Item 9, Authorizing & Designating City Manager and City Engineer ....
Date: Tuesday, June 14, 2022 5:06:04 PM

[CAUTION: External Email]

HI again, I Informed the council of my communication missing on Consent Item 9 & getting on record if possible.
David Whitney
[redacted]
Pacifica

---------- Original Message ----------
From: David Whitney [redacted]
To: "citycouncil@ci.pacifica.ca.us" <citycouncil@ci.pacifica.ca.us>
Date: 06/14/2022 4:45 PM
Subject: Fwd: Consent Item 9, Authorizing & Designating City Manager and City Engineer ....

From: Coffey, Sarah

To: David Whitney [redacted]

Date: 06/14/2022 3:13 PM

Subject: RE: Email via City Web Site
My written comment sent 12 June needs to be posted on the city website or received by council.
Thank you,
David Whitney
[redacted]
Pacifica

Hi David,

Thank you for clarifying. There were no written comments received for the 6/13/2022 City Council meeting.

Best Regards,

Sarah

---------- Original Message ----------
From: David Whitney [redacted]
To: "coffeys@ci.pacifica.ca.us" <coffeys@ci.pacifica.ca.us>
Date: 06/14/2022 3:31 PM
Subject: Fwd: Consent Item 9, Authorizing & Designating City Manager and City Engineer ....

Sarah, I sent this for public comment 12 June.

David Whitney

---------- Original Message ----------
From: David Whitney [redacted]
To: "publiccomment@ci.pacifica.ca.us" <publiccomment@ci.pacifica.ca.us>
Date: 06/12/2022 6:14 PM
Subject: Fwd: Consent Item 9, Authorizing & Designating City Manager and City Engineer ....

---------- Original Message ----------
From: David Whitney
[redacted]
To:
Date: 06/12/2022 6:02 PM
Subject: Consent Item 9, Authorizing & Designating City Manager and City Engineer ....

City Council Meeting, Monday June 13, 2022

I oppose Consent Item 9. City Manager was given too much power.

The City of Pacifica anticipates that it will receive transfers of easements and other real property in connection with its activities and wishes to designate the City
Manager or the City Engineer as the officer to accept such real property interests on behalf of the city,

SUBJECT:
Resolution Authorizing and Designating the City Manager & City Engineer to Accept Interests in
Real Property on Behalf of the City
RECOMMENDED ACTION:
Adopt Resolution Authorizing and Designating the City Manager & City Engineer to Accept
Interests in Real Property on Behalf of the City

RELATION TO CITY COUNCIL GOALS AND WORK PLAN:
Approval of these actions is consistent with the following Council adopted Goals:
• Stewardship of City Infrastructure: includes repairing/replacing the outdated city
facilities such as city hall, the libraries, fire stations, etc., improving streets, and responding to sea-level rise.

What Is Ownership Interest in Real Estate?

Ownership interest in real estate refers to the different ways people can hold, transfer, use, or profit from a piece of real property. Having ownership interest in a property means that a person is entitled to the “bundle of rights” included with the receipt of a title to a piece of real estate. These property rights have

possession and control.

David Whitney
[redacted]
Pacifica, Ca 94044

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Public Comments
Agenda Item 10 – Short-term Rental

Written Comments Received By 12pm on 10/10/2022

October 10, 2022

City Council Meeting

From: Cindy Abbott [redacted]
Sent: Monday, October 10, 2022 12:52 PM
To: Bier, Mary; Bigstyck, Tygarjas; Beckmeyer, Sue; O'Neill, Mike; Vaterlaus, Sue
Cc: Public Comment; Coffey, Sarah
Subject: Public Comment Regarding City Council Oct 10, 2022, Meeting Agenda Item #10, Short Term Rentals

[CAUTION: External Email]

Dear Mayor and City Council Members,

I was pleased to see the follow-up about short term rentals (STRs) that had been requested earlier in the year on tonight's City Council agenda. There is a growing impact in the West Sharp Park neighborhood where I live, as former residential homes — places where there were neighbors who knew each other either by name or sight and looked out for each other — are disappearing. This has the impact of completely changing neighborhood character and impacting our limited housing stock.

I am requesting that City Council:

- Implement a moratorium before the end of the year that places a hold on any new STRs in the City of Pacifica;
- Places a review of STRs and updates to the Ordinance on the 2023-2024 staff work plan; and,
- Review impact *by neighborhood*, versus the city as a whole.

I've been shocked to look at STR websites to see numerous former residential properties now being operated as whole house, *unhosted* STRs. The intention of the sharing economy is to provide opportunity for homeowners to create a welcoming space in their homes for occasional visitors. What is taking place instead is a shift to residential property purchases for the sole intention of running a commercial business in a residential neighborhood.

One such property recently opened across the street from me. This development was a concern to the neighborhood due to the size of the new build being proposed on a small 2,500 sf original beach lot. Neighbors spoke at the Planning Commission meeting about the project, noting there wasn't adequate parking, no garage and overbuilding a large home to the very edges of a very small lot. The developer at that hearing indicated how they were only looking to provide affordable housing for their family or friends. Many neighbors also shared how they were looking forward to welcoming neighbors, and hoped that modifications could be made for a win-win. When appealed to the City Council, due to the size and parking, the project was approved with limited changes. Council members – most of you – indicated the need for residential housing, which again, the neighbors agreed with.

After completion, this "home" was immediately put on the market (not kept by the developer for his family as had been stated to the Planning Commission) and sold for nearly $1.7MM. Within a month, operation as an unhosted STR began.

No housing has been provided to the community. The buyer of the property is a vacation rental property management company that operates 15 (up from 11 only a short time ago) in Pacifica alone – an essentially commercial business in what should be needed residential housing.

The impact on the West Sharp Park neighborhood is that we no longer have true "neighbors". Unknown groups of individuals are constantly coming and going. Trash bins are left on the street for days after garbage day (and the compost bin is never put out – apparently as little to no education is taking place regarding our City waste management programs to eliminate items going to the landfill.) A delivery of apparently food was left on the front step and later attacked by crows that scattered the contents along the front of the property and street. As was clear would happen when reviewing the developer's plans, they didn't provide appropriate space for the Recology bins and they remain visible daily at the front of the property (when after days they are finally moved from the curb). Complaints have been filed and will continue to be filed with the City of Pacifica Code Compliance.

These issues may seem small, however, the growing change to community character at a time when affordable residential housing is so needed, is distressing.

Other municipalities in California are also grappling with this increasingly troublesome issue. They have placed a moratorium on future STRs while studying how to update and amend current Ordinances. As noted above, I'm asking the City of Pacifica to do this too.

Follow the lead of places such as West Marin, Sonoma, discussions in Monterey County and other cities and counties throughout the State. Do this now before we lose more residential housing and no longer have any neighbors.

Thank you.
Cindy Abbott
West Sharp Park

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From: Rachelle Boucher [redacted]
Sent: Monday, October 10, 2022 12:12 PM
To: _City Council; Public Comment
Subject: AirB N B impact on Pacifica renters

[CAUTION: External Email]

Hello City!

First, I want to say that we love Pacifica with our whole hearts and we support the people and businesses here with passion. I post often on NextDoor and you can see from my posts that I am positive, grateful and a big contributor to my beloved town of 4 years. I am not one to gripe or complain, but I did have to share my Airbnb rental story to Christine Boles' query today. I am also an Airbnb user, but this is about Airbnb abusers, not responsible hosts who register, rent and host to support their families.

I will keep my comments positive and constructive and point out anything that I am not sure about. That being said, the experience was scary, unsettling, expensive and enraging.

My husband and I lived for about 3 years in an apartment that was part of a three apartment and one large home property on Elder Lane (coincidentally, Mayor Mary used to be my neighbor before she was mayor, she moved away before the trouble started, this has nothing to do with her.)

We lived at [redacted]. The 3 rental units were small but nice, and on the more affordable end for somewhat private and stylish units. The rental units were 81, 83 and 85 Elder and were below $3000 at the time. Ours was $2800 when we moved in. The main home was at 85 Clarendon and it was rented to a fabulous family. Our street was so fun, a real neighborhood, with a constant stream of creative projects, occasional gatherings and just a super and quiet vibe. We had a good, local property manager who lived in Pacifica at Gaetani Real Estate.

The property came up for sale (it had a long and sordid history of dicey real estate transactions) and we had to repeatedly show our place for months, during Covid which we did with grace. This had been a challenging time for us with a Covid related layoff and my loss of some of my private chef income. Fortunately, at this time we put our nose to the grindstone and eventually created something great for ourselves and changed our future, but this was a scary time.

When the property finally got purchased, which I came to find out was back on December 7th of 2021 (!) the new owner did not let us know our fate for months. I asked her and her realtor patiently but repeatedly from the beginning if we could stay on as renters. I had actually spoken to her realtor Angela, and the other realtor Doug at the very beginning of the selling process to make sure we knew asap if we could stay put. When it was sold, I was told that the new landlady "did not know what she wanted to do yet". We heard from several of our neighbors who spoke with the new owner that she possibly intended to make it "all Airbnb", with the main house being for weddings or events. (Although it is not zoned for that). She was actively working with my neighbor at 85 Clarendon (who is a genius home stager) to set up and style the apartments for short term rental and would show it off to us to share the progress and all the stuff she was buying. (Yay for you, lady.) She even bought a bunch of our stuff to keep in the unit because it looked great.

The landlady had, at that time, one Airbnb in Lindemar and one in Montara. She lives in Burlingame. This is her thing. Problem is, the communication is a nightmare. It's one thing to rent a hosted space, a very different thing to buy up properties and try and fix and rent them without any management. I had to eventually insist that all communication be

done via email for all parties concerned. It was a cluster of texts, confusing messages and fortunately some occasional interventions from her husband when it just fully went off the track.

It was agonizing to await our fate, with no idea what to do. I finally started looking in earnest, realizing that this was a disaster in the making. We were just starting to see the opportunity we had created begin to bear fruit but the stress, timing and huge expense of moving was very scary.

Fortunately, I finally found us an incredible place at a better price with a view of the pier (!) with local, kind, excellent landlords right nearby in Pacifica, but it took so much effort to find something because so many properties are off the market.

My “landlady” acted shocked and hurt that we were moving and I just wanted to scream. When I reminded her how many times I asked if we could stay and that she never got back to me, she actually said that I should feel bad for her because she “has many big mortgages to pay.” Yep, said that to me, a renter who was caught in her Airbnb speculation scheme.

Furthermore, she was raising the rent by a nice chunk on these small places because she admitted out loud that “I think I overpaid for these places”. The place was going up $150 to $3150 per month.

I do know that our apartment was rented out to a longer term tenant because she needed income. One unit, #81 was turned into an Airbnb (at least then back in April of this year) which I am sure is fun on that tiny, residential ally way. The main house was rumored to also become an Airbnb, which is sad because it is a glorious, historical home that the local tenants who lived there kept in incredible shape. Those tenants had put in a great offer on the property and would have been incredible stewards of the property and great landlords. They knew all of the myriad of issues with the units such as totally messed up gas and electrical (the units’ utilities are all criss crossed and many other code issues). Alas, the place was sold at a huge over asking price, yet the massive deferred maintenance was somehow not either fully disclosed or properly taken into consideration. It became a construction zone, with the new owners trying to deal with major problems with windows, flooring and more.

So instead of a local, brilliant family being able to buy, fix and lovingly care for the main house, and upgrade and keep 3 rental units in play with no rent increase and no months of fear, we have this fiasco.

Fortunately, we have an awesome place now but only because I am excellent at finding places and we had the money and resources to handle a move. We moved in May, so I do not know if the Airbnb experiment is still happening there, or not. I just know that 4 rental units were thrown into “the Matrix “ of overpriced real estate, Airbnb schemes and no recourse for us but to move on as well as our neighbors at 85 Clarendon.

How is this possible? Aren’t there limits how many days you can rent on Airbnb? Isn’t it bad for taxes, local businesses and neighborhoods to have unhosted, badly managed, speculative, Airbnb properties that remove multiple units from the town?

I think about families with kids or people with less time or money, what do they do in these situations?

I hope that this information helps elevate this problem and helps others in the future.

Love my town, thank you for all that you do!
--
More power to us,

Rachelle Boucher
Executive Chef & Electric Kitchens Expert, Kitchens to Life (a.k.a. K2L)

[redacted]

www.kitchenstolife.com

Our mission is to:
Elevate the electric kitchens conversation,
Educate stakeholders about today's remarkable cooking options and
Facilitate the adoption and enjoyment of electric kitchens for performance, people and planet.

Let's connect on LinkedIn!
Please follow me on Instagram...
and share in the #electrickitchens revolution!

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From: Christine Boles [redacted]
Sent: Monday, October 10, 2022 11:47 AM
To: _City Council; Public Comment; Woodhouse, Kevin; Murdock, Christian
Subject: Public comment agenda item 10, Short term rentals
Attachments: Social media comments about Short term rentals 10.10.22.pdf

[CAUTION: External Email]

Good morning City Council and Staff,
I hereby submit comments from myself and the greater public in relation to AirBnBs and other short term rentals. I posted a non-leading question about short term rentals last night around 8:30 pm. I'm currently up to 87 comments on Facebook and 22 on Nextdoor. We will continue to capture these for you, but wanted to get this in before the 12:00 deadline to get into the public record for tonight's meeting.

These issues are obviously of great concern to our community and in reading the staff report, I do not feel you have all the information before you to make informed decisions tonight. I would suggest an alternate approach, an emergency moratorium on new Short Term Rental permits until these issues have been better studied. It will also be important to understand the Coastal Commission's position for areas in the Coastal Zone.

A group of us residents has been working for months to document existing rentals, including ownership information (especially important for non-hosted units), sales price, address, number of bedrooms (at what point does it become a hotel that needs to be properly inspected for fire safety and egress?). We need to understand the housing units, especially affordable units, that have already been lost, and that information should be included in our Housing Element update. There is also a big distinction between hosted and non-hosted units that is missing from the discussion. I don't think we want to limit people from renting out a bedroom in their home as it brings extra income to help them stay in and maintain their property.

I would also like to ask if certain council members who are real estate agents should consider recusing themselves from this discussion as they could directly profit from these decisions.

I look forward to the discussion tonight.
Thank you,

Christine Boles, Architect

Beausoleil Architects

[redacted]

Pacifica, CA 94044

[redacted]

[redacted]

"Do your little bit of good where you are; it's those little bits of good put together that overwhelm the world." - Desmond Tutu

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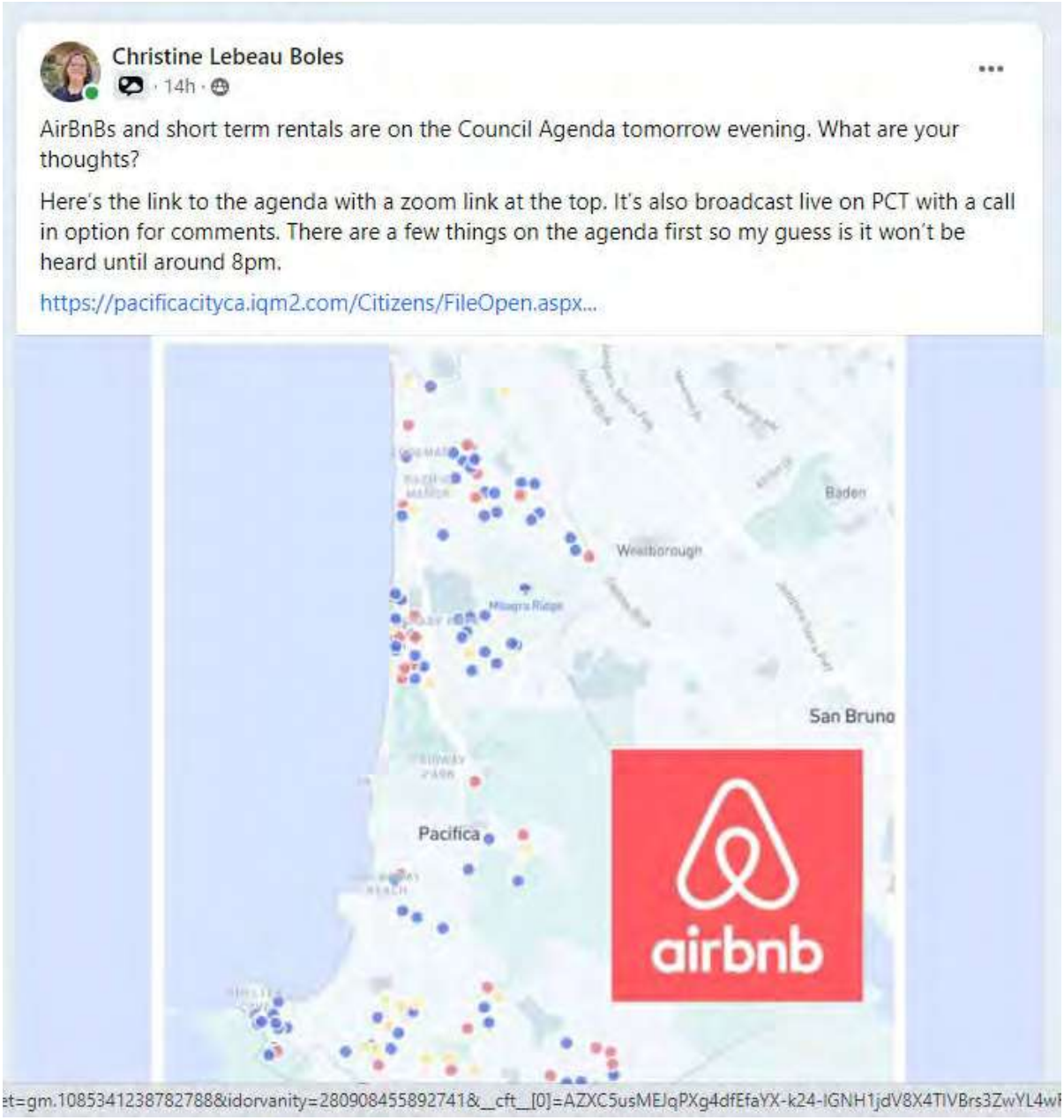
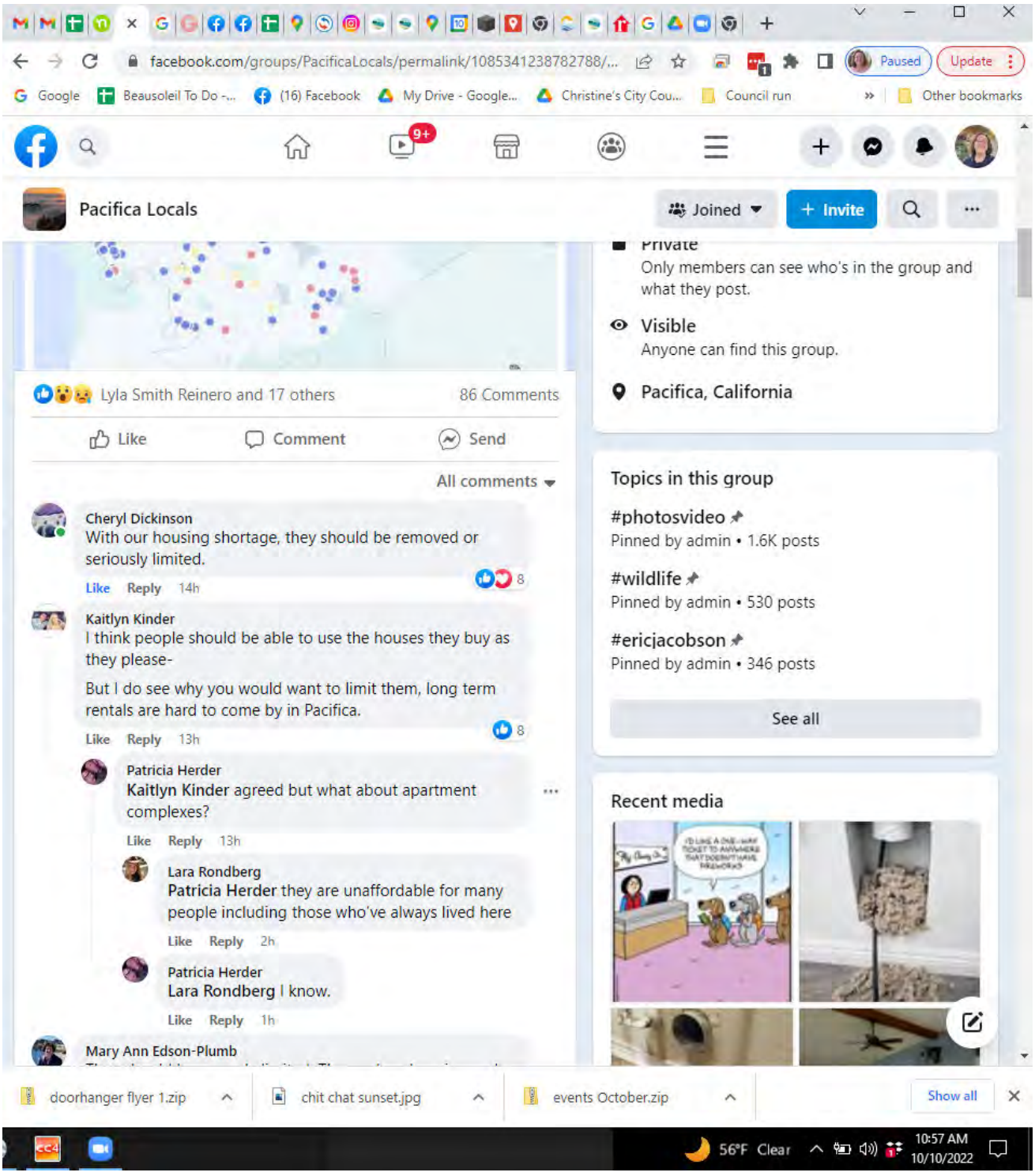


Facebook post dated 10.9.22 on Pacifica Locals site. Resident comments captured in screenshots below.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Pacifica, California
Lyla Smith Reinero and 17 others
86 Comments
Like
Comment
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All comments
Cheryl Dickinson
With our housing shortage, they should be removed or seriously limited.
Like Reply 14h
8
Kaitlyn Kinder
I think people should be able to use the houses they buy as they please-
But I do see why you would want to limit them, long term rentals are hard to come by in Pacifica.
Like Reply 13h
8
Patricia Herder
Kaitlyn Kinder agreed but what about apartment complexes?
Like Reply 13h
Lara Rondberg
Patricia Herder they are unaffordable for many people including those who've always lived here
Like Reply 2h
Patricia Herder
Lara Rondberg I know.
Like Reply 1h
Mary Ann Edson-Plumb
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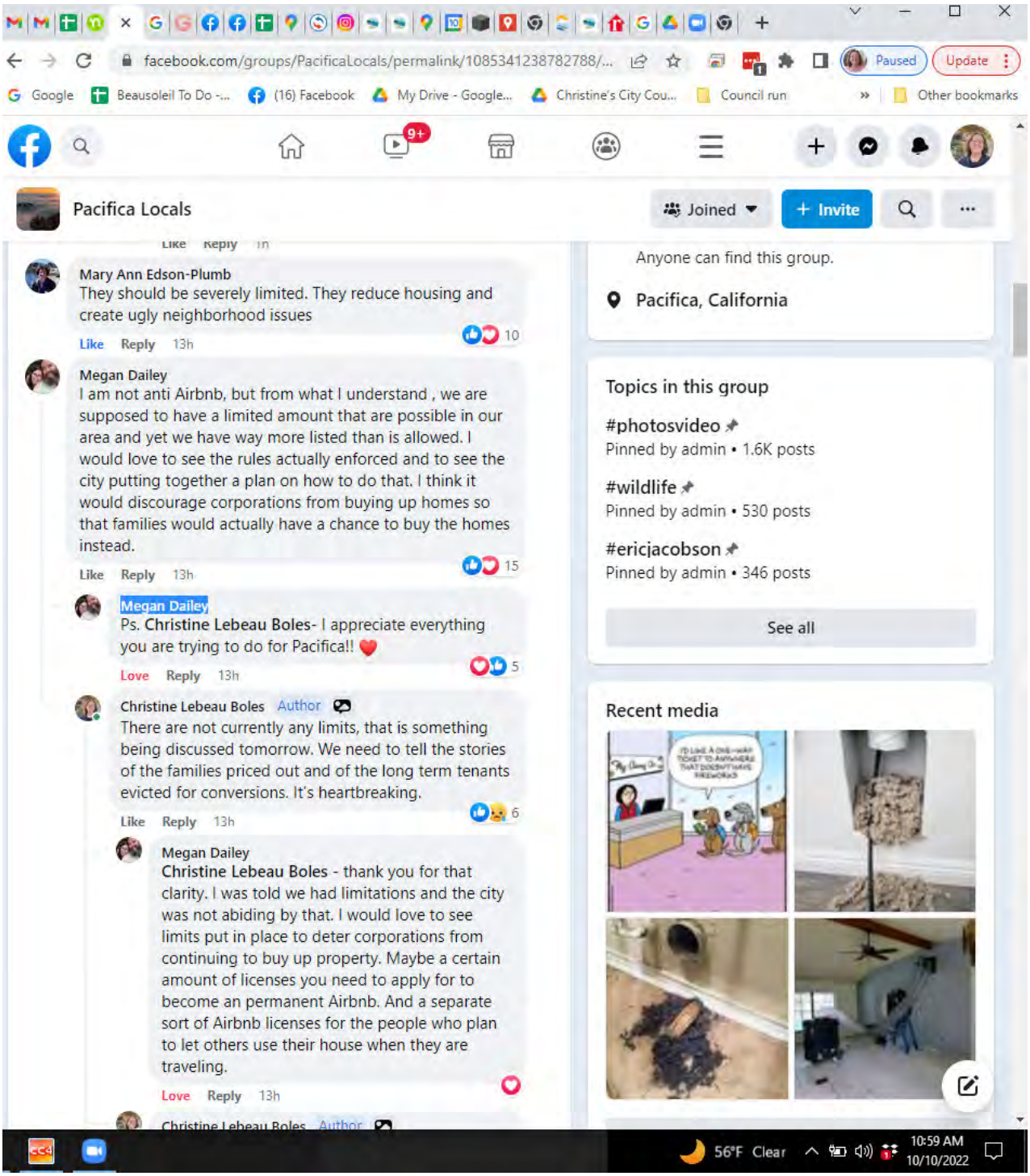
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Other bookmarks
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Like Reply 1h
Mary Ann Edson-Plumb
They should be severely limited. They reduce housing and create ugly neighborhood issues
Like Reply 13h
10
Megan Dailey
I am not anti Airbnb, but from what I understand , we are supposed to have a limited amount that are possible in our area and yet we have way more listed than is allowed. I would love to see the rules actually enforced and to see the city putting together a plan on how to do that. I think it would discourage corporations from buying up homes so that families would actually have a chance to buy the homes instead.
Like Reply 13h
15
Megan Dailey
Ps. Christine Lebeau Boles- I appreciate everything you are trying to do for Pacifica!!
Love Reply 13h
5
Christine Lebeau Boles Author
There are not currently any limits, that is something being discussed tomorrow. We need to tell the stories of the families priced out and of the long term tenants evicted for conversions. It's heartbreaking.
Like Reply 13h
6
Megan Dailey
Christine Lebeau Boles - thank you for that clarity. I was told we had limitations and the city was not abiding by that. I would love to see limits put in place to deter corporations from continuing to buy up property. Maybe a certain amount of licenses you need to apply for to become an permanent Airbnb. And a separate sort of Airbnb licenses for the people who plan to let others use their house when they are traveling.
Love Reply 13h
Christine Lebeau Boles Author
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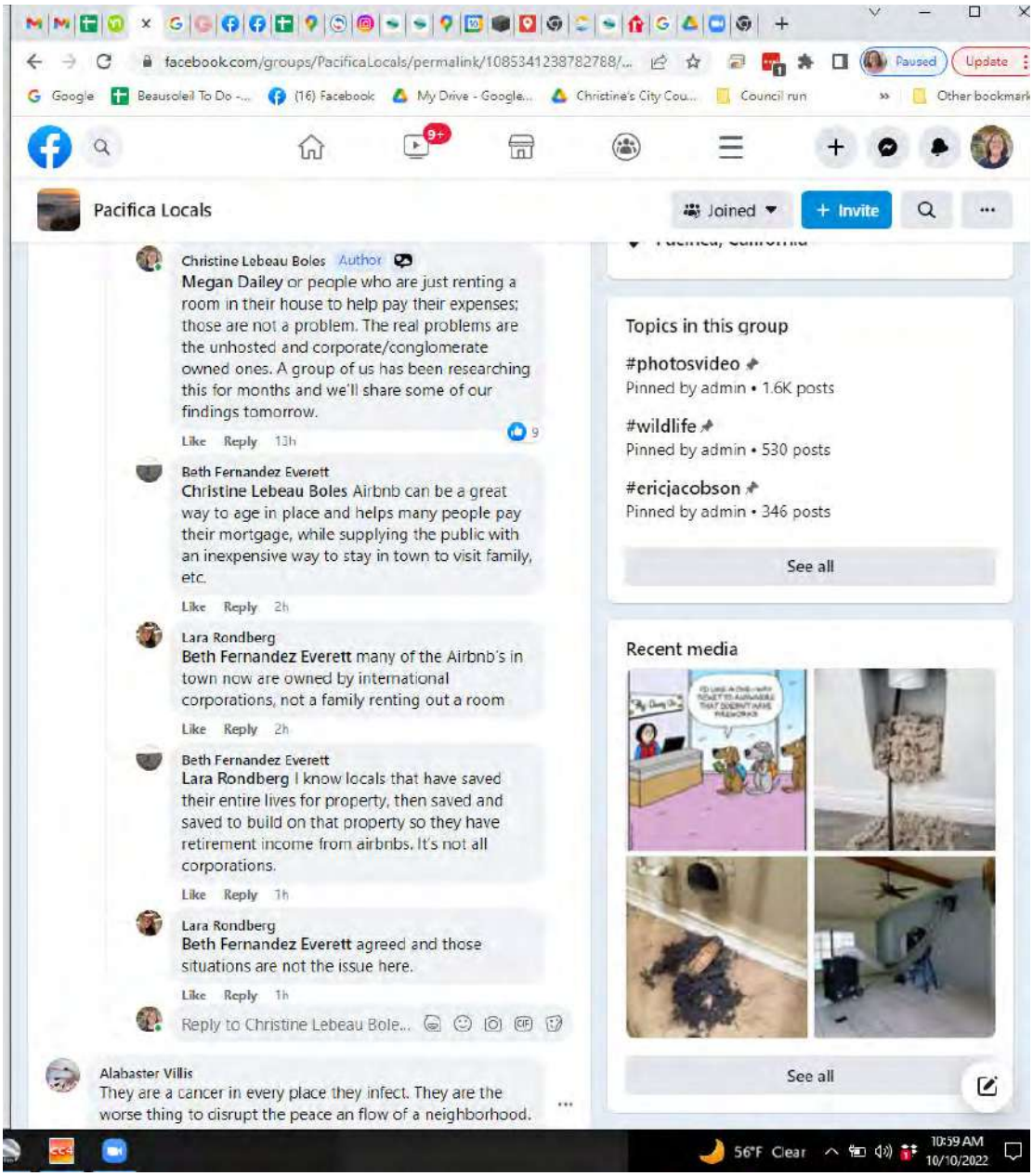
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Christine Lebeau Boles Author
Megan Dailey or people who are just renting a room in their house to help pay their expenses; those are not a problem. The real problems are the unhosted and corporate/conglomerate owned ones. A group of us has been researching this for months and we'll share some of our findings tomorrow.
Like Reply 13h
9
Beth Fernandez Everett
Christine Lebeau Boles Airbnb can be a great way to age in place and helps many people pay their mortgage, while supplying the public with an inexpensive way to stay in town to visit family, etc.
Like Reply 2h
Lara Rondberg
Beth Fernandez Everett many of the Airbnb's in town now are owned by international corporations, not a family renting out a room
Like Reply 2h
Beth Fernandez Everett
Lara Rondberg I know locals that have saved their entire lives for property, then saved and saved to build on that property so they have retirement income from airbnbs. It's not all corporations.
Like Reply 1h
Lara Rondberg
Beth Fernandez Everett agreed and those situations are not the issue here.
Like Reply 1h
Reply to Christine Lebeau Bole...
Alabaster Villis
They are a cancer in every place they infect. They are the worse thing to disrupt the peace an flow of a neighborhood.
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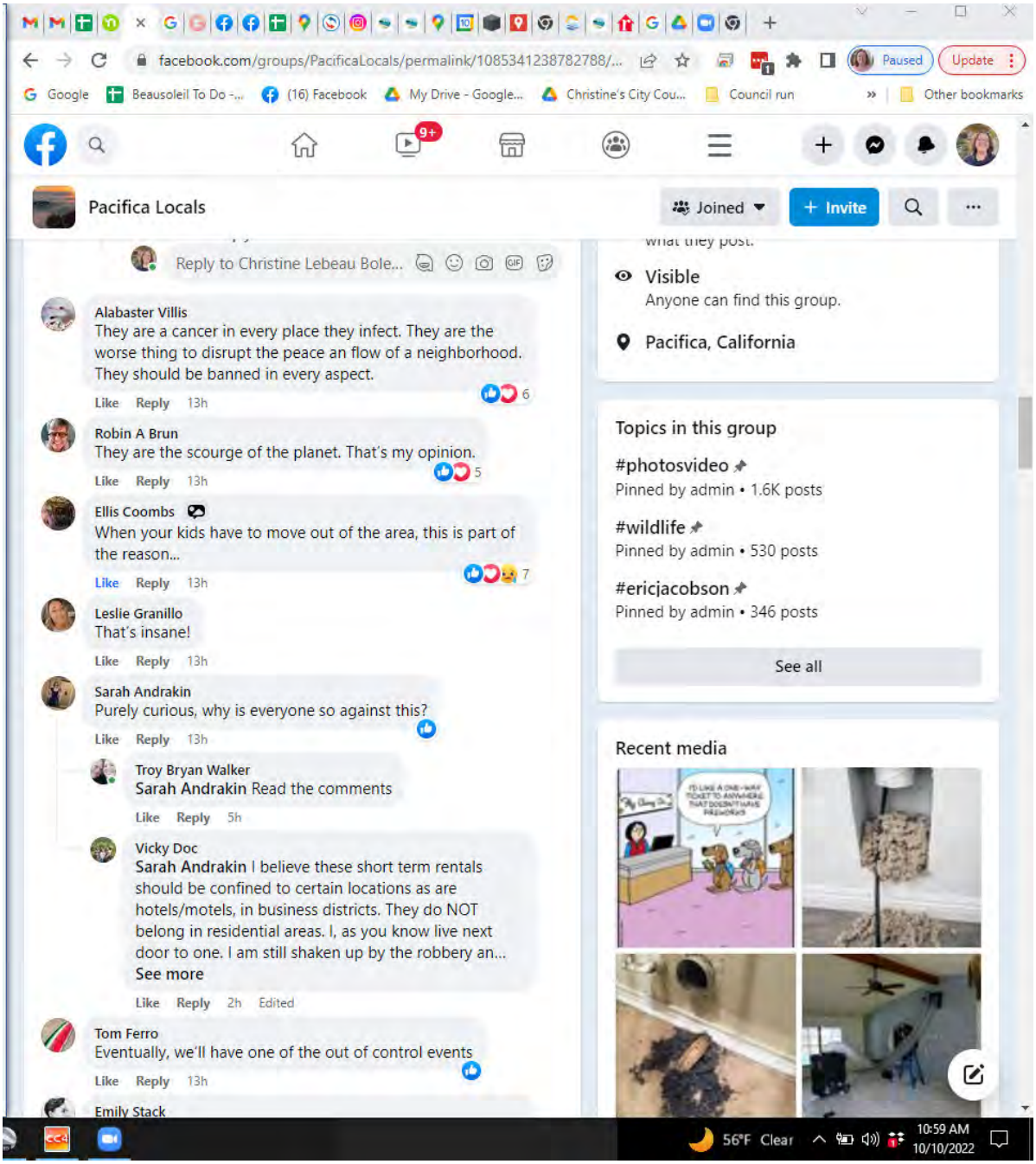
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Reply to Christine Lebeau Bole...
Alabaster Villis
They are a cancer in every place they infect. They are the worse thing to disrupt the peace an flow of a neighborhood. They should be banned in every aspect.
Like Reply 13h
6
Robin A Brun
They are the scourge of the planet. That's my opinion.
Like Reply 13h
5
Ellis Coombs
When your kids have to move out of the area, this is part of the reason...
Like Reply 13h
7
Leslie Granillo
That's insane!
Like Reply 13h
Sarah Andrakin
Purely curious, why is everyone so against this?
Like Reply 13h
Troy Bryan Walker
Sarah Andrakin Read the comments
Like Reply 5h
Vicky Doc
Sarah Andrakin I believe these short term rentals should be confined to certain locations as are hotels/motels, in business districts. They do NOT belong in residential areas. I, as you know live next door to one. I am still shaken up by the robbery an...
See more
Like Reply 2h Edited
Tom Ferro
Eventually, we'll have one of the out of control events
Like Reply 13h
Emily Stack
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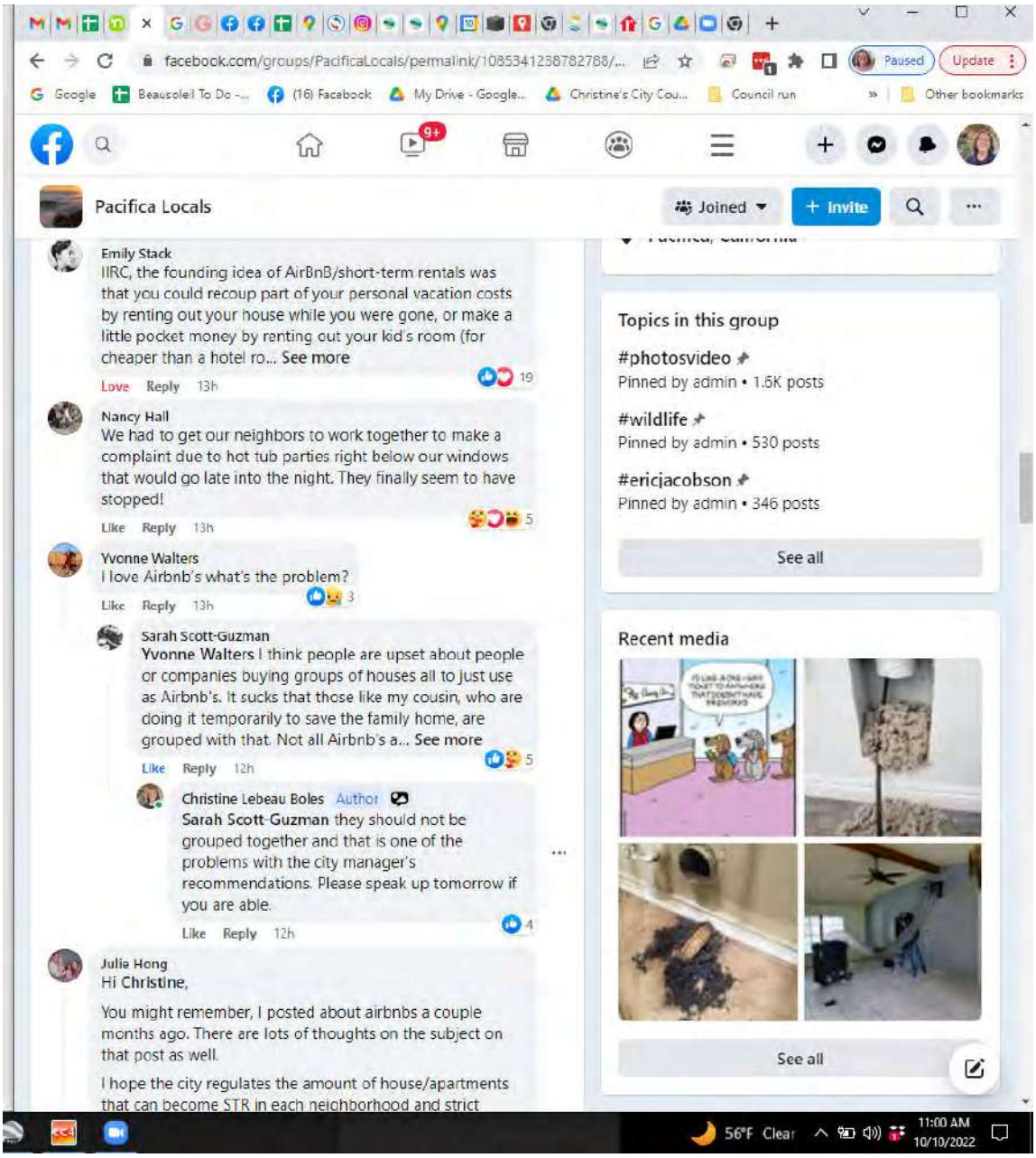
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Emily Stack
IIRC, the founding idea of AirBnB/short-term rentals was that you could recoup part of your personal vacation costs by renting out your house while you were gone, or make a little pocket money by renting out your kid's room (for cheaper than a hotel ro... See more
Love Reply 13h
19
Nancy Hall
We had to get our neighbors to work together to make a complaint due to hot tub parties right below our windows that would go late into the night. They finally seem to have stopped!
Like Reply 13h
5
Yvonne Walters
I love Airbnb's what's the problem?
Like Reply 13h
3
Sarah Scott-Guzman
Yvonne Walters I think people are upset about people or companies buying groups of houses all to just use as Airbnb's. It sucks that those like my cousin, who are doing it temporarily to save the family home, are grouped with that. Not all Airbnb's a... See more
Like Reply 12h
5
Christine Lebeau Boles Author
Sarah Scott-Guzman they should not be grouped together and that is one of the problems with the city manager's recommendations. Please speak up tomorrow if you are able.
Like Reply 12h
4
Julie Hong
Hi Christine,
You might remember, I posted about airbnbs a couple months ago. There are lots of thoughts on the subject on that post as well.
I hope the city regulates the amount of house/apartments that can become STR in each neighborhood and strict
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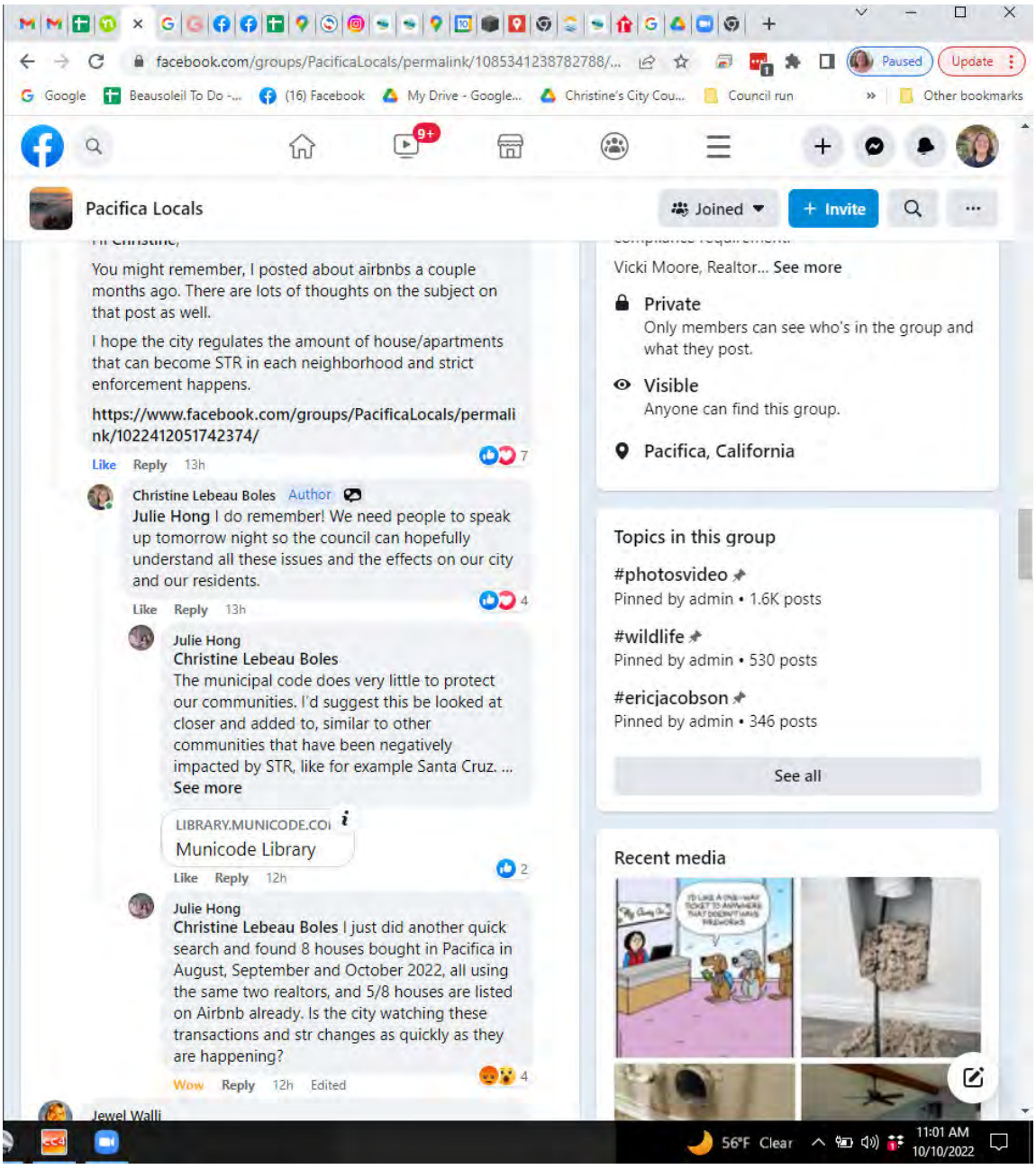
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Christine's City Cou...
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You might remember, I posted about airbnbs a couple months ago. There are lots of thoughts on the subject on that post as well.
I hope the city regulates the amount of house/apartments that can become STR in each neighborhood and strict enforcement happens.
https://www.facebook.com/groups/PacificaLocals/permalink/1022412051742374/
Like Reply 13h
Christine Lebeau Boles Author
Julie Hong I do remember! We need people to speak up tomorrow night so the council can hopefully understand all these issues and the effects on our city and our residents.
Like Reply 13h
Julie Hong
Christine Lebeau Boles
The municipal code does very little to protect our communities. I'd suggest this be looked at closer and added to, similar to other communities that have been negatively impacted by STR, like for example Santa Cruz. ...
See more
LIBRARY.MUNICODE.CO
Municode Library
Like Reply 12h
Julie Hong
Christine Lebeau Boles I just did another quick search and found 8 houses bought in Pacifica in August, September and October 2022, all using the same two realtors, and 5/8 houses are listed on Airbnb already. Is the city watching these transactions and str changes as quickly as they are happening?
Wow Reply 12h Edited
Jewel Walli
Vicki Moore, Realtor... See more
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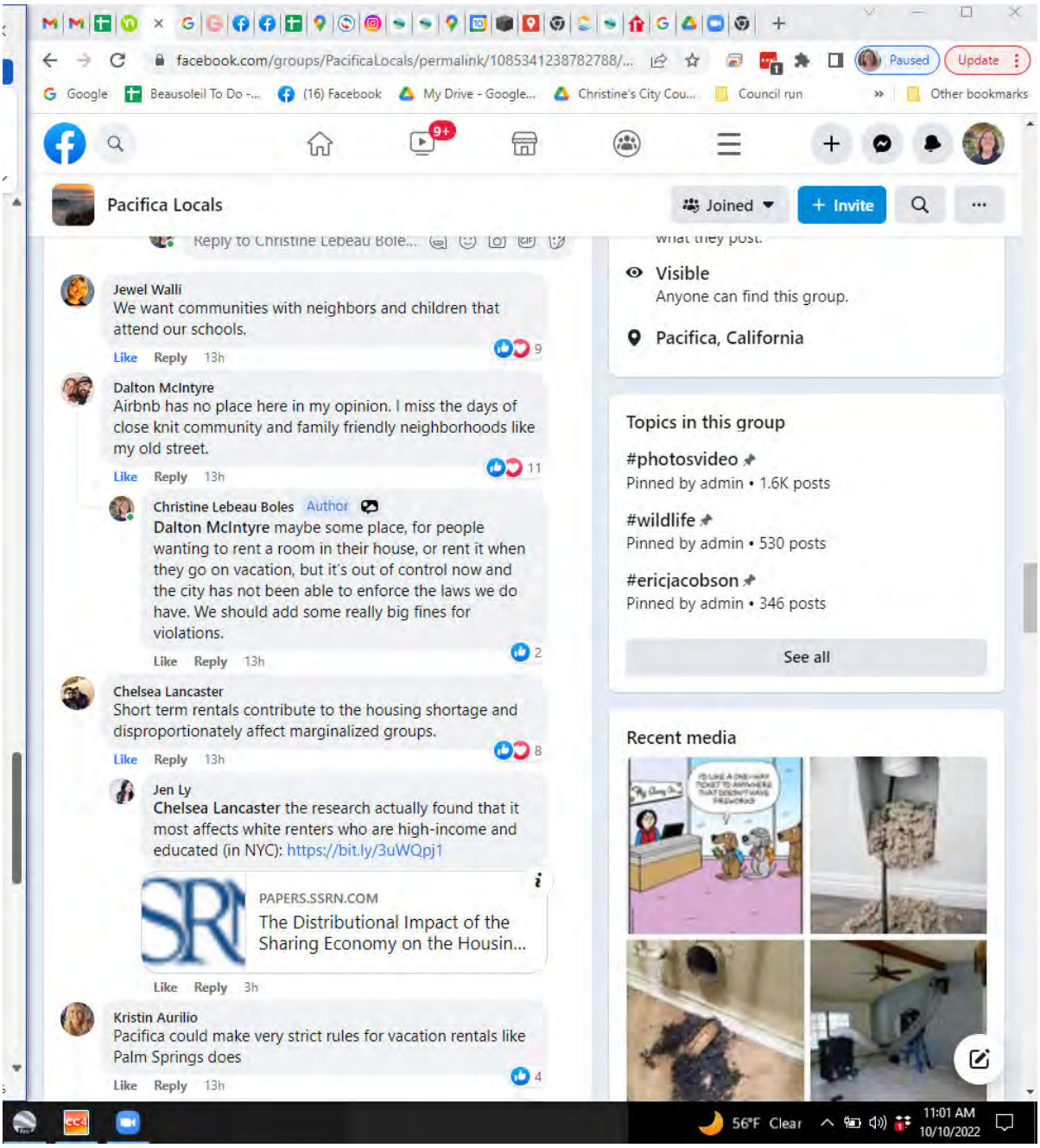
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Reply to Christine Lebeau Bole...
Jewel Walli
We want communities with neighbors and children that attend our schools.
Like Reply 13h
9
Dalton McIntyre
Airbnb has no place here in my opinion. I miss the days of close knit community and family friendly neighborhoods like my old street.
Like Reply 13h
11
Christine Lebeau Boles Author
Dalton McIntyre maybe some place, for people wanting to rent a room in their house, or rent it when they go on vacation, but it's out of control now and the city has not been able to enforce the laws we do have. We should add some really big fines for violations.
Like Reply 13h
2
Chelsea Lancaster
Short term rentals contribute to the housing shortage and disproportionately affect marginalized groups.
Like Reply 13h
8
Jen Ly
Chelsea Lancaster the research actually found that it most affects white renters who are high-income and educated (in NYC): https://bit.ly/3uWQpj1
PAPERS.SSRN.COM
The Distributional Impact of the Sharing Economy on the Housin...
Like Reply 3h
Kristin Aurilio
Pacifica could make very strict rules for vacation rentals like Palm Springs does
Like Reply 13h
4
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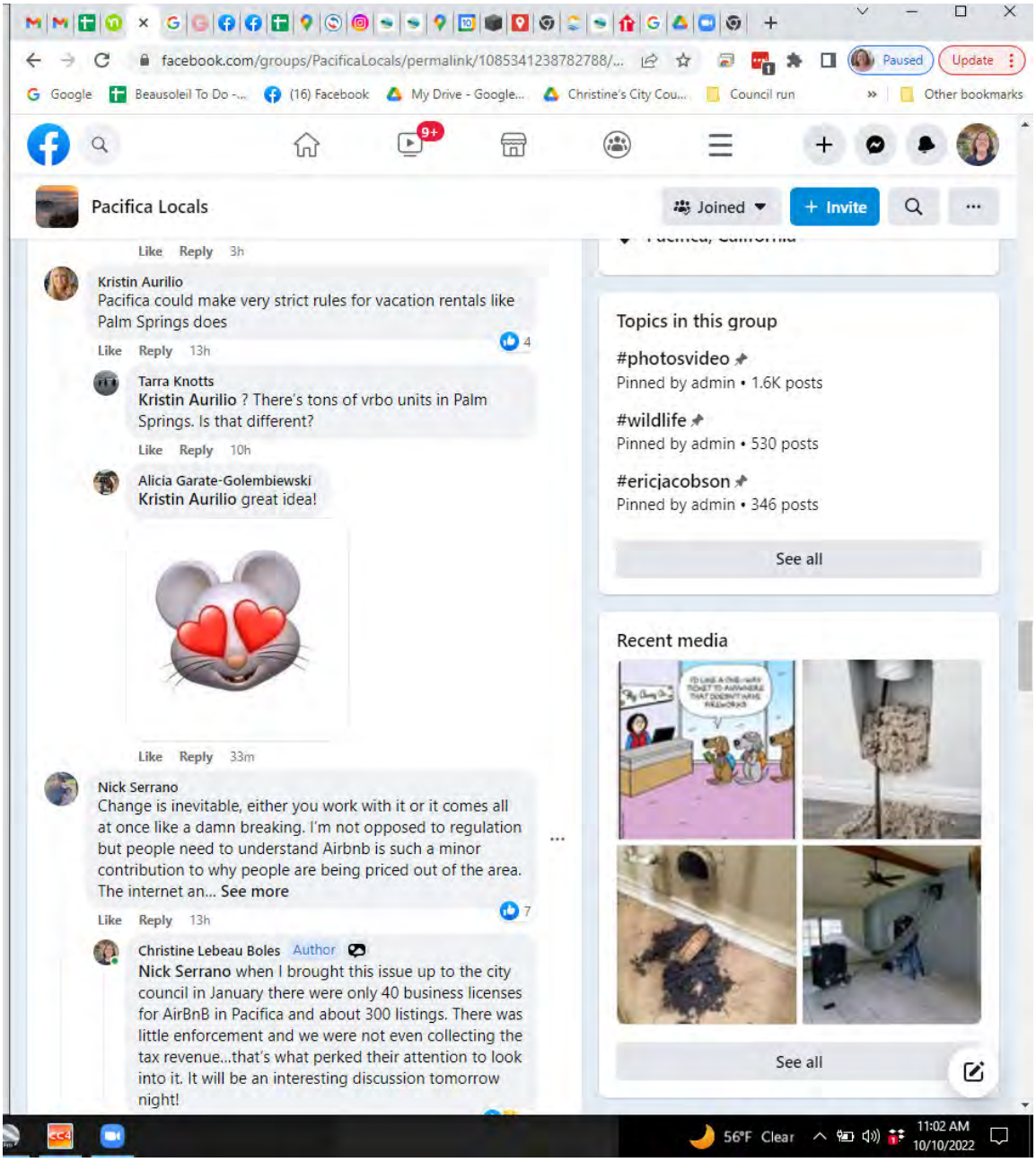
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Like Reply 3h
Kristin Aurilio
Pacifica could make very strict rules for vacation rentals like Palm Springs does
Like Reply 13h
4
Tarra Knotts
Kristin Aurilio ? There's tons of vrbo units in Palm Springs. Is that different?
Like Reply 10h
Alicia Garate-Golembiewski
Kristin Aurilio great idea!
Like Reply 33m
Nick Serrano
Change is inevitable, either you work with it or it comes all at once like a damn breaking. I'm not opposed to regulation but people need to understand Airbnb is such a minor contribution to why people are being priced out of the area. The internet an... See more
Like Reply 13h
7
Christine Lebeau Boles Author
Nick Serrano when I brought this issue up to the city council in January there were only 40 business licenses for AirBnB in Pacifica and about 300 listings. There was little enforcement and we were not even collecting the tax revenue...that's what perked their attention to look into it. It will be an interesting discussion tomorrow night!
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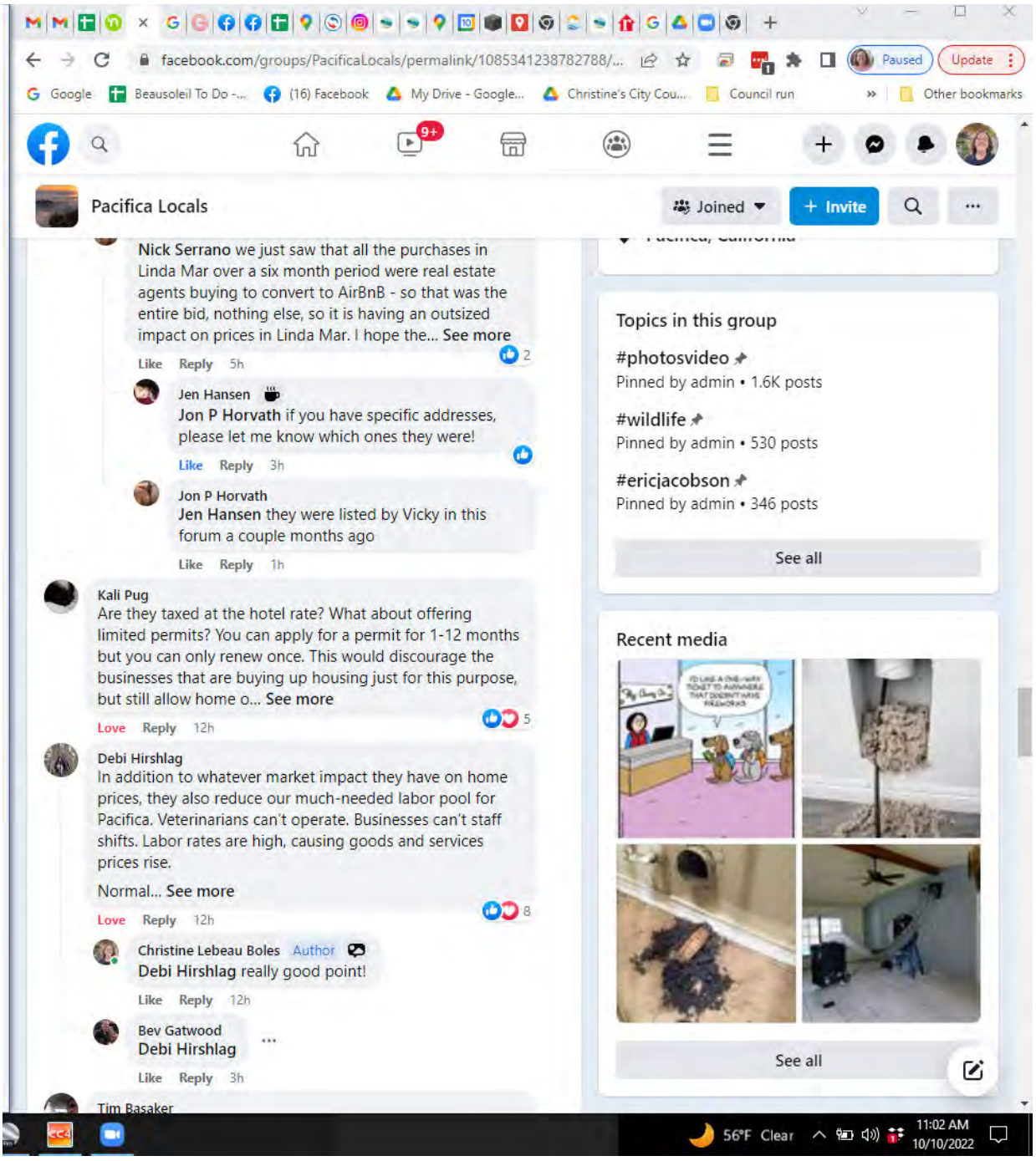
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Nick Serrano we just saw that all the purchases in Linda Mar over a six month period were real estate agents buying to convert to AirBnB - so that was the entire bid, nothing else, so it is having an outsized impact on prices in Linda Mar. I hope the... See more
Like Reply 5h
2
Jen Hansen
Jon P Horvath if you have specific addresses, please let me know which ones they were!
Like Reply 3h
Jon P Horvath
Jen Hansen they were listed by Vicky in this forum a couple months ago
Like Reply 1h
Kali Pug
Are they taxed at the hotel rate? What about offering limited permits? You can apply for a permit for 1-12 months but you can only renew once. This would discourage the businesses that are buying up housing just for this purpose, but still allow home o... See more
Love Reply 12h
5
Debi Hirshlag
In addition to whatever market impact they have on home prices, they also reduce our much-needed labor pool for Pacifica. Veterinarians can't operate. Businesses can't staff shifts. Labor rates are high, causing goods and services prices rise.
Normal... See more
Love Reply 12h
8
Christine Lebeau Boles Author
Debi Hirshlag really good point!
Like Reply 12h
Bev Gatwood
Debi Hirshlag
Like Reply 3h
Tim Basaker
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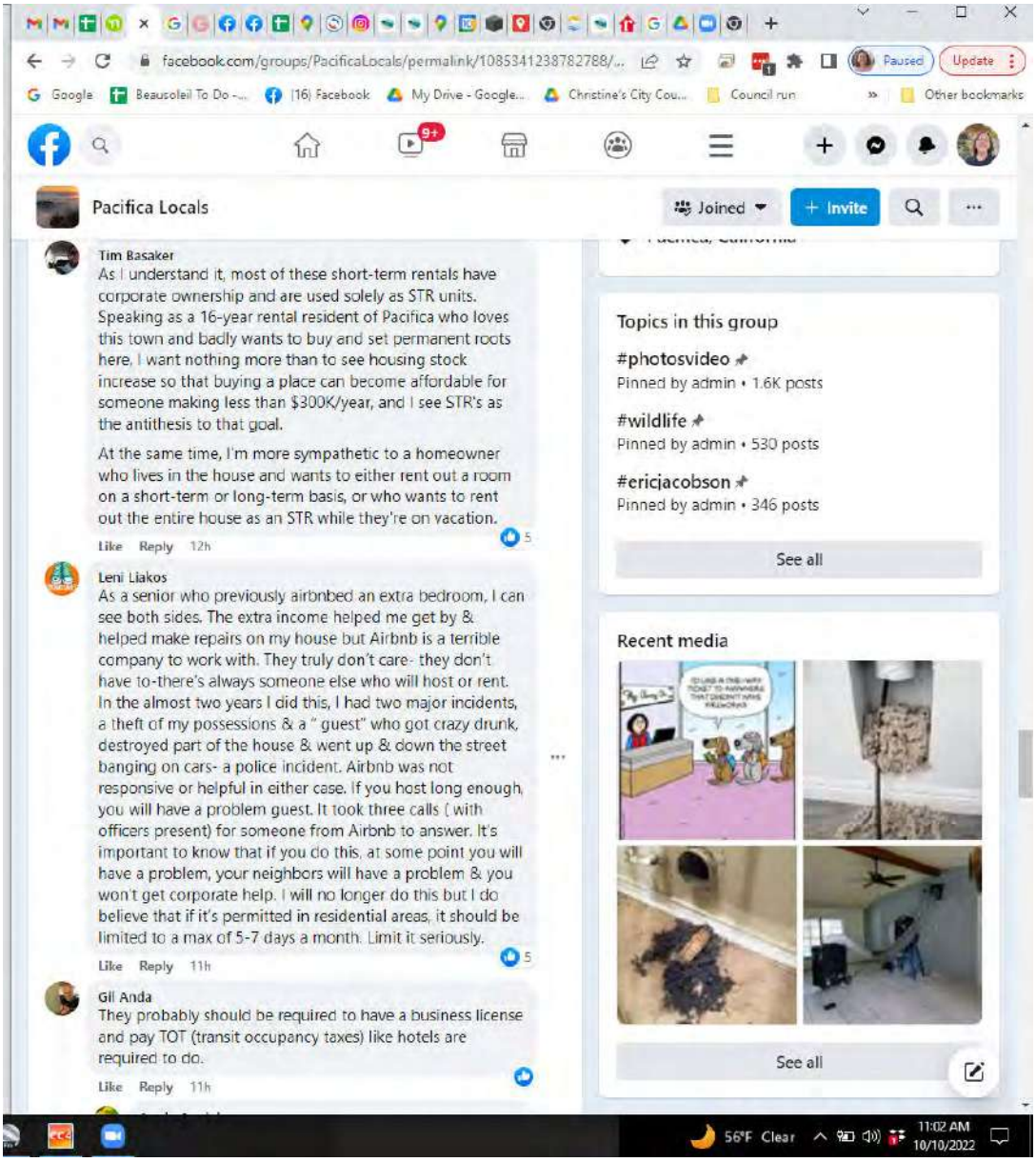
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Tim Basaker
As I understand it, most of these short-term rentals have corporate ownership and are used solely as STR units. Speaking as a 16-year rental resident of Pacifica who loves this town and badly wants to buy and set permanent roots here, I want nothing more than to see housing stock increase so that buying a place can become affordable for someone making less than $300K/year, and I see STR's as the antithesis to that goal.
At the same time, I'm more sympathetic to a homeowner who lives in the house and wants to either rent out a room on a short-term or long-term basis, or who wants to rent out the entire house as an STR while they're on vacation.
Like Reply 12h
5
Leni Liakos
As a senior who previously airbnbed an extra bedroom, I can see both sides. The extra income helped me get by & helped make repairs on my house but Airbnb is a terrible company to work with. They truly don't care- they don't have to-there's always someone else who will host or rent. In the almost two years I did this, I had two major incidents, a theft of my possessions & a " guest" who got crazy drunk, destroyed part of the house & went up & down the street banging on cars- a police incident. Airbnb was not responsive or helpful in either case. If you host long enough, you will have a problem guest. It took three calls (with officers present) for someone from Airbnb to answer. It's important to know that if you do this, at some point you will have a problem, your neighbors will have a problem & you won't get corporate help. I will no longer do this but I do believe that if it's permitted in residential areas, it should be limited to a max of 5-7 days a month. Limit it seriously.
Like Reply 11h
5
Gil Anda
They probably should be required to have a business license and pay TOT (transit occupancy taxes) like hotels are required to do.
Like Reply 11h
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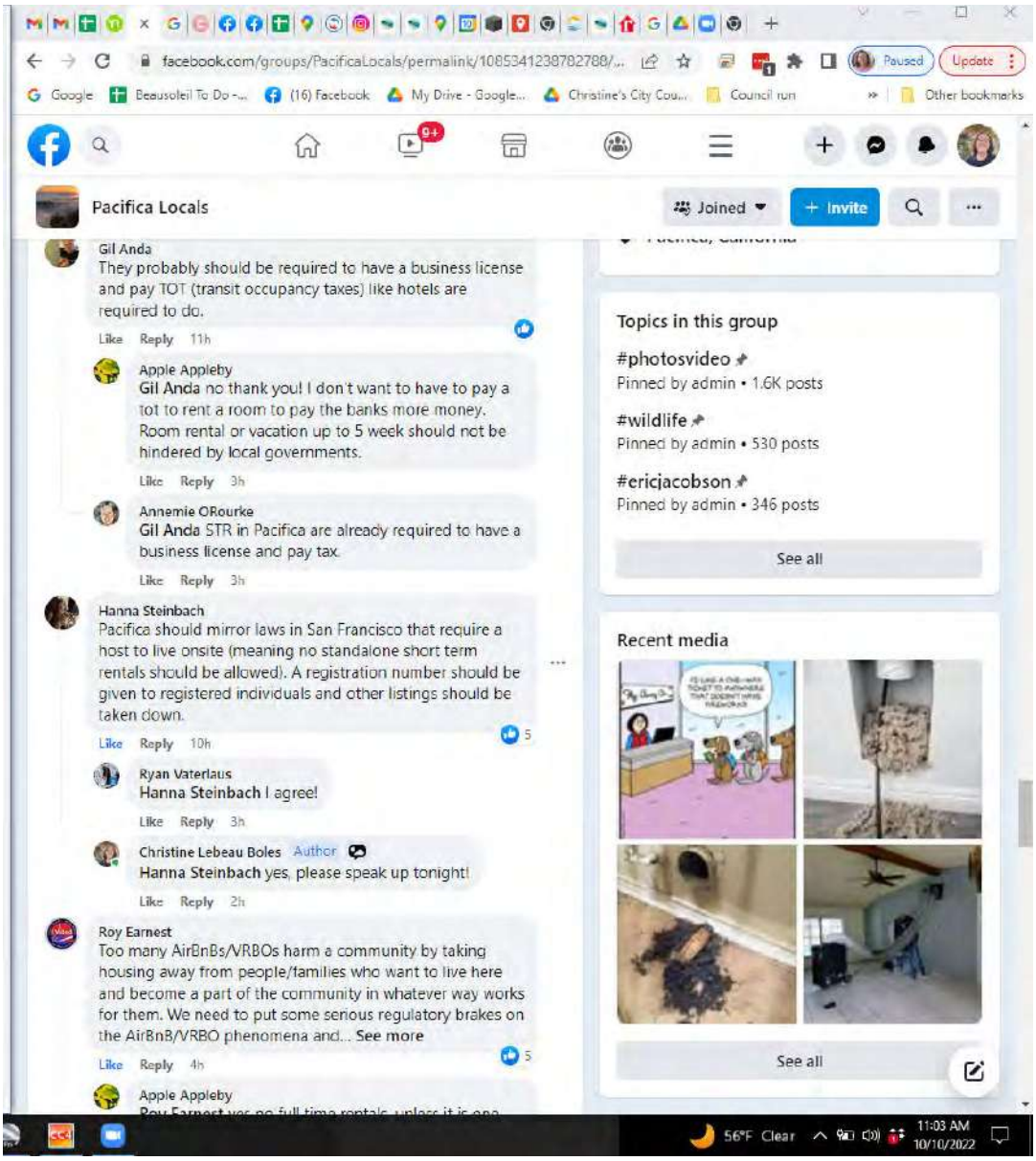
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Gil Anda
They probably should be required to have a business license and pay TOT (transit occupancy taxes) like hotels are required to do.
Like Reply 11h
Apple Appleby
Gil Anda no thank you! I don't want to have to pay a tot to rent a room to pay the banks more money. Room rental or vacation up to 5 week should not be hindered by local governments.
Like Reply 3h
Annemie ORourke
Gil Anda STR in Pacifica are already required to have a business license and pay tax.
Like Reply 3h
Hanna Steinbach
Pacifica should mirror laws in San Francisco that require a host to live onsite (meaning no standalone short term rentals should be allowed). A registration number should be given to registered individuals and other listings should be taken down.
Like Reply 10h
5
Ryan Vaterlaus
Hanna Steinbach I agree!
Like Reply 3h
Christine Lebeau Boles Author
Hanna Steinbach yes, please speak up tonight!
Like Reply 2h
Roy Earnest
Too many AirBnBs/VRBOs harm a community by taking housing away from people/families who want to live here and become a part of the community in whatever way works for them. We need to put some serious regulatory brakes on the AirBnB/VRBO phenomena and... See more
Like Reply 4h
5
Apple Appleby
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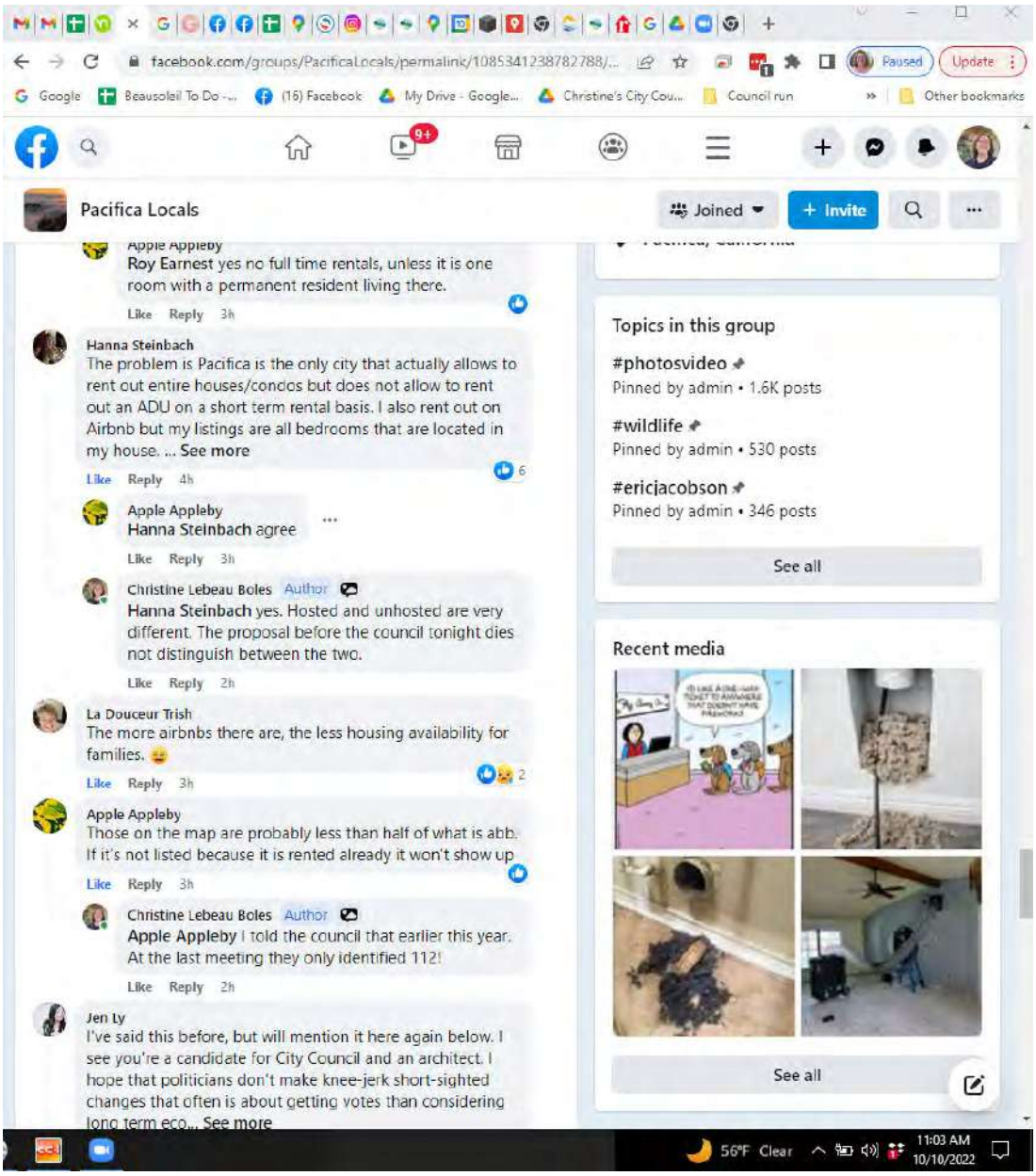
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Apple Appleby
Roy Earnest yes no full time rentals, unless it is one room with a permanent resident living there.
Like Reply 3h
Hanna Steinbach
The problem is Pacifica is the only city that actually allows to rent out entire houses/condos but does not allow to rent out an ADU on a short term rental basis. I also rent out on Airbnb but my listings are all bedrooms that are located in my house. ... See more
Like Reply 4h
6
Apple Appleby
Hanna Steinbach agree
Like Reply 3h
Christine Lebeau Boles Author
Hanna Steinbach yes. Hosted and unhosted are very different. The proposal before the council tonight dies not distinguish between the two.
Like Reply 2h
La Douceur Trish
The more airbnbs there are, the less housing availability for families.
Like Reply 3h
2
Apple Appleby
Those on the map are probably less than half of what is abb. If it's not listed because it is rented already it won't show up
Like Reply 3h
Christine Lebeau Boles Author
Apple Appleby I told the council that earlier this year. At the last meeting they only identified 112!
Like Reply 2h
Jen Ly
I've said this before, but will mention it here again below. I see you're a candidate for City Council and an architect. I hope that politicians don't make knee-jerk short-sighted changes that often is about getting votes than considering long term eco... See more
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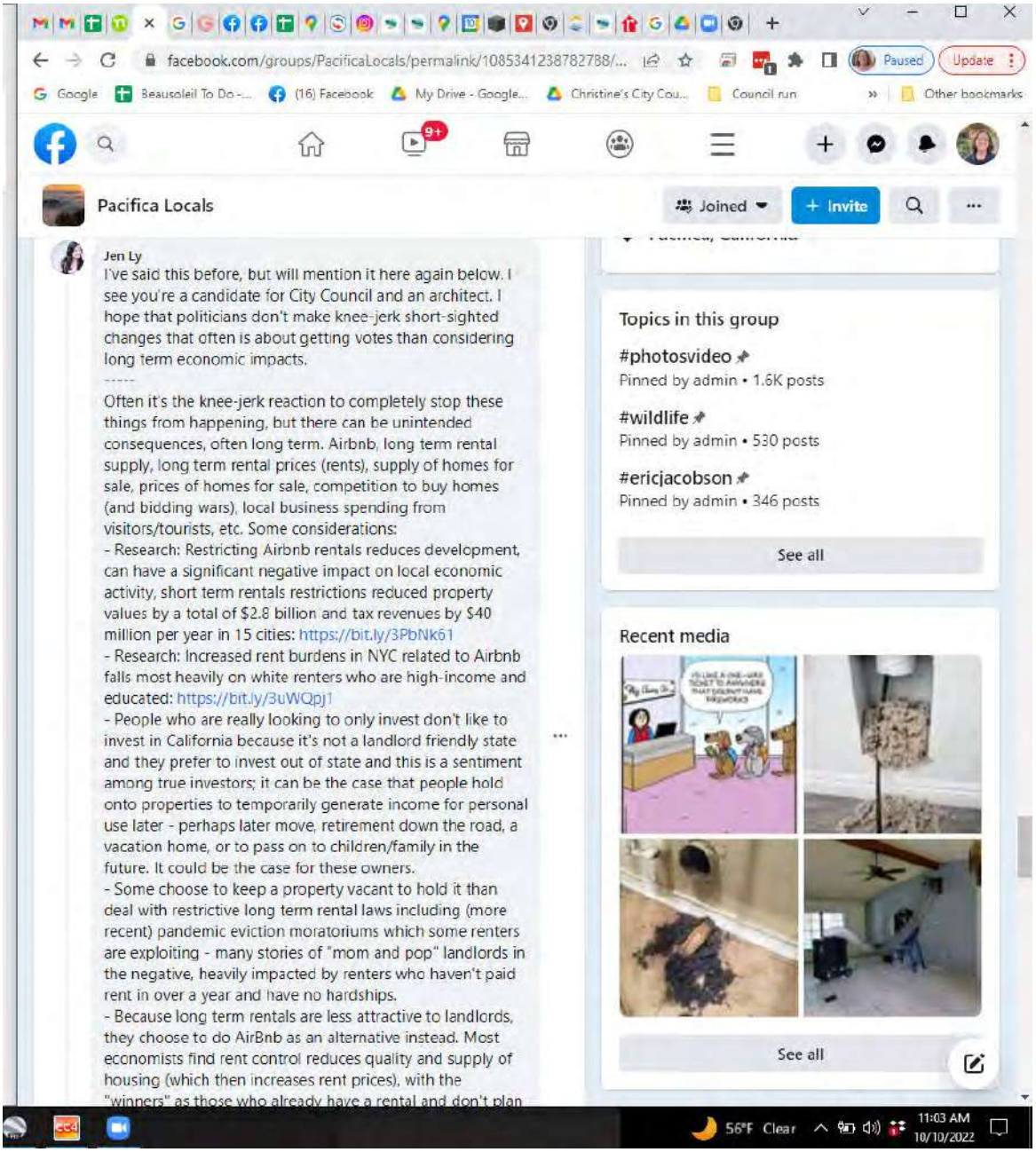
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Jen Ly
I've said this before, but will mention it here again below. I see you're a candidate for City Council and an architect. I hope that politicians don't make knee-jerk short-sighted changes that often is about getting votes than considering long term economic impacts.

Often it's the knee-jerk reaction to completely stop these things from happening, but there can be unintended consequences, often long term. Airbnb, long term rental supply, long term rental prices (rents), supply of homes for sale, prices of homes for sale, competition to buy homes (and bidding wars), local business spending from visitors/tourists, etc. Some considerations:
- Research: Restricting Airbnb rentals reduces development, can have a significant negative impact on local economic activity, short term rentals restrictions reduced property values by a total of $2.8 billion and tax revenues by $40 million per year in 15 cities: https://bit.ly/3PbNk61
- Research: Increased rent burdens in NYC related to Airbnb falls most heavily on white renters who are high-income and educated: https://bit.ly/3uWQpJ1
- People who are really looking to only invest don't like to invest in California because it's not a landlord friendly state and they prefer to invest out of state and this is a sentiment among true investors; it can be the case that people hold onto properties to temporarily generate income for personal use later - perhaps later move, retirement down the road, a vacation home, or to pass on to children/family in the future. It could be the case for these owners.
- Some choose to keep a property vacant to hold it than deal with restrictive long term rental laws including (more recent) pandemic eviction moratoriums which some renters are exploiting - many stories of "mom and pop" landlords in the negative, heavily impacted by renters who haven't paid rent in over a year and have no hardships.
- Because long term rentals are less attractive to landlords, they choose to do AirBnb as an alternative instead. Most economists find rent control reduces quality and supply of housing (which then increases rent prices), with the "winners" as those who already have a rental and don't plan
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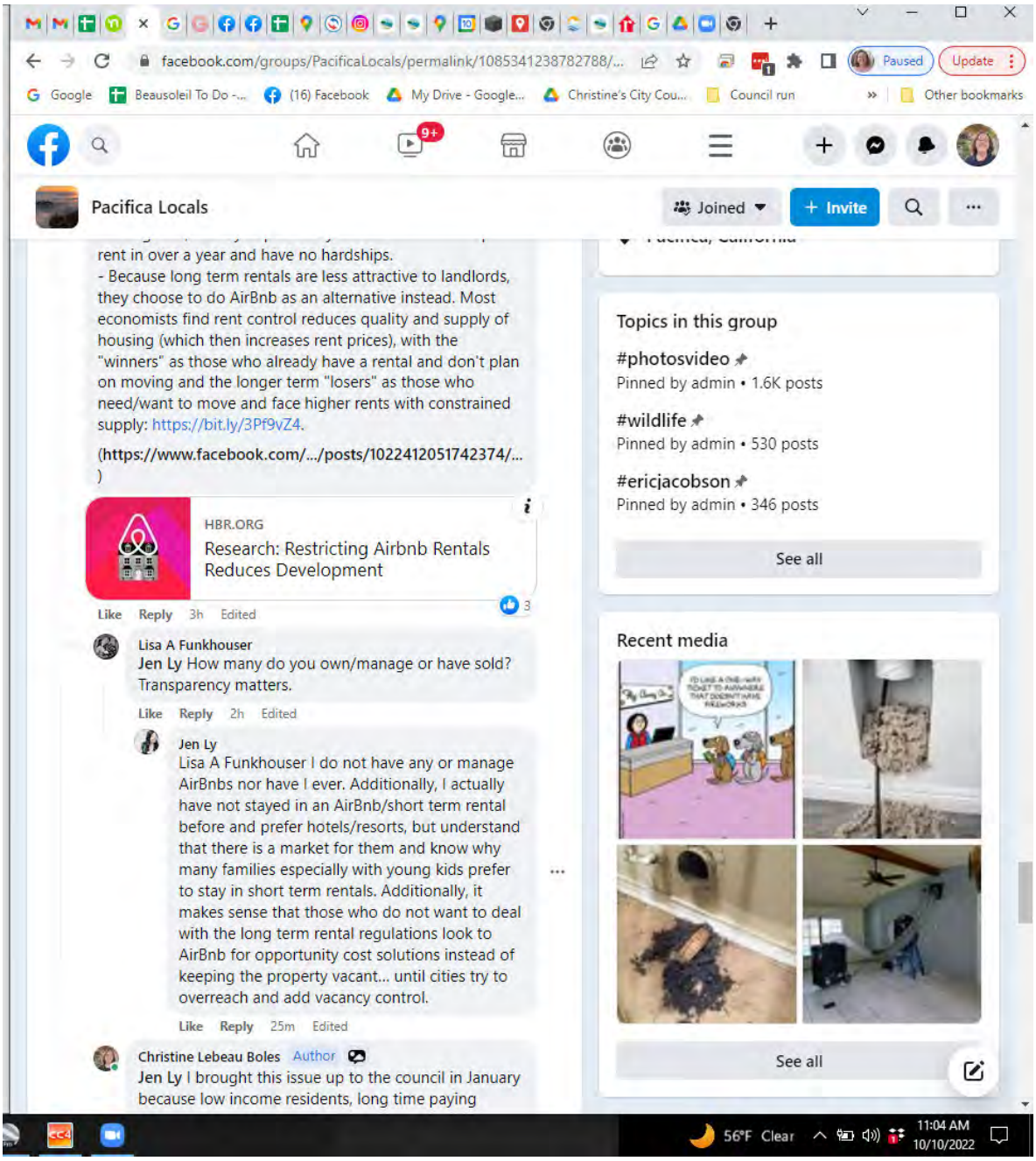
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rent in over a year and have no hardships.
- Because long term rentals are less attractive to landlords, they choose to do AirBnb as an alternative instead. Most economists find rent control reduces quality and supply of housing (which then increases rent prices), with the "winners" as those who already have a rental and don't plan on moving and the longer term "losers" as those who need/want to move and face higher rents with constrained supply: https://bit.ly/3Pf9vZ4.
(https://www.facebook.com/.../posts/1022412051742374/...
)
HBR.ORG
Research: Restricting Airbnb Rentals Reduces Development
Like Reply 3h Edited
Lisa A Funkhouser
Jen Ly How many do you own/manage or have sold? Transparency matters.
Like Reply 2h Edited
Jen Ly
Lisa A Funkhouser I do not have any or manage AirBnbs nor have I ever. Additionally, I actually have not stayed in an AirBnb/short term rental before and prefer hotels/resorts, but understand that there is a market for them and know why many families especially with young kids prefer to stay in short term rentals. Additionally, it makes sense that those who do not want to deal with the long term rental regulations look to AirBnb for opportunity cost solutions instead of keeping the property vacant... until cities try to overreach and add vacancy control.
Like Reply 25m Edited
Christine Lebeau Boles Author
Jen Ly I brought this issue up to the council in January because low income residents, long time paying
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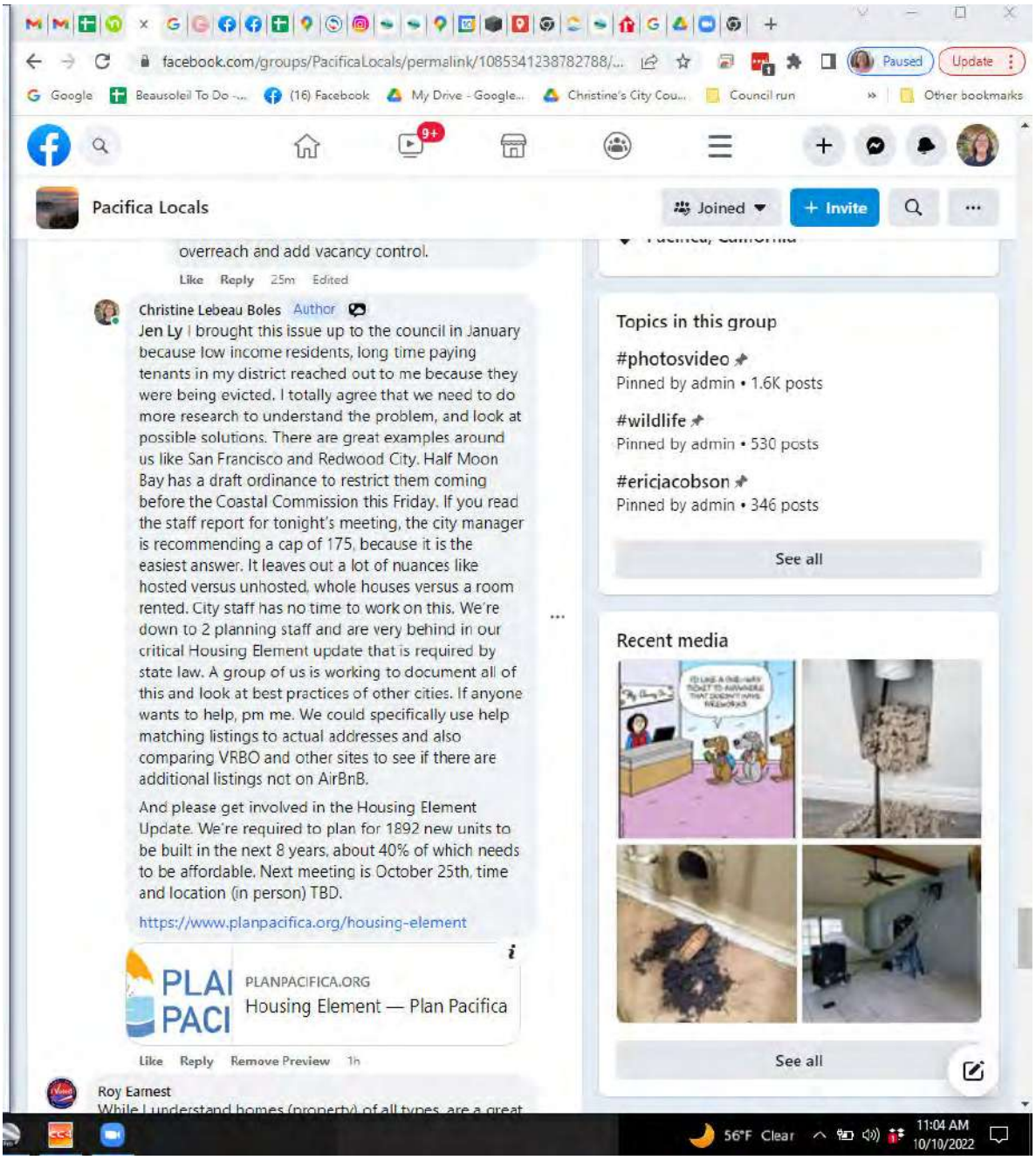
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overreach and add vacancy control.
Like Reply 25m Edited
Christine Lebeau Boles Author
Jen Ly I brought this issue up to the council in January because low income residents, long time paying tenants in my district reached out to me because they were being evicted. I totally agree that we need to do more research to understand the problem, and look at possible solutions. There are great examples around us like San Francisco and Redwood City. Half Moon Bay has a draft ordinance to restrict them coming before the Coastal Commission this Friday. If you read the staff report for tonight's meeting, the city manager is recommending a cap of 175, because it is the easiest answer. It leaves out a lot of nuances like hosted versus unhosted, whole houses versus a room rented. City staff has no time to work on this. We're down to 2 planning staff and are very behind in our critical Housing Element update that is required by state law. A group of us is working to document all of this and look at best practices of other cities. If anyone wants to help, pm me. We could specifically use help matching listings to actual addresses and also comparing VRBO and other sites to see if there are additional listings not on AirBnB.
And please get involved in the Housing Element Update. We're required to plan for 1892 new units to be built in the next 8 years, about 40% of which needs to be affordable. Next meeting is October 25th, time and location (in person) TBD.
https://www.planpacifica.org/housing-element
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Housing Element — Plan Pacifica
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Roy Earnest
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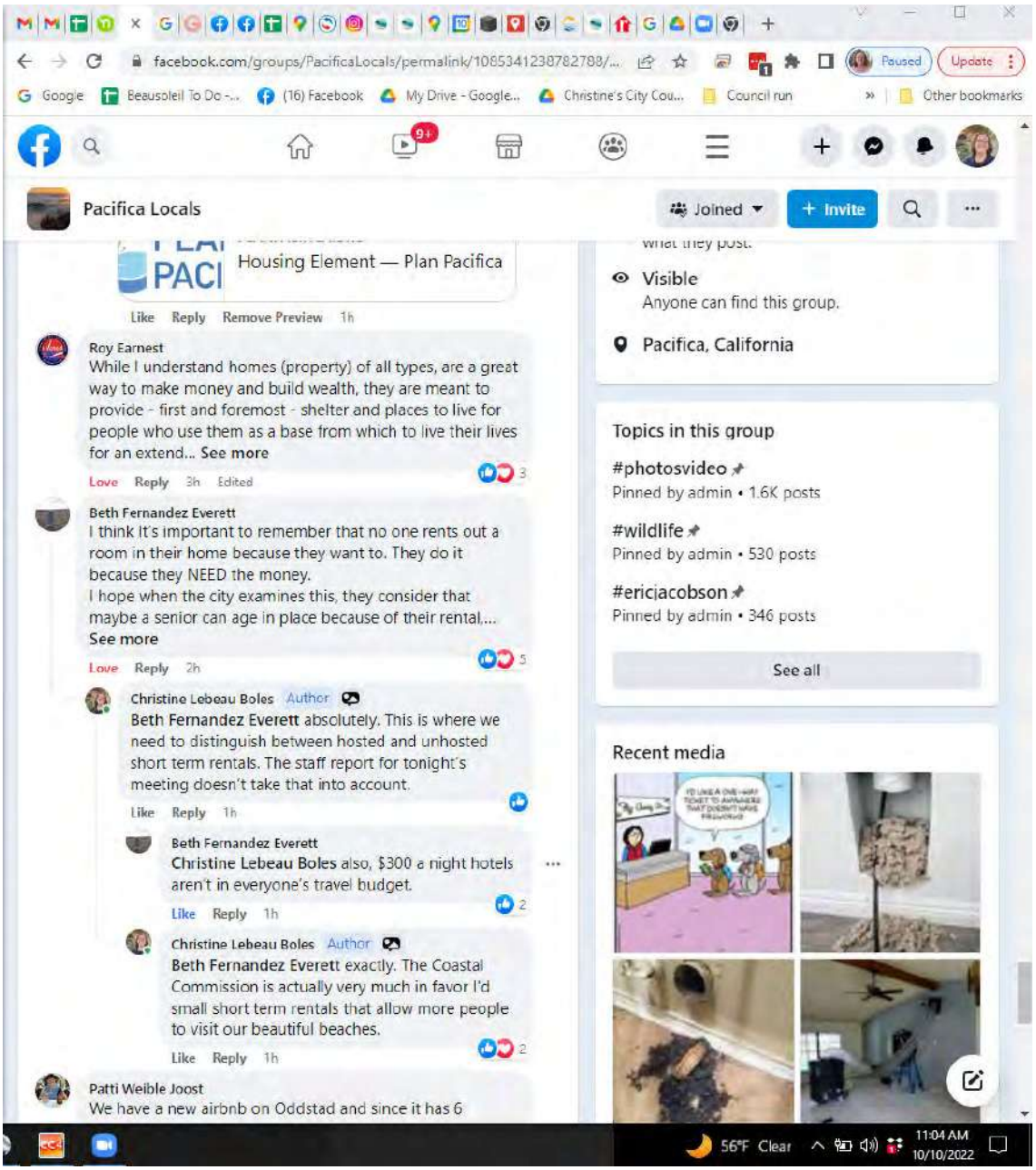
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Housing Element — Plan Pacifica
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Roy Earnest
While I understand homes (property) of all types, are a great way to make money and build wealth, they are meant to provide - first and foremost - shelter and places to live for people who use them as a base from which to live their lives for an extend... See more
Love Reply 3h Edited
3
Beth Fernandez Everett
I think it's important to remember that no one rents out a room in their home because they want to. They do it because they NEED the money.
I hope when the city examines this, they consider that maybe a senior can age in place because of their rental.... See more
Love Reply 2h
5
Christine Lebeau Boles Author
Beth Fernandez Everett absolutely. This is where we need to distinguish between hosted and unhosted short term rentals. The staff report for tonight's meeting doesn't take that into account.
Like Reply 1h
Beth Fernandez Everett
Christine Lebeau Boles also, $300 a night hotels aren't in everyone's travel budget.
Like Reply 1h
2
Christine Lebeau Boles Author
Beth Fernandez Everett exactly. The Coastal Commission is actually very much in favor I'd small short term rentals that allow more people to visit our beautiful beaches.
Like Reply 1h
2
Patti Weible Joost
We have a new airbnb on Oddstad and since it has 6
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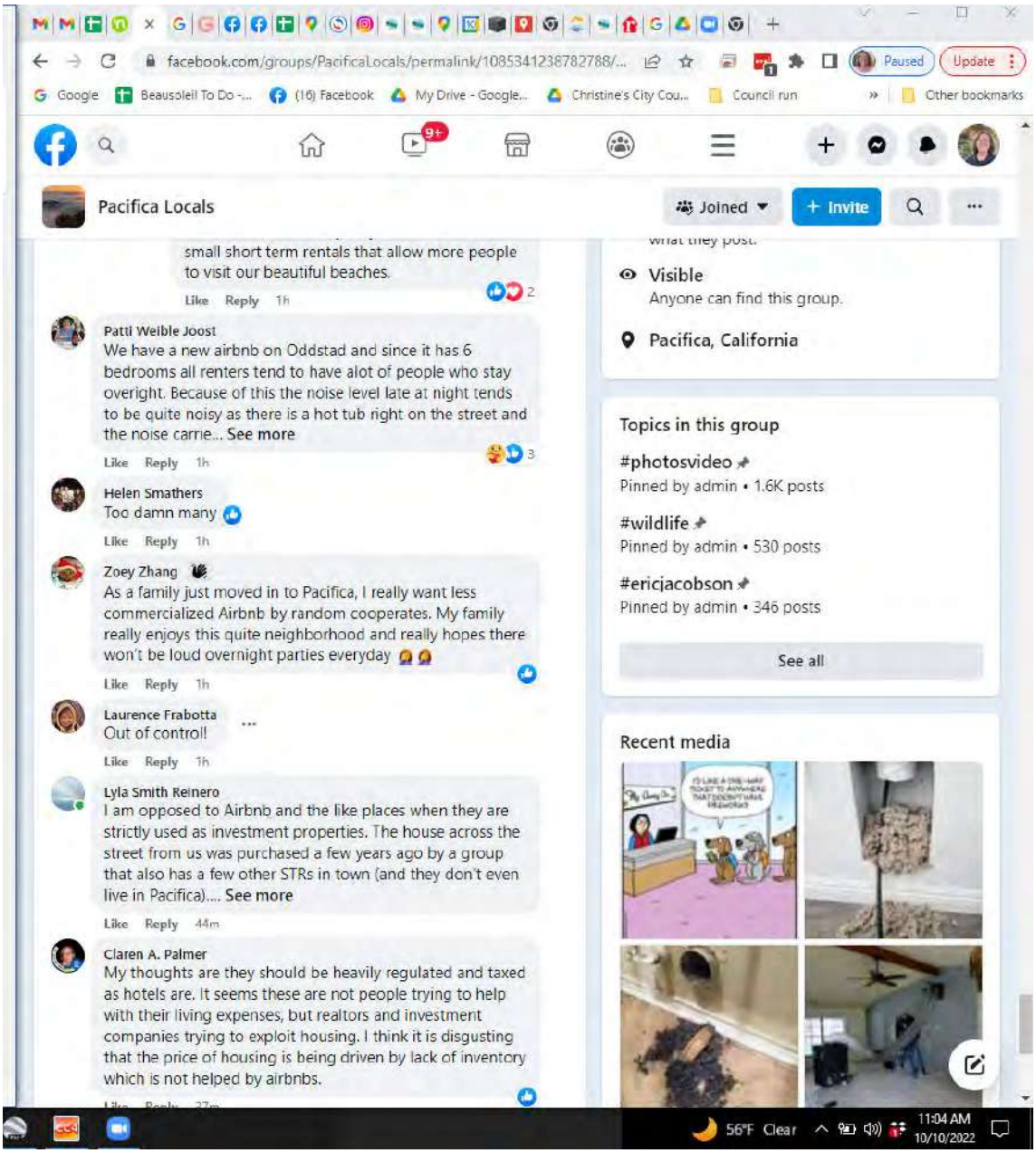
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small short term rentals that allow more people to visit our beautiful beaches.
Like Reply 1h
Patti Weible Joost
We have a new airbnb on Oddstad and since it has 6 bedrooms all renters tend to have alot of people who stay overight. Because of this the noise level late at night tends to be quite noisy as there is a hot tub right on the street and the noise carrie... See more
Like Reply 1h
Helen Smathers
Too damn many
Like Reply 1h
Zoey Zhang
As a family just moved in to Pacifica, I really want less commercialized Airbnb by random cooperates. My family really enjoys this quite neighborhood and really hopes there won't be loud overnight parties everyday
Like Reply 1h
Laurence Frabotta
Out of control!
Like Reply 1h
Lyla Smith Reinero
I am opposed to Airbnb and the like places when they are strictly used as investment properties. The house across the street from us was purchased a few years ago by a group that also has a few other STRs in town (and they don't even live in Pacifica).... See more
Like Reply 44m
Claren A. Palmer
My thoughts are they should be heavily regulated and taxed as hotels are. It seems these are not people trying to help with their living expenses, but realtors and investment companies trying to exploit housing. I think it is disgusting that the price of housing is being driven by lack of inventory which is not helped by airbnbs.
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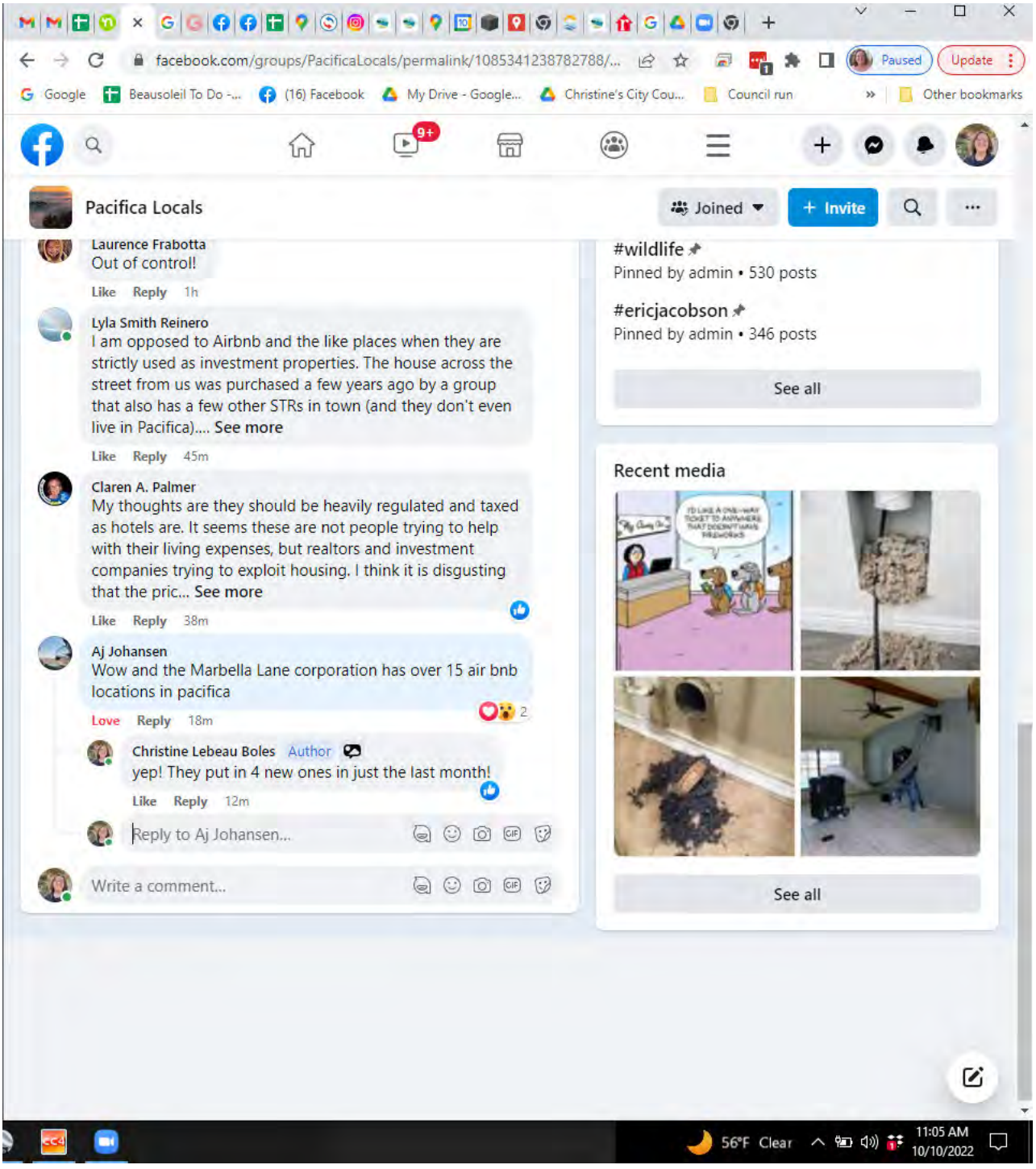
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Lyla Smith Reinero
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Like Reply 45m
Claren A. Palmer
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Like Reply 38m
Aj Johansen
Wow and the Marbella Lane corporation has over 15 air bnb locations in pacifica
Love Reply 18m
2
Christine Lebeau Boles Author
yep! They put in 4 new ones in just the last month!
Like Reply 12m
Reply to Aj Johansen...
Write a comment...
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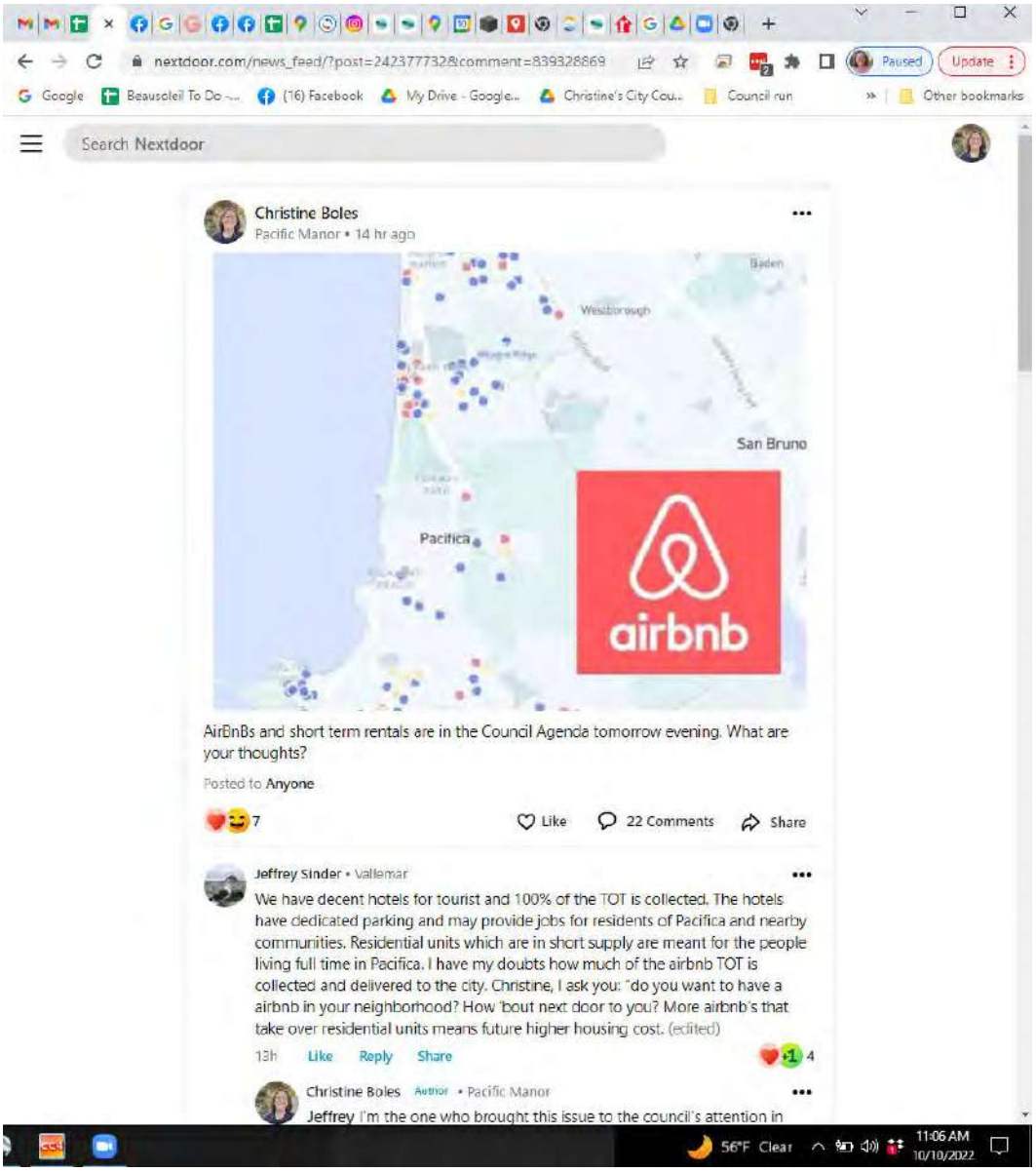
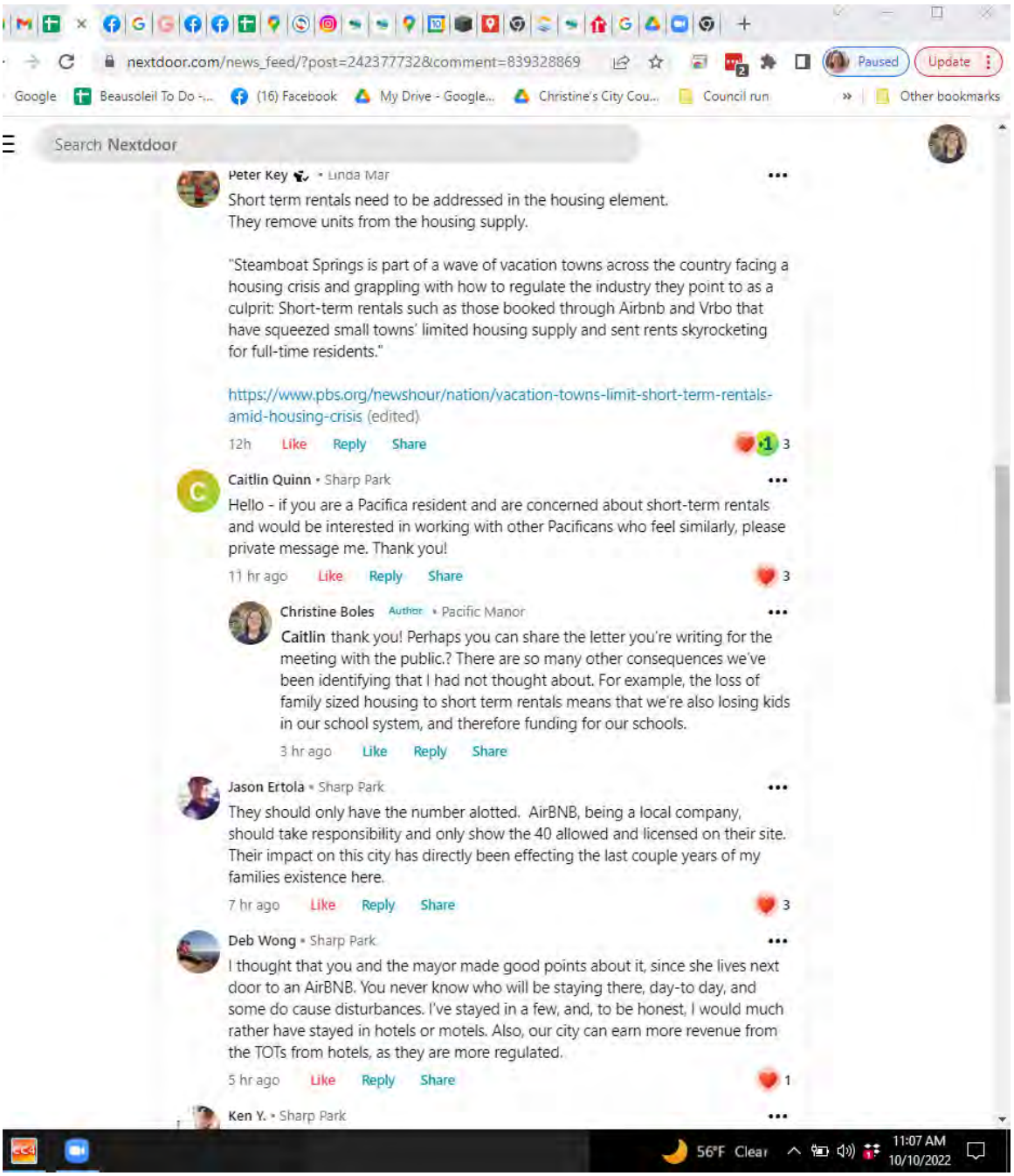
And from Next Door

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Peter Key • Linda Mar
Short term rentals need to be addressed in the housing element.
They remove units from the housing supply.
"Steamboat Springs is part of a wave of vacation towns across the country facing a housing crisis and grappling with how to regulate the industry they point to as a culprit: Short-term rentals such as those booked through Airbnb and Vrbo that have squeezed small towns' limited housing supply and sent rents skyrocketing for full-time residents."
https://www.pbs.org/newshour/nation/vacation-towns-limit-short-term-rentals-amid-housing-crisis (edited)
12h Like Reply Share
3
Caitlin Quinn • Sharp Park
Hello - if you are a Pacifica resident and are concerned about short-term rentals and would be interested in working with other Pacificans who feel similarly, please private message me. Thank you!
11 hr ago Like Reply Share
3
Christine Boles Author • Pacific Manor
Caitlin thank you! Perhaps you can share the letter you're writing for the meeting with the public.? There are so many other consequences we've been identifying that I had not thought about. For example, the loss of family sized housing to short term rentals means that we're also losing kids in our school system, and therefore funding for our schools.
3 hr ago Like Reply Share
Jason Ertola • Sharp Park
They should only have the number alotted. AirBNB, being a local company, should take responsibility and only show the 40 allowed and licensed on their site. Their impact on this city has directly been effecting the last couple years of my families existence here.
7 hr ago Like Reply Share
3
Deb Wong • Sharp Park
I thought that you and the mayor made good points about it, since she lives next door to an AirBNB. You never know who will be staying there, day-to day, and some do cause disturbances. I've stayed in a few, and, to be honest, I would much rather have stayed in hotels or motels. Also, our city can earn more revenue from the TOTs from hotels, as they are more regulated.
5 hr ago Like Reply Share
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Ken Y. • Sharp Park
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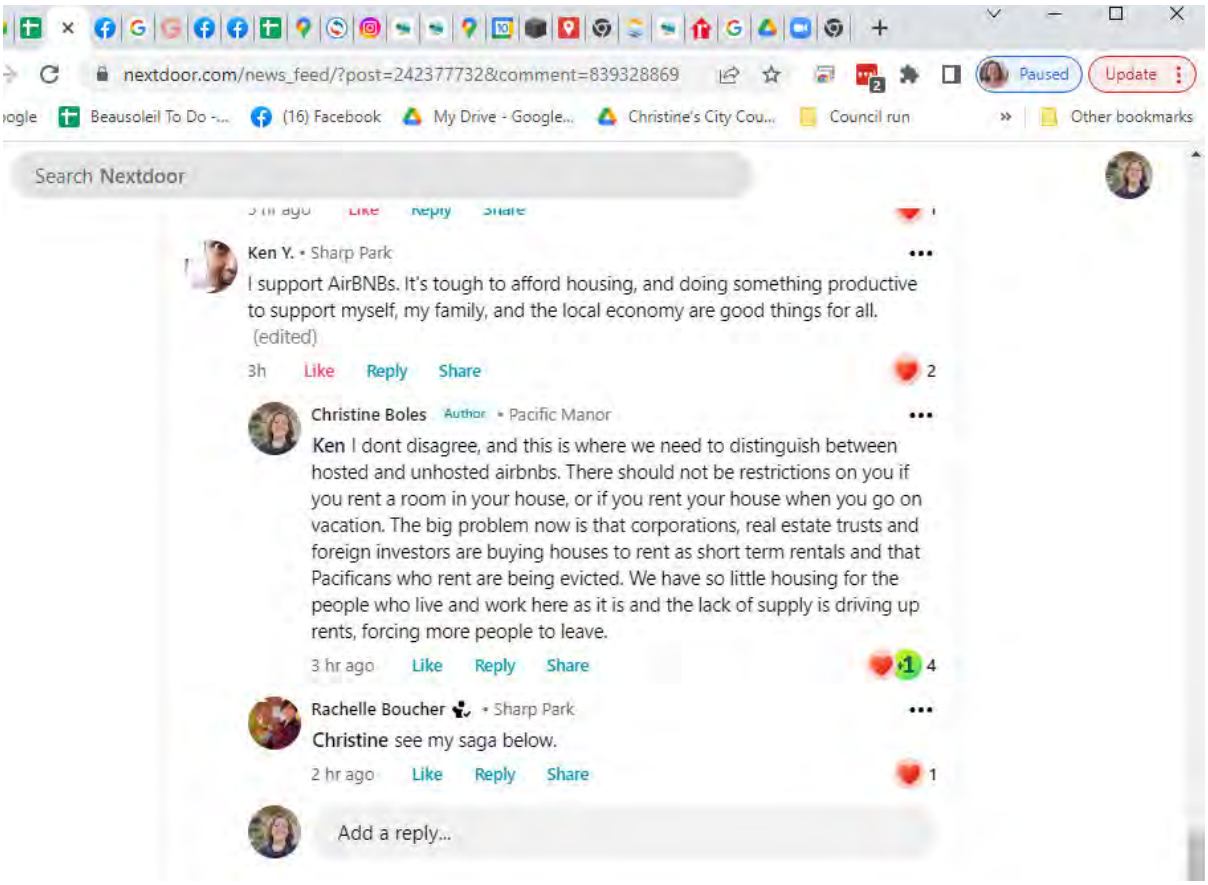
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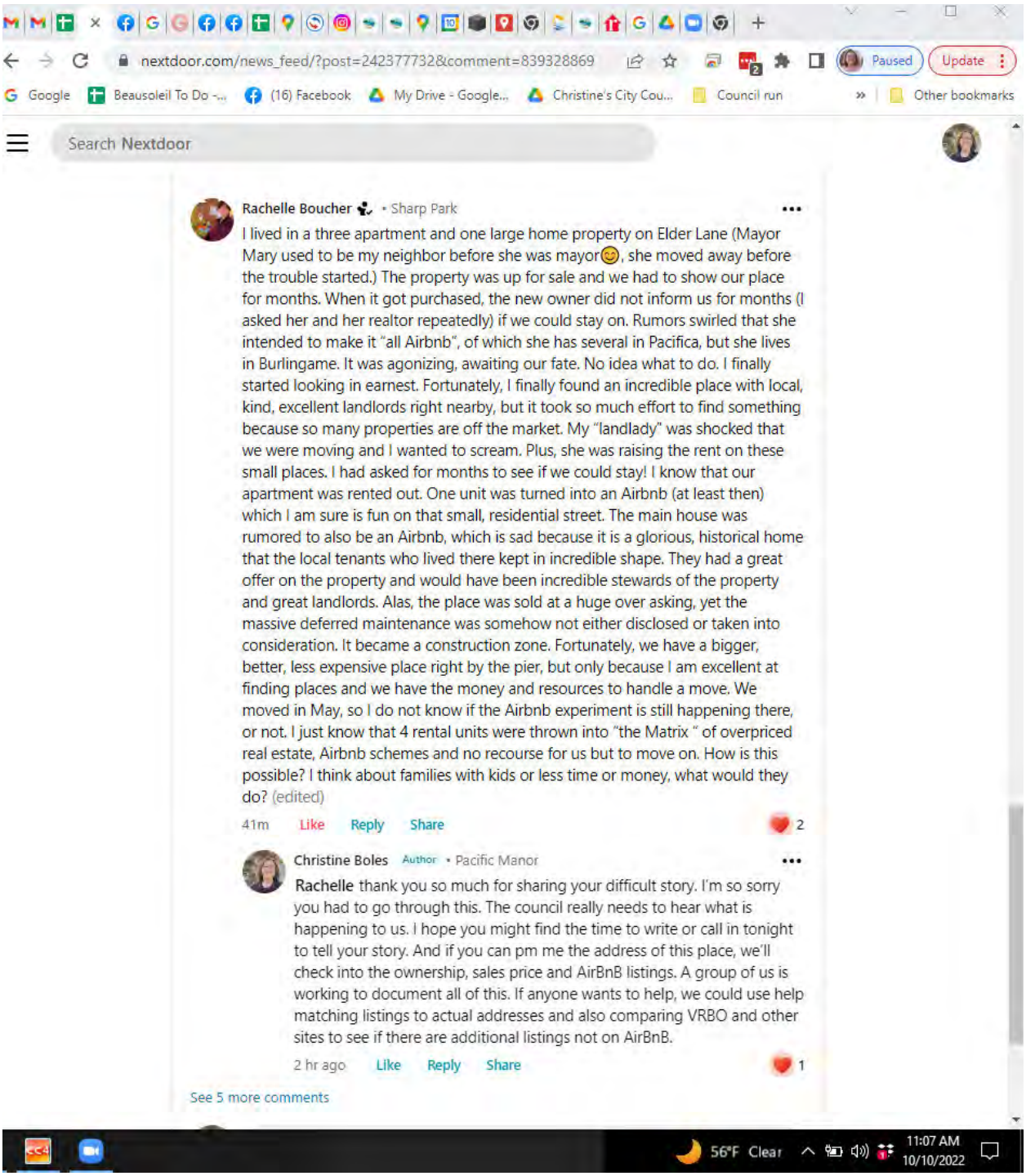
Ken Y. • Sharp Park
I support AirBNBs. It's tough to afford housing, and doing something productive to support myself, my family, and the local economy are good things for all.
(edited)
3h Like Reply Share
2
Christine Boles Author • Pacific Manor
Ken I dont disagree, and this is where we need to distinguish between hosted and unhosted airbnbs. There should not be restrictions on you if you rent a room in your house, or if you rent your house when you go on vacation. The big problem now is that corporations, real estate trusts and foreign investors are buying houses to rent as short term rentals and that Pacificans who rent are being evicted. We have so little housing for the people who live and work here as it is and the lack of supply is driving up rents, forcing more people to leave.
3 hr ago Like Reply Share
+1 4
Rachelle Boucher • Sharp Park
Christine see my saga below.
2 hr ago Like Reply Share
1
Add a reply...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Rachelle Boucher • Sharp Park
I lived in a three apartment and one large home property on Elder Lane (Mayor Mary used to be my neighbor before she was mayor, she moved away before the trouble started.) The property was up for sale and we had to show our place for months. When it got purchased, the new owner did not inform us for months (I asked her and her realtor repeatedly) if we could stay on. Rumors swirled that she intended to make it "all Airbnb", of which she has several in Pacifica, but she lives in Burlingame. It was agonizing, awaiting our fate. No idea what to do. I finally started looking in earnest. Fortunately, I finally found an incredible place with local, kind, excellent landlords right nearby, but it took so much effort to find something because so many properties are off the market. My "landlady" was shocked that we were moving and I wanted to scream. Plus, she was raising the rent on these small places. I had asked for months to see if we could stay! I know that our apartment was rented out. One unit was turned into an Airbnb (at least then) which I am sure is fun on that small, residential street. The main house was rumored to also be an Airbnb, which is sad because it is a glorious, historical home that the local tenants who lived there kept in incredible shape. They had a great offer on the property and would have been incredible stewards of the property and great landlords. Alas, the place was sold at a huge over asking, yet the massive deferred maintenance was somehow not either disclosed or taken into consideration. It became a construction zone. Fortunately, we have a bigger, better, less expensive place right by the pier, but only because I am excellent at finding places and we have the money and resources to handle a move. We moved in May, so I do not know if the Airbnb experiment is still happening there, or not. I just know that 4 rental units were thrown into "the Matrix " of overpriced real estate, Airbnb schemes and no recourse for us but to move on. How is this possible? I think about families with kids or less time or money, what would they do? (edited)
41m Like Reply Share 2
Christine Boles Author • Pacific Manor
Rachelle thank you so much for sharing your difficult story. I'm so sorry you had to go through this. The council really needs to hear what is happening to us. I hope you might find the time to write or call in tonight to tell your story. And if you can pm me the address of this place, we'll check into the ownership, sales price and AirBnB listings. A group of us is working to document all of this. If anyone wants to help, we could use help matching listings to actual addresses and also comparing VRBO and other sites to see if there are additional listings not on AirBnB.
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See 5 more comments
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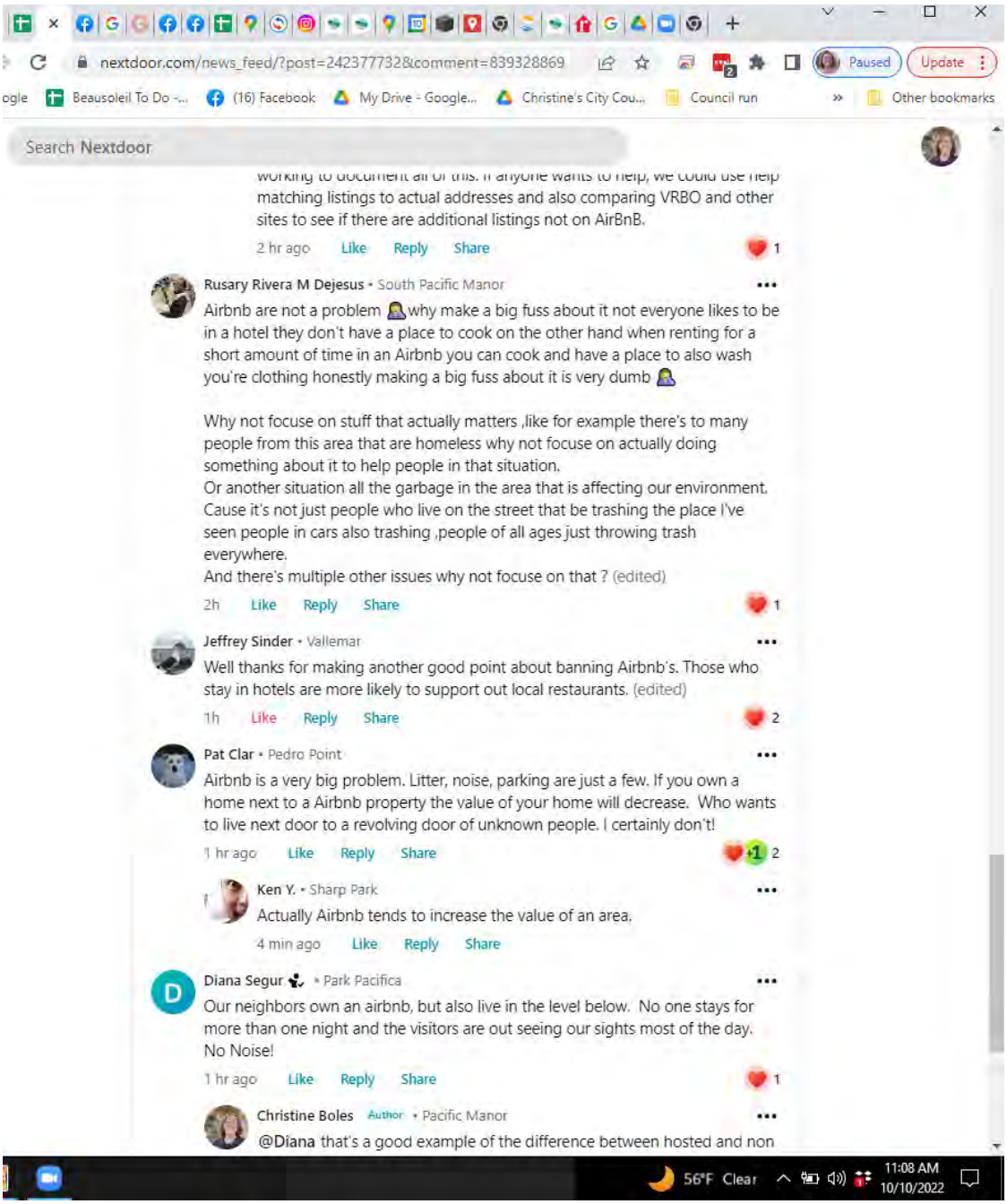
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matching listings to actual addresses and also comparing VRBO and other sites to see if there are additional listings not on AirBnB.
2 hr ago Like Reply Share 1
Rusary Rivera M Dejesus • South Pacific Manor
Airbnb are not a problem why make a big fuss about it not everyone likes to be in a hotel they don't have a place to cook on the other hand when renting for a short amount of time in an Airbnb you can cook and have a place to also wash you're clothing honestly making a big fuss about it is very dumb
Why not focuse on stuff that actually matters ,like for example there's to many people from this area that are homeless why not focuse on actually doing something about it to help people in that situation.
Or another situation all the garbage in the area that is affecting our environment. Cause it's not just people who live on the street that be trashing the place I've seen people in cars also trashing ,people of all ages just throwing trash everywhere.
And there's multiple other issues why not focuse on that ? (edited)
2h Like Reply Share 1
Jeffrey Sinder • Vallemar
Well thanks for making another good point about banning Airbnb's. Those who stay in hotels are more likely to support out local restaurants. (edited)
1h Like Reply Share 2
Pat Clar • Pedro Point
Airbnb is a very big problem. Litter, noise, parking are just a few. If you own a home next to a Airbnb property the value of your home will decrease. Who wants to live next door to a revolving door of unknown people. I certainly don't!
1 hr ago Like Reply Share +1 2
Ken Y. • Sharp Park
Actually Airbnb tends to increase the value of an area.
4 min ago Like Reply Share
Diana Segur • Park Pacifica
Our neighbors own an airbnb, but also live in the level below. No one stays for more than one night and the visitors are out seeing our sights most of the day. No Noise!
1 hr ago Like Reply Share 1
Christine Boles Author • Pacific Manor
@Diana that's a good example of the difference between hosted and non
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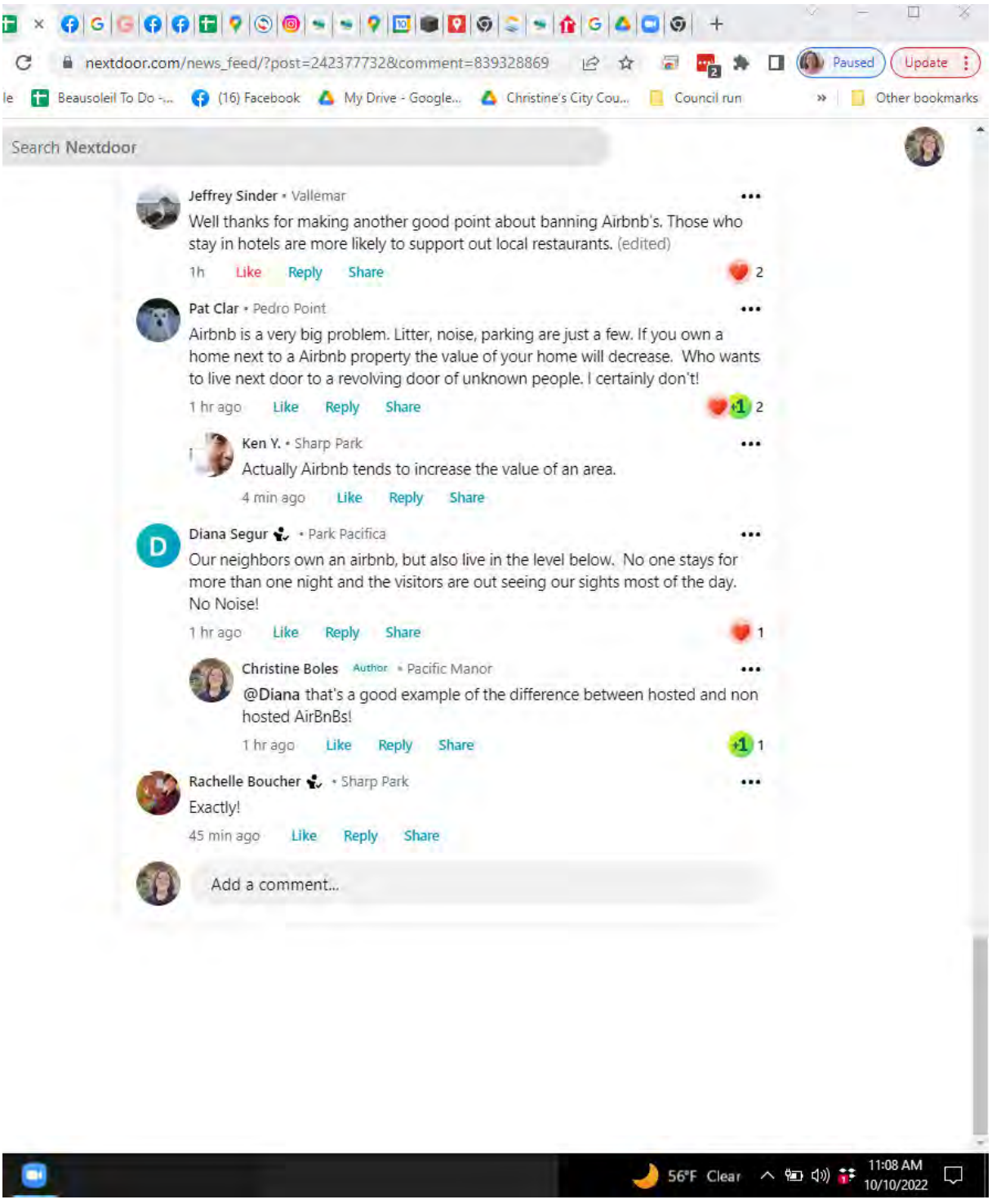
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Ken Y. • Sharp Park
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Diana Segur • Park Pacifica
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1 hr ago Like Reply Share 1
Christine Boles Author • Pacific Manor
@Diana that's a good example of the difference between hosted and non hosted AirBnBs!
1 hr ago Like Reply Share +1 1
Rachelle Boucher • Sharp Park
Exactly!
45 min ago Like Reply Share
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Public Comments

Agenda Item 2 – Short-Term Rental Ordinance

Written Comments Received By 12pm on 01/17/2023

January 17, 2023

Planning Commission Meeting

Murdock, Christian

From: Summer Lee [redacted]
Sent: Tuesday, January 17, 2023 12:33 PM
To: Public Comment
Cc: Murdock, Christian; Berman, Lauren; Hauser, Samantha; Domurat, George; Ferguson, Alex; Godwin, James; Leal, David; Wright, Greg
Subject: Comment re: Planning Commission 1/17/23 agenda

[CAUTION: External Email]

Dear Commissioners and Staff,

I am writing on a few items on the agenda this evening.

1) Thank you for delaying the hearing on the Quarry FEIR. I understand there is a parallel CDP process and that the CCC has jurisdiction of the majority of this parcel, thankfully. I would like to urge you to consider that the City of Pacifica is apparently understaffed and overworked and therefore not capable of managing the magnitude of this project that deals with 4+ years of 1M cubic yards of soil on a 86 acre $100M project. In fact this FEIR is possibly a CEQA violation in that it is an attempt to piecemeal the reclamation from the future vision the City has to develop the Quarry, therefore under analyzing the cumulative impacts of the final project. The rezoning of this parcel flies in the face of the vast majority of Pacificans who overwhelming approved an ordinance to bring quarry rezoning to a public vote.

2) I also join the vast majority of Pacificans who do not believe a slap dash STR cap proposal to the CCC is effective governance. I reiterate other's demands for the standard practices in other jurisdictions such as: A 60 day rental limit for unheated STR's, a rental registry, a vacancy tax, a primary residency requirement so that there is accountability to neighbors and the community, penalties for illegal STR's, codification of enforcement practices, and most importantly, a moratorium on new unhosted STR's until the City can adequately address this policy at a level that surrounding jurisdictions have done, including adoption of STR ordinances to protect our community.

3) It is shocking to see that the addendum to the Harmony@1 FEIR once again weakens the conditions of approval set in 2007 that involved hundreds of hours of community and developer input and consensus building, particular the impact on the Ridgeline. You might remember that your adoption of the first development a year or so ago was appealed to the City Council, and as a result a group of community members reached agreement with the owner and developer Bijan Kosravi who understood it was in the best interest of himself legally, but also the community that he would ostensibly be living in, to change his project to comply to the COA's in the subdivision FEIR. To dishonor the work by both developers and the community in 2007, but most importantly CEQA legal standards, is putting the City at risk, and I implore you to consider striking the ability to move a development footprint outside the original FEIR's Ridgeline area.

Many thanks for your work and attention to keeping Pacifica a good place to live, Summer Lee

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear City of Pacifica Planning Commissioners,

You are being asked to provide a written recommendation to the City Council regarding Short Term Rentals and revisions to the City of Pacifica Municipal Code, Title 9, Zoning and Planning, Chapter 4 – Zoning, Article 49, Short-Term Rentals.

Vote No At This Time—More Work is Needed to Adequately Address the Negative Impact of STRs

At this time, I'm requesting you make a recommendation to City Council to direct staff to undertake a more thorough review of how to mitigate the impact of short term rentals on housing and neighborhood character and safety. Though well intended and a good starting point for a needed update, a cap on short term rentals doesn't fully address the issues that are increasing in the City of Pacifica.

Complete a thorough review prior to submission to the California Coastal Commission

This request to ***not approve*** at this time is not made lightly. On October 10, 2022, City Council met on this subject and the majority voted for a cap of 150 short term rental units to be brought back by staff. It was ALSO indicated, that the matter would be brought forward for further discussion during City Council's goal setting process in early 2023, with consideration to formally add a robust review of the current Ordinance to the 2023-2024 work plan. As a change to the City of Pacifica's Municipal Code re Zoning will require approval by the California Coastal Commission as it pertains to short term rentals in the local coastal zone — *where today the most concentration of STRs are* — it seems prudent to recognize limited City of Pacifica and Coastal Commission staff and to present a thorough and robust update to the Ordinance at a future date.

Other Coastal Communities have Forged the Way

Municipalities throughout the state and in particular along the California coast are also reviewing their programs. On Friday, October 14, 2022, the California Coastal Commission[1] was presented with Half Moon Bay's proposed updates. These included (*italicized comments are the this writers):*

- Occupancy Limits *(the CCC is not in favor of limitations on number of occupants and cars)*;
- Enforcement mechanisms *(is the program guided by Ordinance and/or the Local Coastal Program enforcement action)*;
- Substandard lots (*a concern in HMB and also known to exist in the City of Pacifica* ;
- Maximum number of unhosted days; and,
- Primary residence requirement.

The City of Santa Cruz clearly notes[2] that "The intent of the Ordinance is to allow short-term rental of residential properties within the City ***while protecting the City's long-term housing stock***. The Ordinance also ensures that Short-Term Rentals (STRs) do not become a nuisance to the community, or threaten the public's health, safety or welfare". To do this, they have a cap of "*250* ***owner-***

[1] California Coastal Commission, 10/14/22 meeting video re Half Moon Bay STR proposal (0:46:30)
[2] City of Santa Cruz Short Term Rentals, city website

occupied/hosted *STR permits available on a first come, first served basis."* Further, they have provided definition of Hosted and Non-hosted STRs for clarity.

150 Cap a Good Start, Though More is Needed

While I support the cap of 150 STRs and exclusion of ADUs to be used as STRs, the current proposal does not address:

- ***the removal of long-term housing*** as residential properties are being converted to full time short term rental units, eliminating housing stock and full time residents who could have kids in our schools, contribute to community organizations, and neighborhood safety;
- the impact of ***hosted versus whole house un-hosted*** short term rentals, whereby no one is actively at a property to ensure visitors are complying with City Ordinances or being good neighbors;
- the potential continued deterioration of housing in the costal neighborhoods of Pedro Point and West Sharp Park, as there isn't a requirement for the proposed 150 STRs to be ***equitably dispersed by neighborhood*** (as the City of Pacifica has done with cannabis shops);
- if a "***tiny home"*** is considered an ADU or junior ADU or if they can be permitted to operate as an ADU;
- an operating requirement to provide visitors with the City's ***waste management policies regarding recycling and composting***;
- how business entities are in ***effect ignoring the City's zoning regulations by turning residential neighborhoods into commercial districts***; or
- how the increase in STRs is impacting the ***hotel business*** in the City of Pacifica.

Enforcement Not Addressed

Nor does it clearly address how enforcement will work. Today neighbors don't have a means to check if a short term rental is operating legally: City of Santa Cruz has a link to check their registry on the city website[3]; and, other cities require STRs to include the City license number on platform (AirBnB, VRBO, etc.) postings. Though the staff report indicates limited complaints, residents are concerned with reporting the situation to the Police due to the City's limited staffing and many priorities; maintaining good relations with neighbors; and receive little support or relief from property managers or STR online platforms.

CC Commissioners Strive for Balance, Support For Coastal Neighborhoods/Residential Zoning

The staff report comment that, "The CCC has found that outright bans or undue restrictions on STRs are inconsistent with the Coastal Act policies prioritizing public access and visitor-serving uses" doesn't share the full story of CCC discussions about STRs. At the October 14, California Coastal Commission meeting, the Coastal Commission and City of Half Moon Bay agreed to bring their program back at a future time as they worked through a final few items. Input from the commissioners was requested by HMB City staff to help guide further discussions between their staff and the CCC's. Showing strong

[3] City of Santa Cruz online search for registered STRs (right of page)

support for housing and concern for coastal neighborhoods, members of the CCC offered the following comments.

- Commissioner Catherine (Katie) Rice noted that ***"every residence that has been a long term (residence) that turns into a STR is a loss.*** Every community is a unique situation (i.e., this is different than the Malibu discussion alternate options such as hotels are limited).

- Commissioner Linda Escalante aligned with Commissioner Rice, reflecting that ***every housing unit that is lost is cumulative/additive.***

- Commissioner Mike Wilson aligned with the City of Half Moon Bay's compromises, indicating concern with the increasing change of residential properties to STRs. Commissioner Wilson noted***, "This is primarily a zoning change, moving to add business/commercial operations in residential neighborhoods."*** Further, he noted that the Coastal Act and prior CCC discussions have maintained that housing is a primary consideration (not only visitor serving accommodations).

- Commissioner Meagan Harmon stated, ***"short term rentals fundamentally undermine coastal communities."***

Consider a Moratorium While Developing a Plan as Other Municipalities Have Done

In June 2020, the Monterrey County Planning Commission[4] determined they didn't have enough information to vote on three different proposed ordinances regarding short term rentals. Instead they chose to write to the Board of Supervisors detailing ongoing concerns that they didn't see to be fully addressed in the proposals.

The City of Pacifica can follow the lead of other areas such as Marin County, who has placed a moratorium on new short term rentals in West Marin[5] (the unincorporated coastal areas of: Dillon Beach/Tomales to the north, San Geronimo Valley and Nicasio in central Marin, and the communities of Muir Beach, Stinson Beach, and Bolinas to the south). Sonoma County also implemented a moratorium last year (though it excluded the coastal zone overseen by the CCC), while they worked on implementing new regulations.

Continue the Work to Maintain our Residential Neighborhoods

As I've noted before, the intention of the sharing economy is to provide opportunity for homeowners to create a welcoming space in their homes for occasional visitors. I support this concept that can also assist homeowners with retaining their place of residence. What is taking place all too often though is a shift to residential property purchases for the sole intention of running a commercial business in a residential neighborhood.

The City of Pacifica doesn't need to reinvent the wheel. There are a number of coastal city ordinances, rules and regulations that can be used to model a solution that balances the influx

[4] Monterey County Weekly News, Sept 2022, with links to past articles and County Planning Commission action in Nov 2020

[5] West Marin Moritorium

of short term rentals, particularly in the coastal zone neighborhoods, while also providing the opportunity for residential homeowners to receive income while providing visitor serving accommodations. Please take action tonight as a Planning Commission to request a thorough review, that could/should also include community members who have found their living experiences disrupted, to help shape the program.

Thank you for your consideration.

Cindy Abbott
West Sharp Park

Murdock, Christian

From: Kate Chinca [redacted]
Sent: Tuesday, January 17, 2023 11:24 AM
To: Public Comment
Subject: Short Term Rentals

[CAUTION: External Email]

Dear Commissioners and Staff,

I am including my concerns regarding the short term rentals that we experience popping up in our neighborhoods, serving as businesses for those who, for the most part if at all, do not live in our City. There are many concerns posed by many citizens of Pacifica but I would like to add mine to what others have stated.

1) Businesses do not belong in neighborhoods. It serves no one but the owner making a profit. Many people voted yes to allow homeowners to "swap" vacation homes or rent out a room but not to serve as a revolving door to those wanting to make a profit at our expense. Coastal Commission or not, it's our community that pays the bulk of this city's taxes compared to those paid by the owners of the STRs.

2) In the storms last week, the STR in my neighborhood had the garbage receptacle blowing down our hill and strewing garbage all over the neighborhood. It was neighbors who went out and cleaned up the mess and returned it to the house. A recycle bin also swept down the hill. Another neighbor picked it up and put it by the curb so the rightful owner could grab it. It has sat there for a week and evidently it appears that it belonged to the STR as they had a new one delivered yesterday without even looking 5-6 houses down to see if it could be retrieved.

So, what's the problem with that? Well, there is no way to contact the owners or the host to communicate and let them know what might be done to resolve a problem such as that. For any other neighbor, we could have knocked on the door and let them know. These are not "neighbors" they are businessmen and women. My husband went up to tell the cleaning people what happened. She was only able to communicate via app as she had no phone number for the Host. Seriously?

3) It is expected that our city services act as managerial agents to the properties. When a large family was playing games and yelling at 2:30 in the morning, we, as neighbors, are expected to deal with it or call the Police. In a hotel, you have a manager (even night manager) who is able to assist with such an issue. Our tax dollars should not be spent to replace the Manager of a Hotel with our Police Department.

4) The City of Pacifica receives taxes on the STRs like they do on the Hotels or Motels. My question is...when people go to an STR, are they going out to support our restaurants when they can cook at the rental? Is the city losing taxes from Restaurants that would be produced if the renters were in a hotel without kitchen facilities? And, as they lose revenue, what happens to the jobs produced by hotels and restaurants in our city? Less taxes are paid and jobs are lost.

I know that others will be more eloquent with their concerns and all of the different possibilities to address these businesses however, I hope that you will see how this hurts our neighborhoods. Will people be able to convert their homes into cafes for fast profits? What's the difference?

Please help to resolve this issue as other cities are doing because the flaws of these rentals have come to light. If people want access to the ocean they are certainly welcome to visit. The STR in our neighborhood is 2 miles inland. If folks want to be closer to the ocean, we have some lovely hotels right there.

Thank you for your time.

Respectfully,

Kate Chinca
Aspen Dr., Pacifica

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Murdock, Christian

From: donna j. [redacted]
Sent: Friday, January 13, 2023 4:17 PM
To: Murdock, Christian
Subject: Re: pacifica housing/airbnb issues

[CAUTION: External Email]

thank you so much, christian! i really appreciate it

and of course i have to leave sunday for a funeral in boston, and won't be back til wednesday. i'm unhappy about this, because this topic is very important to me. i've let my neighbors know, and hopefully they'll become more involved? i can only hope…

oceane from the coastal commission emailed me this link as well; i'm happy to see it's being taken seriously, because it is. i've heard information from a neighboring tenant, who's being evicted, that the the owner of their building - 4 units - already owns many STRs in the west sharp park area. it's a business, i get it. it's not personal

but - i love my neighborhood, having lived here for 22+ years. i know my neighbors; i know their kids. we socialize, and visit, and wave and say hello. we help each other out with things, like putting out their trashcans when they're out of town, or watching pets. we look out for each other. i don't want to lose the feeling of community, partially homeowners and partially renters, which is treasured by those of us who are blessed to be here

i know it's a gift to live here, and that nothing lasts forever. i also know we're living in a much desired area, which can draw wealthy people with big pockets. i'm not one of them; i'm a retired RN, who worked at UCSF for many years, and still volunteers there. shoving all the renters out to accommodate STRs seems shortsighted and self defeating. we're not HMB. we're not going to be

i hope you didn't mind listening; i realize these weren't the questions you'd wanted to answer. i do appreciate your time

be well, and stay safe

donna

> On Jan 13, 2023, at 15:49, Murdock, Christian <cmurdock@pacifica.gov> wrote:
>
> Hi Donna,
>
> My name is Christian Murdock and I am the planning director for the City of Pacifica. The Planning Commission will hold a public hearing on Tuesday, January 17, at 7 pm to consider an amendment to the Short-term Rental Ordinance. The main point of the amendment is to set a cap of 150 STRs in Pacifica as a starting point to address concerns about proliferation of STRs throughout town.

We published the agenda today that contains a staff report as well as the proposed ordinance. Following the Planning Commission, the ordinance will then require approval by City Council and then the Coastal Commission. You can find the agenda and report at the link below:

pacificacityca.iqm2.com

Please let me know if you have any questions.

Regards,

Christian

Begin forwarded message:

From: "donna j." [redacted]
Date: January 13, 2023 at 11:54:25 AM PST
To: "Bigstyck, Tygarjas" <tbigstyck@pacifica.gov>, "Bier, Mary" <mbier@pacifica.gov>
Subject: Fwd: pacifica housing/airbnb issues

[CAUTION: External Email]

so. what can i do now, and is there a city council meeting i can come to?

thanks for pointing me in the right direction

gratefully,

donna

Begin forwarded message:

From: "Ringuette, Oceane@Coastal" <oceane.ringuette@coastal.ca.gov>
Subject: RE: pacifica housing/airbnb issues
Date: January 13, 2023 at 11:39:03 PST
To: [redacted]

Hi Donna,

Thanks for reaching out! The City is working on an updated Short Term Rental (STR) Ordinance to address community concerns around Airbnbs and the like. The way these Ordinances work for the Coastal Zone (mainly everything west of Highway one in Pacifica) is that the City must approve them locally at a City Council meeting, and then submit the ordinance to us to certify it as part of their Local Coastal Program (LCP). Certification of an Ordinance involves Coastal Commission staff writing a staff recommendation and holding a public hearing.

We haven't received their submittal yet, so we have not started that process yet. I can add your name to a list of interested people so we can ensure you'll be notified of any progress on this. I'd also recommend reaching out to City staff to see if they have anymore updates for you or ways you can comment and participate in the local process.

In the meantime, I'm attaching two items which you may find helpful:

- The current STR Ordinance, which is what the City is currently working on updating with more regulations around STRs.
- A recent City Council staff information item around updating the STR ordinance for Pacifica.

Hope that helps and feel free to reach out in the future for updates or other questions.

Best,

Oceane Ringuette
Coastal Planner
North Central Coast District
California Coastal Commission
Pronouns: she/her

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From: donna j[redacted]
Sent: Friday, January 13, 2023 10:14 AM
To: Ringuette, Oceane@Coastal <oceane.ringuette@coastal.ca.gov>
Subject: pacifica housing/airbnb issues

good morning, oceane

this is donna j wagner, resident of west sharp park, pacifica. peter benham suggested i email you

i've become very concerned about the proliferation of airbnbs here in west sharp park. i know there's a housing shortage in pacifica, and it seems to me that it's counter productive to turn functional apartment buildings, as well as houses, that could be rented, into airbnbs. i do realize that the owners can make a lot more money with short term renting, but - it ruins the neighborhood - noise, parking, trash. and people are being evicted so as to turn their places into short term rentals (if that's the term for airbnbs).

do i have any recourse? do the neighbors have any recourse? i did email the city council, and was told that it's already in the works, but needs a release from the coastal commission. well, that's you all :)

i know, with the weather and general state of everything, that this might not be your first priority, but, well, it's my neighborhood, and i've lived here for 22 years. i'd like to continue doing so

thanks

donna j wagner RN

[redacted]

[redacted]

[redacted]

<image001.png><(EX 1) LCP-2-PAC-18-0075-2 (Short Term Rentals).pdf><10.10.22 City Council Item Staff Report - Information Item.pdf>

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Murdock, Christian

From: James Dull [redacted]
Sent: Monday, January 16, 2023 11:08 AM
To: Public Comment
Subject: Re: Tuesday 17, 2023 Planning Commission Meeting; Agenda Item File No.2022-36 - Text Amendment TA-123-22

[CAUTION: External Email]

Sent from my iPad

> On Jan 16, 2023, at 10:01 AM, James Dull <[redacted] wrote:
>
>
> Pacifica Planning Commission:
>
> My name is Denise Dull. My husband James and I are 35-year residents of Pacifica. I am writing in regard to the proposed ordinance amendment concerning short-term rentals, specifically those that are not owner occupied.
>
> First, I want to express my gratitude to the City's staff for the research done in preparation for addressing the proposed cap of 150 on STRs.
>
> Until recently we have lived on a quiet street, occupied by other longtime residents who enjoyed the spirit of a real neighborhood, a small community of people helping and looking out for each other. Unfortunately, I fear this is now slipping away, not only in my neighborhood but throughout Pacifica due to the influx of STRs. In my case, there are now two non-owner occupied STRs side by side in my immediate neighborhood. Both are homes large enough to accommodate families who could have been welcomed additions to our area. Instead, we now have a constant revolving door of strangers making us feel like we're living on "motel row."
>
> During the recent storms the issue of these unhosted STRs has become more problematic. Several large limbs from a mature cypress tree crashed down causing considerable damage to a guest's car parked in front the STR. This guest contacted the corporation managing the property and received no answer until he took it upon himself to schedule a tree removal company to extricate his car from under the branches. Only when he told the management what he had done did they reply only to argue with him as to who would pay for this service. A week later even more branches fell, blocking our street. Neighbors from two homes cleared the street for traffic. One neighbor sent an email and photos to an address provided by a couple who identified themselves as the owners when the home was first sold. I did the same, without the photos. Neither of us received an answer. I realized later that we had possibly sent the emails to an address in China. Later that day new guests arrived and must have contacted the management because at 10 pm a tree service arrived with a wood chipper and cleared the debris.
>
> My point is that it is not the responsibility of neighbors to clear streets and notify owners of problems and damage to their properties. But, since there is no on-site management we are left to do what we as home owners do for our own properties.
>
> I wholeheartedly support the proposed cap of 150 STRs which will at least prevent others from having to live with what we in our neighborhood face. However, this does nothing to help those of us living next to these corporate

owner/operator businesses, businesses that are thriving in areas zoned as residential. Little did we know when we bought our home that one day we'd be living among unregulated hotels.
>
> In closing, I urge you to consider amending the STR ordinance further as has Half Moon Bay and other coastal cities. I love Pacifica and am distressed to watch it changing from its close knit community spirit to one at risk of being taken over by corporate greed and profiteers.
>
> Thank you for bringing the 150 cap forward and for reading this email and listening to other concerned Pacificans.
>
> Sincerely,
> Denise Dull
>
>
>
>
>
>
> Sent from my iPad

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Murdock, Christian

From: Cheryl Greene [redacted]
Sent: Sunday, January 15, 2023 5:18 AM
To: Public Comment
Subject: Tuesday, 1/17, FltE NO. 2022-036 FOR TEXT AMENDMENT TA-123-22 - STR Ordinance Discussion at Planning Commission Meeting
Attachments: clip_image002.png

[CAUTION: External Email]

Dear Mayor Bigstyck, Planning Commision, and City Manager Kevin Woodhouse and Assistant City Manager Yulia Carter,

I'm writing today in support of a 150 cap for unhosted Short Term Rentals (STRs) in Pacifica and to encourage Planning Commission members to vote for it. A cap of 150 unhosted STRs in Pacifica is a good start, but capping the number of STRs doesn't address issues in neighborhoods like West Sharp Park and Pedro Point that are already overrun with unhosted STRs.

Unhosted STRs, especially those owned and/or operated by corporate investors, change the tenor of our communities — and not in a positive way.

As a Pacifica resident, community member, tax payer, and ardent voter, I urge you to make this the first step to addressing this import issue.

Thank you for your time and service to our city.

Cheryl Greene

[redacted]

---------- Forwarded message ---------
From: **Caitlin Quinn** [redacted]
Date: Sat, Jan 14, 2023 at 3:43 PM
Subject: Prepping for Tuesday, 1/17, STR Ordinance Discussion at City Council Meeting
To: Caitlin Quinn [redacted]

Hi there -

I hope you are all well and hanging in there through yet another rainy weekend.

Apologies in advance for reaching out again, but I did want to supply you all with the link to the meeting agenda and materials for Tuesday night, as follows:

https://pacificacityca.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1532

As you'll see, the proposed STR ordinance amendment is item No. 2 on the agenda. Materials there include a staff report, draft resolution and ordinance, tracked changes of the STR provision, and even a public comment already provided by a supportive neighbor. I urge you to please read what you can of these documents in advance of Tuesday. Yes, they are

absolutely “duller than dust” as my grandmother would say, but we should all be as educated as possible on the City’s stand and proposals here.

As a reminder, Tuesday’s meeting will start at 7 p.m. at 2212 Beach Blvd. It would be super to have as many of you there as possible ready and willing to speak out. We want our presence to be felt, and that takes bodies! I know the rain can pose some driving challenges, so if someone is in need of a ride, please let me know, and I will do my best to find you transportation. Also, if the parking lot fills up and you can’t find ready parking, we can fit two cars in our driveway at 1985 Beach. (Just let me know in advance, so I don’t think you are from the unhosted STR next door and have you towed!)

Additionally, please do **send written comments to the City no later than noon on Tuesday, January 17th, so they are entered into the official record.** Here are the instructions again for that from the City’s website:

- **Before the Meeting**: Members of the public are encouraged to submit written public comments before the meeting by sending an email to publiccomment@pacifica.gov by **12:00 pm** on the meeting date. Written comments will be made part of the record of proceedings but will not be read verbally at the meeting. Comments submitted by email should adhere to the following:
    - In the **Subject Line**, clearly indicate the **Meeting Date** and **Agenda Item No.** or **Oral Communications** for items not on the agenda.
    - Include the submitter’s **full name**.
    - Written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda - **"Oral Communications."**
- Note: Staff cannot guarantee written comments received after 12:00pm on the meeting date will be received by Council before the meeting. However, all written comments received prior to the end of a meeting will be sent to Council and made part of the record of proceedings.

In terms of your written and spoken comments, even though we all realize that the proposed ordinance to institute a 150 cap on STRs in Pacifica won’t do anything to alleviate the pain so many of us suffer due to the many investor-run, unhosted STRs already in existence in our various neighborhoods, I think it’s important to be appreciative and supportive of the City staff and Council for bringing this initial ordinance to the fore. As I’ve mentioned before, I believe what Pacifica needs is an amended ordinance with “teeth” that implodes the investor-run business model currently in operation here and dulls their appetite for more Pacifica homes. I’ve incorporated language to that effect in my draft letter, which I am including for your review here. Please feel free to read it and use any of part of it you find useful. (Also, please note that it’s still in draft form, so kindly let me know of any typos or errors you see!)

Promise I’ll try not to fill your inboxes up any more in advance of Tuesday. **Again, I want to encourage each and every one of you to make your voices heard.** I know from our conversations that all of you have been impacted by the unprecedented expansion of unhosted STRs. Each of you has an important story to tell—from the number of times you were woken up by loud partiers and either did or didn’t call the police, to the fact that you can’t afford to buy a home in Pacifica because corporate investors swoop in and drive up home prices, to the horror story of losing your rental home because it was converted into an STR, to how sad/unsafe you feel being surrounded by strangers instead of neighbors. Y**OU DESERVE—AND NEED—TO BE HEARD! And, honestly, the only way we’re going to succeed is if you all speak up.**

Below is my draft letter for anyone who wants to read it.

Hoping to see as many of you as possible on Tuesday night. (And in case you’ve never met me in person, I have long red hair, so generally stand out in a crowd!)

Best,

Caitlin

Dear Mayor Bigstyck, City Council Members, and City Manager Kevin Woodhouse and Assistant City Manager Yulia Carter,

As a six-year resident of West Sharp Park, I want to thank you for addressing the growing issue of short-term rentals (STRs) in Pacifica. In particular, I want to express my appreciation for the City's staff, who have done so much work in providing the research and resources necessary to bring this proposed cap on STRs in Pacifica to tonight's meeting.

I support a 150 cap for STRs in Pacifica and encourage each City Council member to vote for it.

However, **I respectfully ask that the City consider further amendments to the STR ordinance that are critical to protecting Pacifica's neighbors and conserving Pacifica's neighborhoods according to Guiding Policy CD-G-3 of the City's General Plan.**

A cap of 150 STRs thoughout Pacifica is a good start to this highly complex and problematic issue. However, the cap is not going to rescue Pacifica neighborhoods from becoming rows of unregulated hotels, because that has already happened. As evidence, walk up Beach Blvd. and count the number of homes that now operate as unhosted STRs. At present, there are almost as many of them as there are actual residential homes. Allowing only 150 STRs to operate in Pacifica doesn't alleviate the pain felt in neighborhoods like West Sharp Park and Pedro Point that are already overrun with unhosted STRs. It also doesn't take into consideration the amount of hosted vs. unhosted STRs in any given area. Nor does it give recognition to the fact that, unlike unhosted STRs, hosted STRs do not deprive neighborhoods of much-needed homes, negatively impact housing affordability, and threaten the unique qualities of residential neighborhoods.

Unhosted STRs, especially those owned and/or operated by corporate investors, are a destablizing force in Pacifica neighborhoods. According to the December 27, 2022 article in the *Pacifica Tribune*, 58% of all Pacifica STRs are "operated by hosts with six or more short-term rentals." This is a disturbingly high percentage and demonstrates that the majority of STRs in Pacifica are NOT being operated by neighbors who are simply trying to make ends meet.

My partner and I live within a few feet of an STR owned and operated by a corporation with 19 properties in Pacifica. This property is essentially an unregulated hotel—a commercial enterprise that operates 24 hours a day, seven days a week, 365 days year. We are relentlessly subjected to its commercial activities, which includes large groups of people and cleaning staff constantly coming and going. This business right next door to our home doesn't close for major holidays. In fact, it is even busier on Thanksgiving, Christmas, New Years, Labor Day—all holidays that were, in effect, ruined for us since the STR started its operations last year.

The nuisance issues this unregulated hotel causes us and other adjacent neighbors are myriad. We have had to call the police multiple times because of customers loudly entering and leaving the property in the middle of the night, including at least six times between midnight and 4:00 a.m. We have requested that the corporate owner either institute cut-off times for "check ins" and "check outs" or have the customers ingress and egress the property via the two-car garage to avoid our being woken up at least 3-4 times a month. Our requests are consistently ignored.

Over the six months this unregulated hotel has been in operation, our sense of safety and personal wellbeing has deterioriated. For instance, over the Christmas break, a group of adults and children woke us up after midnight on Christmas as they were were "checking in" to the property. A Pacifica police officer came to our door a few nights later to ask us if we had noticed "anything suspicious in the Airbnb next door involving children and drugs." Further, I submit for your review what happened when one of the customers staying there last week walked by and saw the security camera we've had to install above our door:

Unhosted STRs neutralize a neighborhood's ability to monitor unsafe activities. My neighbors and I have absolutely no idea any longer what cars or people are supposed to be in our vicinity. And when everything is suspicious, nothing is. There's no "see something, say something" possible in such circumstances. This is a documented phenomenon that occurs across regions where unhosted STRs are permitted, as these entities erode a community's ability to safeguard itself. And while Airbnb spends millions of dollars to keep crime horror stories connected with STRs out of the news (see https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away) the facts remain: unhosted STRs bring crime to neighborhoods in both direct and indirect ways.

Unhosted STRs tear the fabric of community. The recent spate of storms shed a particular light on this issue. I have heard stories from neighbors of property damage remaining unaddressed by absentee corporate owners that proved dangerous to unhosted guests and neighbors alike. In sharp contrast, many of the neighbors in West Sharp Park pulled together and helped out other neighbors who were impacted by the storm: shoveling sand, loaning equipment like high-speed fans and dehumidifiers, etc. That's the kind of community spirit that can only exist when neighborhoods house actual neighbors.

I am part of a group of 30+ Pacificans across multiple neighborhoods who seek further help from the City beyond the 150 cap ordinance. Specifically, many of us are eager to see Pacifica adopt Half Moon Bay's recent STR ordinance, which is currently being reviewed by the Coastal Commission, with particular notice of the following components:

a. **A primary residence requirement, providing that no home can be operated for short-term residential use unless that home is the primary residence of the operator.** ***(This will stop the proliferation of commercial STR operators with no stake in protecting the community.)***
b. **Limit the maximum number or rental nights per unhosted STR to no more than 60 nights per calendar year.**
c. **Limit the number of STRs per operator or owner to one (1).**
d. **Prohibit issuance of an STR permit to any operator or rental unit that has had more than two (2) violations of the City's municipal code in the preceding 12 months.**
e. **Adopt performance standards ensuring that no interior or exterior activity related to the short-term vacation rental interferes with or is detrimental to residential use of adjacent property.**

These are the elements of an STR ordinance that will stop much-needed Pacifica homes from being snatched up by corporate investors who only want to exploit our communities and their resources, that will rescue Pacifica neighborhoods from current corporate owners/operators who have no vested interest in them and the safety and well-being of its residents, and that will protect Pacifica's public health, safety, and welfare.

I want to be clear that my comments concern only unhosted STRs, and that I have no issue with any Pacifican who wishes to rent out part of their home or even to rent the entire home if they are gone a few months a year (i.e., the business models Airbnb and VRBO first sold us all on). It is unfortunate that the greed of corporate investors has soured this for everyone.

Thank you again for your work in bringing the 150 STR cap forward—and thank you in advance for passing it.

In addition, I urge you to **please consider amending Pacifica's STR ordinance further, joining with our sister city, Half Moon Bay, and other coastal California cities like Pacific Grove that— through the adoption of robust, protective ordinances— have become leaders in shielding their communities and residents from the disruptive, damaging, and ultimately dangerous presence of investor-run unhosted STRs.**

Sincerely,

Caitlin A. Quinn

[redacted]

West Sharp Park

--
Sent from Gmail Mobile

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Murdock, Christian

From: Summer Lee [redacted]
Sent: Tuesday, January 17, 2023 12:33 PM
To: Public Comment
Cc: Murdock, Christian; Berman, Lauren; Hauser, Samantha; Domurat, George; Ferguson, Alex; Godwin, James; Leal, David; Wright, Greg
Subject: Comment re: Planning Commission 1/17/23 agenda

[CAUTION: External Email]

Dear Commissioners and Staff,

I am writing on a few items on the agenda this evening.

1) Thank you for delaying the hearing on the Quarry FEIR. I understand there is a parallel CDP process and that the CCC has jurisdiction of the majority of this parcel, thankfully. I would like to urge you to consider that the City of Pacifica is apparently understaffed and overworked and therefore not capable of managing the magnitude of this project that deals with 4+ years of 1M cubic yards of soil on a 86 acre $100M project. In fact this FEIR is possibly a CEQA violation in that it is an attempt to piecemeal the reclamation from the future vision the City has to develop the Quarry, therefore under analyzing the cumulative impacts of the final project. The rezoning of this parcel flies in the face of the vast majority of Pacificans who overwhelming approved an ordinance to bring quarry rezoning to a public vote.

2) I also join the vast majority of Pacificans who do not believe a slap dash STR cap proposal to the CCC is effective governance. I reiterate other's demands for the standard practices in other jurisdictions such as: A 60 day rental limit for unheated STR's, a rental registry, a vacancy tax, a primary residency requirement so that there is accountability to neighbors and the community, penalties for illegal STR's, codification of enforcement practices, and most importantly, a moratorium on new unhosted STR's until the City can adequately address this policy at a level that surrounding jurisdictions have done, including adoption of STR ordinances to protect our community.

3) It is shocking to see that the addendum to the Harmony@1 FEIR once again weakens the conditions of approval set in 2007 that involved hundreds of hours of community and developer input and consensus building, particular the impact on the Ridgeline. You might remember that your adoption of the first development a year or so ago was appealed to the City Council, and as a result a group of community members reached agreement with the owner and developer Bijan Kosravi who understood it was in the best interest of himself legally, but also the community that he would ostensibly be living in, to change his project to comply to the COA's in the subdivision FEIR. To dishonor the work by both developers and the community in 2007, but most importantly CEQA legal standards, is putting the City at risk, and I implore you to consider striking the ability to move a development footprint outside the original FEIR's Ridgeline area.

Many thanks for your work and attention to keeping Pacifica a good place to live, Summer Lee

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Murdock, Christian

From: Peter Loeb [redacted]
Sent: Tuesday, January 17, 2023 11:46 AM
To: Public Comment; Murdock, Christian; Berman, Lauren; Hauser, Samantha; Domurat, George; Ferguson, Alex; Godwin, James; Leal, David; Wright, Greg
Cc: Cindy Abbott; Summer Lee; Suzanne Moore; Dinah Verby; Cherie Chan; Pete Shoemaker; Joanne Gold; Allison West; Samuel Casillas; Leo Leon; Michele Trausch
Subject: Comment re: Planning Commission 1/17/23 agenda Item 2, STRs

[CAUTION: External Email]

I've spoken with many Pacificans who are concerned about the proliferation of unhosted short term rentals of residences. There are complaints of noise, parking, trash, and other things but there is no resident or neighbor to talk to about the problems. Many STRs are owned by corporations, not even local residents. I'm told that one corporation owns 19 houses in Pacifica that have been converted to STRs. This is conversion of a residential property to a commercial use that is a nonconforming use in a residential zone. This seems to me to be a violation of the zoning ordinance.

The proposed ordinance limiting the number of STRs to 150 does not go nearly far enough to address the many issues associated with unhosted STRs. In addition to this proposed ordinance, I urge the Planning Commissioners to consider the following policies and ordinances:

- A limit of 60 days per year that an unhosted STR can be rented.
- Rental registry to require all rental units to be registered so that the number and extent of rental units and STRs can be known.
- A vacancy tax on housing units that are vacant for more than 182 days per year (total of 6 months of days) be taxed to avoid purchase of housing units that are then not available as housing.
- A primary residence requirement, providing that no home can be operated for short-term residential use unless that home is the primary residence of the operator.
- Limit the number of STRs per operator or owner to one.
- Adopt performance standards ensuring that no interior or exterior activity related to the short-term vacation rental interferes with or is detrimental to residential use of adjacent property.
- Adopt enforcement procedures and penalties for illegal STRs, such as ADUs which are not allowed to be rented short-term.
- A moratorium on new unhosted STRs until these and/or other policies or ordinances can be adopted and implemented.

These policies and ordinances have been implemented in other cities or counties so there are models for drafting them for Pacifica. I hope the commissioners will consider these and recommend them to the City Council.

Peter Loeb
[redacted]

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Murdock, Christian

From: Erin Macias [redacted]
Sent: Sunday, January 15, 2023 10:26 AM
To: Public Comment
Subject: 1/17/23 Agenda item 2

[CAUTION: External Email]

Dear Commissioners and Staff,

Thank you for your work on the ordinance thus far. I look forward to a positive outcome for all stake-holders. Please review the following comments for consideration:

1. **Address STRs that violate zoning outside the coastal zone.**
Do not renew any permits for short term rental operating a hotel (6 bedrooms) in a R-1 Zone.

2. **Halt unsafe business practices.**
Restrict STR operators to one manager/owner per permit. The inability to reach the property owner and the management company during an active complaint investigation or a hazardous situation is a community safety issue.

3. **Discourage operators with no investment to the community.**
Do not renew any permits for short term rentals with Municipal Code Violations and more than XXX calls for service for noise disturbances such as partying. Section 9-4.4907 is vague and needs to be quantified.

4. **Create a framework for accountability.**
Prepare a fine structure for calls for service from police and Code Enforcement when violations are of record. Anyone operating a STR without a permit shall not be considered for a STR permit for a period of one year. Make this fine schedule public and make it a required posting it inside the STR.

5. **Set reasonable parameters.**
Cap them at 150 units per year by lottery, and set unhosted limits to a specified number of days per year.

6. **Require in-person inspections annually.**
In-person exterior and interior property inspections on an annual basis ensure safety and compliance and to limit liability to City and residents.

7. **Provide the California Coastal Commission data to help shape decision-making.**
Provide evidence to demonstrate how their own policies create new barriers to coastal access for socio-economically disadvantaged families, groups and individuals and reduce affordable housing in the coastal zone.

8. **Continue to look at other programs to reduce administrative costs in creating our program.**
San Francisco https://sfplanning.org/str/faqs-short-term-rentals
Half Moon Bay https://www.half-moon-bay.ca.us/660/Short-Term-Rentals
County of San Mateo Coastal Zone permit https://www.smcgov.org/planning/short-term-rental-permit-coastal-zone
Malibu https://www.malibucity.org/820/Short-Term-Rental-Program

Respectfully submitted,
Erin Macias, Linda Mar

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Murdock, Christian

From: Suzanne Moore [redacted]
Sent: Monday, January 16, 2023 12:38 PM
To: _City Council; clerk@pacifica.gov; _Planning Commission Group
Subject: RE: 1/17/23 agenda item 2 - Short Term Rentals (STR)

[CAUTION: External Email]

RE: 1/17/23 agenda item 2 - Short Term Rentals (STR)

Honorable Commissioners,

Thank you for your efforts to advise our community and City Council to cap short-term rental permits to 150. I suggest a temporary moratorium on further conversions while this issue receives further study - this should be returned to Council and City Staff.

There are many in Pacifica who are stakeholders: neighbors who report quality of life impact changes due to STRs, housing advocates who have reports of displacement due to conversions and are concerned about impact on coastal long-term housing stock, and Pacifica hotels/motels negatively impacted by these rentals. Other Coastal Communities have studied STRs and have created ordinances to balance community needs. In a 2016 letter to the City of Santa Cruz, the Coastal Commission acknowledges the need to make decisions in consideration of all stakeholders and in compliance with our Local Coastal Plan.

Thank you for data provided by HdL It is a start to a better understanding of the number of STRs; but it is likely that these numbers understate actual STRs, and a key data point is missing. Without knowing Pacifica's current vacancy rate, we cannot understand the impact that STR conversions have on our housing availability.

We do have anecdotal reports of displacement from tenants whose housing was converted to Air B&Bs.

Pacifica Housing 4 All, in our platform for Pacifica's Housing Element, suggest a rental registry to best judge STR numbers compared to Pacifica's rental vacancy rate - and we support restricting STR conversions if Pacifica's vacancy rate is under 5%. We suggest that unhosted annual days for STRs be restricted to 60 days annually.

Because of the importance of the issue, the number of involved stakeholders, and the interrelationship of an STR ordinance with our Local Coastal Plan, I would like this discussion to be returned to City Council and Staff for further study. Thank you.

--
Suzanne Moore
[redacted]

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SHUTE, MIHALY & WEINBERGER LLP

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T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

ROBERT "PERL" PERLMUTTER
Attorney
Perlmutter@smwlaw.com

January 15, 2023

Via Electronic Mail Only

Chairperson Berman and Members of the
Planning Commission
City of Pacifica
540 Crespi Drive
Pacifica, CA 94044-3422

Re: Short Term Rentals File No. 2022-036 – Text Amendment TA-123-22,

Dear Chair Berman and Members of the Planning Commission:

This Firm represents a group of Pacifica residents who live adjacent to, or near, un-hosted short term rentals ("STRs") in the City of Pacifica and have become increasingly concerned about the adverse impacts and significant disruption that operation of such STRs is having on their neighborhoods and quality of life.

Our clients appreciate the efforts of City staff in drafting the proposed text amendments to limit the number of homes in Pacifica that can be used for STRs. This cap should help address the concerns expressed at last October's City Council meeting that sales of residential property for singular use as an STR is limiting the City's housing stock available for long-term residential use.

However, this cap will not meaningfully address the quality of life concerns of our clients and other Pacifica residents. To address those concerns, more comprehensive changes to the City's STR ordinance are necessary. Fortunately, one of your sister cities just a few miles to the south—the City of Half Moon Bay—has recently adopted a comprehensive STR ordinance that contains a variety of measures and best practices designed to address the impacts of unhosted STRs directly.

Accordingly, in addition to adopting the proposed resolution recommending that the City Council amend Pacifica's STR ordinance to add the 150-permit cap (as recommended by staff), my clients request that you recommend to the City

Council that it direct staff to prepare more comprehensive revisions to Pacifica's STR ordinance that incorporate key components from the Half Moon Bay Ordinance. They also request that the City pursue adoption of an STR "Good Neighbor Policy" that would require operators of STRs to provide each renter a copy of the City's STR regulations and require the renter to acknowledge in writing their obligation to comply with City requirements regarding noise, trash, occupancy, and parking.

I have summarized below the key components of the Half Moon Bay Ordinance and provided a link to the full Ordinance as well as links to several Good Neighbor Policies adopted by other cities.

As your staff report notes, in order for any amendments to the City's STR ordinance to become effective in the coastal zone, the California Coastal Commission will need to certify an amendment to the City's Local Coastal Program ("LCP"). In this regard, I note that Half Moon Bay's request for the Coastal Commission to approve LCP amendments for its STR Ordinance is currently pending. The Coastal Commission considered Half Moon Bay's request at its October 14, 2022 hearing, at which time a majority of the Commissioners expressed support for the basic components of the ordinance and directed its staff to work with Half Moon Bay to further refine the ordinance. I understand that the Half Moon Bay ordinance will be coming back before the Coastal Commission for potential final approval within the next few months. In the event that the Coastal Commission approves Half Moon Bay's LCP amendment for its STR ordinance, Pacifica would be able to take advantage of Half Moon Bay's experience to process similar amendments to its existing STR ordinance expeditiously.

In the meantime, I have listed below the key components of the Half Moon Bay STR Ordinance that my clients request the City of Pacifica to pursue:

1. **Primary residence requirement.** This is the heart of the Half Moon Bay approach. It provides that no dwelling unit can be operated for short-term residential use unless that home is the primary residence of the operator. This provision will address the recent proliferation of commercial STR operators with no stake in protecting existing neighborhoods. *See* Half Moon Bay Municipal Code ("HMB") § 18.06.025(G)(5)(b).

2. **Maximum Number of Rental Nights**. Limit the maximum number of nights that <u>unhosted</u> STRs can be rented to no more than sixty (60) nights[1] per calendar year. Because hosted STRs create markedly fewer problems and have an on-site host to

[1] I understand that, as a result of input from the Coastal Commission, Half Moon Bay staff recently proposed increasing this maximum to 120 nights.

address neighborhood concerns directly, this limit does not apply to hosted STRs. HMB § 18.06.025(G)(5)(c).

3. **Maximum Number of STRs per Owner/Operator**. Limit the maximum number of STRs per owner/operator within the city limits to one . HMB § 18.06.025(G)(5)(d).

4. **Compliance standards.** Impose a requirement that no permit shall be issued or renewed for any STR operator or unit that had two or more violations of the City's Municipal Code within the preceding 12 months. HMB § 18.06.025(G)(3)(h).

5. **Performance Standards**. Specify performance standards requiring that there be no interior or exterior activity related to any STR that interferes with or is detrimental to residential use of adjacent property. HMB § 18.06.025(G)(6).

A link to the Half Moon Bay Ordinance is included in the footnote below, along with links to several STR Good Neighbor Policies.[2]

Thank you for your consideration of this request.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Robert "Perl" Perlmutter

cc: Clients

1607231.1

[2] An unsigned copy of the Half Moon Bay Ordinance as adopted by the City Council is available at the following link: https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1068930/ORDINANCE.pdf. The STR Good Neighbor Policies for the Cities of Oceanside and Dana Point are as follows: https://www.ci.oceanside.ca.us/documents/Planning/Good%20Neighbor%20Policy%2001.16.20.pdf ; https://www.danapoint.org/department/community-development/code-enforcement/short-term-rentals/being-a-good-short-term-neighbor.

Murdock, Christian

From: Caitlin Quinn [redacted]
Sent: Monday, January 16, 2023 7:51 AM
To: Public Comment; Berman, Lauren; Hauser, Samantha; Domurat, George; Ferguson, Alex; Godwin, James; Leal, David; Wright, Greg
Cc: _City Council; Murdock, Christian; Woodhouse, Kevin; Carter, Yulia
Subject: Short-Term Rentals File No. 2022-036 – Text Amendment TA-123-22

[CAUTION: External Email]

To: The Members of the City of Pacifica Planning Commission

Date: January 16, 2022

Re: Short-Term Rentals File No. 2022-036 – Text Amendment TA-123-22

As a six-year resident of West Sharp Park, I want to thank Pacifica's Planning Commission and City staff for addressing the growing issue of short-term rentals (STRs) in Pacifica.

While I support a 150-unit cap for STRs in Pacifica, **I respectfully ask that the Commission, City Council, and City staff consider further amendments to the STR ordinance that are critical to protecting Pacifica's neighbors and conserving Pacifica's neighborhoods according to Guiding Policy CD-G-3 of the City's General Plan.**

While a cap of 150 STRs thoughout Pacifica is a good start to this highly complex and problematic issue, it is not going to rescue Pacifica neighborhoods from becoming rows of unregulated hotels, **because that has already happened**. As evidence, walk up Beach Blvd. and count the number of homes that now operate as unhosted STRs. At present, there are almost as many of them as there are actual residential homes. Allowing only 150 STRs to operate in Pacifica doesn't alleviate the pain felt in neighborhoods like West Sharp Park and Pedro Point that are already overrun with unhosted STRs. It also doesn't take into consideration the amount of hosted vs. unhosted STRs in any given area. Nor does it give recognition to the fact that, unlike unhosted STRs, hosted STRs do not deprive neighborhoods of much-needed homes, negatively impact housing affordability, and threaten the unique qualities of residential neighborhoods.

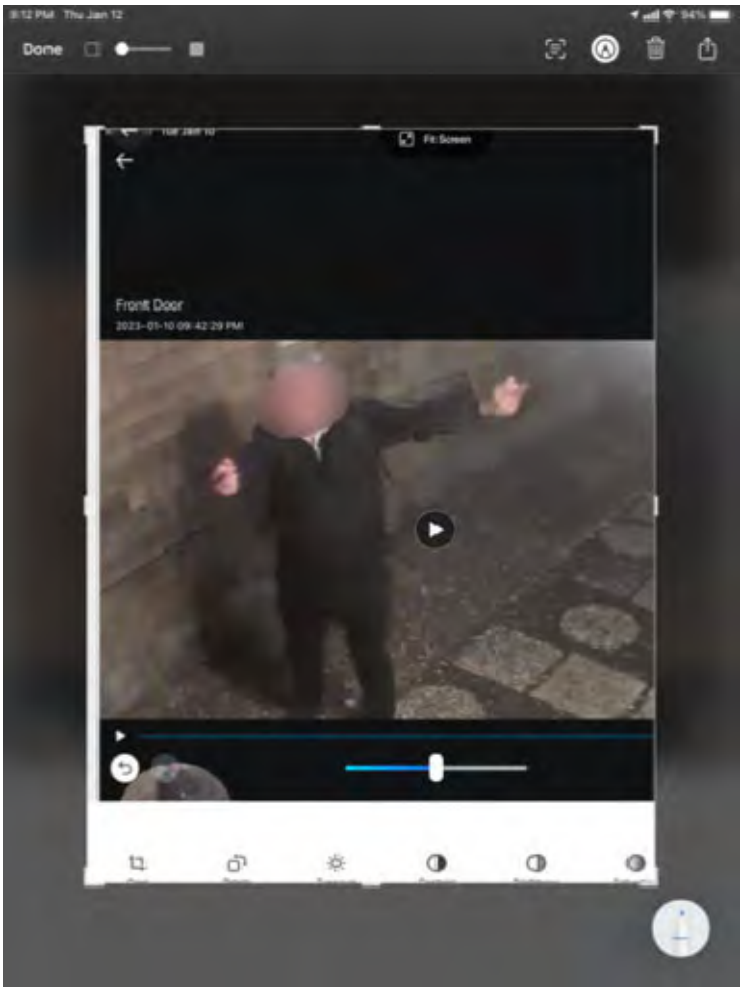
Unhosted STRs—especially those owned and/or operated by corporate investors—are a destablizing force in Pacifica neighborhoods. According to the December 27, 2022 article in the *Pacifica Tribune*, 58% of all Pacifica STRs are "operated by hosts with six or more short-term rentals." This is a disturbingly high percentage and demonstrates that the majority of STRs in Pacifica are NOT being operated by neighbors who are simply trying to make ends meet.

My partner and I live within a few feet of an STR owned and operated by a corporation with 19 properties in Pacifica. This property is essentially an unregulated hotel—a commercial enterprise that operates 24 hours a day, seven days a week, 365 days year. We are relentlessly subjected to its commercial activities, which includes large groups of people and cleaning staff constantly coming and going at all hours. This business right next door to our home doesn't close for major holidays. In fact, it is even busier on Thanksgiving, Christmas, New Years, Labor Day—all holidays that were, in effect, ruined for us since the STR started its operations last year.

The nuisance issues this unregulated hotel causes us and other adjacent neighbors are myriad. We have had to call the police multiple times because of customers waking us up while loudly entering and leaving the property in the middle of the night, including at least six times between midnight and 4:00 a.m. We have requested that the corporate owner either institute cut-

off times for “check ins” and “check outs” or have the customers ingress and egress the property via the two-car garage to avoid our sleep being disturbed at least 3-4 times a month. Our requests are consistently ignored.

In just six months of operation, this unregulated hotel has diminished our sense of personal safety and wellbeing. For instance, over the Christmas break, a group of adults and children woke us up after midnight on Christmas as they were were “checking in” to the property. **A Pacifica police officer came to our door a few nights later to ask us if we had noticed “anything suspicious in the Airbnb next door involving children and drugs.”** Further, I submit for your review what happened when one of the customers staying there last week walked by and saw the security camera we’ve installed above our front door:



Unhosted STRs neutralize a neighborhood’s ability to monitor unsafe activities. My neighbors and I have absolutely no idea any longer what cars or people are supposed to be in our vicinity. And when everything is suspicious, nothing is. There’s no “see something, say something” possible in such circumstances. This is a documented phenomenon that occurs across regions where unhosted STRs are permitted, as these entities erode a community’s ability to safeguard itself. And while Airbnb spends millions of dollars to keep crime horror stories connected with STRs out of the news (see https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away) the facts remain: unhosted STRs bring crime to neighborhoods in both direct and indirect ways.

Unhosted STRs tear the fabric of community. The recent spate of storms shed a particular light on this issue. I have heard stories from neighbors of property damage remaining unaddressed by absentee corporate owners that proved dangerous to unhosted STR guests and neighbors alike. In sharp contrast, many of the neighbors in West Sharp Park pulled together and helped out other neighbors who were impacted by the storm: shoveling sand, loaning equipment like high-speed fans and dehumidifiers, etc. That's the kind of community spirit that can only exist when neighborhoods contain actual neighbors.

I am part of a group of 30+ Pacificans across multiple neighborhoods who seek further help from the City beyond the 150 cap ordinance. Specifically, many of us are eager to see Pacifica adopt Half Moon Bay's recent STR ordinance (which is currently being reviewed by the Coastal Commission) with particular attention to the following components:

a. **A primary residence requirement, providing that no home can be operated for short-term residential use unless that home is the primary residence of the operator.** ***(This will stop the proliferation of commercial STR operators with no stake in protecting the community.)***
b. **Limit the maximum number or rental nights per unhosted STR to no more than 60 nights per calendar year.**
c. **Limit the number of STRs per operator or owner to one (1).**
d. **Prohibit issuance of an STR permit to any operator or rental unit that has had more than two (2) violations of the City's municipal code in the preceding 12 months.**
e. **Adopt performance standards ensuring that no interior or exterior activity related to the short-term vacation rental interferes with or is detrimental to residential use of adjacent property.**

These are the elements of an STR ordinance that will stop much-needed Pacifica homes from being snatched up by corporate investors who only want to exploit our communities and their resources, that will rescue Pacifica neighborhoods from current corporate owners/operators who have no vested interest in them or in the safety and well-being of its residents, and that will protect Pacifica's public health, safety, and welfare.

I want to be clear that my comments concern only unhosted STRs, and that I have no issue with any Pacifican who wishes to rent out part of their home or even to rent the entire home if they are gone a few months a year (i.e., the business models Airbnb and VRBO first sold us all on).

I urge you to **please consider amending Pacifica's STR ordinance further, joining with our sister city, Half Moon Bay, and other coastal California cities like Pacific Grove that— through the adoption of robust, protective ordinances—have become leaders in shielding their communities and residents from the disruptive, damaging, and dangerous presence of investor-run, unhosted STRs.**

Sincerely,

Caitlin A. Quinn

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Murdock, Christian

From: Lara Rondberg [redacted]
Sent: Tuesday, January 17, 2023 10:59 AM
To: Public Comment
Subject: January 17th 2023 Article 49, "Short-Term Rentals" Comments

[CAUTION: External Email]

Hello,
I am respectfully submitting my comments to the City Council regarding the Short Term Rental guidelines under discussion.

I am a single professional woman working in the education sector. I have lived in Pacifica for 7 years, with the most recent 5 of those living in a room I rented in a house on Beach Blvd which in 2022 was sold to a foreign investment corporation and turned into an unhoused vacation rental. With the sale of that house and being forced to leave, I experienced much difficulty finding affordable rental housing. I lived in said home for 5 years with rent control extended by the owner of the home. When I was forced to leave I found it nearly impossible to find affordable housing in the community. There was very little available, whether that be in larger corporate apartment complexes, smaller rental units or rooms in private homes.

I am an ardent supporter of local businesses and initiatives and dearly wanted to stay in Pacifica. When I look at Air BnB/VRBO websites for rentals in Pacifica I am saddened to see so many of the houses near where I used to live on Beach Blvd offered as "hotels" instead of housing for community members. Houses that used to contain families now are hotels leaving those of us who want to rent in Pacifica very few affordable options. I know this is not unique to Beach Blvd and the problem extends throughout Pacifica.

A city like Pacifica is made up of neighbors and neighborhoods. It is what makes it a welcoming place to live for people like me who are not from here but desire to live in a community where neighbors help each other and help support the community. This can not happen if many people like me, hard working professionals who desire a safe place to live, can not find suitable housing options to remain in Pacifica.

I hope the City Council reconsiders the current policies so that there will be more housing options for people who want to live in Pacifica and support the community.
Respectfully,
Lara Rondberg

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Public Comments
Agenda Item 10 – Short-Term Rental Ordinance

Written Comments Received By 12pm on 02/13/2023

February 13, 2023

City Council Meeting

From: Michael ONeill [redacted]
Sent: Thursday, February 9, 2023 10:16 PM
To: Public Comment
Subject: Feb 13, 2023 Meeting Agenda Item #10

[CAUTION: External Email]

Comments regarding Item #10 on the City Council Agenda of Feb13,2023.

In reading the proposed ordinance I feel that there is a major oversight in the ordinance.

The ordinance as proposed does not clearly state or differentiate between a single-family home or an apartment house,

If a permit is issued or granted to an address my reading of the ordinance that is considered one STR

If the address is one address and it is an apartment building, there could be multiple STR's being granted. I would respectfully suggest that EACH UNIT of an address be considered a STR and thus require a separate permit and be counted towards the 150-unit limit.

I also think that if most units in an apartment house are STR then that building be considered a commercial building and subject to the same rules as a hotel.

I also feel that the City Council should consider an ordinance like Truckee 's that requires a 12 month wait time before the buyer of a home is allowed to get on the list to become an STR.

I would also suggest that the Council consider some of the updates recently adopted by Truckee to their STR ordinance specifically:

- Waitlist Applications:
    - o Properties that have yet to receive a Certificate of Occupancy are unable to apply for the waitlist (e.g., vacant land and properties under construction).
    - o Should there be an active code case on the property staff can deny the waitlist application until the violation is resolved.
- Fine for a transient rental operating without a certificate shall be $500 for the first violation.
- Suspended Registrations:
    - o A suspended registration certificate holder shall not be permitted to renew for the following year should the basis for the suspension not be remedied.
    - o Revoke a suspended registration certificate should an active violation not be remedied within 30 days after the Town has notified the operator of the violation.

- Revoked Registration: Modifying language to prohibit an applicant from applying to the waitlist for a period of 12-months from the date of the certificate revocation.

Adding these provisions would help avoid clean up action in a future date. I think specifically the vacant land and construction could be applicable to the Harmony 1, now Ohlone, projects.

I have edited the full changes to the STR ordinance of Truckee the full regulations can be found at:

Short-Term Rental Division | Town of Truckee

Short-Term Rental Division | Town of Truckee

Thank you for your time and consideration.

Mike O'Neill
[redacted]

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From: Clif Lawrence [redacted]
Sent: Saturday, February 11, 2023 8:43 AM
To: Public Comment
Subject: City Council Agenda - Feb 13, 2023 - Item #10 re STR's

[CAUTION: External Email]

Honorable Council Members:

Re: Item 10 - STR's
The 150 designation is deceptive if it means that a max 150 permits are active; while this number has no relationship to the number of UNITS being rented, because any number of rental units could be covered by ONE PERMIT.

In assessing the impact on the community, what has real impact: the numbers of permits OR the number of actual UNITS covered by the permits?

Will the administration even have the data on how many UNITS are to be operated on any given PERMIT?

Am I correct, that in its present form, the proposal does not equate what is "Permitted" vs "What is Rented"?
Does the present plan also advantage the operator who has permitted multiple units under a single permit?
This to the disadvantage of the single units operator, more likely to be a resident family.

Therefore, it is not the number of permits that is the true measure of the impact, but the number of UNITS.

The limitation should be on the number of UNITS...not the number of PERMITS.

Clifford Lawrence
West Fairmont

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From: Summer Lee [redacted]
Sent: Saturday, February 11, 2023 10:47 AM
To: Public Comment
Subject: City Council Agenda - Feb 13, 2023 - Item #10 re STR's

[CAUTION: External Email]

Council and Staff,

I urge you to consider that a cap on STR permits means nothing if the policy doesn't cap the number of units. Limiting permits and not units unfairly burdens Pacifica-owned, smaller and less-impactful rentals, while incentivizing larger and more high-impact rental corporate interest in residentially zoned areas.

Moreover, this hasty proposal makes it apparent that a moratorium on new STR's should be ordered until staff can adequately address the issue. There is broad public scrutiny, as well as the consequences on keeping Pacifica affordable and a decent place to live, that is at stake. I fail to understand the justification that there is not adequate staff time to consider this issue more in depth, as other items that are not imminently consequential to the lives of Pacificans, as well as hefty consultant contracts or FEIR's for pipe-dream projects, are taking priority, regardless their (non-)identification at last year's goal setting session.

At the previous planning commission hearing it was quite obvious that constituents and commissioners alike wanted more thoughtful policy in place than a 150 cap (which is higher than the number of units operating and causing challenges now). It is also not true that a 150 cap is more likely to be approved by the Coastal Commission, and it is curious when the City chooses and doesn't choose to heed their expert jurisdiction.

I urge you to vote for a much stricter cap and/or place a moratorium on new STR's until a task force is identified and a more thoughtful and sustainable policy can be generated.

Many thanks for your time,
Summer Lee

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From: Peter Loeb [redacted]
Sent: Saturday, February 11, 2023 6:35 PM
To: Public Comment
Subject: Agenda item #10 - short term rentals

[CAUTION: External Email]

To: Pacifica City Council
From: Peter Loeb
Re: Agenda item #10 - short term rentals
Date: Feb. 13, 2023

Please consider making 1 STR permit = 1 unit.

Also please consider a moratorium on new unhosted STR permits until a more complete and thorough ordinance is adopted. The ordinance should include:

- A limit of 60 days per year that an unhosted STR can be rented.
- Rental registry to require all rental units to be registered so that the number and extent of rental units and STRs can be known.
- A primary residence requirement, providing that no home can be operated for short-term residential use unless that home is the primary residence of the operator.
- Limit the number of STRs per operator or owner to one.
- Adopt performance standards ensuring that no interior or exterior activity related to the short-term vacation rental interferes with or is detrimental to residential use of adjacent property.
- Adopt enforcement procedures and penalties for illegal STRs, such as ADUs which are not allowed to be rented short-term.

Peter Loeb
[redacted]

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From: Deb Wong [redacted]
Sent: Saturday, February 11, 2023 6:38 PM
To: Public Comment
Subject: Airbnbs in Pacifica

[CAUTION: External Email]

Dear Mayor Bigstyk and Pacifica City Council,

Thanks for putting the issue of unregistered and corporate-owned Airbnbs on the agenda. When corporations buy up property for short-term rentals, that property keeps from full-time residents from living here, which contributes to our housing crises. The RHNA quotas that are required of Pacifica should take into account the potential numbers of housing units that would be available if corporations were discouraged from purchasing property with the sole purpose of profiting from short-term rentals only.

We realize that though registered Airbnbs bring in TOT revenue for the city, folks who actually live in our community (as well as those who would like to live here) are paying another kind of price. Having neighbors that you know keeps a community more secure. Since corporations are not private owners, they are taking more than giving to our community. We urge you to consider setting a cap on the numbers of units, while putting a moratorium for any new STR permits in place, while the City decides on this issue. You know, we do have some nice hotels in town - they also pay TOTs.

Sincerely,
Deborah L. Wong
Michael A. Wong
Sharp Park

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From: DARCY DUCKENFIELD [redacted]
Sent: Sunday, February 12, 2023 12:20 PM
To: Public Comment
Subject: Re: Monday February 13, 2023 City Council meeting Agenda Item-- SHORT TERM RENTAL ORDINANCE Pacifican Feedback

[CAUTION: External Email]

Dear Mayor Bigstyck and Members of the Pacifica City Council,

As a follow-up to the comments I sent on January 12th (see below) and resident feedback from the January 17th council meeting, I would like to share my requests/recommendations regarding the amendments to the existing short term rental (STR) ordinance and an improved STR ordinance.

AMENDMENTS TO THE EXISTING STR ORDINANCE

I would respectfully like to ask that the following changes be made to the, what I and the overwhelming majority of Pacificans believe to be a flawed, proposed 150 cap amendment to the existing STR ordinance:

- Specify that the cap applies to the number of units and NOT the number of permits. In other words, 1 permit should equal 1 unit
- Specify that permits should only be issued to hosted STRs
- Guidelines/rules around the equal distribution of STR's throughout ALL Pacifica neighborhoods- it is not fair or realistic for the West Sharp Park and Pedro Point neighborhoods to absorb the majority of STR units

Most importantly, given the public safety and host of other concerns that I and several other community members have brought up around the state of current STRs in Pacifica that a moratorium on new STR permits be put in place immediately. *No new STR permits should be issued until the will of the Pacifica people is honored and a new, more robust, STR residence be put in place including enforcement mechanisms.*

CREATION OF AN IMPROVED, MORE ROBUST STR ORDINANCE

My fellow Pacificans made abundantly clear the challenges and public safety, cultural issues with the existing state of STRs in our town. The current ordinance and a 150 cap does not go far enough and does not work for our town. My ask here is quite simple- honor the will of Pacificans and honor the will of the Pacifica planning commission and commit the time the time and resources to make the creation of a more robust STR ordinance.

While I understand resources are limited, this is important, and fortunately, the wheel doesn't need to be re-created here! We can look to many of our coastal neighbors (i.e. Half Moon Bay) that have created ordinances that have successfully addressed the STR issue while still ensuring coastal access for all. Additionally, I would recommend a volunteer, resident subcommittee where active/engaged citizens like myself can help as much as possible.

I have faith that our planning commission, city leadership and a resident subcommittee will develop a revised STR ordinance that will be good for all Pacificans and coastal visitors. Given the feedback I have seen and heard in the council meeting I believe a revised STR ordinance would include (but not be limited to) the following:

- A lower cap of STR permits (60-75)
- 1 permit= 1 unit

- A fair and equal distribution of permits throughout the entire city of Pacifica and ALL its neighborhoods
- A stipulation that a permit will have a cap on the number of unhosted nights (30-60)
- Mechanisms to ensure the new/revised ordinance is enforced and violators be fined/subject to civil/criminal penalties

I appreciate your time and consideration to my requests and suggestions around the current and proposed/revised STR ordinances. Thank you.

Respectfully,

Darcy Duckenfield

From: DARCY DUCKENFIELD
Sent: Thursday, January 12, 2023 9:37 PM
To: publiccomment@pacifica.gov <publiccomment@pacifica.gov>
Subject: Tuesday, January 17th, 2023 City Council meeting Agenda Item-- FltE NO. 2022-036 FOR TEXT AMENDMENT TA-123-22. Pacifican Feedback

Pacifica City Council:
My name is Darcy Duckenfield, and I am a long time (10+ years) of West Sharp Park. I am writing/reaching out in regard to the city resolution around short-term rentals.

Over the last few years, I have seen the cultural landscape of my neighborhood change- for the worse. I attribute much of that change to the rise in short-term rentals. More and more homes in my neighborhood have become short term rentals- I see less and less families, hear stories of disrespectful guests and have even heard loud music late at night coming from a short-term rental half a block away.

My wife and I dream of owning a home in our neighborhood as we have become a part of this great community. We have learned from other community members that corporations are buying a big portion of the limited housing inventory in our community and are essentially operating those homes as hotels. No families- often guests coming to not just enjoy the coast but to also throw loud parties late into the evening. I have also learned that often these corporations often pay significantly over asking price all in cash on available listings. As we all know the Coast is an expensive place to begin with and there is a very limited supply of available housing. *So, when we are ready to buy a home- how are we supposed to compete with a faceless corporation that pays all cash, far over asking?* I ask each of you on council- **do you want your neighborhood to become a series of unregulated hotels?**

To be clear I am not trying to impede any homeowner's rights. I get it- we live in an expensive area- I am not suggesting we prevent a homeowner of earning additional income to help pay his/her mortgage. Not against the homeowner but rather the faceless corporation that is only looking to profit from our beautiful city. As a city we need to find the right balance of protecting homeowner rights while still maintaining the culture of our community. I would suggest that a cap of 150 short-term rentals in our relatively small town is not enough. Not even close.

I would prefer to see what our neighbors to the south (Half Moon Bay) are attempting to implement- a cap on the number of times that a home can be made an ***unattended*** short-term rental. I would suggest this is fair to

all parties- homeowners that depend on rental income to pay their mortgages can still rent out a portion of their home while still ensuring our neighborhoods are not overrun by corporations that are running unregulated hotels and only see our community as a profit center. There is clearly a public safety benefit in such a solution too- I have neighbors who have had to call the Pacifica Police many times over the last year due to noisy/disrespectful guests (that in many cases were violating the law) staying in the short-term rental (operated by a corporation) next to their home. I respectfully ask you to consider my feedback/proposed solution.

Respectfully,

Darcy Duckenfield

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From: Kate Chinca [redacted]
Sent: Sunday, February 12, 2023 1:08 PM
To: Public Comment; _City Council
Subject: Short Term Rentals

[CAUTION: External Email]

Dear Mayor and City Council Members,

I previously send a letter to you in regards to Short Term Rentals and contacted you last year regarding the same.

I would like to follow up with you to ask that you please consider making changes to our current ordinance to have either hosts be onsite or have it be the primary residence of the owner. Others have even more serious concerns than I do but alone, the noise some renters have created in the neighborhood, the fact that 3 work trucks towing trailers came to stay while doing a job instead of renting 3 rooms at one of our local hotels, no one to assess the fact that it's a storm and garbage is strewn way down the street in the wind with no one to retrieve it and no one that can be contacted by neighbors. Of course, it was neighbors who cleaned it up. A limo bus parked in the driveway to bring many to the house. It states that it can sleep 16 or 18 people. Seriously? This was not the intention of the voters I have spoken with when votes were made for STRs.

Most of all, I go back to the fact that they are BUSINESSES. My neighborhood is not zoned for commercial. It is zoned for residential.

Please do not mistake the fact that we are not overrunning the Chamber with a ton of people to ask that this be addressed. Many of us are still not coming together in large groups since Covid and hope you understand that does not diminish our request for your consideration.

I appreciate your time and hope that we will be able to piggyback the way Santa Cruz and Half Moon Bay cities are attempting to address this very difficult issue.

Thank you.

Kate Chinca
Pacifica, CA

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From: Caitlin Quinn [redacted]
Sent: Sunday, February 12, 2023 1:12 PM
To: Public Comment
Cc: _City Council
Subject: Comments for Monday, 2/13/23 City Council Meeting -- File No. 2022-036 – Text Amendment TA-123-22--Amending the Short-term Rental Ordinance

[CAUTION: External Email]

Dear Mayor Bigstyck and Members of the Pacifica City Council,

Thank you for again putting the issue of short-term rentals (STRs) in Pacifica on your agenda for this Monday's City Council meeting.

Regarding tonight's vote on the amended ordinance to put in place a cap of 150 STRs in the city, I urge you to please consider the following:

- Amend this ordinance to reflect a cap of ***150 STR units***, **not 150 STR permits**. As the ordinance reads presently, it will NOT ensure that only 150 STRs operate in the city--which, as I understand, has always been the spirit of the amendment. Instead, the amendment as currently written creates a loophole that "bad actor" corporate/investor STR owners will exploit, driving the total number of STRs in Pacifica to well over 150 units.

- Amend the ordinance with language that ensures that the ***150 STR units are equally disbursed throughout Pacifica's neighborhoods***. Regions like Sharp Park and Pedro Point are already overrun with full-home, unhosted STRs. If, per the city staff's recent documentation, Pacifica has 101 STRs in operation (incidentally, a number that is not supported by the 200+ STRs listed in Pacifica on reservation platforms like Airbnb) and is allowing for the operation of an additional 49, some measure must be put in place to ensure that no more are permitted in either Sharp Park or Pedro Point, where so much community, safety, and quality of life has already been eroded by the large number of unhosted STRs operating there.

- Amend the ordinance to **differentiate between hosted STRs and unhosted STRs**. The former support Pacifica neighbors who seek to rent out part of their home while they live on the premises (representing Airbnb's original business model); the latter is the playing field of the corporate investor, who robs much-needed homes from the community, degrades quality of life for residents through noise, trash, parking and other issues, and only seeks to exploit our community and its resources.

- **Follow the guidance of the Planning Commission** that, at its 1/17/23 meeting, recommended the following amendments be made to the STR ordinance in order to rescue Pacifica neighborhoods already destablized by corporate-owned/run unhosted STRs and to return peace of mind and quality of life to Pacifica residents:

Planning Director Murdock stated that the full language that would be added to the resolution recommending City Council action on this would read as follows; i.e., whereas the public testimony related to the host ordinance has demonstrated that the short term rentals in residential neighborhoods has created quality of life noise and parking congestion have warranted further study by the city in order to develop more robust short term regulations and the Planning Commission recommends that the City Council prioritizes this item in its goal setting process for fiscal year 2023-2024. ***Factors to be considered in a future ordinance should include but not be limited to a neighborhood based cap, more than one night minimum stay, verification of potential changes in occupancy classification under the building code, occupancy limits, minimum off street parking requirements, one permit required per dwelling unit and not per property, on site guest safety inspections for smoke and carbon monoxide detectors and other safety code requirements, a diminishing cap over time to 75 STRs, requirement for a local contact person for the STR operator, requirement that an STR be a primary residence for the operator but not requiring that the primary occupant be on site during the STR operation, abandonment of STR permit if two violations are substantiated by the city within one year, trash receptacle design and placement standards, maximum number of STRs operated by individual operator and appropriate minimum and maximum stays per year of STR operation including possibly a maximum of 30-60 days per year.***

- Follow the lead of cities like Santa Cruz that, when facing this same issue, **assembled a volunteer sub-committee of residents representative of differing viewpoints and experiences** to drill down into the STR issue there and to work toward the creation of a meaningful and reasonable ordinance. Task this subcommittee to work with Pacifica city staff but also to take on much of the workload so as to protect the staff's over-burdened resources.
-
- Place an immediate **moratorium on the permitting of any new unhosted STRs** while the City puts the above in place. Otherwise, by the time the City has even succeeded in getting the proposed 150-cap ordinance on the California Coastal Commission's agenda, the number of permitted STRs in Pacifica will likely exceed the proposed 150 cap.
    -
        -

Pacifica's neighborhoods and neighbors are in crisis due to the destabilizing force of corporate-run/owned STRs in our beloved city. In particular, Beach Blvd. is overrun with unhosted STRs, where the number of homes now serving as unregulated hotels nearly rival the number of homes occupied by residents. As a result, the neighbors here are subjected to a constant deluge of strangers, many of whom stay in Pacifica simply because it is cheaper than renting a hotel in San Francisco, and not because they are looking to avail of Pacifica's beaches, restaurants, or shops. If you want to know which homes are STRs in my area of Beach Blvd., simply look for the homes with luxury cars in the driveway and the trash receptacles either not put out for collection or sitting in the street long after the Recology trucks have come by. And speaking of Recology's trucks...after realizing they couldn't cram a third car into the driveway of a small STR on Beach (an STR that is advertised as accommodating a total of only three people) one STR customer decided to just park their BMW half in the street, half on the sidewalk, creating an obstacle the night before the Recology trucks were due to come. Here is a photo of the car (note the irony of its having been parked directly in front of the clearly marked "no parking" sign):

Addressing the issue of problematic, unhosted STRs is mission critical for Pacifica and **requires the City Council's urgent attention as part of its workplan for the new fiscal year**.

As a Pacifican who lives a scant few feet from an unhosted STR that is owned and operated by a corporation (one that now has 19 properties in Pacifica), my partner and I have endured **seven straight months of noise and other nuisance disruptions**, including **being woken up frequently between the hours of midnight and 6 a.m. by customers "checking in" and "checking out"**), an eroded sense of security and peace of mind (a highlight illustrating this was when a Pacifica police officer came to our door two days after Christmas, asking if we had seen **"anything suspicious involving children and drugs at the Airbnb next door"**), and a deteriorating quality of life and health, which has necessitated medical attention. Add to this the financial injury of **watching our home's property value drop, given how few people would be willing to buy a home directly next door to what is essentially an unregulated hotel**. All the while, the commerical enterprise next door to us operates blithely 24 hours a day, seven days a week, 365 days a year, including all major holidays. Our discomfort and lack of sleep is of no concern

to the corporate owner. After all, we're only neighbors, not paying customers. Our voices are unimportant. Who listens to "insects"?

Thank you, Mayor Bigstyck and City Council Members, for doing the right thing by: 1) amending the 150-cap ordinance to give it meaning; 2) putting an immediate unhosted STR moratorium in place; 3) placing the creation of an STR ordinance that will rescue Pacifica homes, neighborhoods, and residents' quality of life on your work plan for the coming fiscal year; and 4) calling for the creation of a volunteer, resident subcomittee to study this issue and identify meaningful, sensible solutions.

Sincerely,

Caitlin A. Quinn

West Sharp Park

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From: Cindy Abbott [redacted]
Sent: Sunday, February 12, 2023 2:14 PM
To: Bigstyck, Tygarjas; Vaterlaus, Sue; Bier, Mary; Boles, Christine; Beckmeyer, Sue
Cc: Public Comment
Subject: Public Comment for: 2/13/23, City Council Meeting Agenda Item #10
Attachments: Feb 13, 2023, City Council Agenda Item #10, Short Term Rentals Public Comment.pdf

[CAUTION: External Email]

Please find attached my public comment regarding Short Term Rentals, Item 10 on the City Council Agenda for 2/13/23.
Thank you for your consideration.

Cindy Abbott

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February 12, 2023

Dear Mayor Bigstyck and Pacifica City Council Members,

Thank you for your continued focus on mitigating the impacts of short term rentals on neighborhoods throughout Pacifica, though currently mostly in Sharp Park and Pedro Point. In January, the City of Pacifica Planning Commission approved the 150 Cap while providing a strong list of additional recommendations for consideration to more robustly update the Ordinance (Pacifica Municipal Code, Title 9, Zoning and Planning, Chapter 4 – Zoning, Article 49, Short-Term Rentals).

<u>While a First Step, More Work is Needed to Adequately Address the Negative Impact of STRs</u>

Though well intended and a good starting point for a needed update, the 150 Cap on short term rentals doesn't fully address the issues that are increasing in the City of Pacifica. At minimum, tonight, please consider:

- Ensuring the language is clear in communicating this is a 150 Cap on UNITS not on permits given that might include more than one unit; and
- Implement a cap by neighborhood (at 1% of total housing in the neighborhood).

Though I'd like to see City Council initiate a moratorium (see below) and earlier discussion by staff indicated that this could be considered, at minimum, add the above to the Cap.

<u>Complete a thorough review prior to submission to the California Coastal Commission</u>

A moratorium would prevent compounding the negative impact of Short Term Rentals. At the October 10, 2022, City Council meeting, it was shared:

> City Attorney Kenyon stated that they did discuss as one of the options to perhaps recommend a moratorium. She stated that there were a couple of reasons they didn't include that but, if that is the direction from Council, they will do it. She stated that, for this type of moratorium, it has an initial duration of 45 days; to adopt that ordinance in the first instance, they would make a finding that there is an immediate threat to public health safety or welfare. She stated that the data collected so far may not suggest that, but there is anecdotal evidence that they have heard from the speakers that they could arguably make that finding. She stated that the concern is that, after 45 days, they have to make another finding which is the threat still exists and there is nothing they can do to mitigate it.

While a majority of the City Council approved moving ahead with the Cap, It was ALSO indicated, that the matter would be brought forward for further discussion during City Council's goal setting process in early 2023, with consideration to formally add a robust review of the current Ordinance to the 2023-2024 work plan. As a change to the City of Pacifica's Municipal Code re Zoning will require approval by the California Coastal Commission as it pertains to short term rentals in the local coastal zone — *where today the most concentration of STRs are* — it seems prudent to recognize limited City of Pacifica and Coastal Commission staff and to present a thorough and robust update to the Ordinance at a future date.

Other Coastal Communities have Forged the Way

Municipalities throughout the state and in particular along the California coast are also reviewing their programs. On Friday, October 14, 2022, the California Coastal Commission[1] was presented with Half Moon Bay's proposed updates. These included (*italicized comments are this writers):*

- Occupancy Limits *(the CCC is not in favor of limitations on number of occupants and cars)*;
- Enforcement mechanisms *(is the program guided by Ordinance and/or the Local Coastal Program enforcement action)*;
- Substandard lots (*a concern in HMB and also known to exist in the City of Pacifica* ;
- Maximum number of unhosted days; and,
- Primary residence requirement.

The City of Santa Cruz clearly notes[2] that "The intent of the Ordinance is to allow short-term rental of residential properties within the City ***while protecting the City's long-term housing stock***. The Ordinance also ensures that Short-Term Rentals (STRs) do not become a nuisance to the community, or threaten the public's health, safety or welfare". To do this, they have a cap of "*250 **owner-occupied/hosted** STR permits available on a first come, first served basis."* Further, they have provided definition of Hosted and Non-hosted STRs for clarity.

150 Cap a Good Start, Though More is Needed

While I support the cap of 150 STRs and exclusion of ADUs to be used as STRs, the current proposal does not address:

- ***the removal of long-term housing*** as residential properties are being converted to full time short term rental units, eliminating housing stock and full time residents who could have kids in our schools, contribute to community organizations, and neighborhood safety;
- the impact of ***hosted versus whole house un-hosted*** short term rentals, whereby no one is actively at a property to ensure visitors are complying with City Ordinances or being good neighbors;
- the potential continued deterioration of housing in the costal neighborhoods of Pedro Point and West Sharp Park, as there isn't a requirement for the proposed 150 STRs to be ***equitably dispersed by neighborhood*** (as the City of Pacifica has done with cannabis shops);
- if a "***tiny home"*** is considered an ADU or junior ADU or if they can be permitted to operate as an ADU;
- an operating requirement to provide visitors with the City's ***waste management policies regarding recycling and composting***;
- how business entities are in ***effect ignoring the City's zoning regulations by turning residential neighborhoods into commercial districts***; or
- how the increase in STRs is impacting the ***hotel business*** in the City of Pacifica.

[1] California Coastal Commission, 10/14/22 meeting video re Half Moon Bay STR proposal (0:46:30)
[2] City of Santa Cruz Short Term Rentals, city website

Enforcement Not Addressed

Nor does it clearly address how enforcement will work. Today neighbors don't have a means to check if a short term rental is operating legally: City of Santa Cruz has a link to check their registry on the city website[3]; and, other cities require STRs to include the City license number on platform (AirBnB, VRBO, etc.) postings. Though the staff report indicates limited complaints, residents are concerned with reporting the situation to the Police due to the City's limited staffing and many priorities; maintaining good relations with neighbors; and receive little support or relief from property managers or STR online platforms.

CC Commissioners Strive for Balance, Support For Coastal Neighborhoods/Residential Zoning

The staff report that went to the Planning Commission, commented that, "The CCC has found that outright bans or undue restrictions on STRs are inconsistent with the Coastal Act policies prioritizing public access and visitor-serving uses". This doesn't share the full story of CCC discussions about STRs. At the October 14, California Coastal Commission meeting, the Coastal Commission and City of Half Moon Bay agreed to bring their program back at a future time as they worked through a final few items. Input from the commissioners was requested by HMB City staff to help guide further discussions between their staff and the CCC's. Showing strong support for housing and concern for coastal neighborhoods, members of the CCC offered the following comments.

- Commissioner Catherine (Katie) Rice noted that ***"every residence that has been a long term (residence) that turns into a STR is a loss.*** Every community is a unique situation (i.e., this is different than the Malibu discussion alternate options such as hotels are limited).

- Commissioner Linda Escalante aligned with Commissioner Rice, reflecting that ***every housing unit that is lost is cumulative/additive.***

- Commissioner Mike Wilson aligned with the City of Half Moon Bay's compromises, indicating concern with the increasing change of residential properties to STRs. Commissioner Wilson noted***, "This is primarily a zoning change, moving to add business/commercial operations in residential neighborhoods."*** Further, he noted that the Coastal Act and prior CCC discussions have maintained that housing is a primary consideration (not only visitor serving accommodations).

- Commissioner Meagan Harmon stated, ***"short term rentals fundamentally undermine coastal communities."***

Consider a Moratorium While Developing a Plan as Other Municipalities Have Done

In June 2020, the Monterrey County Planning Commission[4] determined they didn't have enough information to vote on three different proposed ordinances regarding short term rentals. Instead they chose to write to the Board of Supervisors detailing ongoing concerns that they didn't see to be fully addressed in the proposals.

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[3] City of Santa Cruz online search for registered STRs (right of page)

[4] Monterey County Weekly News, Sept 2022, with links to past articles and County Planning Commission action in Nov 2020

The City of Pacifica can follow the lead of other areas such as Marin County, who has placed a moratorium on new short term rentals in West Marin[5] (the unincorporated coastal areas of: Dillon Beach/Tomales to the north, San Geronimo Valley and Nicasio in central Marin, and the communities of Muir Beach, Stinson Beach, and Bolinas to the south). Sonoma County also implemented a moratorium last year (though it excluded the coastal zone overseen by the CCC), while they worked on implementing new regulations.

Continue the Work to Maintain our Residential Neighborhoods

As I've noted before, the intention of the sharing economy is to provide opportunity for homeowners to create a welcoming space in their homes for occasional visitors. I support this concept that can also assist homeowners with retaining their place of residence. What is taking place all too often though is a shift to residential property purchases for the sole intention of running a commercial business in a residential neighborhood.

The City of Pacifica doesn't need to reinvent the wheel. There are a number of coastal city ordinances, rules and regulations that can be used to model a solution that balances the influx of short term rentals, particularly in the coastal zone neighborhoods, while also providing the opportunity for residential homeowners to receive income while providing visitor serving accommodations.

Please take action tonight to either implement a moritorium, or ensure that the 150 Cap is clear as it pertains to UNITS, and ADD a cap by neighborhood.

And, follow the recommendations of the Planning Commission for a thorough review to take place in the months ahead, that could/should also include community members who have found their living experiences disrupted, to help shape the program.

Thank you for your consideration.

Cindy Abbott
West Sharp Park

[5] West Marin Moritorium

From: Joedy Heilman [redacted]
Sent: Sunday, February 12, 2023 2:20 PM
To: Public Comment
Subject: STR in Pacifica
Attachments: STR IN PACIFICA 1 OF 2.jpg; STR IN PACIFICA 2 OF 2.jpg

[CAUTION: External Email]

Please submit this letter to Mayor Bigstyck and members of the Pacifica City Council.

Thank you.

P.S.....THANK YOU for deleting my e-mail address, and any other addresses, and personal information from this e-mail, if you plan to forward it.

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Feb. 11, 2023

Dear Mayor Bigstyck and Members of the Pacifica City Council,

Thank you for again putting the issue of short-term rentals (STRs) in Pacifica on your agenda for this upcoming City Council meeting.

Regarding tonight's vote on the amended ordinance to put in place a cap of 150 STRs in the city, I urge you to please consider the following:

- Amend this ordinance immediately to reflect a cap of ***150 STR units***, not 150 STR permits. As the ordinance reads presently, it will NOT ensure that only 150 STRs operate in the city, which has always been the spirit of the amendment. Instead, it creates a loophole that "bad actor" corporate/investor STR owners will exploit, driving the total number of STRs in Pacifica to well over 150 units.

- Amend the ordinance immediately with language that ensures that the ***150 STR units are equally disbursed throughout Pacifica's neighborhoods***. Regions like Sharp Park and Pedro Point are already overrun with full-home, unhosted STRs. If, per the city staff's recent documentation, Pacifica has 101 STRs in operation (incidentally, a number that is **not** supported by the 200 plus listed in Pacifica on STR reservation platforms like Airbnb) and is allowing for the operation of an additional 49, some measure must be put in place to ensure that no more are permitted in either Sharp Park or Pedro Point, as the sense of community has already been eroded in these areas by the large number of unhosted STRs operating there.

- Amend the ordinance to **differentiate between hosted STRs and unhosted STRs**--the former supporting Pacifica neighbors who seek to rent out part of their home while they live on the premises (and that represents Airbnb's original business model); the latter being the playing field of the corporate investor, who robs much-needed homes from the community, degrades quality of life for residents through noise, trash, parking and other issues, and who only seeks to exploit our community and its resources.

- **Follow the guidance of the Planning Commission** that, at its 1/17/23 meeting, recommended the following amendments be made to the STR ordinance in order to rescue Pacifica neighborhoods already destablized by corporate-owned/run unhosted STRs and to return peace of mind and quality of life to Pacifica residents:

  Planning Director Murdock stated that the full language that would be added to the resolution recommending City Council action on this would read as follows; i.e., whereas the public testimony related to the host ordinance has demonstrated that the short term rentals in residential neighborhoods has created quality of life noise and parking congestion have warranted further study by the city in order to develop more robust short term regulations and the Planning Commission recommends that the City Council prioritizes this item in its goal setting process for fiscal year 2023-2024. ***Factors to be***

considered in a future ordinance should include but not be limited to a neighborhood based cap, more than one night minimum stay, verification of potential changes in occupancy classification under the building code, occupancy limits, minimum off street parking requirements, one permit required per dwelling unit and not per property, on site guest safety inspections for smoke and carbon monoxide detectors and other safety code requirements, a diminishing cap over time to 75 STRs, requirement for a local contact person for the STR operator, requirement that an STR be a primary residence for the operator but not requiring that the primary occupant be on site during the STR operation, abandonment of STR permit if two violations are substantiated by the city within one year, trash receptacle design and placement standards, maximum number of STRs operated by individual operator and appropriate minimum and maximum stays per year of STR operation including possibly a maximum of 30-60 days per year.

- Follow the lead of cities like Santa Cruz that, when facing this same issue, **assembled a volunteer sub-committee of residents representative of differing viewpoints and experiences** to drill down into the STR issue there and to work toward the creation of a meaningful and reasonable ordinance. Task this subcommittee to work with city staff but also to take on much of the workload so to protect staff workload and already over-burdened resources.

- Place an immediate **moratorium on the permitting of any new unhosted STRs** while the City puts the above in place. Otherwise, by the time the City has even succeeded in getting the proposed 150-cap ordinance on the California Coastal Commissions' agenda, the number of permitted STRs in Pacifica may well exceed the proposed 150 cap.

Pacifica's neighborhoods and neighbors are in crisis due to the destabilizing force of corporate-run/owned STRs in our beloved city. Addressing this situation has become mission critical in neighborhoods like Sharp Park and Pedro Point and **requires the City Council's urgent attention as part of its workplan for the new fiscal year**.

As a Pacifica resident who lives a scant few feet from an unhosted, corporate-owned-and-run STR, I have myriad stories to share about the noise disruptions, eroding sense of security and peace of mind, and basic misery we face on a daily basis. Add to this the drop in our home's property value, given how few people would be wiling to buy a home directly next door to what is essentially an unregulated hotel.

Thank you, Pacifica City Council, for doing the right thing by: 1) amending the 150-cap ordinance to give it meaning; 2) putting an immediate unhosted STR moratorium in place; 3) placing the creation of an STR ordinance that will truly rescue Pacifica homes and neighborhoods on your work plan for the coming fical year; and 4) calling for the creation of a volunteer, resident subcomittee to study this issue and identify meaningful, sensible solutions.

Sincerely,

Joedy Heilman

From: Julie Starobin [redacted]
Sent: Sunday, February 12, 2023 3:28 PM
To: Public Comment
Cc: Vaterlaus, Sue; Beckmeyer, Sue; Bigstyck, Tygarjas; Bier, Mary; bolesc@pacifica.ca.us; Woodhouse, Kevin
Subject: Short Term Rentals

[CAUTION: External Email]

To: City Council members and Staff

I think it is important to make changes to the proposed 150-cap amendment to the STR ordinance. It should be improved in several ways.
1. There is a loophole that needs to be closed so that one STR operator can only have one permit/one unit
2. There is a difference between 'hosted' and unhosted' STR's and this should be part of a new ordinance. It is the 'unhosted' rentals that cause problems; the ones owned by corporations that don't care about Pacifica or Paciricans. Limiting STrs to 'hosted' permits is a good way to help homeowners who need extra income.

Other coastal cities have put stricter STR ordinances in place. Please look at these and take advantage of volunteer residents who are available to help figure out reasonable solutions.

It would be helpful to put a moratorium on any new permits while the Council is deciding.

Thank you,
Julie Starobin, Pacific Manor

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From: Lyn Morosi-Allison [redacted]
Sent: Sunday, February 12, 2023 7:24 PM
To: Public Comment
Subject: STR unit amendments

[CAUTION: External Email]

To Mayor Bigstyck and members of the Pacifica City Council, I am one of the many Pacifica residents who are concerned about putting through proposed short term rental without the proper caps, amendments, and language stipulations. We're very concerned that any 150 cap on permits, but not units, will give free range to a ballooning industry of STR's, without regard to our existing quality of life and the nature of our Pacifica neighborhoods.
Please consider and adopt amendments similar to what Santa Cruz and a half Moon Bay, and other cities have implemented.
1. Cap the number of units, not just permits . The proposed language that is being considered may be too ambiguous and give loopholes that will mean more STR's than neighborhoods would want.
2. Have hosted STR as opposed to non-hosted.
3. Place a moratorium in the meantime on new STR permits while some of these and other more favorable additions to the amendment are being considered.
Thank you so much for your consideration.
Lyn Morosi-Allison
Clyde Allison

Sent from my iPhone
Lyn Morosi Allison

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From: Hanna Steinbach [redacted]
Sent: Monday, February 13, 2023 7:02 AM
To: Public Comment
Subject: City Council Meeting - Comments

[CAUTION: External Email]

Pacificans,

As an Airbnb host of more than a decade I would like to share my comments. In my ten years of hosting Airbnb guests first in Geneva, then in Berlin, followed by San Francisco and now in Pacifica, I have never received complaints from neighbors. In fact, I have hosted multiple family members and friends of my neighbors.

The clear reason for this good track record is that I am an **onsite host**. That means I rent out rooms/areas in my house where I live. As a result, I can make sure that my house rules are followed while creating a good experience for guests and creating an affordable lodging alternative at the coast.

Unfortunately, under current regulations, Pacifica does **not** allow hosts to rent out accessory dwelling units (ADUs) as short term rentals but it does allow hosts to rent out entire places, such as entire houses or condos. This regulation simply doesn't serve the city of Pacifica nor its residents and should be immediately reversed

Allowing Airbnb operators to rent out entire places has several undesirable consequences. First, short-term rentals without an onsite host often lead to nuisance in the form of noise or other unpleasant effects. It also has the effect of reducing housing supply, and as such, increasing prices for an already incredibly expensive area. Lastly, most people much rather live near longterm neighbors as opposed to visitors. I have seen several houses immediately being turned into short term rentals following acquisition and several are in my own neighborhood - Pedro Point. This needs to stop.

Pacifica could immediately rectify this undesirable situation by only allowing onsite hosts to rent out rooms, suites or ADUs as short term rentals. There would be no need to reduce the number of listings. Pacifica could collaborate with Airbnb to issue short term rental license numbers and instruct Airbnb to only list rentals with a license number. This would be a very efficient enforcement mechanism and Airbnb offers this service already to other cities, such as San Francisco. Also, Pacifca should immediately cease its business relationship with HDL, a company that offers antiquated payment services for a steep fee. This expense is unnecessary given that Airbnb automatically collects TOT and Pacifica should rather save the funds it has for community serving projects.

Many thanks,
Hanna Steinbach

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From: Jacqueline ODonnell [redacted]
Sent: Monday, February 13, 2023 7:16 AM
To: Public Comment
Subject: STR regulations

[CAUTION: External Email]

Dear Council Members,

Tonight you will consider the regulations regarding STRs in Pacifica. There are many loopholes in the regulations that should be closed. Pacifica is a charming beach town, a wonderful place to live and raise children. Please don't let commercialization take over our neighborhood. We need to make sure families are not replaced by visitors.

There is a large AirB&B 3 houses up from ours. Frequently in the summer we'll see 5or 6 cars arriving with 15 + people. In rainy January a large recycle can blew down the hill strewing papers, boxes, and cardboard on both sides of the street. Residents had to clean it all up. Because there is no onsite manager, my neighbor could only talk to the house cleaner who said she would text the manager about the issue. We never heard a word from them.

Thank you for your consideration.

Jacqueline O'Donnell. [redacted]

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Sent from Gmail Mobile

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From: Jen Hansen [redacted]
Sent: Monday, February 13, 2023 8:41 AM
To: _City Council; Public Comment
Subject: Re: Monday, Feb 13 council meeting regarding STR

[CAUTION: External Email]

I apologize for the second email. I just thought of one more thing I wanted to bring to council's attention.

There are a handful of STR properties in Pacifica that are operating under the municipal code definition of hotels.

Sec. 9-4.245. - Hotel.

"Hotel" shall mean a building, or portion thereof, containing six (6) or more guest rooms used, designed, or intended to be used, let, or hired out to be occupied, or which are occupied, by six (6) or more individuals for compensation, whether the compensation for hire shall be paid directly or indirectly.
(§ 19.40, Ord. 363)

Those properties are as listed below:

26 Kings Canyon Way

Pacifica Poolside Oasis- with new Hot Sauna! - Villas for Rent in Pacifica, California, United States

Entire villa in Pacifica, United States. Gather your family, friends or work team together in your own six-bedroom villa, including pool, hot sauna, and every amenity you could ever need.

www.airbnb.com

1001 Everglades Dr

Jacuzzi Pool Table Sauna Resort Style Home 5 Stars - Houses for Rent in Pacifica, California, United States

Entire home in Pacifica, United States. Plush luxury open concept home with hot tub, pool table, and a 3 person infrared sauna among other amenities. This spacious home also features a s...

www.airbnb.com

1159 Barcelona

NEW! Luxurious 6 BR Entire Home, Hot tub, Views - Houses for Rent in Pacifica, California, United States

Entire home in Pacifica, United States. Gorgeous Pacifica Home w/ views. 6 bedrooms, 3 bathrooms. 82in TV in living room. Large master suite with 200 sqft bathroom. Gourmet chef's kitchen...

www.airbnb.com

1168 Crespi Dr

https://www.airbnb.com/rooms/711870238451089844?check_in=2022-11-01&check_out=2022-11-06&guests=1&adults=1&s=67&unique_share_id=56074691-d906-4f80-9d9b-740d8f75fa44

2061 Beach Blvd

Whole Building on the Beach near San Francisco - Houses for Rent in Pacifica, California, United States

Entire home in Pacifica, United States. An entire apartment building right on the beach! Perfect for larger groups you can comfortably sleep up to 11 people. This building contains 3 apa...

www.airbnb.com

423/425 Norfolk Dr

https://www.airbnb.com/rooms/41438534?guests=1&adults=1&s=67&unique_share_id=f78c782e-88e7-43a8-84b7-4cd70b945c9c

At this time, I wanted to bring it to council's attention so appropriate steps to can be taken by the appropriate division to ensure that these properties are operating in compliance with the municipal code's requirements for hotel properties.

Best, Jen

From: Jen Hansen
Sent: Sunday, February 12, 2023 9:26 PM
To: citycouncil@pacifica.gov <citycouncil@pacifica.gov>; publiccomment@pacifica.gov <publiccomment@pacifica.gov>
Subject: Monday, Feb 13 council meeting regarding STR

Good evening all,

Before I dive into things, I must apologize if this is not well articulated. I have chronic nerve and muscle pain, which has been debilitating for the last 36 hours. I have been barely able to articulate a verbal response to reason with my 4-year-old to clean up the living room floor, let alone try to write a logical email to intelligent people. My apologies.

I am writing regarding the proposed 150 STR cap on short term rentals in the city of Pacifica.

While I understand the immense undertaking the Housing Element has been and the extensive amount of city resources being utilized to complete the document, the effects on STR's in Pacifica go hand in hand with the goal of the housing element... create more stock of long-term housing in Pacifica.

While I understand where the number 150 came from when imposing the number of permits allowed in the city of Pacifica, it does not translate to 150 UNITS.

For example, George (Luxyom LLC) currently manages 2 properties, but both have 2 in law type units, meaning there are actually 4 units taken out of the long-term rental pool.

Millenium Flats manahes 3 locations, one is a 4 unit apartment complex, where all 3 units are on AirBnB. One is a 4 unit apartment complex where 3 units are AirBnB's (I have not confirmed, but it seems like the 4th is a prior long term tenant). and the 3rd property is a 2 unit building where both units are STR's. That's 3 properties with 9 units out of the long term rental pool.

Sarah manages a property in Manor with 3 houses on 1 property. All 3 units are STR's. Don in the east side of Sharp Park manages a hosted STR with 2 in-law units, both are full time STR's,

Furthermore, my understanding is the cap applies to the number of STR licenses issued. While this seems like it may provide some relief to the situation and deter corporations from purchasing property and converting them to STR's, this would only apply to NEW players coming on the scene, as each license allows an unlimited number of units per license. This is concerning because there are already a few cooporations operating in Pacifica gobbling up houses for sale.

For example, currently, Marbella Lane operates 18 PROPERTIES in the city of Pacifica and 19 UNITS (one property has an ADU being used as an STR). Because they already possess an STR operating permit in Pacifica, this STR cap does nothing to deter them from purchasing more properties and converting them while a more robust STR ordinance is constructed. Vicki Li is the real estate agent facilitating these home purchases.

Daniel Cheng (a real estate agent) is currently managing 10 properties, with one of them being a duplex where you can rent out either both units, or an individual unit), making a total of 12 separate AirBnB listings. It looks like there is one other property sold recently that I'm sure will be listed on AirBnB shortly.

By my count, there are 195 listings on AirBnB (I have not included The Anchor Inn or any of our traditional local hotels advertising in this data, nor do I have any data about VRBO). With some listed as whole property versus partial property listings, by my count, there are 190 UNITS either taken out of the long term rental market (like with ADU's and in-law units) or houses recently purchased out from under the feet of locals and turned into a business opportunity for non-residents

While I acknowledge property owner's rights, the wants of a few should not outweigh the effects of the many, especially when the people purchasing these properties do not live in the community or feel their everyday effects.

Our city needs people to lay down roots, attend our schools, work in our stores, shop at our grocery stores, and create connections within the community. Our houses are not HOTELS. According a to former city staff member, part of the reason our city programs are lacking is no workforce staff due to the high cost of living.

While the cap will slow the spread, I insist that the Council place a moratorium on all new STR's. While i acknowledge the HUGE undertaking this will be, we do not have to recreate the wheel. Marin recently did a 45 moratorium, and extended it for 22 months and 15 days.

Doing this will allow the city the time it needs to add creating a more robust STR ordinance to the list of priorities for the 23/24 fiscal year, which the Planning Commission recommended and many resident volunteers to help complete. Looking at the work other coastal cities like Half Moon Bay, Marin, and Santa Cruz has done will lay an amazing framework that will just have to be modified to meet the needs of our unique city.

While I'm sure I have more to say, the pain is taking over and I can hardly read my screen with tears in my eyes.

I appreciate the hell out of each and every one of you and look forward to being able to support in any way I can!

Jen Hansen

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From: Susanne C. Reed [redacted]
Sent: Monday, February 13, 2023 9:20 AM
To: Public Comment
Subject: Short term rentals

[CAUTION: External Email]

Please see below.
This is a lose-lose proposition that needs to be carefully controlled and monitored. The people renting these homes have, as they say, 'no dog in that fight'. This type of rental guarantees little or no benefit to the city coffers. They are not renting an hotel room so no tax dollars going toward the city and are these renters buying in town? If there are repair issue are the owners hiring maintenance people in town or will these homes just become deferred maintenance homes?And when things go south and Pacifica police have to be called this is an added burden to a department that is already short staffed and backpedaling.
There needs to be some system put in place to control this situation that benefits the city of Pacifica while respecting the surrounding neighbors.
Thank you,
Susanne Reed
Oddstad Blvd.

We have one in our neighborhood...no one on site for issues. Most are purchased by out of town or out of country buyers with no concern for our neighborhoods. Hollering at 2:30 in the morning, workers with trucks hauling trailers (3) at one time to offset companies renting 3 rooms in our local hotels. Police questioning the possibility of drugs in Caitlin's neighborhood, etc.

Caitlin has one right next door to her with sleepless nights for revelers, people coming and going all times of the night with no consideration regarding noise or others. Although you may feel sorry that someone has to go through that, unless our STR ordinance is written with a strong emphasis on how they should be handled, the 150 we have here could mushroom to so many more. Please take a moment to read what she has sent and I hope that you will be compelled to ask our Mayor and City Council to address this issue and control it. Santa Cruz, Half Moon Bay and other cities Xoxo,
Sent from my iPad

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From: Bobbie [redacted]
Sent: Monday, February 13, 2023 10:44 AM
To: Public Comment
Subject: STR

[CAUTION: External Email]

Table 1. Housing Stock Impacts of Permitted STRs in the Coastal Zone

Neighborhood	No. of Housing Units [a]	No. of Permitted STRs	Percentage of Housing Units being used as Permitted STRs
Fairmont West	349	1	<0.5
West Edgemar/ Pacific Manor	671	3	<0.5
West Sharp Park	1,040	28	2.7
Pedro Point	301	16	5.3
Coastal Zone	*2,574[b]*	*48*	*1.9*

Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171) Table H1
Note:
a. Estimated based on census block units that most closely represent the neighborhood as defined in the Local Coastal Land Use Plan
b. Includes housing units in all Coastal Zone neighborhoods

Item 10.5271
Example shown in notes is very misleading in that it does not reference all neighborhoods in Pacifica.
Except for including Pedro Point, excludes East Sharp Park all the way to Linda Mar neighborhoods.
A more comprehensive table should be available.

Bobbie Bradley
East Sharp Park

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From: Mary Ann Provence [redacted]
Sent: Monday, February 13, 2023 11:01 AM
To: Public Comment
Subject: STRs

[CAUTION: External Email]

As a 45 year resident of Pacifica, I am asking you to seriously consider the negative impact unregulated STRs are having and will continue to have on the quality of life of Pacificans.

First, I am asking that the cap on STRs be on the number of units, not the number of permits. This would close the loophole of a permit holder to operate multiple STRs.

Second, I would ask that there be an immediate moratorium on unhosted STRs. These investors are not present to monitor noise, parking issues, trash, etc. They take away housing and exploit the neighborhoods.

Thank you for considering my input in making these decisions that impact the lives of Pacificans.

Mary Ann Provence
[redacted]

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From: Cheryl Greene [redacted]
Sent: Monday, February 13, 2023 11:55 AM
To: Public Comment
Cc: Caitlin Quinn
Subject: February 13, Pacifica City Council Meeting, Agenda Item 10: STRs

[CAUTION: External Email]

Mayor Bigstyck and Members of the Pacifica City Council,

Thank you for putting the issue of short-term rentals (STRs) on the agenda for tonight's City Council meeting.

I appreciate your addressing the issue of STRs in our city, but I don't think you are going far enough. Here are some of my concerns:

- A permit holder can own and operate more than one unhosted STR. That means a cap of 150 permits does nothing to keep well-funded corporations from buying up prime real estate and turning them all into STRs.
- Pacifica is a diverse city. Some areas are more popular with tourists than others. Those areas, namely West Sharp Park and Pedro Point, will bear the brunt of the traffic, noise, and loss of neighborhood community from STRs. The 150 total STRs in Pacifica needs to be regulated by neighborhood. Alternatively, you can lower the total cap so West Sharp Park and Pedro Point can not have any new STRs and as properties sell, the STR permits do not follow.
- Without regulation, STRs become sites for large group gatherings. These are often loud and sometimes dangerous. In order to keep "party houses" from popping up in neighborhoods, require a two or three-night minimum per rental, set occupancy limits, and limit the number of cars to be parked at each property to the number that can park in the property's driveway.
- Homeowner occupants have a greater level of care for their homes than non-owners occupants on issues of home safety. Set requirements for smoke and fire detectors for each STR. This is an important matter not just for the occupants, but for the surrounding community. As we know, fires spread from home to home — especially when dwellings are close together as they are on Beach Blvd, where we live.
- I understand that the City makes money from these short-term rentals, but I do not believe the current value to the City outweighs the cost to some of us. I believe a steep tax, PAID TO THE CITY, would make it harder to find renters for these properties which would dissuade potential STR owners from overrunning Pacifica and bring money into the City creating a valuable pool of funds for needed City services.

Thanks again for addressing this issue. I appreciate your attention in this matter and urge you to consider citizens' concerns.

Sincerely,
C~

Cheryl Greene
[redacted]

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From: Lyla Reinero [redacted]
Sent: Monday, February 13, 2023 12:06 PM
To: Public Comment
Subject: short term rentals cap in Pacifica

[CAUTION: External Email]

To whom it may concern:

As a resident of Pacifica, I'd like to express my concerns about the proliferation of STRs in Pacifica and very much hope that we can put in measures to limit the number of them:

There is an STR owned by an out-of-country owner and operated by Marbella Lane across the street from us. Issues we have dealt with:
•Loud after-hours parties or noise (due to close proximity, the noise caused by guests on the deck is amplified to us and our neighbors)
•Disruptive behavior (guests having parties and acting hostile to the neighbors, etc.)
•Illegal parking (the "guests" parking along our property and blocking the road and destroying our plants)
•Excessive and/or overflowing trash (ongoing issue with the cans being left out all the time, raccoons knocking the cans over causing debris to be spread all over the road and beyond, guests using the compost bin for overflow recycling of party supplies, etc.)
•Any activity that disrupts the neighborhood peace (frequent cigarette and/or marijuana smoke, etc.)
•Lack of privacy. (we have young children and I don't feel safe any longer letting them roam around in our yard knowing that anyone staying at the property is a stranger)

In addition to the above, when we have complained about these things, we have had threatening letters sent to us by a lawyer representing the owner of 400 Belfast.

I don't have a problem with residents who live onsite and may need to supplement their income by renting out a room or ADU.

Properties that are run by the likes of Marbella Lane that remove housing stock are an issue. Marbella Lane operates at least 19 properties in Pacifica alone. They are making lots of money for their investors and providing nothing in return for the residents who have to live near them.

Thanks and take care,
Lyla
[redacted]

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Public Comments

Agenda Item 9 – Short-Term Rental Ordinance

Written Comments Received By 12pm on 02/27/2023

February 27, 2023

City Council Meeting

From: Caitlin Quinn [redacted]
Sent: Sunday, February 26, 2023 2:53 PM
To: Public Comment
Cc: _City Council
Subject: City Council 2/27/23 Agenda, Item 9: Ordinance to amend Article 49, "Short-Term Rentals" of the City of Pacifica Zoning Regulations

[CAUTION: External Email]

Dear Mayor Bigstyck, City Council Members, and City Staff,

While I remain distressed at the fact that the proposed STR ordinance amendment will limit only 150 STR permits and not units, I am writing to **express my support for adding text to the proposed amendment that will allow the City Administrator to deny either the renewal of STR permits or the granting of new STR permits in order to manage the cap, especially in Pacifica's coastal zone,** which has been overrun by STRs that essentially operate as unregulated hotels.

I am also writing to urge the City to **increase its enforcement efforts against STRs that have become nuisance properties.** I live a few feet from such a nuisance STR. The problems are myriad at this unhosted, corporate-owned and -operated, unregulated hotel: noise from customers "checking in" and "checking out" frequently in the middle of the night; trash that either does not get put out, or trash receptacles that are left out on the sidewalk or in the street for days; cigarette smoke coming through the cracks in our door or through our windows; bright lights that are left on 24/7 that shine through our bedroom window even with black-out shades in place we were forced to purchase and install; rude and threatening treatment from a constant stream of strangers. We have submitted to the City Staff a chronological list of all the problems and disturbances we have been subjected to since the property started operating as a full-time, unhosted STR last summer. The list submitted at the end of January was four single-spaced pages long and continues to grow.

Every single member of our family has been negatively impacted by this nuisance STR. **We have experienced sleepless nights, reduced work productivity in our home offices, and stress-induced health problems.** Even our pets are suffering, with the constant churn of strangers trampling all hours of the day and night mere feet away from our front door and even frequently climbing up onto our front stoop and walking across our property. Also, several of the customers have brought dogs to the STR, with one group of customers actually abandoning their dog in the property's backyard for 10 straight hours with no food and very little water. We have even been questioned by the police, who were concerned about one large group of adults and children staying at the STR next door, **asking us if we had noticed any activity "involving children and drugs."**

As Councilmember Bier stated during the 2/13/23 meeting, **there is a great deal of pain within the community** being caused by unhosted STRs. I communicate about this very issue regularly with 50+ Pacificans, and hear them express openly the distress, frustration, and general loss of quality of life they experience because of an unhosted STR in their neighborhood. Pacifica City Council and Staff, **please do not mistake the fact that you may only be hearing from a vocal few for a signal that this is not a large and far-reaching issue across the entirety of our City, affecting hundreds, if not thousands, of Pacificans, either directly or indirectly.** Based on my outreach efforts, I assure you, it is.

I understand that when the Staff and Council created the original STR ordinance in 2018, the world of the short-term rental was very different than the one in existence today. Airbnb's original business model was to support neighbors renting out rooms or areas of their home in order to earn extra money; VRBO's was to support neighbors who wanted to "home swap" for a short period of time with those who lived in other regions. Sadly, that is no longer the STR business model in effect today. Nearly 80% of all hosts on Airbnb's website are corporate investors operating full-time, unhosted units. This is the pattern that is playing out in Pacifica's neighborhoods, where, according to AirDNA, **nearly 79% of all Pacifica's STRs are operated by individuals or entities with more than two units, and 58% of operators conduct business with six or more units.**

The nuisance STR next to me is one of **19 owned and/or operated in Pacifica by the same corporation.** (Note: this corporate entity owns/operates 150+ STRs throughout California and in other states.) These are NOT Pacificans looking to earn extra money to pay their mortgages. They are business people who are commodifying our homes and neighborhoods. At the 2/13/23 meeting, Councilmember Vaterlaus referred to the **"bad actors"** operating STRs in our City. She could not be more right, and I commend her for calling this out so clearly and forthrightly.

Mayor Bigstyck, City Council Members, and City Staff Leaders Carter, Woodhouse, and Murdock, please follow the lead of coastal cities like Santa Cruz, Pacific Grove, Half Moon Bay and many others, and take the necessary steps to protect Pacifica's residents from what has become a plague of greed and disruption by STR "bad actors." **Add the creation of a new STR ordinance that contains the robust elements as recommended by the Planning Commission at their January 17th meeting (primary residency requirement, 60-nights cap per year for unhosted STRs, etc.) to the new fiscal year work plan.** None of these will prevent Pacificans from earning extra dollars by hosting paying guests in parts of their home, or even from renting out their entire home for a limited amount of time each year. What they will do, however, is stop the bleeding and pain in our neighborhoods that have been overrun with unregulated hotels set up by corporate investors.

Please also review and **amend the City's enforcement procedures to ensure that neighbors who are suffering by living in proximity to nuisance STRs are assisted swiftly and effectively.** We need your help, and we need you to care about us. We understand that the STR issue is complicated and that things can't be changed overnight. But we need to know that we will be heard and acknowledged.

Also during the 2/13/23 meeting, Councilmember Beckmeyer suggested the **creation of a subcommittee of the Council to work on this issue**. I applaud her recommendation and suggest that the City refer to the subcommittee that was created by the City of Santa Cruz when they wrestled with this same issue. This subcommittee was populated by residents across Santa Cruz with varying perspectives on STRs (those opposed to STRs and those who operate them, etc.) and was tasked with researching and creating a new ordinance. **Wouldn't this help to alleviate the dearth of City Staff time available to dedicate to this issue?** There are many of us who would be willing to help with this, myself included.

Finally, it feels disingenuous to discuss Pacifica's housing element without acknowledging the disproportionately negative effect the unhosted STR business has had on Pacifica's meager housing availability. I understand that the $1.2 million in TOT projected from STRs is appealing, but imagine, for a moment, if we were to take the 200 or so homes currently operating as STRs and converted them into long-term housing. Now, imagine those 200 families consistently purchasing goods all year long in Pacifica (groceries, gas, coffee, restaurant meals, take-away, grooming services, etc.), and not merely using a Pacifica home as a base in order to attend a conference in San Francisco, as I witness frequently. Consider the positive effect that would have on our City's economics, not just in terms of goods purchased but also children enrolled in our schools and residents supporting our libraries and non-profits. TOT will still be collected through Pacifica's hotels. In fact, the hotels will likely produce higher levels of TOT, given more tourists would be staying in them now. This is a win-win for Pacifica.

In closing, I submit the following data point: **Within the six-block radius along Beach Blvd. where I live, there are no fewer than 10 unhosted STRs operating among a total of 23 properties. This means that 43% of the homes along this small stretch are no longer homes at all but unregulated hotels, at least five of which operate multiple units within one property.** And this doesn't take into consideration the additional unhosted STRs in operation along Beach Blvd.'s side streets.

This is a truly untenable situation, and not one the few remaining neighbors and I signed up for. I bought a home to be part of a community, as did they. Pacifica is not a "vacation town" like Tahoe. It has strong community roots and a delightfully quirky joie de vivre, both of which derive from full-time residents. That's worth fighting for. I hope you agree with me.

Thank you,

Caitlin Quinn
West Sharp Park

From: Pam Raymond [redacted]
Sent: Monday, February 27, 2023 8:50 AM
To: Public Comment
Subject: City council meeting 2/27 agenda item #9

[CAUTION: External Email]

Dear Mayor Bigstyck, Counclimembers and City Staff,

I am writing today regarding item no. 9 on tonight's agenda, regarding the short-term rental ordinance. A cap on the short term UNITS, not permits, is a good beginning, but hardly enough.

As a resident of Beach Blvd. for 35 years, I have seen the neighborhood shift in many positive ways, but negatively in the regards to the STR situation. I see it not as a situation, but rather an infection. Out of town buyers who have no intention of making their community or life here are buying up property because of the absence of strict STR ordinances or laws. Corporations are now buying up property to set up their STR shops. These properties are UNHOSTED.

Pacifica would be remiss to not include strong language in it's STR ordinance. Our neighboring coastal cities of Half Moon Bay, Santa Cruz,and Monterey have set good examples.

In October of 2019, A mass shooting occurred in Orinda CA, leaving 5 dead and 4 others injured. This happened in an unhosted Airbnb. The city of Orinda went into emergency mode to define, strengthen and pass an ordinance around STRs.
One night that same month in 2019, there was a rather large party at the airbnb next door, where a dozen or so men were partying aggressively. At one point an argument broke out and the one woman that was there was followed by several of the men out into the neighborhood. I called the police.
We don't want crime or violence in our neighborhoods, nor do we want something horrible like the Orinda mishap to be repeated. We also don't want to have to call the police every time an unhosted Airbnb has loud parties. We want a sense of community and safety. This has been going on too long.

I think a cap on permits is important, but maybe less so than the language regarding:
-maximum number of unhosted nights per year
-minimum number of nights requiring host and/or resident to be on premises.
These are components to good ordinance language, the real teeth that will have the greatest impact.

I also think West Sharp Park has unfairly been dealt with the most unhosted STRs in all of Pacifica and that no further permits should be given to this section.
Please adopt the key components of the Planning Commission's recommendations from 1/17/23:

" whereas the public testimony related to the host ordinance has demonstrated that the short term rentals in residential neighborhoods has created quality of life noise and parking congestion have warranted further study by the city in order to develop more robust short term regulations and the Planning Commission recommends

that the City Council prioritizes this item in its goal setting process for fiscal year 2023-2024. Factors to be considered in a future ordinance should include but not be limited to a neighborhood based cap, more than one night minimum stay, verification of potential changes in occupancy classification under the building code, occupancy limits, minimum off street parking requirements, one permit required per dwelling unit and not per property, on site guest safety inspections for smoke and carbon monoxide detectors and other safety code requirements, a diminishing cap over time to 75 STRs, requirement for a local contact person for the STR operator, requirement that an STR be a primary residence for the operator but not requiring that the primary occupant be on site during the STR operation, abandonment of STR permit if two violations are substantiated by the city within one year, trash receptacle design and placement standards, maximum number of STRs operated by individual operator and appropriate minimum and maximum stays per year of STR operation including possibly a maximum of 30-60 days per year".

I hope you will do the right thing.

Yours truly,

Pam Raymond

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From: Kate Chinca[redacted]
Sent: Monday, February 27, 2023 11:27 AM
To: Public Comment
Subject: Fwd: STRs

[CAUTION: External Email]

Dear Mayor and Councilmembers,

I have read the letter Caitlin Quinn has sent to you. I don't want to waste your time with a repeat of a very concise and finely tuned request such as hers. But, what I do want to say is:

Please help the Community out of this mess
And
Thank you for listening to our concerns!

Best wishes,

Kate Chinca
Pacifica

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From: Suzanne Moore [redacted]
Sent: Monday, February 27, 2023 11:11 AM
To: Public Comment
Subject: 2/27/23 Consent items 4 and 9

[CAUTION: External Email]

Thank you staff and Council for past efforts on these two items on the consent calendar.

Item #4 AB 612 - please draft a letter of sponsorship to expand Pacifica's State Park at no cost to the City. I am grateful for the work that made this possible.

Item #9 Short Term Rentals. Council, please consider a different cap - that the 150 permits are a per unit permit. I appreciate the Planning Commissions recommendations, under Resolution No 2023-001, and would like the Council to move forward on this. The Planning Commission respectfully listened to the public - neighborhoods concerned about quality of life impact and advocates concerned about a reduction in housing stock - and their resolution reflected that effort.

Thank you.

--
Suzanne Moore
[redacted]

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Speaker cards submitted at public hearings from January-February 2023

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott Date 1/17/23
Please Print

City:

No. of Item on Agenda or Subject
#2 STR's

City of Pacifica
City Council Regular Meeting

Name Jim Kremer Date 1/17/23
Please Print

City: Pacifica

No. of Item on Agenda or Subject
#2 STRs

City of Pacifica
City Council Regular Meeting

Name DINAH VERBY Date 1/17/23
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: #2 (STRs)

City of Pacifica
City Council Regular Meeting

Name Suzanne Mode Date 1/17/23
Please Print

City:

No. of Item on Agenda or Subject
#2 Short term rentals

City of Pacifica
City Council Regular Meeting

Name Caitlin Quinn Date 1/17/23
Please Print

City: Pacifica

No. of Item on Agenda or Subject #2 - STRs

City of Pacifica
City Council Regular Meeting

Name Colleen Golden (Please Print) Date 2-13-23

City: Pacifica

No. of Item on Agenda or Subject

Public Comments on items not on the posted agenda

City of Pacifica
City Council Regular Meeting

Name LYNN ADAMS (Please Print) Date

City: PACIFICA

No. of Item on Agenda or Subject Public Comments

City of Pacifica
City Council Regular Meeting

Name DAN STEGINK (Please Print) Date

City:

No. of Item on Agenda or Subject

PUBLIC COMMENT

City of Pacifica
City Council Regular Meeting

Name DAN STEGINK (Please Print) Date

City:

No. of Item on Agenda or Subject

ITEM #10. ADU AMEND.

City of Pacifica
City Council Regular Meeting

Name Caitlin Quinn (Please Print) Date 2/13/23

City: Pacifica

No. of Item on Agenda or Subject STRs 10

City of Pacifica
City Council Regular Meeting

Name Chris Redfield (Please Print) Date 2/13/23

City: Pacifica

No. of Item on Agenda or Subject #10 STR

City of Pacifica

City Council Regular Meeting

Name Pari Raymond Date 2-13-23

Please Print

City: Pacifica

No. of Item on Agenda or Subject 10

City of Pacifica

City Council Regular Meeting

Name Cheryl Greene Date 2/13/2023

Please Print

City: Pacifica

No. of Item on Agenda or Subject STR

Public Comments

Study Session – Short-Term Rentals

Written Comments Received By 12pm on 06/24/2024

June 24, 2024

City Council Meeting

From: Brittaney Shade [redacted]
Sent: Wednesday, June 12, 2024 8:21 PM
To: Public Comment
Subject: Short Term Rentals (Public Comment)

[CAUTION: External Email]

Dear Pacifica City Council,

I am writing to express my hope that the city passes a limit on STRs in Pacifica. I am a resident of the city, active in the community and would love to be able to afford a home here. Due to the limited housing supply, each house that is listed for sale vs. short term rental can make an impact to the trajectory of our town. I live in Manor and have a STR down the street, there is frequently loud music and people in and out. There is also always a TON of garbage on the street. If there were full-time residents living there, there would be more ownership of the community vs. transient renters.

Pacifica is a target for AirBnB's due to it's beauty and proximity to the city. Some STR owners look at this as purely a cash grab with no connection to the community. Meanwhile, residents like myself are struggling to find housing. Additionally, many studies find that commercialized short-term rentals artificially inflate rentals costs.

I know STR bring in an income to the city via taxes. I feel strongly that the community created through long term residents is far more valuable than the income. We need Neighbors not AirBBs. How many STR owners volunteer at local events? Support our local business on the regular? Help neighbors out in need?

I appreciate your consideration and am happy to chat more.

Very best,

Brittaney Shade

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From: Pam Raymond [redacted]
Sent: Tuesday, June 18, 2024 9:44 AM
To: Public Comment
Subject: STR ordinance

[CAUTION: External Email]

June 18, 2024
Dear Mayor Vaterlaus and City Council Members:

I attended the “Pacifica Homes are not hotels”meeting at the Firehouse on 6/13/24. Thank you to the council members that attended.

I support a new short-term rental ordinance that has some teeth in it to make Pacifica less attractive to investors who want to run unlicensed hotels in our neighborhoods.

I walk in my beloved neighborhood of 35 years, West Sharp Park, every day. Over the past decade in particular,I have seen an exodus of families. Almost all of these family homes have been bought by someone with the express and sole interest of renting them out as full-time, UNHOSTED Airbnbs. They have never even lived there, even though some lied initially to the city to get the permit. What breaks my heart the most is seeing these residences sit vacant for 85-90% of the year for whatever reason. Pacifica has a reputation of being very permissive and easy for these investors to gobble up property. THIS IS MORE DISTURBING THAN THE LATE NIGHT NOISE-ORDINANCE VIOLATIONS FROM THE AIRBNB NEXTDOOR TO ME, AND THE CONSTANT INS N OUTS OF NEW GUESTS COMING AND GOING. SEEING VACANT HOUSES THAT COULD HOUSE A FAMILY IS WRONG.

I agree that the current permissive STR ordinance is destabilizing to our community, not just financially but culturally.
For these reasons, and many more, I urge you:

- ● Limits STR permits to property owners who are “natural persons” and for whom the property is their primary residence
- ● Allows only one STR to be in effect within the City of Pacifica for any owner and/or operator.
- ● Sets an operation limit on unhosted STRs to 60 rental nights per year,.
- ● Revokes the ermit for any STR property at which two or more noise or other ordinance

  violations have occurred within any 12-month period

- ● Creates new enforcement teams that include dedicated Code Enforcement and PPD

  officers.

- ● Mandates that all advertising (written publication or online website) of the STR property

  includes the City-issued STR registration number.

Sincerely,

-
- Pam Raymond
  Beach Blvd. West Sharp Park
-
-

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From: Cheryl Greene [redacted]
Sent: Wednesday, June 19, 2024 11:50 AM
To: Public Comment; _City Council
Subject: STRs in Pacifica

[CAUTION: External Email]

Dear City Council Members,

Thank you for your difficult work on our behalf. I recognize it is not easy to hear from people who are upset that you aren't acting according to their best interest when you are tasked with representing the best interest of all Pacificians.

I believe it is in the best interest of ***all*** Pacificians to limit the number of unhosted STRs, limit STR permits to one per resident, and not allow non-residents to run STRs as businesses in Pacifica. Non-residents don't build our community, and the money they provide via fees to the city is not worth the cost of having them in our community.

I believe it is in the best interest of Pacifica to promote tourism. Let's do that with well-regulated hotels and resorts that pay much higher fees to the City than STRs.

I understand STRs provide space for larger groups, and resorts can, too. I believe having a party or event can be great for everyone. Hotels and resorts can provide event space that is good for both the partygoers and the community.

Pacificans need fewer, better-regulated STRs.

Thank you for your time and your commitment to all Pacificans.

C~

Cheryl Greene
Pacifica Resident since 2018
[redacted]

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From: Dian Emerson [redacted]
Sent: Wednesday, June 19, 2024 8:19 PM
To: Public Comment
Subject: Short Term Rental Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: External Email]

Mayor Vaterlaus and City Council Members:

I have been a Pacifica resident for 45 years, the past 38 years in my Park Pacifica neighborhood on a quiet cut-de-sac. Of the adjacent 10 homes, 5 have been residents on my street longer than I have, including an original owner from 1972. We all raised kids here, keep an eye on each other's places, and have had a peaceful, stable and quiet neighborhood. That is, until April of 2023.

In April of 2023, one house of the 10 sold to an out of town investor. While we looked forward to new neighbors, it soon became clear that it was not to be. In about June, the house appeared on AirBNB for short term rentals. The house, 4 bedrooms and 2.5 bathrooms — has been consistently advertised on both VRBO and AirBNB for up to 16 guests. A few examples of what we have been subjected to:

* Outdoor hot tub parties into the late night
* Parties, event, crowds, loud music outdoors,
* Uncontrolled occupancy, including up to 15 or more cars
* Parking issues and numerous occasions with Uber drop offs and pick ups at all hours
* Wedding and baby shower events with amplified music and loudspeakers and as many as 50 attendees
* Yoga and business retreats — again, with large numbers of people
* Construction workers parking large construction vehicles that do not belong in a residential neighborhood
* Excessive noise, at all hours, trash being thrown over a neighbor's fence
* Unpermitted sauna installed in garage, limiting garage parking to 1 car
* Blocking of a neighbor's driveway
* Trash cans left at the curb for days

And, to top it all off, on a recent weekend, it appeared that there were several scantily clad sex workers arriving at the house where there were approximately 8 men who were staying there. Simply put, an STR in this neighborhood is not a compatible use — and we are fed up. This STR is seriously impacting the quiet enjoyment of our street and potentially jeopardizing our safety as well. We never know who is coming or going from that house, or who is across the street just steps away. I have never had to feel unsafe in my neighborhood until now.

The current STR ordinance is shameful at best, and does not work out all for the people who live here. Out of town real estate investors and property management companies are profiting from STRs while the rest of us pay the price. Pacifica loses long term residents, community involvement, children in schools, and patronage of small business of all kinds that are not commonly used by tourists. We also lose when the only available enforcement is to call the Pacifica PD, taking them away from other public safety work.

It is imperative that this Counci act with all due speed to enact a revised ordinance. I urge you to listen to the distress in our neighborhoods and act! I fully support the following provisions in a new STR ordinance;

* Limit STR permits to property owners who are “natural persons” and for whom the property is their primary residence
* Allow only one STR per owner/operator in the in the city
* Set an operating limit on unheated STRs to 60 rental nights per year
* Set a limit of 2 guests per legal bedroom (no sofa beds in living rooms)
* Limit cars to number of garage plus driveway parking — no street parking
* Daytime visitors to the unheated STR are limited to 1/2 the number of permitted renters, and are only permitted between 7 am and 10 pm
* Revoke the permit of any STR property at which there are 2 or more noise or other ordinance violations within a 12 month period
* Mandate that all advertising (written or online website of any short term rental platform) must include the City-issued registration number
* Create an enforcement teams that includes Code Emvprcement and PD
* Requie all unhosted STR permit holders designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property in 20 minutes or less to abate any problems, up to andi including eviction of renters *Require a 30-day notice to neighbors within a 500 foot radious of any property for which the owner has applied for a STR permit, allowing neighbors a comment period before the city grants the permit
* Operation of the STR must no be a nuisance or threat to public health, safety or welfare, ani must not negatively impact any neighbor’s quiet enjoyment of their home who live within 500 feet of the property, and the no interior or exterin activity at the STR will interfere with or be detrimental to the residential use of the adjacent properties.

In closing, it is your responsibility to protect our residents and our neighborhoods — not the out of town investors who are profiting at our expense.

Dian Emerson
Park Pacifica

*

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From: mark stechbart [redacted]
Sent: Wednesday, June 19, 2024 8:26 PM
To: _City Council; Public Comment; [redacted]; mark stechbart
Subject: short term rental june 24 testimony

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: External Email]

June 24 STR hearing

City will have to split ordinance at Hwy 1 due to coastal commission involvement. This testimony is for a model ordinance for east of Hwy 1, not subject to coastal commission rules.

Summary: somewhat of a fool's errand. City does not have the time or funds to properly enforce, particularly on a Saturday night 10PM. Controlling STRs will literally be up to a neighborhood watch group to video house, occupants, cars and noise. Calling platform or manager is useless. No public record created. Enforcement relies on manager who makes money by allowing unit to remain rented. Self enforcement is none at all.

Preferred solution is zero strs.

1. One str per owner in town. No corporate or llc. Natural persons.

2. permits not assigned to a building. One unit one permit. Not one permit for a building with 6-8 units, etc. Multi-family units who seek to become strs become a hotel by anyone's definition and that is unacceptable.

3. large sign on property visible from street day and night identifying as str, occupancy limit, number of cars, PPD complaint number.

4. city website lists all strs with owner details, conditions of occupancy.. complaints listed and actions. (like PPD media bulletin but with more data)

5. two sustained complaints permit canceled.

6. complaint/enforcement hearings are public.

7. no amplified music.

8. no backyard activity after 730PM, no hot tub after 730 and no noise off fence line anytime of day.

9. no flames. No charcoal. Self contained cooking propane 20 feet off house ok. No cooking after 730PM

10. occupancy density reduced to that of average census family size in town which is 2.7 people. . (916 park pacifica advertised at 16 occupancy)
Successful strs should be family oriented, not group or multiple adults because that becomes an event.
So, 4 adults 4 kids (presumably 4 bedrooms. Kids room two single beds to avoid cheating) . That makes two families maximum in 2-3 cars. Bedrooms only no sofa beds, roll-aways, sleeping bags, or cots in living room. Properties with more than 4 bedrooms cannot use the additional bedrooms because the excess tenants overload the property and neighborhood.

11. car parking. Two in garage, two max on driveway. No street, no partial parking on driveway into street. No hiding car down the road. Register car description and license plate on city website to ensure enforcement. (hotels always ask for car dets and generally issue a dash permit)

12. check-in… property manager meets and checks in tenants. Counts heads, issues car park permits. Watches unload for prohibited items. Delivers terms of service and behavior. Certified to city at check-in everything legal. No check in after 8PM. No one particularly in summer wants to hear late night noises and door slamming.

13. all violations have a fine. Two = revocation.

14. 60 day rental, then owners must occupy home for rest of year . Owner identified so neighbors can monitor. If the “owner” is on a business trip or vacation and otherwise not on the property, the property must be vacant.

15. no events, parties, meetings, board retreats, weddings, baby showers, yoga classes as tightly defined. No outside decorations, tables, chairs.

16. no day visitors or uber drop offs. That means occupancy is higher than allowed (or declared on booking or check-in) and becomes an event, party or meeting. Tenants can rent a real meeting room in a hotel or restaurant in a commercial district.

17. what are audit provisions? Platforms expected to report listing dets, complaints to platform or manager to the city? Penalty for failure? Property camera views available to the city?

18. permit fees recover full costs of enforcement. Or take added costs out of tot.

19. maintain landscape that prohibits weeds over say 3 inches, or city standard..,

20. vendors involved in repair, maintenance and cleaning of property have business or contractor licenses and subject to inspection.

21. citizen advisory committee for enforcement oversight and management. Meets monthly to start. Public meeting.

22. neighbors within 500 ft of str receive a city mailer alerting them to str presence and enforcement protocol.

23. water use--- in drought prone californa, water must be conserved. Careless consumption is not acceptable. STRs must have water use limits based on occupancy and prudent water use. Excess water use is grounds for revocation. 30 minutes showers by tenants with no connection to town and devil may care holiday behavior will not be allowed.

24. finding unlicensed properties—the city will encourage neighborhood watch groups to look for unlicensed. A checklist of key indicators will be developed. Recology should be approached for a print-out of all residences using large 96 gallon cans since that is a dead giveaway.

25. existing permitted properties under the current woefully inadequate ordinance must adhere to any new regulations as soon as possible.

26. calling platform or manager is generally a waste of time. Complaints must go to PPD for investigation. If needed, PPD can call platform or manager to have terms of service enforced.

==========

Two listings for same house. Different platforms, different managers, different rules (even contradictory) ,but getting more restrictive on paper. Actual practice unknown. Enforced not by city but by manager, so no public record and at discretion of manager. Definition of events and meetings unknown.

1. VRBO list 916 park pacifica.
https://www.vrbo.com/3738798?dateless=true&x_pwa=1&rfrr=HSR&pwa_ts=1718637923278&referrerUrl=aHR0cHM6Ly93d3cudnJiby5jb20vSG90ZWwtU2VhcmNo&useRew

ards=true&adults=9&regionId=9065&destination=Pacifica%2C+California%2C+United+States+of+America&destType=MARKET&neighborhoodId=5532486359764711137&latLong=37.613827%2C-122.486916&privacyTrackingState=CAN_TRACK&searchId=6450557d-a899-48da-91da-5bbf55145bdb&sort=RECOMMENDED&userIntent=&expediaPropertyId=100779872

About this property

- NO ROWDY PARTIES OR EVENTS THAT WILL DISTURB NEIGHBORS. Deposit will be on-hold, reservation will be canceled.
- QUIET HOURS from 10pm to 9am
-Guests are not allowed to play music outside of the house.

About this space

This house is residential home, not a hotel and not party house. If you are someone looking for party house, please look elsewhere. Neighbors will call the police for any disturbances guests cause. This house is suited for large group of travelers and family gatherings that are looking for a quiet, relaxing retreat.

• 2020 sq ft:

• Parking Rule:

Maximum 4 Cars: 2 in the driveway, two in the curb in front of the house (Left and Right side) – all are in front of our house and not neighbor's houses.

If you have more than 4 Cars, please make sure to park them further down the street so we don't take up neighbors parking spaces.

- NO PARTIES OR EVENTS. Deposit will be on-hold, reservation will be canceled. Cops will be called, and legal actions will be taken, if you choose to throw a party at our property! Outside furniture and decorations are not allowed.

- Any drug use, including marijuana is prohibited. Cigarette smoking is not allowed inside the house, you may smoke in designated smoking areas in the backyard and side yard of the house.

- Guests should not congregate outside of the house between the quiet hours of 10:00 pm and 9:00 am. Hot Tub and Fire Pit Should not be used during quiet hours.

- Guests should never play music at backyard, side yard and front yard (outside of the house) at any time. Neighbors will Call Cops, it happened before. Neighbors should be respected at all times.

- Only guests named at booking are allowed on the premises. Violation of this rule will result in immediate eviction.

- Exterior security cameras monitoring in place, so please check your guest's count for accuracy at the time of your reservation! Ask for approval, if you have visitors,

- Groups of visitors, or party size visitors are not allowed

2. airbnb

https://www.airbnb.com/rooms/1061131781226182683?adults=1&children=0&enable_m3_private_room=true&infants=0&location=Pacifica%2C%20CA&pets=0&search_mode=regular_search&check_in=2024-07-06&check_out=2024-07-11&source_impression_id=p3_1718812884_P3swwkl9Owb1cD8z&previous_page_section_name=1001&federated_search_id=b8bcc2d5-276a-487c-a148-a8760e65375c

he space
- NO ROWDY PARTIES OR EVENTS THAT WILL DISTURB NEIGHBORS. Deposit will be on-hold, reservation will be canceled.
- QUIET HOURS from 10pm to 9am
-Guests are not allowed to play music outside of the house.

About this space

This house is residential home, not a hotel and not party house. If you are someone looking for party house, please look elsewhere. Neighbors will call the police for any disturbances guests cause. This house is suited for large group of travelers and family gatherings that are looking for a quiet, relaxing retreat.

• 2020 sq ft:

• Parking Rules:

[Maximum 4 Cars]: 2 in the driveway, two in the curb in front of the house (Left and Right side) – all are in front of our house and not neighbor's houses.

If you have more than 4 Cars, please make sure to park them further down the street so we don't take up neighbors parking spaces.

Other things to note

- NO PARTIES OR EVENTS. Deposit will be on-hold, reservation will be canceled. Cops will be called, and legal actions will be taken, if you choose to throw a party at our property! Outside furniture and decorations are not allowed.

- Any drug use, including marijuana is prohibited. Cigarette smoking is not allowed inside the house, you may smoke in designated smoking areas in the backyard and side yard of the house.

- Guests should not congregate outside of the house between the quiet hours of 9:00 pm and 9:00 am. Hot Tub and Fire Pit Should not be used during quiet hours.

- Guests should never play music at backyard, side yard and front yard (outside of the house) at any time. Neighbors will Call Cops, it happened before. Neighbors should be respected at all times.

- Only guests named at booking are allowed on the premises. Violation of this rule will result in immediate eviction.

- Exterior security cameras monitoring in place, so please check your guest's count for accuracy at the time of your reservation! Ask for approval, if you have visitors,

- Groups of visitors, or party size visitors are not allowed

-oOo-

mark stechbart
[redacted]
[redacted]

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From: DARCY DUCKENFIELD [redacted]
Sent: Thursday, June 20, 2024 11:38 AM
To: Public Comment
Subject: Pass a STR Ordinance NOW
Attachments: Pacifica STR Request 062024.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: External Email]

Pacifica City Council-
please see attached letter where I formally request that you all pass an ordinance around STRs . How many more meetings need to be held on this issue? What is it that you have to "study" for so long?

The entire community has been making it clear, for **OVER A YEAR NOW**, that not only do we want control and order around these STRs that are overrunning our neighborhoods but have also been showing evidence of the problem. There is no reason for it take this long- all of our neighboring communities have STR ordinances in place and don't struggle with this the way Pacifica does. No need to re-invent the wheel here and drag this out with a waste of a taxpayer funded "study"- *just follow the examples set by neighboring communities that clearly have shown more leadership and consideration for its residents than Pacifica has.*

Your IMMEDAIATE not just attention but **ACTION** to this serious problem is appreciated. Thank you

Darcy
CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: DARCY DUCKENFIELD

Date: 6/19/2021

Signature: Darcy Duckenfield

Neighborhood: WEST SHARP PARK

Contact Information (email/phone <op [redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Beckmeyer, Sue
Sent: Thursday, June 20, 2024 12:24 PM
To: Public Comment
Cc: Woodhouse, Kevin; Coffey, Sarah; Kumar, Kavitha; Cervantes, Stefanie; Michelle Kenyon [BWS Law]
Subject: Fwd: Concerns with the CCC and Pacifica's Future

Follow Up Flag: Follow up
Flag Status: Flagged

FYI…
— Sue B.

From: Kirvin, Les [redacted]
Sent: Thursday, June 20, 2024 11:18:11 AM
To: _City Council <citycouncil@ci.pacifica.ca.us>
Subject: Concerns with the CCC and Pacifica's Future

[CAUTION: External Email]

Hello to our city council

As lifelong residents of Pacifica who currently resides in Sharp Park. Our family (now 4 generations) over the decades, have personally witnessed what the ravages of Mother Nature can impose on coastal communities such as Pacifica. We fully understand that nature can and will take its place. So, whether we believe in ongoing environmental issues like climate change or not, is not the point here. What is undeniable however, since we've seen it with our own eyes, is that land erosion and sea encroachment is happening in our city, right now!!

The time is now to make smart decisions for our city's preservation and future existence. However, to be respectfully honest, there are growing concerns amongst the township, that our leadership (City Counsil) may be looking for an easy way out concerning the proposed CCC mandates and possible restrictions that may be imposed (which will undoubtedly affect everyone in the 94044). Your actions and/or in-actions today, as you well know, will greatly impact the generations to come in Pacifica.

This is a time for us all to stand tall with pride and humility, to not lay down for someone else to negatively impact our livelihoods and the city we've called home for years. This is much bigger than just us, so please, we implore you all, to be transparent and as informative as you possibly can moving forward, there's too much at stake not to be.

Regards,

Les Kirvin
[redacted]

From: Danny Estrella [redacted]
Sent: Thursday, June 20, 2024 2:36 PM
To: Public Comment
Subject: June 24, 2024 Short Term Rental Study Session

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: External Email]

20 June 2024

Pacifica City Council

Subject: June 24, 2024 STR Study Session

Dear City Council Members,

I'm writing to urge you to pass a new short-tem rental (STR) ordinance that limits STR permits to property owners who are "natural persons" and whom the property is their primary residence. The permits need to be for one STR, not for an individual who is operating more than one STR under a single permit.

Compared to most all other cities in San Mateo County, as well as cities up and down the California coast, **Pacifica's STR ordinance is lax and has left our City vulnerable to corporate and individual investors who have purchased homes in Pacifica not to live in them, but to add them to their portfolio of STR investment properties**. **These homes are taken out of the hands of families who want to live in our City and are converted into businesses that are being allowed to operate in areas zoned as "residential." Neighborhoods are meant to house residents, not businesses.**

237 total AirBnBs are operating in Pacifica. 201 (84%) are full house listings operating as hotels. Bear in mind that only 113 homes are registered with the City of Pacifica as AirBnBs. These 201 homes collectively list as "accommodating" 1366 people in total.

- That's an average of 7 persons per home
- The max number of persons the largest listings "accommodate" is 16
- There are 15 homes that "accommodate" 16 people (averaging 5 people per bathroom)
- **Only 113 STRs (of any kind) are registered with Pacifica. That accounts for only a mere 47% of all the AirBnBs actually operating in Pacifica**

Unhosted STRs are consolidating home ownership to the few

- 28 AirBnB operators in Pacifica own more than one home in Pacifica
- 34 AirBnB operators in Pacifica own multiple homes in San Mateo County

These same 34 individual operators own:

- 128 homes in Pacifica
- 198 homes in San Mateo
- 1846 homes in total (state-wide or nationally)
- Just one of these operators owns 1018 homes in total

That means just **34 operators own 64% of all the unhosted AirBnBs** in Pacifica. That's 11 more homes than the total number of AirBnBs actually registered with Pacifica. Consider that last bullet: **A single operator owns 1018 homes** (state-wide, perhaps nationally). While that single operator is the biggest, they are not the only one in Pacifica. **These super-operators have the purchasing power to drive Pacifica home prices at will.**
Data source: insideairbnb.com

Please note the effects of allowing STRs:

Defunds our schools
Our schools are funded on enrollment. Converting housing to hotels displaces families and reduces the funding of our schools. If we had just one child from half of the homes currently running as hotels that amounts to **a $1,680,000 loss for our local schools. We wouldn't need to add more bond measures to the ballot to fund our schools if we had these students.**

Depletes the number of our teachers and first responders
Unhosted AirBnBs take long-term rentals off the market, and that drives up rents and home prices. **This makes it hard for Pacifica to recruit and retain teachers, firefighters, and police who cannot afford to live here.**

Unhosted AirBnBs take jobs
Local hotels employ reservation clerks, maintenance workers, housekeeping staff, and night clerks. These are predominantly middle and low-income jobs. Unhosted AirBnBs deplete worker hours and redirect revenue that would have gone to local hotels to property owners.
Please do the right thing by Pacifica and revise the current STR ordinance, adding the types of restrictions other cities—including our sister-city, Half Moon Bay—have seen fit to apply, such as:

- **A primary residence requirement for any host operating an STR property;**
- **Only permitting one (1) STR to be owned/operated by any host within the City;**
- **An operating limit of 60 nights per year for any unhosted STR; and**
- **A limit of two (2) guests per bedroom and a limit of one (1) car permitted at the property per bedroom.**

Also, please commit to the allocation of sufficient staff to implement timely action and effective enforcement of all provisions in the amended ordinance.

Please do not delay this critical work any longer. **Each week that goes by without a revised STR ordinance is a week that—on average—another one (1) to two (2) unhosted STRs set up shop in Pacifica**. If the City's staff is too busy to take this work on, please hire a consultant to do it for us, as many cities—including Half Moon Bay—have done.

Pacifica's residents, schools and its neighborhoods are counting on you.

Thank you,

Danny Estrella
[redacted]

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From: William.Leo Leon [redacted]
Sent: Friday, June 21, 2024 9:48 AM
To: _City Council; Public Comment; Coffey, Sarah; Kris Geiger
Subject: STR Commernts_Study Session

[CAUTION: External Email]

Dear Mayor and City Council members, Thanks for recognizing that we have a serious lack of controls with Short Term Rentals (STR) and for taking additional steps to improve our Short-Term Rental Policy in Pacifica.

Many residents are being directly impacted by the proliferation of STRs in their neighborhoods. We live on Olympian way in Pedro Point and enjoy our neighborhood and community. That said we have noticed ongoing changes to our Pedro Point Community and neighborhoods. This has led some residents to do research and compile statistics on STRs in Pedro Point. The data shows Pedro Point is now home to almost 30 un-hosted STRs. We see the changes when we no longer have permanent residents in our neighboring houses. Instead, we see the coming and going of unfamiliar cars and people. This creates a hotel-like environment for us in the midst of residential homes. We are concerned that without immediate action by the City Council there will be no limit to how many STRs move into our small neighborhood and the Pedro Point Community. Not to mention the impact on other neighborhoods City wide. We need to take immediate action.

A great deal of information now exists about the effect of unhosted STRs on cities and neighborhoods. I will enumerate some of those in this letter but I would also strongly encourage you to watch the presentation that Dr. David Wachsmuth made to the California Coastal Commission December 14, 2023; his presentation begins at about the 59 minute mark and is an excellent summary of this issue (the video can easily be found on an internet search using that date, etc., or you use this link: https://cal-span.org/meeting/ccc_20231214/). It is also important that a distinction be drawn between "hosted" and "unhosted" STRs. While preparing this letter, I made a point of reading a great deal of material about the effects of STRs on neighborhoods and cities. I soon realized that many of these studies do not make a distinction between hosted and unhosted and thus many of these are not relevant to this letter or this discussion as this primarily concerns **unhosted STRs** (I do note that the presentation made by Dr. Wachsmuth, mentioned above, does make this distinction).

This problem is not unique to Pacifca but Pacifica has not done enough to stay on top of it; Pacifica is ranked #2 in the number of STRs per capita in this county. According to counts that have been made online there are up to 237 STRs operating in the city, registered or not. To give some perspective to this issue, prior to New York City passing Local Law 18 there were approximately 40,000 STRs operating in NYC. Of course NYC has a population of 8,336,000 to Pacifica's 36,517. Still, the penetration of STRs into the city as a percentage of the total population: **NYC: 0.48%, Pacifica: .55%** Now that NYC has Local Law 18 the approximate penetration is: .03% (2,242 registered STRs), which would equate to us having 11 STRs. (the NYC current numbers are approximate). (See the Skift.com article dated June 17, 2024 "NYC has approved just 2,242 Short Term Rental...) FYI: not only does NYC require the hosts to be present during the stay but it also limits it to two guests per bedroom **and** the bedroom doors can NOT have locks.

While this issue is complicated, Pacifica is far from the first city to deal with it. Over and over throughout our state and country, city after city, many of them much larger than Pacifica, have already dealt with this issue. A good example of this that's close to home is Half Moon Bay. The STR ordinance in Half Moon Bay has also already been approved by the CCC.

What is the solution to this problem?

* Recognize that residential neighborhoods are just that and are not locations for hotels of any size. If we need more hotels, then find areas that are appropriate to zoned for hotels.
* Require that all STRs be hosted. The owner must be present while a property is rented.
* Limit the number of guests that are allowed per bedroom to two.
* Require that all STRs be registered with the city and receive a registration number. Require that all STR listings display this registration number. FYI: the city of San Francisco allows any STR to be advertised but does not allow the STR to collect a fee unless the listing displays the registration number (I may be phrasing this wrong but that's the intent as I understand it).
* Limit the number of cars that guests can have at an STR to one car per legal bedroom (anecdotal evidence suggests that some STRs have made non-permitted bedrooms conversions).
* Limit STR permits to "natural persons" (not corporations!) and for whom the property is their primary residence. Limit STR permits to one per natural person in the city of Pacifica.
* Revoke the permit of any STR that has two or more noise or other ordinance violations within a 12 month period.
* Limit the number of guests allowed at an STR. Imagine living next to a house which regularly hosts corporate meetings, reunions, bachelor parties, wedding parties, etc. Perhaps limit the number of daytime non-staying guests to half the number of people that are legally staying at the STR.
* Limit the number of nights that a hosted STR can operate unhosted to no more than 30 or less, and only on the condition that the owner provide a representative who can respond to complaints in-person within 20 minutes at all times the STR is unhosted. This would be 24/7. Otherwise it's up to our already stretched police force to take care of this problem and that's just not right. FYI: in many cities STRs are not allowed to have any unhosted nights.
* Find some way so that we don't end up with STRs clustered in just one or two areas, perhaps by using a formula that only allows a certain number of STRs per number of houses in the area. Otherwise we could see most of the STRs end up in communities like Pedro Point, thus completely gutting those neighborhoods. There must be a way to spread out the STRs.
* Arrive at a total number of allowable STRs within the city. This is easily done as a percentage of the total population.

We propose that while this work is going on, the city enact a moratorium on new STRs. There is obviously a very real probability that the city will change the regulations regarding STRs in the very near future. Rather than register new ones and then in a few months tell them that the rules have significantly changed, I think it would be better to stop registering any STRs until the new rules have been proposed and adopted. It might be possible to maintain a list of those people (natural people, not corporations!) that would like to register once the moratorium has ended, in the order that they asked to be considered. But it seems hardly fair to register new STRs knowing that the rules are going to change. As mentioned at the CCC meeting on June 13, a moratorium during the review process just makes sense.

There is a sense of urgency to dealing with this issue as it continues to grow. I was just shown the site "Peerspace" that has three listings for Pacifica where you can rent a house by the hour. These are homes in residential neighborhoods. One listing is for a 2400 sq foot house and shows in the banner "35 people", "12 Hour minimum". In the description it says "sleeps 20 people". It's one thing when your neighbor throws an occasional party, it's another thing when the house next door to you becomes an event space, a micro hotel or who knows what.

Thank you for addressing our concerns,

Regards,

William "Leo" Leon & Anne "Kris" Geiger
[redacted]

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From: Gary Furlong [redacted]
Sent: Friday, June 21, 2024 10:30 AM
To: Public Comment
Subject: Fwd: STR Study Session, June 24, 2024; — Proposed Amendments to Pacifica's Current STR Ordinance

[CAUTION: External Email]

I would like to thank the council members for the time you are putting into studying this important issue, especially for the hours you sit in meetings, something that can't be easy for anyone.

I am a long term resident of Pedro Point, which as far as neighborhoods go, isn't all that big. But we are a real neighborhood where people can socialize with each other, have potlucks, borrow that emergency cup of sugar (or bottle of wine!). However, we are now also home to almost 30 unhosted Short Term Rentals (STRs). These serve as unsupervised micro-hotels in the midst of residential homes. Again, almost 30 of these unsupervised micro hotels in just our small neighborhood, and that number is increasing.

A great deal of information now exists about the effect of unhosted STRs on cities and neighborhoods. I will enumerate some of those in this letter but I would also strongly encourage you to watch the presentation that Dr. David Wachsmuth made to the California Coastal Commission December 14, 2023; his presentation begins at about the 59 minute mark and is an excellent summary of this issue (the video can easily be found on an internet search using that date, etc., or you use this link: https://cal-span.org/meeting/ccc_20231214/). It is also important that a distinction be drawn between "hosted" and "unhosted" STRs. While preparing this letter I made a point of reading a great deal of material about the effects of STRs on neighborhoods and cities. I soon realized that many of these studies do not make a distinction between hosted and unhosted and thus many of these are not relevant to this letter or this discussion as this primarily concerns unhosted STRs (I do note that the presentation made by Dr. Wachsmuth, mentioned above, does make this distinction).

Unhosted STRs are gutting our neighborhoods. This is especially true of those neighborhoods that adjoin the beaches that are located in Pacifica. The point of having residential zoning is to have residential areas where families can live and flourish. It's to allow the neighborhoods to develop a unique character. Instead we now have our neighborhoods playing host to scores of micro-hotels that have no on-site supervision. Hotels require hotel zoning, not residential zoning.

Unhosted STrs are disruptive to our neighborhoods. Frequently they become the location of parties and events. All of us have experienced those times when a neighbor decides to host a large party at their house and we know the disruption it brings even if the party isn't loud. Now imagine that going on at the house next to yours almost every week and sometimes more than once a week; that's an unhosted STR.

Unhosted STRs are robbing our schools of children. In our neighborhood there should be more children than there but there are almost 30 houses where no families live. The lack of children in school means that our schools are facing a loss of funds.

Unhosted STRs are rarely "mom and pop" earning some extra money to use on a vacation or to pay bills but frequently are corporations or individuals who own multiple properties (in Pacifica 73 operators run more than one listing!). And

some of these corporations haven't hesitated to have their lawyers send out pretty nasty letters to anyone that has dared complain about the STRs they own.

Unhosted STRs are a strain on our limited police force.

Unhosted STRs frequently have more people in the house than the bedroom count would indicate is normal. 15 STRs in Pacifica allow up to **16 people** per house per night (which also raises the issue is there a legal number of bathrooms for this many people?).

Unhosted STRs hurt our hotels and unhosted STRs do not represent a significant, if any, savings over our hotels. In addition, if someone is looking for a more "homey" place to stay, then they can turn to a hosted STR. Let's face it, the advantage of an unhosted STR over a hosted STR is that with an unhosted STR you don't have to worry about what anyone thinks of what you're doing.

Unhosted STRs are driving out renters and home owners. As it stands now renters and people that want to own a house to live in it are **competing** against people and corporations that want to buy a house to convert into a micro-hotel. California has a shortage of housing but at the same time our existing housing is being converted to micro hotels.

This problem is not unique to Pacifca but Pacifica hasn't done enough to stay on top of it; Pacifica is ranked #2 in number of STRs per capita in this county. According to counts that have been made online there are up to 237 STRs operating in the city, registered or not. To give some perspective to this issue, prior to New York City passing Local Law 18 there were approximately 40,000 STRs operating in NYC. Of course NYC has a population of 8,336,000 to Pacifica's 36,517. Still, the penetration of STRs into the city as a percentage of the total population: NYC: 0.48%, Pacifica: 0.55% Now that NYC has Local Law 18 the approximate penetration is: .03% (2,242 registered STRs), which would equate to us having 11 STRs. (the NYC current numbers are approximate). (See the Skift.com article dated June 17, 2024 "NYC has approved just 2,242 Short Term Rental...) FYI: not only does NYC require the hosts to be present during the stay but it also limits it to two guests per bedroom **and** the bedroom doors can NOT have locks.

While this issue is complicated Pacifica is far from the first city to deal with it. Over and over throughout our state and country, city after city, many of them much larger than Pacifica, have already dealt with this issue. A good example of this that's close to home is Half Moon Bay. The STR ordinance in Half Moon Bay has also already been approved by the CCC.

What is the solution to this problem?

* Recognize that residential neighborhoods are just that and are not locations for hotels of any size. If we need more hotels then find areas that are appropriate to zone for hotels.
* Require that all STRs be hosted. The owner must be present while a property is rented.
* Limit the number of guests that are allowed per bedroom to two.
* Require that all STRs be registered with the city and receive a registration number. Require that all STR listings display this registration number. FYI: the city of San Francisco allows any STR to be advertised but does not allow the STR to collect a fee unless the listing displays the registration number (I may be phrasing this wrong but that's the intent as I understand it).
* Limit the number of cars that guests can have at an STR to one car per legal bedroom (anecdotal evidence suggests that some STRs have made non-permitted bedrooms conversions).
* Limit STR permits to "natural persons" (not corporations!) and for whom the property is their primary residence. Limit STR permits to one per natural person in the city of Pacifica.
* Revoke the permit of any STR that has two or more noise or other ordinance violations within a 12 month period.
* Limit the number of guests allowed at an STR. Imagine living next to a house which regularly hosts corporate meetings, reunions, bachelor parties, etc. Perhaps limit the number of daytime non-staying guests to half the number of people that are legally staying at the STR.

* Limit the number of nights that a hosted STR can operate unhosted to no more than 30 and that only on the condition that the owner provide a representative who can respond to complaints in-person within 20 minutes at all times the STR is unhosted. This would be 24/7. Otherwise it's up to our already stretched police force to take care of this problem and that's just not right. FYI: in many cities STRs are not allowed to have any unhosted nights.
* Find some way so that we don't end up with STRs clustered in just one or two areas, perhaps by using a formula that only allows a certain number of STRs per number of houses in the area. Otherwise we could see most of the STRs end up in communities like Pedro Point, thus completely gutting those neighborhoods. There must be a way to spread out the STRs.
* Arrive at a total number of allowable STRs within the city. This is easily done as a percentage of the total population.

I propose that the while this work is going on the city enact a moratorium on new STRs. There is obviously a very real probability that the city will change the regulations regarding STRs in the very near future. Rather than register new ones and then in a few months tell them that the rules have significantly changed, I think it would be better to stop registering any STRs until the new rules have been proposed and adopted. It might be possible to maintain a list of those people (natural people, not corporations!) that would like to register once the moratorium has ended, in the order that they asked to be considered. But it seems hardly fair to be registering new STRs knowing that the rules are going to change. As mentioned at the recent CCC meeting, a moratorium during the review process just makes sense.

It is unfortunate but a fact of life that Pacifica must spend time and effort staying on top of these type of situations as they continue to evolve. I have just seen the site "Peerspace" that has three listings for Pacifica that appear to be residential, where you can rent a house by the hour. One listing is for a 2400 sq foot house and shows in the banner "35 people", "12 Hour minimum". In the description it says "sleeps 20 people". The search page for this website has the banner: "Find Party Venues Near Me".

Thank you for considering these comments.

Regards,
Gary Furlong

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From: Lisa Warns [redacted]
Sent: Friday, June 21, 2024 11:51 AM
To: Public Comment; _City Council
Subject: Please limit Short-Term Rental permits

[CAUTION: External Email]

Dear Mayor and City Council Members

I'm writing to urge you to pass a new short-term rental (STR) ordinance that limits STR permits to property owners who are individuals (not companies or corporations) and whom the property is their primary residence. The permits need to be for one STR, not for an individual who is operating more than one STR under a single permit.

Compared to most all other cities in San Mateo County, as well as cities up and down the California coast, **Pacifica's STR ordinance is lax and has left our City vulnerable to corporate and individual investors who have purchased homes in Pacifica not to live in them, but to add them to their portfolio of STR investment properties**. **These homes are taken out of the hands of families who want to live in our City and are converted into businesses that are being allowed to operate in areas zoned as "residential." Neighborhoods are meant to house residents, not businesses.**

237 total AirBnBs are operating in Pacifica. 201 (84%) are full house listings operating as hotels. Bear in mind that only 113 homes are registered with the City of Pacifica as AirBnBs. These 201 homes collectively list as "accommodating" 1366 people in total.

- That's an average of 7 persons per home
- The max number of persons the largest listings "accommodate" is 16
- There are 15 homes that "accommodate" 16 people (averaging 5 people per bathroom)
- **Only 113 STRs (of any kind) are registered with Pacifica. That accounts for only a mere 47% of all the Airbnbs actually operating in Pacifica**

Unhosted STRs are consolidating home ownership to the few.

- 28 Airbnb operators in Pacifica own more than one home in Pacifica
- 34 Airbnb operators in Pacifica own multiple homes in San Mateo County

These same 34 individual operators own:

- 128 homes in Pacifica
- 198 homes in San Mateo
- 1846 homes in total (state-wide or nationally)
- One of these operators owns 1018 homes in total

That means just **34 operators own 64% of all the unhosted Airbnbs** in Pacifica. That's 11 more homes than the total number of Airbnbs actually registered with Pacifica. Consider that last bullet: **A single operator owns 1018 homes** (state-wide, perhaps nationally). While that single operator is the biggest, they are not the only one in Pacifica. **These super-operators have the purchasing power to drive Pacifica home prices at will.** Data source: insideairbnb.com

Please note the effects of allowing STRs:

Defunds our schools
Our schools are funded on enrollment. Converting housing to hotels displaces families and reduces the funding of our schools. If we had just one child from half of the homes currently running as hotels that amounts to **a $1,680,000 loss for our local schools. We wouldn't need to add more bond measures to the ballot to fund our schools if we had these students.**

Depletes the number of our teachers and first responders
Unhosted AirBnBs take long-term rentals off the market, and that drives up rents and home prices. **This makes it hard for Pacifica to recruit and retain teachers, firefighters, and police who cannot afford to live here.**

Unhosted Airbnbs take jobs
Local hotels employ reservation clerks, maintenance workers, housekeeping staff, and night clerks. These are predominantly middle and low-income jobs. Unhosted AirBnBs deplete worker hours and redirect revenue that would have gone to local hotels to property owners.

Please do the right thing by Pacifica and revise the current STR ordinance, adding the types of restrictions other cities—including our sister-city, Half Moon Bay—have seen fit to apply, such as:

- **A primary residence requirement for any host operating an STR property;**
- **Only permitting one (1) STR to be owned/operated by any host within the City;**
- **An operating limit of 60 nights per year for any unhosted STR; and**
- **A limit of two (2) guests per bedroom and a limit of one (1) car permitted at the property per bedroom.**

Also, please commit to the allocation of sufficient staff to implement timely action and effective enforcement of all provisions in the amended ordinance.

Please do not delay this work on this critical ordinance any longer. Each week that goes by without a revised STR ordinance is a week that—on average—another one (1) to two (2) unhosted STRs set up shop in Pacifica. If the City's staff is too busy to take this work on, please hire a consultant to do it for us, as many cities—including Half Moon Bay—have done.

Pacifica's residents, schools and its neighborhoods are counting on you.

Thank you,
Lisa Warns
[redacted]

From: info@pacificahomesarenothotels.org
Sent: Friday, June 21, 2024 1:39 PM
To: Public Comment; _City Council
Cc: Lyla Reinero; Breinero; Cindy Abbott; Peter C. Garenani; Caitlin Quinn; [redacted]
Subject: STR Study Session: June 24, 2024 — Signed Open Letter to City Council
Attachments: Signed letters to Pacifica City Council re new STR Ordinance, 20 June 2024.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Attached are 10 letters from concerned community members requesting guidelines for our updated STR ordinance.

Thank you for helping to restore our neighborhoods in Pacifica by getting actual neighbors back in our neighborhoods.

Sincerely,

Cindy Abbott
Sam Casillas
Cynthia Kaufman
Peter Garenani
Debi Hirshlag
Patty Kephart
Caitlin Quinn
Bryan Reinero
Lyla Reinero
Stephanie Robbins
Kathleen Shugar

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

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- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: _____ Date: _____

Signature: _____ Neighborhood: _____

Contact Information (email/phone <optional>): _____

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Name: Debra Hirshlag Date: 6/19/24

Signature: Debra Hirshlag Neighborhood: Pedro Point

Contact Information (email/phone <optional>): _____

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Name: Sam Castillas Date: 6/13/24

Signature: Sam Castillas Neighborhood: Pedro Point

Contact Information (email/phone <optional>): [redacted]

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Name: Peter C. Garenani

Date: 17 June 2024

Signature: Peter C Garenani

Neighborhood: Sharp Park

Contact Information (email/phone <optional>): [redacted]

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Name: Cynthia Kaufman

Date: 6/15/24

Signature: [signature]

Neighborhood: Pedro Point

Contact Information (email/phone <optional>): [redacted]

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Name: Patricia Kephart Date: 6/13/24

Signature: Patricia Kephart Neighborhood: Linda Mar

Contact Information (email/phone <optional>): [redacted]

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Name: Caitlin Quinn

Date: 6/13/24

Signature: Caitlin Quinn

Neighborhood: West Sharp Park

Contact Information (email/phone <optional>): [redacted]

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Name: Stephanie Robbins

Date: 6-13-24

Signature: _____

Neighborhood: West Sharp Park

Contact Information (email/phone <optional>): [redacted]

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- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Kathleen Shugar

Signature: Kathleen Shugar

Date: 6/13/24

Neighborhood: Pedro Point

Contact Information (email/phone <optional>): [redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Lyla Reinero [redacted]
Sent: Friday, June 21, 2024 5:12 PM
To: Public Comment; _City Council
Cc: Bryan Reinero
Subject: June 24, 2024 Short Term Rental Study Session
Attachments: Re SMCSO 2404267 Felons in Possession of Firearms Arrested.pdf; SMCSO # 24-04267.pdf; StopChildPredators_STR+Fact+Sheet+Jan+14+2019+(1).pdf; Myth+vs+Facts+-+STRs+-+Jan2022.pdf

[CAUTION: External Email]

Dear Council Members and City Staff,

I am writing with concerns to health, safety, and quality-of-life issues regarding the proliferation of STRs (Short-term Rentals AKA Airbnb or VRBO) in our community, specifically the one that is across the street from me and my family.

12 years ago, we moved to Pedro Point in Pacifica because we loved the neighborhood and its family-friendly vibe. In 2019 the house across the street from us was purchased by an out-of-town corporation that turned the residence into a full-time STR. We want to live in a residential neighborhood with actual neighbors, not one littered with unregulated hotels. We have zoning laws for a reason. For anyone who argues about property rights, I ask "what about MY property rights?".

These are a few of the issues we face on an ongoing basis:
•chronic fear of doing normal things like letting my kids run around outside and having to keep the blinds closed in my daughters' rooms 100% of the time — "guests" checking in could be anybody, including convicted felons or child molesters. Megan's Law does not protect neighbors from STR guests and Airbnb has very limited background checks for their users
•cigarette and/or marijuana second-hand smoke wafting to our home when our windows are open
•eyesore of garbage bins that are always out on the street. These should be held in the garage for storage when it's not pickup day. However the owners of the property illegally converted the garage into a "guest house" and have not provided a suitable alternative garbage enclosure
•multiple cars illegally parked
•loud noises from guests, including arrival and checkout, with tires squealing on the steep hill. Additional noise coming from the housecleaning team that is onsite several times per week due to the high turnover rate and frequency of bookings
•guests who trespass onto our property and try to enter our home when the GPS prematurely tells them they have arrived at their destination
•fear of retaliation from guests. I am not being dramatic here. We have had neighbors who have been victims of this. An elderly neighbor lady was maliciously mailed a sex toy and another one had police called to her home in a swatting case. Fortunately, her husband was home to answer the door when the police arrived.

When visitors are paying top dollar (sometimes over $1,200/night) to stay here, they have a sense of entitlement to behave however they want. They do not care about the neighborhood in the least.

In addition to the ongoing issues, the property owners of the nuisance STR, fail to maintain their property in a way that prevents damages to others. During a heavy storm a

couple of winters ago, their property sustained a mudslide which in turn caused a waterfall of muddy water do spill into our driveway and garage. They have not complied with the city's request that they install a retaining wall. 18 months later, we are still looking at a mess of a temporary fix with huge orange construction barriers (provided by the city) and an ugly tarp placed over the mudslide area.

What is even worse than all of the above, the out-of-town owner/operators have threatened us with legal action when the police were called because of complaints and we weren't even the ones that called the police. Why should I be afraid to call the police when their guests are causing disturbances? Instead they are demanding that we contact the operator directly, which puts the onus of managing their business on the neighbors. These operators are not nice people.

Case in point to the safety issues: our neighbors in Montara just to the south of us faced this issue earlier this month (June 9) when an unhosted STR house party got out of control resulting in multiple arrests of felons in possession of firearms (confirmed with the SMC Sheriff's office - see attached).

To be clear, we have no issue with our neighbors who occasionally rent out their homes for supplamental income. Unfortunately, the vast majority of STRs in Pacifica are owned by out-of-town (some out of state or even country) operators and corporations and they are the ones that NEED TO GO!

As a mother, wife, homeowner, and an individual person, I'm against owner-unoccupied/unhosted STRs in our residentially zoned areas and call for an immediate moratorium on any new STR permits and a robust amendment of our current STR ordinance. I stand behind the guidelines the proposed amendment provided to Staff and Council of Pacifica by the Pacifica Homes Are NOT Hotels group.

Thanks you, as always, for your attention to this concerning issue.

Thanks and take care,
Lyla
[redacted]

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SHORT TERM RENTALS (STRs):
MYTHS vs FACTS

MYTH	FACTS
MYTH 1 STRs are 'mom-and-pops' trying to make house payments	***Only one-third of STRs are run by hosts with a single listing,*** one-third are run by investors with 25+ listings, one-third by investors with 2 - 25+ listings; (WSJ)[1] ***81% of Airbnb revenue*** from homes with absentee owners[2]
MYTH 2 STR companies (Airbnb, Expedia/HomeAway, etc.) prohibit party houses	***Party house complaints have soared 250% in 2020 –*** twenty-seven shootings between March and October (NY Times)[3]
MYTH 3 STRs are good for cities and The economy	***Costs of STRs outweigh benefits for city residents*** (EPI)[4] **STRs deplete housing stock and drive up costs** (UEJ)[5] ***STRs frequently fail to pay hotel takes,*** siphoning off tax revenues cites would have received from hotel stays.
MYTH 4 City ordinances and codes can deal with the 'bad apple' STRs	***These efforts don't stop bad behavior***. Most code enforcers don't work late nights on weekends, when most problems occur, and police already have their hands full. ***Neighbors should not be responsible for policing and enforcement.***
MYTH 5 'Superhosts' primarily rent to families and closely vet their guests	***STRs do not require verified gov't ID and cannot guarantee users are who they claim to be***, nor do they run criminal record or sex offender background checks (Airbnb IPO filing)[6]
MYTH 6 Neighbors and local communities appreciate STRs	***80%+ of residents do not want to live next to a short-term rental*** (WFAA)[7] ***Increases in Airbnb listings lead to more violence in neighborhoods*** (Jan 2021 Research Report)[8]
MYTH 7 Courts side with STR private property rights	***Courts overwhelmingly side with cities and long-held zoning priorities,*** including US Supreme Court May 2020 ruling[9]
MYTH 8 I can do what I want with my private property	***When buying in a residential neighborhood, you are subject to local zoning ordinances*** that forbid certain activities incompatible with residential neighborhoods. ***These laws protect you and other residents.***[10]

txneighborhoodcoalition.com

SHORT TERM RENTALS (STRs): MYTHS vs FACTS

Selected References:

(1). 'A Bargain With the Devil'—Bill Comes Due for Overextended Airbnb Hosts Entrepreneurs built mini-empires of short-term rental properties, borrowing against revenue that's now vanishing under coronavirus lockdowns, Wall Street Journal, Apr 28, 2020

(2) CBRE Report: "Hosts with Multiple Units – A Key driver of Airbnb Growth," 81% of Airbnb's revenue nationwide comes from whole-unit rentals where the owner is not present.

(3) Airbnb Fights Its 'Party House Problem' Noise. Damages. Safety questions. Airbnb is racing to address the risks posed by partying guests before it goes public. NY Times, Oct 27, 2020.

(4) Evidence shows no compelling reason why local policymakers should keep the playing field tilted toward Airbnb. Economic Policy Institute, January 30, 2019

(5) Do short-term rental platforms affect housing markets? Journal of Urban Economics, Sept 2020 and Research: When Airbnb Listings in a City Increase, So Do Rent Prices, Harvard Business Review, April 17, 2019

(6) We have no control over or ability to predict the actions of our users and other third parties, such as neighbors or invitees, either during the guest's stay, experience, or otherwise, and therefore, we cannot guarantee the safety of our hosts, guests, and third parties. The actions of hosts, guests, and other third parties have resulted and can further result in fatalities, injuries, other bodily harm, fraud, invasion of privacy, property damage, discrimination, brand and reputational damage, which have created and could continue to create potential legal or other substantial liabilities for us. We do not verify the identity of all of our hosts and guests nor do we verify or screen third parties who may be present during a reservation made through our platform. Airbnb IPO filing with the SEC, November 16, 2020, at page 45.

(7) WFAA TV poll shows 84% of residents in N. Texas do not want to live next to a short-term rental. Sept 5, 2018 Airbnb Suffered a Big Defeat in Jersey City, over 70% of residents voted overwhelmingly in favor of stricter regulations on short-term rentals that will almost certainly shrink the number of Airbnb listings in New Jersey's second-largest city. NY Times, Nov 5, 2019.

(8) Airbnb and Neighborhood Crime: Northeastern University Research Report: We find evidence that increases in Airbnb listings led to more violence in neighborhoods…prevalence of Airbnb listings erodes the natural ability of a neighborhood to prevent crime. July 16, 2021

(9) The US Supreme Court upheld a very detailed and comprehensive set of STR regulations adopted by the City of Santa Monica, refusing to even consider claims that those regulations somehow infringed on the STR owners federal constitutional rights. May 18, 2020

TX 14th Court of Appeals held Texas Property Code provides independent authority for HOA to adopt rules prohibiting short term rentals Aug 18, 2020

Austin Court of Appeals case upholds penalties against an STR operator which tried to use sham 30-day rentals to defeat Austin's STR regulations April 29, 2020

(10) Real estate ownership carries with it a complex set, or bundle, of rights that homeowners assume when they buy in residential areas.

From: **SHERIFFS_PIO** PIO@smcgov.org
Subject: Re: SMCSO #24-04267 (Felons in Possession of Firearms Arrested)
Date: June 12, 2024 at 3:39 PM
To: Lyla Reinero [redacted]
Cc: SHERIFFS_PIO PIO@smcgov.org

Good afternoon, Lyla,

I'm writing in response to your below email and voicemail. We appreciate you reaching out.

The recent arrests in Montara occurred at a residence in the area of Franklin St. and Cedar St. that is being used as a short-term rental.

Because the investigation is ongoing, we are unable to share additional details.

Sincerely,

Gretchen Spiker
Director of Communications
San Mateo County Sheriff's Office

From: Lyla Reinero [redacted]
Sent: Tuesday, June 11, 2024 6:47 PM
To: SHERIFFS_PIO <PIO@smcgov.org>
Subject: SMCSO #24-04267 (Felons in Possession of Firearms Arrested)

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Greetings Sargeant Acosta, I am a concerned citizen of the Coastside (Pacifica) and I am hoping you can tell me if the recent episode in Montara, SMCSO #24-04267, occurred at a full-time residence or a short-term rental (AKA Airbnb or VRBO).

Thanks and take care,
Lyla
[redacted]

SHERIFF
CHRISTINA CORPUS
SAN MATEO COUNTY SHERIFF'S OFFICE
Public Information Officer - PIO@smcgov.org
330 Bradford Street, Redwood City, CA 94063
(650) 421-1243

NEWS RELEASE

For Immediate Release
Contact for further information: Javier Acosta, Sergeant, pio@smcgov.org
June 9, 2024

Felons in Possession of Firearms Arrested

Unincorporated San Mateo County Coast, Montara, CA –Deputies from the San Mateo County Sheriff's Office apprehended two suspects early Sunday morning, for possession of firearms by convicted felons.

Just after midnight on June 9, deputies were dispatched to a loud party at a home where dozens of partygoers were reportedly disturbing neighbors. Upon arrival, one deputy identified a vehicle linked to a previously reported crime. Deputies subsequently approached two males associated with the vehicle. The individuals reached into their pockets and exhibited suspicious behavior, prompting deputies to briefly hold them at gunpoint.

During the investigation, it was discovered that one subject possessed two loaded, concealed Glock automatic firearms. This individual is a convicted felon with an active warrant from the Los Angeles Police Department. The second subject was found in possession of a loaded Glock automatic firearm with an extended magazine, narcotics, a scale, and cash. He is also a convicted felon.

Both suspects were taken into custody without incident, arrested and booked into the Maguire Correctional Facility on the below listed charges

Suspect #1: Paris France Davis – 27-year-old Santa Ana resident
29900(a)(1) PC – Felon in possession of a firearm
25400(a)(1) PC – Carrying a concealed firearm in a vehicle
30305(a)(1) PC – Felon in possession of ammunition
Suspect #2: Robert Earl Davis 29-year-old resident of Oakland
29900(a)(1) PC – Felon in possession of a firearm
30305(a)(1) PC – Felon in possession of ammunition
25400(a)(1) PC – Carrying a concealed firearm in a vehicle
11370.1(a) HS – Possession of a controlled substance
11351 HS – Possession for sale of a controlled substance
32310(a) PC – Possession of a large capacity magazine
11364 HS – Possession of drug paraphernalia
148(a)(1) PC – Resist, delay or obstruct a peace officer

If you have any further information regarding this case, please contact Deputy Kuhl at Mkuhl@smcgov.org or call 650-259-2300. Alternatively, you can remain anonymous by calling the San Mateo County Sheriff's Office Anonymous Tip Line at 1-800-547-2700

StopChildPredators

SHORT-TERM RENTALS: Putting Our Children At Risk

Airbnb rentals: A growing problem for concerned parents

The growth of the short-term rentals, stemming from the influx of commercial interests buying up residential units to rent on sites like Airbnb, has become a significant concern among parents and law enforcement agencies across the country. The safety challenge parents face with the influx of Airbnb short-term rentals into neighborhoods is well documented, as communities across the country are experiencing more neighbors being replaced with revolving doors of complete strangers every week.

Man Renting Airbnb Charged With Attempting To Sexually Assault 7-Year-Old

"Michigan man is charged with felony second-degree criminal sexual conduct of a victim under 13. He remains jailed in lieu of $250,000 bail."
(Star Tribune, 9/26/17)

Mom's Warning After Convicted Sex Offender Stayed in Her Airbnb

"A North Carolina mom is warning others after a wanted sex offender was arrested at the home she rents out using Airbnb."
(WFMY CBS North Carolina, 2/8/18)

Brothel Busted: Suspects Rented Home Through Airbnb

"A detective posed as a decoy to find out if a Backpage ad for an escort was inviting men into a rented home for rented sex with women, all while three children were inside."
(ABC 24 Memphis, 7/20/18)

What government leaders can do to safeguard our children

Parents, community leaders and government officials have a duty to protect the youngest and most innocent among us – our children. Government leaders should pass laws to limit short-term rentals to primary residences only to protect true home sharing, while stopping commercial investors from buying up homes to rent on Airbnb and replacing neighbors with a revolving door of strangers, which fracture our neighborhoods. Additionally, government leaders should require advertisements for vacation rentals sites, like Airbnb, to display the address of the rental and contain information concerning sexual offender and sexual predator registration.

"With a revolving door of strangers coming and going from short-term rental properties, tools like sex offender lists are becoming obsolete as there is no safeguard in place to stop a child predator from renting an Airbnb property next door."

Stacie Rumenap, President
Stop Child Predators

From: Joanne Gold [redacted]
Sent: Friday, June 21, 2024 8:36 PM
To: _City Council; Public Comment
Subject: Comments pertaining to City Council Short Term Rental Study Session on 6/24/24

[CAUTION: External Email]

Dear City Council Members:

I am writing to submit comments for the upcoming study session and urge you to pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

According to Airbnb's statistics alone, there are at least 237 STRs in Pacifica – 84% of which are unhosted. 73 operators offer more than one STR listing. 46 of the operators are located outside of Pacifica (at least 5 are out of state.) **Worst of all… some STRs are being rented out BY THE HOUR!** Here are some current listings on the Peerspace website:

Pedro Point: https://www.peerspace.com/pages/listings/5d253bfd6f0e03000e33ab0c
Vallemar: https://www.peerspace.com/pages/listings/6425df15464ca6000e055f36
Linda Mar: https://www.peerspace.com/pages/listings/64703fc4839b32000e7c2d61

…And I found these listings by searching for rentals using the filter for "**Parties**" and "**Photo Shoots**"

These unhosted STRs are being run as commercial ventures and are destabilizing our neighborhoods. They are turning residential communities into commercial business districts. And the costs to the city to curtail the negative impacts far outweigh any TOT revenue they bring in.

In my own neighborhood on Pedro Point there are many unhosted STRs. One is directly across the street from me, owned by someone who lives out of town and uses the property as a 365-day-a-year rental property. Here's what I and others in my neighborhood have experienced:

- People using the street as a bathroom; urinating, brushing their teeth, getting dressed in the street
- Multiple cars parked on our narrow roads – often in the wrong direction - leaving not enough space for cars to pass each other, and definitely no room for an ambulance or firetruck.
- Strangers arriving day and night and teams of cleaning crews in constant rotation (there goes the "neighborhood watch" safety concept)
- Dozens of guests staying in homes designed for a single family
- Noisy parties, increased litter

And of course much worse in some instances… but so far I've personally been spared the crime, vandalism, and threats of violence that have happened to others.

All of this makes neighborhoods less safe and erodes the sense of community that I've always cherished about living in Pacifica. I bought a home in a residential neighborhood but now find myself living in a commercial district where neighbors are being replaced by business operators.

You simply MUST pass a revised STR ordinance to mitigate the unintended consequences of allowing profiteers to have their way with our community.
Key elements should include:

1. Allow only one STR within the City of Pacifica per owner and/or operator.
2. Set an operating limit on unhosted STRs to 60 rental nights per year.
3. Require all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters.
4. Set limits on the # of guests and cars permitted based on the # of legal bedrooms
5. Create enforcement teams that include dedicated Code Enforcement and PPD officers.
6. Revoke the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period

Plus other elements that will likely be wisely suggested by other commenters.

But you don't have to go about it alone … there are **dozens** of other cities in California that have developed strong ordinances that can be used as your template. And you have community members like me and many others who are willing to work with you to prioritize this effort. Please lean in - let's get this done now, together.

Sincerely,

Joanne Gold
Pedro Point, Pacifica

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From: Summer Lee [redacted]
Sent: Saturday, June 22, 2024 8:48 AM
To: _City Council; Public Comment
Subject: STR Study Session Comments

[CAUTION: External Email]

Dear Pacifica Council Members and City Staff,

Please welcome and heed the data that shows the long- term fiscal detriment to our City from unhosted STR's, and that these units of housing would otherwise be permanent long-term housing, and would meet 1/3 of the RHNA numbers in just this year.

Only hosted STR's contribute to the well-being of Pacifica.

Many thanks for you service,
Summer Lee
Pacifica

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From: Allison West [redacted]
Sent: Saturday, June 22, 2024 10:24 AM
To: Public Comment; _City Council
Subject: City Council STR Study Session, June 24, 2024

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing, additional revenue sources, impacting school funding, and disrupting our neighborhoods. The majority of communities in San Mateo County and also San Francisco County have strict ordinances and we can learn from each to craft a better ordinance for Pacifica.

I urge you to understand the significant and distressing concerns of Pacificans on what is happening in our neighborhoods and what homeowners and renters are facing with unhosted STRS. Please work with our community on drafting a revised STR ordinance that:

- Limits STR permits to property owners who are "natural persons" and for whom the property is their primary residence.

- Allows only one STR to be in effect within the City of Pacifica for any owner and/or operator.

- Sets an operating limit on unhosted STRs to 60 rental nights per year.

- Sets a limit of only two (2) guests per legal STR bedroom and a limit of one (1) car permitted per bedroom at any STR property.

- Stipulates that daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m., and further mandates that the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).

- Revokes the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period.

- Creates new enforcement teams that include dedicated Code Enforcement and PPD officers.

- Requires all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters.

- Requires a 30-day notice be sent to neighbors within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.

· Stipulates that operation of the STR must not be a nuisance or threat to the public's health, safety, or welfare; must not directly and negatively impact any neighbor's quiet enjoyment of their home who live within 500 feet of the property; and that no interior or exterior activity at the STR will interfere with or be detrimental to the residential use of adjacent properties.

· Mandates that all advertising (written publication or online website) of the STR property includes the City-issued STR registration number.

Thank you for your consideration.

Allison West
[redacted]

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From: Suzanne Moore [redacted]
Sent: Saturday, June 22, 2024 10:36 AM
To: _City Council; Public Comment
Cc: Suzanne Moore
Subject: STR study session, MON 6/24/24

[CAUTION: External Email]

Suzanne Moore from the Manor District and member of Pacifica Housing 4 All. I have been concerned about short term rentals for some time since I have seen their roles in both community displacement and Pacifica's constrained rental market. Since attending the Short Term Rental Forum on June 13th, I have increased concerns for community impact.

There are others who will share their stories of quality-of-life issues. I want to take a moment to remind us all that Pacifica is struggling for affordable housing, that our rental prices are among the highest in our county, that our vacancy rate is low, that Pacifica's housing crisis has displaced essential workers, that our homeless have been priced out of their Pacifica housing - and that Short Term Rentals are contributing to our housing crisis.

There are reasonable suggestions to improve our existing short term rental ordinance, and the Coastal Commission has voiced their willingness to consider amendments. I support recommendations offered by a coalition of residents, PACIFICA HOMES ARE NOT HOTELS. Thank you.

--
Suzanne Moore
[redacted]

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From: Caitlin Quinn [redacted]
Sent: Saturday, June 22, 2024 11:21 AM
To: _City Council
Cc: Public Comment
Subject: PUBLIC COMMENT: STR Study Session--Monday, June 24, 2024

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Thank you for considering taking on the critical work of amending Pacifica's current STR ordinance. This work is essential if we are to protect our city's housing stock and neighborhoods from their corporatization by the large numbers of unhosted STR owners who are currently operating here, turning residential homes into unregulated hotels.

You all know me and my story, so I'm not going to go into detail here. Suffice to say that, given I have a document now **10-pages long**, chronicling the myriad noise, trespassing, trash, and other issues my family and I have been—and continue to be—subjected to by the corporate-owned and -operated unhosted STR next door to me on Beach Blvd., mine is a situation that demonstrates how ineffective the current STR ordinance is with its dependence upon the "good neighbor" will of unhosted STR operators. *(In fact, as I am writing this to you, the current customers at this unhosted STR have just **trespassed for the fourth time** on our property, blatantly ignoring our "no trespassing" signs. Such is life living next door to an unhosted STR in Pacifica—a life I wouldn't wish on anyone BUT for another unhosted STR owner/operator. Speaking of which, isn't it curious how they never seem to actually live next door to these entities—either their own or someone else's?)* My story also demonstrates the impact of poorly operated unhosted STRs on the health, safety, and welfare of neighborhoods. Over the past 1.5 years, and as a direct result of the stress caused by this STR's irresponsible operation next to my home, I have been treated for hypertension, anxiety, insomnia, GI issues related to nervous tension, and have just completed a two-week session with a Holter heart monitor. **This corporation that runs a commercial hotel business next door to my home, and which owns/operates 17 other unhosted STRs in Pacifica (and 180 throughout California), is not interested in being a good neighbor. In fact, when neighbors complain about disturbances at its properties, this corporation resorts to bullying tactics, sending its attorney after the neighbors, threatening lawsuits for any alleged damages to its profit margin.**

You have in your possession **a proposed amended STR ordinance for Pacifica that was created by a coalition of concerned residents, Pacifica Homes Are Not Hotels**, and which is the result of months of diligent research and conversation within the community. I hope you will forgive whatever the document lacks in terms of legal vetting and municipal rigor and instead give your full consideration to the things it requests, including:

- Limiting STR permits to **property owners who are "natural persons"** and for whom **the property is their primary residence**.
- Allowing **only one STR** to be in effect within the City of Pacifica **for any owner and/or operator**.
- Setting an operating **limit on unhosted STRs to 60 rental nights per year**.
- Setting a limit of **only two (2) guests per legal STR bedroom and a limit of one (1) car permitted per bedroom** at any STR property.
- Stipulating that **daytime visitors** to the unhosted STR are **only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandating that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).

  Requiring **a distance of 250 lineal feet between the parcel boundaries of any two or more unhosted STRs.**

- **Revoking the permit** for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period**.
- Creating **new enforcement team**s that include dedicated Code Enforcement and PPD officers.
- Requiring all unhosted STR permit holders to **designate a local representative who is on call 24/7 (including all major holidays)** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requiring a **30-day notice be sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Mandating **a minimum of three (3) consecutive nights' stay for any unhosted STR booking**.

  Stipulating that operation of the STR **must not be a nuisance or threat to the public's health, safety, or welfare**; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity at the STR will interfere with or be detrimental to the residential use of adjacent properties**.

- Mandating that **all advertising (written publication or online website)** of the STR property **includes the City-issued STR registration number**.

These represent STR restrictions that are in place in multiple cities throughout California—including cities in San Mateo County and along the California coast. **There is no reason why Pacifica cannot have them as part of its STR ordinance, too.**

In terms of the flawed TOT argument that is always given in defense of STRs, I ask you to consider the report by San Francisco's Office of Economic Analysis (https://sfcontroller.org/sites/default/files/FileCenter/Documents/6458-150295_economic_impact_final.pdf?documentid=6457), created when that city took on the work of setting restrictions on unhosted STRs. The report determined that San Francisco **was losing between $250,000 and $300,000 for every home that was operating as an unhosted STR**. As the report stated:

- On a net basis, then, a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.

- Such a withdrawal from the market would lead to a negative economic impact, notwithstanding the increased visitor spending, host income, and hotel tax that short-term renting provides.

How much money is Pacifica losing each year from the 200+ unhosted STRs that InsideAirbnb.org shows to be operating in our city? What is the economic cost of losing 200 families who might have children in our school system? Of losing 200+ residents who would be filling up their gas tanks regularly at our local gas stations, buying coffee or bagels regularly at our shops, purchasing groceries weekly, taking their cats and/or dogs to one of Pacifica's animal hospitals, taking their clothes into our local dry cleaners, getting their prescriptions filled at our local drug stores? I could go on and on. I can tell you, firsthand, that a large number of the customers at the uhosted STR next door to me are NOT here to avail of our city, **but are here instead for business or conferences in San Francisco** (where they spend the majority of their days and nights, spending money in that city on food, etc.). I imagine that is the case with many of the other unhosted STRs across Pacifica, as these STRs are seen by business travelers as providing cheaper accommodations than hotel rooms in San Francisco. And in terms of TOT, **imagine how much more business our local hotels will get should there be fewer unhosted STRs in town.** Let's help our hotels—which actually provide jobs for local residents and which have the staff and infrastructure in place to properly manage visitors—improve that 16% vacancy rate! When that lost revenue connected with lost residents is calculated alongside the cost of unhosted STR enforcement efforts that involve outside vendors, City staff, and our police force--plus the staff time

spent on meetings like the one we'll have on June 24th--**the amount of TOT provided to Pacifica by unhosted STRs will be shown to be AT BEST *de minimus* but even more likely as negative net income.**

Finally, I was shocked to see that the City has 13 new STR permits "in process," given that, based on personal experience and comment from the community, there is such clear enforcement failure with so many of the 133 STRs the City currently has on its roster. It is particularly disturbing that **six (6) of the 13 properties awaiting permits are all on Beach Blvd**.—a street that has already been egregiously inundated with unhosted STRs. I took a walk up and down seven blocks of Beach Blvd. yesterday, and **of the 34 homes lining the street from Paloma to Montecito, 18 are all unhosted STRs. That's 53% of homes!** This is a far cry from the "1% of Pacifica's housing" that has been City staff's frequent refrain as to the number of STRs here. In fact, **two of the six units currently listed by the City "in process" for permits on Beach are not even buildings but EMPTY LOTS**. Can the City honestly be issuing STR permits for buildings that have not even been created yet? And what does this say for how lax City policy regarding STR permits has been in that a developer can grasp at a permit in the 11th hour before the 150-cap descends for a multi-unit building that doesn't even exist yet—a building that, even in its conceptual stage, is not being considered for use as actual residential housing but only to operate as an unregulated hotel in a residential neighborhood? Is this really the best city Pacifica can be? How can this possibly align with the Housing Element, mandating Pacifica to build affordable housing--something a multi-unit building could provide?

As you will know from the **California Coastal Commission (CCC) June 13, 2024, hearing on our 150 STR cap** (thankfully changed from 150 permits to 150 units!) **several of the Commissioners seemed surprised that our City hadn't called for a moratorium on ANY new STRs in the City.** Even more to the point, **Commissioner Escalante asked if the Commission could *"condition a moratorium"* on the spot.** The above example of a developer applying for an STR permit before the building is even erected speaks to Commissioner Wilson's comment espousing the merits of a moratorium over a cap:

"This is why I prefer a moratorium vs. caps in the phasing of this. What you don't want to happen is that there will be a rush to fill the 150 and people will be displaced. And that's an issue. And why many cities go for the moratorium vs. putting a number higher than their current number as you will find property owners rushing in to fill that number. It makes me nervous."

Instead of packing even more unhosted STRs into Pacifica (and especially into the West Sharp Park and Pedro Point neighborhoods) while the work of amending the City's ordinance is undertaken, please issue a moratorium on any new STR permits. Other cities have done just that, and we will clearly have the CCC's support of such a moratorium.

Like most cities, Pacifica didn't get its STR ordinance right the first time around. Let's fix it now, please, before even more damage is done to our City and its neighborhoods. The time has never been more auspicious for this highly overdue step, given the fact that **all of the Commissioners who spoke at the June 13th CCC hearing said they understood the many problems unhosted STRs cause in terms of housing loss and the corporatization of neighborhoods, and they are poised to help our City when we bring before them an amended ordinance "*with teeth*" (to quote Commissioner Newsome).**

Let's not waste anymore time. Let's please get the new ordinance drafted and passed and stop the financial and societal bleeding happening in Pacifica due to the loss of neighbors and community because of unhosted STRs.

Thank you for your invaluable service to Pacifica.

Sincerely,

Caitlin Quinn
West Sharp Park

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From: robert odonnell [redacted]
Sent: Saturday, June 22, 2024 12:30 PM
To: _City Council; Public Comment
Subject: City Council STR Study Session, June 24, 2924

[CAUTION: External Email]

Dear Mayor and Council Members,
Thank you for the upcoming Study Session on STR businesses in Pacifica. I was at your Goal Setting Session earlier in the year and want to reiterate the serious problems that our neighborhoods suffer due to Pacifica's outdated STR ordinance. The problems remain the same and the proposed amendments to the ordinance offered by Pacifica Homes Are Not Hotels will provide relief and controls on these unhosted properties. I strongly support their efforts and plan to speak to this issue at your meeting on Monday, June 24th. I ask you to step forward as other surrounding communities have to protect our neighborhoods from these uncontrolled commercial intrusions.
Thank you,
Bob O'Donnell
Aspen Dr. Pacifica

Sent from my iPhone
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From:	Cindy Abbott [redacted]
Sent:	Saturday, June 22, 2024 1:47 PM
To:	Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary; Boles, Christine; Bigstyck, Tygarjas; Public Comment
Subject:	City of Pacifica, June 24, 2024 Study Session on Short Term Rentals
Attachments:	Snapshot Other California Cities STR Governance_and STR Myths vs Facts.pdf; City of Pacifica LCPA, STR Cap_ Better Neighbors LA_Th10a-6-2024-corresp.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members,

I'd like to express my thanks to members of the City Council who have listened to the community and had this item regarding strengthening the Short Term Rental Ordinance agendized.

While the staff report indicates a request for input by the City Council regarding specific issues and policy direction, a list of possible regulations was not provided as part of the report (though an extensive list of potential regulations was brainstormed by the Planning Commission on 1/17/23, and members of the community have provided recommendations on many occasions). To aid the discussion, please consider at a minimum, to direct staff to adopt a new ordinance that:

- Defines Unhosted vs Hosted Short Term Rentals;
- Limits STR permits to property owners who are "natural persons" reducing the impact of corporations and real estate investors from turning housing into commercial operations located in residential zones;
- Has a primary residence requirement, ensuring that the property is available for long term housing, with short-term rental as a secondary use only, preserving existing housing;
- Sets an operating limit on unhosted STRs to 60 rental nights per year;
- Limits the number of guests per legal bedroom to two (2);
- Mandates all advertising (written and online) must include the city-issued STR registration number;
- Adds fines and clear permit revocation processes for bad actors; and
- Sets a maximum number of STRs by neighborhood to mitigate dense impact.

None of these are novel concepts, but regulations that have been imposed in other jurisdictions including in the coastal zone. (See attached snapshot of "Other California Cities' STR Governance" that greatly expands on the list offered in the staff report.)

It's taken two years, since June 13, 2022, to get here. And, just under two years since the requests by the public for a moratorium on short term rentals was disregarded and the commercialization of Pacifica's neighborhoods and housing stock was allowed to continue negatively impacting our residential neighborhoods.

At the June 13, 2024 meeting of the California Coastal Commission, Commissioners expressed concern that they had been brought a city-wide cap of 150 STR units instead of a moratorium recognizing that stronger action was needed to prevent additional commoditization of housing. When questioned about our local hotel vacancy rate -- that per City of Pacifica Staff is 16% -- Commissioner Wilson noted, "***STRs are now adding to your vacancy rate. Personally, I'd prefer a moratorium while you get your ordinance dealt with and you analyze this number. 150 is still impactful. I live where STRs impacted the neighborhood and the number of kids, families and all that in the neighborhood."***

Further, Commissioner Wilson, provided input that, "***we've really seen a massive experiment in this commercialization and commodification of our housing stock as we are creating commercial enterprises out of our housing stock. If we were to convert 150 units into hotels there would be an outcry. We are dispersing this and saying "We're dispersing that impact", but from a housing perspective and impact it's still there and real.***

The suggestions by Better Neighbors LA (see attached) ***are actually very strong suggestions and I'd hear them. And I'm sure you are going to look at a matrix of options.as there are some positives and negatives. Housing, impact to community, and potential for people who live in the house itself and sharing – that is a much less impactful way to apply this way of doing accommodation in your community."***

Commissioners Newsom, Escalante and Aguirre, all associated themselves with these remarks, and even questioned if the Commission had the authority to impose a moratorium or apply the one-year extension provision for a proposed LCP Amendment, while a new ordinance "with real bite and teeth" was developed and brought back. All Commissioners speaking at the meeting supported much stronger regulation of STRs.

It was heartening to hear City of Pacifica staff present at the June 13 CCC meeting indicate that they had traveled to Morro Bay specifically to hear the feedback, expertise and public comments of the Commission. That expertise and guidance was clear – ***it's time to develop a robust updated Ordinance*** that addresses how the concept of home sharing has morphed from one that gave local residents a little extra income while offering travelers affordable accommodation, to a scheme for commercial profit.

We've lost community members to displacement and neighborly connection has been replaced by a revolving door of strangers who don't volunteer, go to our schools, or support local stores and services on an ongoing basis. Please recognize the growing disruption to our neighborhoods and community.

NO amount of TOT taxes can suffice for the current disharmony and anxiety that has been created by unhosted short term rentals. Gain the "economic balance" staff has indicated is needed by supporting our local hotels and their expert role as lodging providers, while also providing the ability for residents to offer hosted (and/or limited unhosted) affordable accommodation.

Thank you for moving this forward expediently,

Cindy Abbott
West Sharp Park

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June 7th, 2024

California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105
NorthCentralCoast@coastal.ca.gov

VIA EMAIL

RE: City of Pacifica LCP-2-PAC-23-0023-1 (City of Pacifica Short Term Rentals) – Oppose Unless Amended

Dear Honorable Chair Hart and Commissioners,

Better Neighbors Los Angeles is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities. In addition, Better Neighbors works to promote short-term rental policies that foster true home-sharing in hosted only short-term rentals within the Coastal Zone because this is the best way to balance the preservation of affordable housing and coastal public access.

As submitted, the City of Pacifica Short Term Rentals LCPA ("LCPA") does not include several key policies many other coastal cities have adopted to protect housing and provide truly lower-cost overnight accommodations. Unhosted STRs turn desperately-needed coastal housing stock into luxury vacation rentals for the wealthiest travelers. This includes clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per natural person, and a cap on the number of nights an unhosted short-term rental may be operated per year. Without these key provisions, the proposed 150 cap on short-term rentals citywide included in the LCPA will not adequately safeguard existing housing stock nor necessarily contribute affordable overnight accommodation options for visitors. For these reasons, we request the Commission to amend the LCPA to define unhosted and hosted short-term rentals, adopt a primary residency requirement for hosts, place a limit of one short-term rental per person, and include a 60-night cap on the number of nights an unhosted short-term rental may be operated annually.

Majority of Pacifica STRs are Unhosted and Remove Housing Stock

According to AirDNA, as of March 2023 there were approximately 198 short-term rentals operating in Pacifica, 173 of which were unhosted.[1] Pacifica has seen also seen

[1] Data on file with BNLA. AirDNA combines data from STR websites to put together a picture of the STR market in a particular area: https://www.airdna.co/

significant growth in the number of unhosted short-term rentals over the years. Between May 2017 and March 2023, the number of unhosted short-term rentals increased by more than 100 total listings, from 67 in May 2017 to 173 as of March 2023.[2] This sharp increase illustrates the corporatization of housing for tourist-serving accommodations, at the cost of available housing options for long-term residents. According to the Pacifica 2023-2031 Housing Element, this loss of housing stock to tourist-serving accommodations is contributing to fair housing issues within the City: "Pacifica's housing market is influenced by economic pressures to convert a portion of its housing stock to short-term vacation rentals."[3] Without an LCPA that adequately differentiates between hosted and unhosted short-term rentals, and makes certain unhosted short-term rentals function as housing, these economic pressures will likely contribute to the threat of displacement of Pacifica's long-term residents.

Pacifica Unhosted STRS Are Not Affordable Overnight Accommodations

According to a forthcoming report by Nicholas DiRago of the University of California-Los Angeles, the average cost for an unhosted short-term rental in Pacifica's Coastal Zone ranges from $235 to $495 per night.[4] Meanwhile, the average price per night of a hotel room accommodating two people is $193.37 as of June 2024.[5] Therefore, on average, an unhosted short-term rental is at minimum $41.63 more expensive than a comparable hotel room. Unhosted short-term rentals thus cannot be considered affordable overnight accommodations in Pacifica when compared to hotels. As stated in the staff report, Pacifica has approximately 330 hotel rooms, including seven hotels, two of which offer rooms with kitchenettes.

Recommendations

Based on our data analysis, we ask the Commission to amend the LCPA to include the following provisions:

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[2] Data on file with BNLA. In May 2017, approximately 67 unhosted short-term rentals existed in Pacifica compared to 173 as of March 2023.
[3] Pacifica 2023-2031 Housing Element, Appendix D: City of Pacifica Assessment of Fair Housing, page 169: https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.
[4] Data on file with BNLA. Average daily rate accounts for April 2022-March 2023.
[5] America's Best Value Inn Pacifica: https://www.sonesta.com/americas-best-value-inn/ca/pacifica/americas-best-value-inn-san-francisco-pacifica; The Anchor Inn: https://anchorinnhotels.com/book-now/; Fairfield Inn & Suites San Francsico Pacifica: https://www.marriott.com/reservation/rateListMenu.mi; Inn at Rockaway: https://www.innatrockaway.com/reservations?room_check_in=2024-06-06&room_check_out=2024-06-07&promo_code=&rooms=1&room1=2 ; Pacifica Beach Hotel: https://be.synxis.com/?adult=1&arrive=2024-06-06&chain=28109&child=0&currency=USD&depart=2024-06-07&hotel=35301&level=hotel&locale=en-US&rooms=1&start=availresults ; Pacifica Lighthouse Hotel, Trademark Collection by Wyndham: https://www.pacificalighthouse.com/ ; Sea Breeze Motel at Rockaway Beach: https://www.seabreezerockaway.com/.

1. *Define Unhosted vs. Hosted Short-Term Rentals:* According to the current LCPA, there is no distinction between unhosted and hosted short-term rentals. Currently, unhosted short-term rentals do not function as housing, while hosted short-term rentals necessarily function as housing. The LCPA should be amended to include this distinction for two reasons. First, this distinction will provide the City and the Commission with data needed to better understand the impacts of short-term rentals. Second, this distinction coupled with the 60-night annual cap will provide hosts with the ability to continue renting out their primary residence on a limited basis.
2. *Primary Residency Requirement for Hosts:* The Commission has in the past approved primary residency requirements for short-term rental hosts in jurisdictions such as the City of Half Moon Bay in March 2023.[6] A primary residency requirement ensures a short-term rental is used primarily as housing, with short-term renting as a secondary use.
3. *Limit One STR Per Natural Person:* Without a limit of one short-term rental per natural person, corporate hosts will be allowed to proliferate in Pacifica. By their very nature, corporate hosts do not use their properties as long-term housing, and instead operate these homes as de facto hotels. The Commission most recently approved this policy in Marin County in April 2024.[7]
4. *60-Night Cap on Unhosted STRs Annually:* Unhosted short-term rentals limited to 60 nights per year would be protective of coastal access, especially in a jurisdiction with limited housing stock. Furthermore, with a cap limited to only unhosted short-term rentals, hosted short-term rentals would continue to provide affordable coastal access for visitors. This cap is similar to the one approved by the Commission in March 2023 for the City of Half Moon Bay.[8]

Conclusion

Fundamentally, as submitted, the City of Pacifica's LCPA with a modest 150 cap will not adequately safeguard long-term residents from the impacts of unhosted short-term rentals and will not ensure affordable coastal access for visitors. For these reasons, Better Neighbors asks that you amend the LCPA as outlined in our recommendations. Should you have any questions, please contact Becca Ayala at rebecca@betterneighborsla.org.

/s/ Randy Renick

[6] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[7] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[8] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf

Pacifica STRs by the Numbers[+]

- 237 total Airbnb are operating in Pacifica.
- 84% are unhosted
- All unhosted STRs accommodate 1366 persons
- Median 6 persons per home
- 15 listings in allow 16 people per house, per night
- averaging 5 people per bathroom
- The numbers of STRs has increased 254% since 2017
- Pacifica ranks #2 in Number of STRs per capita, among cities in San Mateo County

Who Operates Unhosted STRs in Pacifica[+]

- 73 operators run more than one listing
- 46 operators are located outside Pacifica
  - 5 are out of state
  - 1 is out of country
- 60% of unhosted STRs are part of a larger portfolio

Snapshot: Other California Cities' STR Governance[+]

STRs Banned

Anaheim[4]
Atherton[1]
Belvedere[2]
Carmel[3]
Carslbad[3*]
Colma[1]
Danville[2]
Del Mar[3]
El Cerrito[2]
Hermosa Beach[3]
Huntington Beach[3]
Larkspur[2]
Manhattan Beach[3]
Ojai[4]
Rancho Palos Verdes[3]
Redondo Beach[3]
San Juan Capistrano[3]
Santa Ana[4]
Sausalito[2]
Sonoma[4]
Tiburon[2]
West Hollywood[4]
Woodside[1]
Yountville[4]

Unhosted Banned/Hosted Only:

Brisbane[1]
Burlingame[1]
Orinda[2]
Redwood City[1]
San Francisco[2]
Santa Monica[3]
Sunnyvale[2]

Banned in Residential Zone/ Commercial Zones only

Buellton[4]
Calistoga[4]
Cloverdale[4]
Healdsburg[4]
Laguna Beach[3]
Newport Beach[3]
San Clemente[3]
Santa Barbara[3]

STRs treated like Hotels and Motels:

Costa Mesa[4]

Must be Primary Residence

Berkeley[2]
Brisbane[1]
Burlingame[1]
Daly City[1]
Emeryville[2]
Half Moon Bay[1]
Millbrae[1]
Piedmont[2]
Redwood City[1]
San Francisco[2]
South San Francisco[1]
Sunnyvale[2]

Limit to # of Un-hosted days:

Burlingame[1]	< 120
Daly City[1]	< 100
Emeryville[2]	< 90
Half Moon Bay[1]	< 60
Millbrae[1]	< 100
Piedmont[2]	< 60
Redwood City[1]	< 120
San Bruno[1]	< 120
San Mateo[1]	< 120
South San Francisco[1]	< 90

Local Contact Must be Registered w/ the city:

Daly City[1]
Half Moon Bay[1]
Millbrae[1]
San Bruno[1]
San Mateo[1]
South San Francisco[1]
St Helena[4]

Local Contact must respond 24/7:

Daly City[1]
Half Moon Bay[1]

*[+]Data as of 12 June 2024; [1]San Mateo County, [2]San Francisco Bay Area, [3]CA Coastal City, [4]CA non-coastal city; *Banned outside coastal zone*

SHORT TERM RENTALS (STRs): MYTHS vs FACTS

MYTH	FACTS
MYTH 1 STRs are 'mom-and-pops' trying to make house payments	***Only one-third of STRs are run by hosts with a single listing,*** one-third are run by investors with 25+ listings, one-third by investors with 2 -25+ listings; (WSJ)[1] ***81% of Airbnb revenue*** from homes with absentee owners[2]
MYTH 2 STR companies (Airbnb, Expedia/HomeAway, etc.) prohibit party houses	***Party house complaints have soared 250% in 2020–***twenty-seven shootings between March and October (NY Times)[3]
MYTH 3 STRs are good for cities and The economy	***Costs of STRs outweigh benefits for city residents*** (EPI)[4] **STRs deplete housing stock and drive up costs** (UEJ)[5] ***STRs frequently fail to pay hotel takes,*** siphoning off tax revenues cites would have received from hotel stays.
MYTH 4 City ordinances and codes can deal with the 'bad apple' STRs	***These efforts don't stop bad behavior.*** Most code enforcers don't work late nights on weekends, when most problems occur, and police already have their hands full. ***Neighbors should not be responsible for policing and enforcement.***
MYTH 5 'Superhosts' primarily rent to families and closely vet their guests	***STRs do not require verified gov't ID and cannot guarantee users are who they claim to be***, nor do they run criminal record or sex offender background checks (Airbnb IPO filing)[6]
MYTH 6 Neighbors and local communities appreciate STRs	***80%+ of residents do not want to live next to a short-term rental*** (WFAA)[7] ***Increases in Airbnb listings lead to more violence in neighborhoods*** (Jan 2021 Research Report)[8]
MYTH 7 Courts side with STR private property rights	***Courts overwhelmingly side with cities and long-held zoning priorities,*** including US Supreme Court May 2020 ruling[9]
MYTH 8 I can do what I want with my private property	***When buying in a residential neighborhood, you are subject to local zoning ordinances*** that forbid certain activities incompatible with residential neighborhoods. ***These laws protect you and other residents.***[10]

Selected References:

(1). 'A Bargain With the Devil'—Bill Comes Due for Overextended Airbnb Hosts Entrepreneurs built mini-empires of short-term rental properties, borrowing against revenue that's now vanishing under coronavirus lockdowns, Wall Street Journal, Apr 28, 2020

(2) CBRE Report: "Hosts with Multiple Units –A Key driver of Airbnb Growth,"81% of Airbnb's revenue nationwide comes from whole-unit rentals where the owner is not present.

(3) Airbnb Fights Its 'Party House Problem' Noise. Damages. Safety questions. Airbnb is racing to address the risks posed by partying guests before it goes public. NY Times, Oct 27, 2020.

(4) Evidence shows no compelling reason why local policymakers should keep the playing field tilted toward Airbnb. Economic Policy Institute, January 30, 2019

(5) Do short-term rental platforms affect housing markets? Journal of Urban Economics, Sept 2020 and Research: When Airbnb Listings in a City Increase, So Do Rent Prices, Harvard Business Review, April 17, 2019

(6) We have no control over or ability to predict the actions of our users and other third parties, such as neighbors or invitees, either during the guest's stay, experience, or otherwise, and therefore, we cannot guarantee the safety of our hosts, guests, and third parties. The actions of hosts, guests, and other third parties have resulted and can further result in fatalities, injuries, other bodily harm, fraud, invasion of privacy, property damage, discrimination, brand and reputational damage, which have created and could continue to create potential legal or other substantial liabilities for us. We do not verify the identity of all of our hosts and guests nor do we verify or screen third parties who may be present during a reservation made through our platform. Airbnb IPO filing with the SEC, November 16, 2020, at page 45.

(7) WFAA TV poll shows 84% of residents in N. Texas do not want to live next to a short-term rental. Sept 5, 2018 Airbnb Suffered a Big Defeat in Jersey City, over 70% of residents voted overwhelmingly in favor of stricter regulations on short-term rentals that will almost certainly shrink the number of Airbnb listings in New Jersey's second-largest city. NY Times, Nov 5, 2019.

(8) Airbnb and Neighborhood Crime: Northeastern University Research Report: We find evidence that increases in Airbnb listings led to more violence in neighborhoods...prevalence of Airbnb listings erodes the natural ability of a neighborhood to prevent crime. July 16, 2021

(9) The US Supreme Court upheld a very detailed and comprehensive set of STR regulations adopted by the City of Santa Monica, refusing to even consider claims that those regulations somehow infringed on the STR owners federal constitutional rights. May 18, 2020

TX 14th Court of Appeals held Texas Property Code provides independent authority for HOA to adopt rules prohibiting short term rentals Aug 18, 2020

Austin Court of Appeals case upholds penalties against an STR operator which tried to use sham 30-day rentals to defeat Austin's STR regulations April 29, 2020

(10) Real estate ownership carries with it a complex set, or bundle, of rights that homeowners assume when they buy in residential areas

From: Cindy Abbott [redacted]
Sent: Sunday, June 23, 2024 1:17 PM
To: Vaterlaus, Sue; Bier, Mary; Boles, Christine; Beckmeyer, Sue; Bigstyck, Tygarjas
Cc: Public Comment
Subject: City Council Study Session, June 24, 2024, STRs by Neighborhood
Attachments: Pacifica STRs by neighborhood_June 2024.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members,

For a number of years, it's been requested that when providing the community with reporting on the impact of Short Term Rentals (STRs) in the City of Pacifica, that these statistics be provided ***by neighborhood***. In the staff report for Monday, June 24, 2024, only a list of addresses, and a recap of those in and outside of the coastal zone was provided. Attached for your review therefore is a list by neighborhood.

You will see in the recap below the significant impact to small neighborhoods, particularly to West Sharp Park, where ***28% of STRs are located***. The small neighborhood of Pedro Point is also impacted. *It would be interesting to see where the housing stock is in the city compared to these numbers.*

While the City of Pacifica has approved a 150 unit cap, this number needs to be managed ***by neighborhood***, not for the overall city.

City of Pacifica, Short Term Rentals, by Neighborhood		
West Sharp Park	48	28%
East Sharp Park	12	7%
WSP Shoreview	3	2%
Sharp Park/Shoreview	63	37%
Manor	38	22%
Fairmont/Manor	5	3%
	43	25%
Linda Mar	16	9%
Park Pacifica	14	8%
	30	18%
Pedro Point	20	12%
Vallemar	7	4%
East Rockaway	6	4%
Fairway	2	1%
	171	

Further detail is provided on the attached, where you can see how specific areas/streets are highly impacted, changing the character of these once residential neighborhoods, but have now been commoditized into commercial lodging.

Additionally, see notes (not complete for each address) where:

- entire apartment buildings/triplex/duplexes, formerly affordable housing, have been turned into quasi-hotels;
- permits are noted to be in process for unoccupied structures and vacant lots (along Beach Blvd); and,
- a brand new apartment in Pedro Point also has a permit “in-process”.

This information is alarming and further proof for how the current unregulated unhosted STRs are breaking residential zoning and the review process needs a thorough overhaul.

Cindy Abbott
West Sharp Park

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City of Pacifica, Short Term Rentals as of June 2024, by Neighborhood

#	West Sharp Park	
132	1581 BEACH BLVD 1 Pending - City	***Not occupied; Rennovation***
145	1581 BEACH BLVD APT 2 In-Process	***Not occupied; Rennovation***
146	1581 BEACH BLVD APT 4 In-Process	***Not occupied; Rennovation***
141	1977 BEACH BLVD In-Process	Just sold (Prior STR)
99	1987 BEACH BLVD Current	Numerous nuisance complaints
103	2061 BEACH BOULEVARD 1 Current	Former Apartment Building
102	2061 BEACH BOULEVARD 2 Current	Former Apartment Building
104	2061 BEACH BOULEVARD 3 Current	Former Apartment Building
143	2105 BEACH BLVD In-Process	**Vacant Lot - Planning App for Duplex**
144	2115 BEACH BLVD In-Process	**Vacant Lot - Planning App for Duplex**
107	2121 BEACH BOULEVARD 1 Current	Blue House Former Apartment Building
106	2121 BEACH BOULEVARD 2 Current	Blue House Former Apartment Building
105	2121 BEACH BOULEVARD 3 Current	Blue House Former Apartment Building
97	2121 BEACH BOULEVARD 4 Current	Blue House Former Apartment Building
117	103 SALADA AVE Current	Apartment above commercial space
130	124 SALADA AVE Current	Apartment building
129	126 SALADA AVE Current	Apartment building
123	128 SALADA AVENUE Current	Apartment building
128	130 SALADA AVE Current	Apartment building
170	15 Salada Ave Non-compliant	
111	200 LAKEVIEW AVENUE 1 Current	Former Apartments
92	200 LAKEVIEW AVENUE 2 Current	Former Apartments
109	200 LAKEVIEW AVENUE 3 Current	Former Apartments
100	200 LAKEVIEW AVENUE 4 Current	Former Apartments
98	200 LAKEVIEW AVENUE 5 Current	Former Apartments
131	2260 PALMETTO AVE Current	
124	2306 PALMETTO AVE Current	
90	2308 PALMETTO AVE Current	
83	2309 PALMETTO AVE C2 Current	
87	2310 PALMETTO AVE Current	
110	2530 FRANCISCO BLVD 4 Current	
139	1522 FRANCISCO BLVD In-Process	
152	1 CARMEL AVE A Non-compliant	Former residence now big party house
153	1 CARMEL AVE B Non-compliant	Former residence now big party house
79	38 CARMEL AVE Current	
91	1 SANTA ROSA AVE Current	
112	5 SANTA ROSA AVE Current	
86	31 SANTA ROSA AVE Current	
115	45 CLARENDON RD Current	
118	159 CLARENDON RD Current	

77	131 PACIFIC AVE Current	
82	174 PACIFIC AVENUE Current	
108	129 PALOMA AVE Current	
122	2 PALOMA AVE Current	
89	159 HILTON WAY Current	
71	350 BUCKINGHAM RD Current	
142	66 SANTA MARIA AVE # 1 In-Process	
95	84 SAN JOSE AVE Current	
	East Sharp Park	
56	250 MOANA PL Current	
5	430 FULLERTON ST Current	
19	577 PALOMA AVE Current	
6	527 BRIGHTON RD 1 Current	
65	527 BRIGHTON RD 2 Current	
68	549 SAN PABLO TER Current	
54	520 SAN PABLO TER Current	
135	408 SAN PABLO TER In-Process	
38	451 TALBOT AVE Current	
154	560 TALBOT AVE Non-compliant	
7	670 TALBOT AVE Current	
55	710 TALBOT AVE Current	
35	722 TALBOT AVE Current	
	WSP/Shoreview	
113	104 SURF ST Current	
81	172 SHOREVIEW AVE Current	
85	184 SHOREVIEW AVE Current	
	Manor	
168	106 W Avalon Dr. Non-compliant	
147	110 W AVALON DR Non-compliant	
133	206 PALMETTO AVE Current	
148	220 PALMETTO AVE Non-compliant	
88	315 ESPLANADE AVE 1 Current	Former Apartments
127	315 ESPLANADE AVE 2 Current	Former Apartments
126	315 ESPLANADE AVE 3 Current	Former Apartments
125	315 ESPLANADE AVE 4 Current	Former Apartments
75	325 ESPLANADE AVE Current	Former Apartments
101	543 ESPLANADE AVE Current	Recent sale, conversion to STR
72	567 ESPLANADE AVE Current	Recent sale, conversion to STR
33	347 MANOR DR Current	
137	468 MANOR DR C2 In-Process	
8	524 INVERNESS DR Current	
23	404 INVERNESS DR Current	

52	410 FARALLON AVE Current	
41	425 FARALLON AVE Current	
12	519 FARALLON AVE Current	
42	535 FARALLON AVE Current	
167	590 Farallon Ave Non-compliant	
10	423 NORFOLK DR Current	
59	425 NORFOLK DR Current	
57	437 NORFOLK DR Current	
53	472 LEWIS LN Current	Triplex Conversion
63	474 LEWIS LN Current	Triplex Conversion
64	476 LEWIS LN Current	Triplex Conversion
21	672 CLARIDGE DR Current	
62	743 CLARIDGE DR Current	
158	767 CLARIDGE DR Non-compliant	
20	187 LORRY LN Current	
58	488 MONTEREY RD Current	
9	103 MCKINNEY AVE Current	
156	630 FOOTHILL DR Non-compliant	
166	339 HEATHCLIFF DR Non-compliant	
22	286 MILAGRA DR Current	
134	290 CLIFTON RD In-Process	

Fairmont/Manor Edge

4	143 BEACHVIEW AVE Current
78	312 MAGELLAN DR Current
60	653 PARKVIEW CIR Current
25	301 CHANNING WAY Current
16	555 BEAUMONT BLVD Current

Fairway Park

150	751 BRADFORD WAY A Non-compliant
151	751 BRADFORD WAY B Non-compliant

Vallemar

39	1021 RAINER AVE Current
46	1049 RAINIER AVE Current
30	530 REINA DEL MAR AVE Current
50	630 REINA DEL MAR AVE Current
43	260 JUANITA AVE Current
164	267 Lauren Ave Non-compliant
165	334 REICHLING AVE Non-compliant

East Rockaway

24	451 HARVEY WAY Current
14	498 COPELAND ST Current
136	530 ROCKAWAY BEACH AVE In-Process
155	598 ROCKAWAY BEACH AVE Non-compliant

49	758 ROCKAWAY BEACH AVE Current	
17	759 ROCKAWAY BEACH AVE Current	

Pedro Point

73	227 STANLEY AVE Current	
161	268 STANLEY AVE Non-compliant	
74	215 STANLEY AVE Current	
149	243 STERLING AVE Non-compliant	
162	279 STERLING AVE Non-compliant	
114	1331 LIVINGSTON AVE Current	
119	1383 LIVINGSTONE AVE Current	
76	1343 GRAND AVE Current	
160	1525 GRAND AVE Non-compliant	
140	1560 GRAND AVE In-Process	
116	1561 GRAND AVE Current	
94	175 OLYMPIAN WAY Current	
121	223 OLYMPIAN WAY Current	
93	236 OLYMPIAN WAY Current	
169	243 Olympian Way Non-compliant	
84	223 KENT RD Current	
96	265 KENT RD Current	
138	1200 DANMANN AVE APT F In-Process	***New Build to be an apartment***
80	400 BELFAST AVE Current	
120	423 BELFAST AVE Current	

Linda Mar

44	1049 FASSLER AVE Current	
40	1149 BANYAN WAY Current	
29	1159 BARCELONA DR Current	
61	1159 DE SOLO DR Current	
67	1080 CRESPI DR (PERMIT) Current	
34	1168 CRESPI DR Current	
51	1375 CRESPI DR Current	
28	1227 REDWOOD WAY Current	
13	1585 ADOBE DR Current	
3	1641 HIGGINS WAY Current	
32	728 NORIEGA WAY Current	
66	736 CORDOVA CT Current	
157	744 CORDOVA CT Non-compliant	
31	756 ALTA VISTA DR Current	
45	795 MONTEZUMA DR Current	
159	847 ARGUELLO BLVD Non-compliant	
69	9 CRANHAM CT Current	

Park Pacifica

37	1 SEQUOIA WAY Current	
2	1018 YOSEMITE DR Current	

27 1050 YOSEMITE DR Current
70 1022 GRAND TETON To Be Issued
1 1128 ODDSTAD BLVD Current
47 1215 LERIDA WAY Current
48 1331 ASPEN DR Current
26 26 KINGS CANYON WAY Current
18 63 KATHLEEN CT Current
171 857 BIG BEND DR Non-compliant
11 916 PARK PACIFICA AVE Current
163 1054 PARK PACIFICA AVE Non-compliant
15 11 BROOKS PL Current
36 1001 EVERGLADS DR Current

172 Location 1 In-Discovery
173 Location 2 In-Discovery

From: [redacted]
Sent: Sunday, June 23, 2024 2:09 PM
To: Public Comment
Subject: short-term rental issue
Attachments: PacificaCouncil 1a.jpg; PacificaCouncil 2a.jpg

[CAUTION: External Email]

Please find my statement about this STR issue.

Thank you.

Vincent Ma

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; ***must not directly and negatively impact any neighbor's quiet enjoyment of their home*** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Vincent Ma Date: June 22, 2024

Signature: Vincent Ma Neighborhood: San Pablo Terrace

Contact Information (email/phone <optional>): [redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

IMPACT STATEMENT: Unhosted Short-term Rental(s)

Dear Mayor Vaterlaus and City Council Members:

I am resident from [redacted] and have been living there for 35 years. it was nice quite and safe neighborhood. Unfortunately I am surronded by two full time short term rental homes, 520 and 429 San Pablo Terrace.

My home is on private drive way for 5 homes with limited traffic going through before. In last few years, my next door full time rental home brings in large volume traffic from one car to 8 cars passing through my house, overflow car parked in front of my house garden area. Strangers walked by my home.....

Last year, a stranger signed for my package at 11am (before check out time), therefore I lost my order.

This never happened to me before . Now I don't feel safe anymore with all the strangers in and out frequently.

In the back of my house is 429 San Pablo Terrace on public road. Sometimes after full house guests left, overflow trash is blown everywhere in my back yard due to crows and wind conditions before garbage pick up day.

Name: **Vincent Ma** Date: **June 22, 2024**

Signature: Vincent Ma Neighborhood: **San Pablo Terrace**

Contact Information (email/phone <optional>): [redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Andrew Meiman [redacted]
Sent: Sunday, June 23, 2024 2:30 PM
To: Public Comment; _City Council
Subject: Short Term Rental Study Session Comments
Attachments: STR Ordinance Letter to City Council.pdf

[CAUTION: External Email]

Mayor Vaterlaus and City Council Members -

Attached please find a letter with my comments for Monday's study session.

Sincerely,
Andrew Meiman
Pedro Point

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Strong New Short Term Rental Ordinance Needed

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are costing the city money, eroding our local neighborhood community connections, and contributing to the housing crisis.

I urge you to craft a strong and functional ordinance with **Platform Accountability** as central tenet. San Francisco's Short-Term Rental Ordinance provides a model, requiring platforms (e.g. VRBO, Airbnb, etc) to verify that any home offered for short-term rental is lawfully registered with the City before the platform may provide, or collect a fee for, booking services for that unit. This approach rightly shifts some of the enforcement burden from the City to the central platform earning income from the business of STR. If the ordinance is violated, it provides a responsible party to fine, thus reinforcing the ordinance and providing collectable revenue to offset city expenditures for enforcement. I'm attaching San Francisco's standard letter to Platforms for your reference. It provides additional background and details about compliance in their program.

In addition, I support the common-sense requirements suggested by others, for an ordinance that:

- Limits STR permits to property owners who are "natural persons" and for whom the property is their primary residence
- Allows only one STR in Pacifica for any owner and/or operator.
- Sets an operating limit on unhosted STRs to 60 rental nights per year.
- Sets a limit of only two (2) guests per legal STR bedroom and a limit of one (1) car permitted per bedroom at any STR property.
- Revokes the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period.
- Creates new enforcement teams that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to designate a local representative who is on call 24/7 and who can arrive at the property within 20 minutes
- Requires a 30-day notice be sent to neighbors within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR must not be a nuisance or threat to the public's health, safety, or welfare; nor negatively impact any neighbor's quiet enjoyment of their home
- Mandates that all advertising (written publication or online website) of the STR property includes the City-issued STR registration number.

Finally, I wanted to relay a few stories and issues from years of living across the street from a short-term rental here on The Point:

- One Sunday morning, we were leaving our house, but we couldn't open our front gate – someone had parked a car so close that it was blocked. The STR across the street had been the site of a big party the night before. While we were squeezing through and climbing over, we notice a person passed out in the driver's seat! Thankfully, they didn't wake while we were on their hood, and they were gone by the time we got back.
- On multiple occasions, the cleaning crew left a dozen or so trash cans in the house's driveway...usually on a Monday, which was several days before garbage day, which in our neighborhood is on Friday. The racoons loved it - they had the whole week to make a mess of everything, multiple times. I had to repeatedly clean it up so it wouldn't blow all over my yard and the neighborhood.
- Our front fence was broken on multiple occasions from renters and party-goers backing into it to park or turn around.
- Renters and guests would use our trash bins since they were conveniently located near the street, and why not, what was anyone going to do about it!
- If they didn't use the trash bins, they would just leave trash, and vomit, on the street.
- Noise, of course, was an issue, as was parking on the narrow, pot-holed neighborhood streets

We were so relieved when the property was eventually sold to a family who actually lived there – it was no longer a constant source of stress and frustration.

Please develop and pass a strong new short-term rental (STR) ordinance!

Sincerely,

Andrew Meiman
Pedro Point

Attachment

SAN FRANCISCO
OFFICE OF SHORT-TERM RENTALS

1650 Mission St.
Suite 400
San Francisco, CA
94103-2479

Reception:
415.558.6378

Website:
shorttermrentals.
sfgov.org

Inquiries:
415.575.9179
shorttermrentals@
sfgov.org

July 31, 2017

To Whom it May Concern:

You are receiving this letter because San Francisco's Office of Short-Term Rentals (OSTR) has identified your company to be a short-term rental hosting platform, as defined by San Francisco's Short-Term Rental Ordinance (Chapter 41A of the San Francisco Administrative Code, hereinafter "Ordinance"). Recent amendments to the Ordinance affect your obligations and operations as a hosting platform. The purpose of this letter is to inform you of these amendments, share the attached Administrative Guidance detailing how hosting platforms can comply with one particular obligation, and to explain in more general terms below how to comply with your obligations under the Ordinance.

Background

The Ordinance became effective in February 2015, legalizing short-term rental activity for hosts within San Francisco that are the permanent residents of their dwelling unit. To comply with the Ordinance, hosts are required to obtain a business registration, and to receive a certificate from OSTR that verifies the host's status as a permanent resident and his or her eligibility to conduct short-term rentals (to the extent permitted by the Ordinance).

In August 2016, the Board of Supervisors added several requirements for hosting platforms that provide booking services for short-term rentals. Your company should read and understand the obligations for hosting platforms contained in Admin. Code Section 41A.5(g)(4). A few of the main requirements of that section are:

- Platforms must verify that any residential unit offered for short-term rental is lawfully registered with OSTR before the platform may provide, or collect a fee for, booking services for that unit. The Guidance attached to this letter details how to comply with this requirement.

- Platforms must submit a monthly affidavit to OSTR affirming that they have exercised reasonable care to verify that hosts utilizing their service are lawfully registered with OSTR.

- Platforms must maintain business records for no less than the prior three years for each of their hosts and short-term rental transactions, and must provide this information to OSTR upon request.

Hosting platforms Airbnb and HomeAway filed suit against the City subsequent to the passage of these amendments, and enforcement of the Ordinance was temporarily put on hold. The litigation has been settled, the hold lifted, and the Ordinance is now effective and applicable to all short-term rental hosting platforms operating within the City and County of San Francisco.

Methods of Compliance With Obligation to Take Reasonable Care to Verify that Hosts are Registered

There are a number of methods available for platforms to verify that hosts are lawfully registered. The attached Administrative Guidance document, entitled "Office of Short-Term Rentals: Guidelines for Hosting Platforms"), explains these methods in detail, and I summarize them here:

- Method 1: APPLICATION PROGRAM INTERFACE (API): The platform may query an API administered by OSTR to verify that the host is lawfully registered.

- Method 2: OSTR REGISTRATION NUMBER FIELD & SPREADSHEET RECONCILIATION: The platform will require hosts to input their OSTR registration number into a mandatory field in their short-term rental listing. On a monthly basis, the platform will provide a spreadsheet to OSTR containing certain data that will allow OSTR staff to audit the platform for compliance.

- Method 3: REGISTRATION CERTIFICATE UPLOAD: The platform will require hosts to upload an image of their Short-Term Rental Registration Certificate (a document issued by OSTR to lawfully-registered hosts), and forward a copy of this image to OSTR staff.

- Method 4: OTHER: The platform may choose to engage with OSTR staff to establish an alternative, mutually-agreeable method of compliance.

Next Steps

Although these new requirements for hosting platforms are currently in effect, OSTR is providing an enforcement grace period to allow platforms to come into compliance. To ensure compliance with the Ordinance, and to avoid administrative, civil, and/or criminal penalties, please complete the following steps within 45 days of the date of this letter:

- Notify OSTR of the desired method of compliance, and implement any necessary changes to the design and functionality of your platform to accommodate the method of compliance. For example, if you select Method 2, you will need to create a mandatory field for hosts to enter their registration number on your platform.

- Inform hosts of the requirement to register. OSTR can provide a template communication upon request.

- Discontinue booking services for any listings or hosts that you have not verified as having a valid registration or as having submitted an application for registration.

- Begin providing monthly affidavits to OSTR, on the fifth of each month, attesting that the platform is in compliance with the Ordinance.

How Hosts Can Register

After obtaining a business license from the Office of the Treasurer and Tax Collector, hosts can submit a registration application to OSTR in several ways:

1) On-line Application: Hosts may visit the OSTR website at https://shorttermrentals.sfgov.org/ for information about eligibility and the requirements of the short-term rental program. Once hosts have determined that they are eligible for registration, they may apply on-line at:

https://businessportal.sfgov.org/start/starter-kits/short-term-rental

2) In-Person Appointment: OSTR offers scheduled appointments and walk-in hours throughout the week, where hosts may ask questions and submit applications during a short meeting with OSTR staff.

3) USPS Mail: Hosts may submit a completed application via USPS mail to:

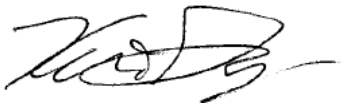
Office of Short-Term Rentals
1650 Mission Street, Suite 400
San Francisco, CA 94103

Once a host has submitted an application, the host may continue to book and host short-term rentals while the application is pending. But if OSTR denies the application, the platform must cease providing booking services for the listing and the host should remove the listing and cease short-term rental activity (including the cancellation of future bookings).

Please note that we are offering platforms the opportunity to develop a "pass-through registration" system, if desired. Such a system would be hosted on the platform, and would be designed in collaboration with staff from OSTR and the City's Department of Technology. The platform-hosted system would collect information from the host, and would submit the application to OSTR on behalf of their host. Please note that the development of a pass-through registration system requires a payment of $40,000 to cover staff time for the initial development of the system, as well as a $5,000 annual payment for maintenance.

Thank you in advance for your cooperation. If you have any questions regarding this letter or the requirements of the Ordinance, please feel free to contact me at kevin.guy@sfgov.org, or at (415) 558-6163.

Sincerely,



Kevin Guy,
Director, Office of Short-Term Rentals

Attachments:
- 1) San Francisco Administrative Code Chapter 41A
- 2) Office of Short-Term Rental Administrative Guidelines (Implementing Section 41A.5(g)(4)(C))

如果你需要用華語獲得關於這通告的細節,請電 415-575-9010.
Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010.
a makuha mo ang informacion tungkol sa noticia na ito sa tagalog, paki tawagan lang ang numero (415) 575-9010.

From: Victoria Sanchez De Alba [redacted]
Sent: Sunday, June 23, 2024 8:26 PM
To: Public Comment
Cc: Rick De Alba
Subject: Please pass a new STR ordinance
Attachments: DeAlba_CityofPacifica_Please pass a new STR ordinance_06.23.24.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members:

Please find our attached statement urging you to pass a new short term (STR) ordinance. The profileration of unhosted STRs in our city is robbing us of critical housing and destabilizing our neighborhoods.

Thank you for your prompt attention to this critical issue.

Sincerely,
Victoria and Rick De Alba

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A Letter to Pacifica's City Council

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Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Rick + Victoria DeAlba Date: 6-23-24

Signature: Ricardo DeAlba Victoria S. DeAlba Neighborhood: East Sharp Park

Contact Information (email/phone <optional>): [redacted]

To send to the City of Pacifica, use one of the following option

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

IMPACT STATEMENT: Unhosted Short-term Rental(s)

Dear Mayor Vaterlaus and City Council Members:

The Airbnb next to our home is a large 2 Story house with 4-5 bedrooms. We've had to call the Pacifica police 3-4 times in the past because of middle of the night (12 am - 3 am) parties involving very loud noise, drinking, swearing, smoking marijuana & general unruly behavior. Last weekend there were 9 cars parked at the Airbnb house - ~~our~~ street is a private driveway/street. The owners are investors ~~and~~ and this is a UNHOSTED Airbnb. We fear for our safety. There is another large home Airbnb across the street and a smaller one behind us - both generate noise above normal in our area.

Name: Rick & Victoria DeAlba Date: 6-23-24

Signature: Rick DeAlba Neighborhood: East Shore Park

Contact Information (email/phone <optional>): [redacted]

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2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Jen Hansen [redacted]
Sent: Sunday, June 23, 2024 9:33 PM
To: Public Comment; Boles, Christine; Vaterlaus, Sue; Bigstyck, Tygarjas; Bier, Mary; Beckmeyer, Sue
Cc: Bryan Reinero; Caitlin Quinn; Erin Macias
Subject: STR study session Public Comment

[CAUTION: External Email]

Good Evening Esteemed Council Members,

As I am sure you are aware, I have been working on collecting STR data since about this time last year after almost 2 dozen 20 somethings with printed sheet music stood in the middle of the street in front of my house with instruments and sang while watching the sunset. After yelling and screaming at them like a lunatic because I was trying to put my then 2- and 4-year-old to bed, I called the Pacifica Police Department, who responded. When interviewing the guests at 1168 Crespi, they lied and told the officer they were throwing a house warming party. Later that evening, my neighbor and I discovered the house listed on AirBnB.

What was surprising about this discovery is that the previous homeowners, who were 20+ Pacifica homeowners, told their neighbor that the house had been sold to a young family with children. There was no notice to the community that we now had an STR on our block.

In the year that the property has been actively listed on AirBnB, we have had dozens of noise disturbances, including bachelor/bachelorette parties, frat parties, family reunions, corporate retreats, hot tub parties, and "Dad's Weekend" golf parties. The strong winds have caused an endless supply of trash blowing down the street from overflowing mis-sorted garbage bins.

I have lost countless hours of sleep from the stress from loud music and screaming tenants, along with over a hundred hours compiling STR data and working with neighbors trying to support the city in adopting a more robust STR ordinance.

On Friday, I received the list of STR's the city has on its radar as of 6/1/2024 and today spent 6 hours cross referenced those addresses with my own research.

Currently, I have approximately 37 addresses of active AirBnB listings that the city has no record of, and 13 listings I have yet to identify their location. **It appears as though HdL is doing a poor job at meeting their contractual obligations.**

On the list, 147-171 are listed as non-compliant, with 17 of those properties being ones I had found a year ago. While I do not know the specifics as to why these properties continue to be out of compliance, I am concerned with the amount of time these properties have been operating while out of compliance. What is the point of having these ordinances is the city **fails to have a strong enforcement arm to ensure compliance of ALL STR owners, especially when the city just created a Code Enforcement position specifically to deal with STR's**?

Another concern I have long had is lost revenue from properties being upgraded **without** the appropriate permits. Although I have only looked at 5 specific properties, none of them had completed remodels with permits. Some have installed hot tubs and saunas, which involve modifying the house's electrical system, which would require a permit. I brought to the attention of code enforcement that the city has issued permits to locations that have pools, but safety gates around the pools have not been installed to protect tenants. **Wouldn't the city be held liable if a child drowns in a pool that does not have proper safety precautions in place?**

Another frustration which has been brought to the attention of code enforcement is in-laws, ADU's and tiny trailers operating as STR's. While I have not had the opportunity to provide the city with an extensive list of properties violating our city ordinances, should that really be my responsibility? Before any property has a permit issued, is someone physically inspecting the property to confirm that modifications have been made with the appropriate permits? The property is safe for tenants of all ages? The space being utilized as an STR does not violate our ordinances? From the data I've collected, it appears not. **This, too, would fall under the jurisdiction of Code Enforcement.**

Another concern is that the city attorney advised council to enact a 150 permit cap. While I understand the Coastal Commission just approved the cap within the coastal zone, we currently have 173 permits, which is clearly more than 150, and by my own data collection, the real number is significantly higher. While I understand the city could not stop STR applications within the Coastal Zone until recently, **what was the point of adopting a 150 cap if it is to be ignored in non coastal zone areas?**

While looking at how STR's impact our school district, I found this from the California Department of Education The 2021–22 budget package increases the funding level for the Local Control Funding Formula (LCFF) with an increase in funding of 5.07 percent over 2019–20 funding levels. The total overall funding (federal, state, and local) for all K–12 education programs is $124.3 billion, with per-pupil spending of $21,596 in 2021–22. For 2020–21, per-pupil funding increased from $16,881 in the 2020–21 Budget Act to $23,089 in the 2021–22 Budget Act..(click on link to read article). Here we are going into our 5th school year since this figure was compiled and it would be reasonable to assume the cost to educate a student in the 2024-2025 school year in the Pacifica School District has only increased. While it would be rather difficult to approximate how much the Pacifica School District is losing per year with these 173 properties operating as STR's, I'll make some sort of reasonable estimate. If we take half of those permits (using 172 to make the math easy), that would be 86. Let's assume each of those 86 properties has one school age child living there. At the 2023-2021 per pupil spending of $23,089 multiplied by 86 pupils, that means the district is losing out on $1,985,654 in funding from the state. I forget the exact number provided in the city financial report, but I believe it approximated revenue from STR taxes to be approximately $2.2 million. You could then go down the rabbit hole contemplating the loss in revenue from families spending money at our local businesses WEEKLY instead of the few days a month each property is rented.

And loss of housing....

And neighborhoods being robbed of actual neighbors who get to know each other, help each other, watch out for each other, which is vital to a small community like ours.

You know me.... I could go on and on and on.

I hope you understand the point I am trying to make. Our current STR ordinances are not being upheld by our own city staff and code enforcement. HdL is doing a poor job of identifying properties. **Financially enforcing these ordinances will end up costing more in time, energy and legal fees to enforce that it's worth.**

We need to beef up our ordinances to bring them more into line with what neighboring communities are doing to protect our sense of community, our schools, and OUR SANITY!

Pacifica homes are not hotels, and we need to stop letting people treat them as such!

As always, I appreciate you!

Jen Hansen
Linda Mar

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From: Coffey, Sarah
Sent: Monday, June 24, 2024 8:58 AM
To: Public Comment
Subject: FW: STEGINK Public Comment re: 06/24/2024 STR Ordinance Study Session

From: Dan Stegink [redacted]
Sent: Monday, June 24, 2024 8:37 AM
To: Coffey, Sarah <scoffey@pacifica.gov>; Vaterlaus, Sue <svaterlaus@pacifica.gov>; Beckmeyer, Sue <sbeckmeyer@pacifica.gov>; Bigstyck, Tygarjas <tbigstyck@pacifica.gov>; Bier, Mary <mbier@pacifica.gov>; Boles, Christine <CBoles@pacifica.gov>
Subject: STEGINK Public Comment re: 06/24/2024 STR Ordinance Study Session

[CAUTION: External Email]

In April 2018 Pacifica Chamber of Commerce CEO Jamie Monozaon provided a list of 335 AirBnBs in Pacifica to Planning Commission stating that hotel revenues had plummeted.

https://www.youtube.com/watch?v=8SwsSKF78Fg&t=17m25s

I don't see that list mentioned anywhere in records provided to councilmembers.

Regards, Dan Stegink

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Margo Meiman [redacted]
Sent: Monday, June 24, 2024 9:26 AM
To: Public Comment
Subject: STR Study Session Comments 6-24-24
Attachments: STR letter Margo Meiman.docx; OSTR_Platforms_Summary_Letter_Admin_Guidelines.pdf

[CAUTION: External Email]

Please see my comments regarding short-term rentals in Pacifica, as well as the City of San Francisco's letter to short-term rental platforms.

Thank you!
~ Margo Meiman

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SAN FRANCISCO
OFFICE OF SHORT-TERM RENTALS

1650 Mission St.
Suite 400
San Francisco, CA
94103-2479

Reception:
415.558.6378

Website:
shorttermrentals.
sfgov.org

Inquiries:
415.575.9179
shorttermrentals@
sfgov.org

July 31, 2017

To Whom it May Concern:

You are receiving this letter because San Francisco's Office of Short-Term Rentals (OSTR) has identified your company to be a short-term rental hosting platform, as defined by San Francisco's Short-Term Rental Ordinance (Chapter 41A of the San Francisco Administrative Code, hereinafter "Ordinance"). Recent amendments to the Ordinance affect your obligations and operations as a hosting platform. The purpose of this letter is to inform you of these amendments, share the attached Administrative Guidance detailing how hosting platforms can comply with one particular obligation, and to explain in more general terms below how to comply with your obligations under the Ordinance.

Background

The Ordinance became effective in February 2015, legalizing short-term rental activity for hosts within San Francisco that are the permanent residents of their dwelling unit. To comply with the Ordinance, hosts are required to obtain a business registration, and to receive a certificate from OSTR that verifies the host's status as a permanent resident and his or her eligibility to conduct short-term rentals (to the extent permitted by the Ordinance).

In August 2016, the Board of Supervisors added several requirements for hosting platforms that provide booking services for short-term rentals. Your company should read and understand the obligations for hosting platforms contained in Admin. Code Section 41A.5(g)(4). A few of the main requirements of that section are:

- Platforms must verify that any residential unit offered for short-term rental is lawfully registered with OSTR before the platform may provide, or collect a fee for, booking services for that unit. The Guidance attached to this letter details how to comply with this requirement.

- Platforms must submit a monthly affidavit to OSTR affirming that they have exercised reasonable care to verify that hosts utilizing their service are lawfully registered with OSTR.

- Platforms must maintain business records for no less than the prior three years for each of their hosts and short-term rental transactions, and must provide this information to OSTR upon request.

Hosting platforms Airbnb and HomeAway filed suit against the City subsequent to the passage of these amendments, and enforcement of the Ordinance was temporarily put on hold. The litigation has been settled, the hold lifted, and the Ordinance is now effective and applicable to all short-term rental hosting platforms operating within the City and County of San Francisco.

Methods of Compliance With Obligation to Take Reasonable Care to Verify that Hosts are Registered

There are a number of methods available for platforms to verify that hosts are lawfully registered. The attached Administrative Guidance document, entitled "Office of Short-Term Rentals: Guidelines for Hosting Platforms"), explains these methods in detail, and I summarize them here:

- Method 1: APPLICATION PROGRAM INTERFACE (API): The platform may query an API administered by OSTR to verify that the host is lawfully registered.

- Method 2: OSTR REGISTRATION NUMBER FIELD & SPREADSHEET RECONCILIATION: The platform will require hosts to input their OSTR registration number into a mandatory field in their short-term rental listing. On a monthly basis, the platform will provide a spreadsheet to OSTR containing certain data that will allow OSTR staff to audit the platform for compliance.

- Method 3: REGISTRATION CERTIFICATE UPLOAD: The platform will require hosts to upload an image of their Short-Term Rental Registration Certificate (a document issued by OSTR to lawfully-registered hosts), and forward a copy of this image to OSTR staff.

- Method 4: OTHER: The platform may choose to engage with OSTR staff to establish an alternative, mutually-agreeable method of compliance.

Next Steps

Although these new requirements for hosting platforms are currently in effect, OSTR is providing an enforcement grace period to allow platforms to come into compliance. To ensure compliance with the Ordinance, and to avoid administrative, civil, and/or criminal penalties, please complete the following steps within 45 days of the date of this letter:

- Notify OSTR of the desired method of compliance, and implement any necessary changes to the design and functionality of your platform to accommodate the method of compliance. For example, if you select Method 2, you will need to create a mandatory field for hosts to enter their registration number on your platform.

- Inform hosts of the requirement to register. OSTR can provide a template communication upon request.

- Discontinue booking services for any listings or hosts that you have not verified as having a valid registration or as having submitted an application for registration.

- Begin providing monthly affidavits to OSTR, on the fifth of each month, attesting that the platform is in compliance with the Ordinance.

How Hosts Can Register

After obtaining a business license from the Office of the Treasurer and Tax Collector, hosts can submit a registration application to OSTR in several ways:

1) On-line Application: Hosts may visit the OSTR website at https://shorttermrentals.sfgov.org/ for information about eligibility and the requirements of the short-term rental program. Once hosts have determined that they are eligible for registration, they may apply on-line at:

https://businessportal.sfgov.org/start/starter-kits/short-term-rental

2) In-Person Appointment: OSTR offers scheduled appointments and walk-in hours throughout the week, where hosts may ask questions and submit applications during a short meeting with OSTR staff.

3) USPS Mail: Hosts may submit a completed application via USPS mail to:

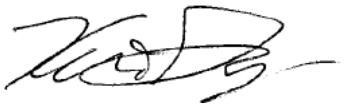
Office of Short-Term Rentals
1650 Mission Street, Suite 400
San Francisco, CA 94103

Once a host has submitted an application, the host may continue to book and host short-term rentals while the application is pending. But if OSTR denies the application, the platform must cease providing booking services for the listing and the host should remove the listing and cease short-term rental activity (including the cancellation of future bookings).

Please note that we are offering platforms the opportunity to develop a "pass-through registration" system, if desired. Such a system would be hosted on the platform, and would be designed in collaboration with staff from OSTR and the City's Department of Technology. The platform-hosted system would collect information from the host, and would submit the application to OSTR on behalf of their host. Please note that the development of a pass-through registration system requires a payment of $40,000 to cover staff time for the initial development of the system, as well as a $5,000 annual payment for maintenance.

Thank you in advance for your cooperation. If you have any questions regarding this letter or the requirements of the Ordinance, please feel free to contact me at kevin.guy@sfgov.org, or at (415) 558-6163.

Sincerely,



Kevin Guy,
Director, Office of Short-Term Rentals

Attachments:
- 1) San Francisco Administrative Code Chapter 41A
- 2) Office of Short-Term Rental Administrative Guidelines (Implementing Section 41A.5(g)(4)(C))

如果你需要用華語獲得關於這通告的細節,請電 415-575-9010.
Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010.
a makuha mo ang informacion tungkol sa noticia na ito sa tagalog, paki tawagan lang ang numero (415) 575-9010.

Strong New Short-Term Rental Ordinance Needed

June 24, 2024

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are costing the city money, eroding our local neighborhood community connections, and contributing to the housing crisis.

We have personal experience with some of the downsides of STRs. The property directly across the street from us was operated as an STR for many years. I could tell many stories, but here is a snapshot:

- Trash was a problem. Renters often didn't secure containers to prevent racoons from getting inside, so we frequently needed to clean the street in front of our home. Renters would sometimes throw trash in *our* bins - incorrectly - so we needed to pull litter out of our recycling bin and vice versa.
- Parking was a problem on our narrow street. One morning we found a car parked directly outside of our front gate, with a guy passed out inside of the car. We had to squeeze between the car and our fence in order to leave our house.
- Noise was a problem, especially for our neighbors who lived directly adjacent. These neighbors had to resort to calling the police numerous times when large parties were taking place at the STR. There was ultimately a lawsuit between these neighbors and the owner of the STR. Who needs that kind of conflict in our neighborhoods?

I urge you to craft a strong and functional ordinance with **Platform Accountability** as a central tenet. San Francisco's Short-Term Rental Ordinance provides a model, requiring platforms (e.g. VRBO, Airbnb) to verify that any home offered for short-term rental is lawfully registered with the City before the platform may provide, or collect a fee for, booking services for that unit. This approach shifts some of the enforcement burden from the City to the central platform earning income from the business of STR. If the ordinance is violated, it provides a responsible party to fine, thus reinforcing the ordinance and providing collectable revenue to offset city expenditures for enforcement. For your reference, I am attaching San Francisco's standard letter to STR rental platforms in my email message. It provides additional background and details about compliance in their program.

I also support additional common-sense requirements suggested by others, for an ordinance that:

- Limits STR permits to property owners who are “natural persons” and for whom the property is their primary residence.
- Allows only one STR in Pacifica for any owner and/or operator.
- Sets an operating limit on unhosted STRs to 60 rental nights per year.
- Sets a limit of only two (2) guests per legal STR bedroom and a limit of one (1) car permitted per bedroom at any STR property.
- Revokes the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period.
- Creates new enforcement teams that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to designate a local representative who is on call 24/7 and who can arrive at the property within 20 minutes
- Requires a 30-day notice to be sent to neighbors within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR must not be a nuisance or threat to the public’s health, safety, or welfare; nor negatively impact any neighbor’s quiet enjoyment of their home
- Mandates that all advertising (written publication or online website) of the STR property includes the City-issued STR registration number.

Thank you for reading. Please develop and pass a strong new short-term rental ordinance!

Sincerely,

Margo Meiman
[redacted]

From: Rebecca Ayala <rebecca@betterneighborsla.org>
Sent: Monday, June 24, 2024 10:10 AM
To: Public Comment; Cervantes, Stefanie; Harkousha, Brianne; Carter, Yulia
Cc: Noah Suarez-Sikes
Subject: Public Comment on Short Term Rental Study Session - June 24, 2024 - Better Neighbors LA
Attachments: Better Neighbors Comment Letter - Pacifica City Council STR Study Session - Strengthen Pacifica's Short-Term Rental Regulations - June 24, 2024.pdf

[CAUTION: External Email]

Hello,

Please find a public comment on the Short Term Rental Study Session scheduled for today, June 24, 2024 at 5 PM attached from Better Neighbors LA.

Thank you,

Rebecca "Becca" Ayala
Policy and Advocacy Director
Better Neighbors LA
(213) 355-7600
rebecca@betterneighborsla.org

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June 24, 2024

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044

publiccomment@pacifica.gov

VIA EMAIL

RE: City of Pacifica Short Term Rental Study Session—Strengthen Pacifica's Short-Term Rental Regulations

Dear Honorable Mayor Vaterlaus and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities. Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and coastal public access.

BNLA urges the Pacifica City Council to amend current short-term rental regulations to include several key policies that many other coastal cities have adopted to protect long-term housing, and provide truly lower-cost overnight accommodations. This includes clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per natural person, and a cap on the number of nights an unhosted short-term rental may be operated per year. Current regulation will not adequately safeguard existing housing stock, and continues to leave long-term residents at risk of displacement.

Majority of Pacifica STRs are Unhosted and Remove Housing Stock

According to AirDNA, as of March 2023 there were approximately 198 short-term rentals operating in Pacifica, 173 of which were unhosted.[1] In this period, the City of Pacifica recognized only 108 total STRs,[2] meaning that 37.5% of short-term rentals in Pacifica were likely noncompliant. Pacifica has also seen significant growth in the number of unhosted short-term rentals over the years. Between May 2017 and March 2023, the number of unhosted short-term rentals increased by more than 100 total listings, from 67 in May 2017 to 173 as of March

[1] Data on file with BNLA. AirDNA combines data from STR websites to put together a picture of the STR market in a particular area: https://www.airdna.co/
[2] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.6 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

2023.[3] This sharp increase illustrates the rapid corporatization of housing for tourist-serving accommodations, at the cost of available housing options for long-term residents. According to the Pacifica 2023-2031 Housing Element, this loss of housing stock to tourist-serving accommodations is contributing to fair housing issues within the City: "Pacifica's housing market is influenced by economic pressures to convert a portion of its housing stock to short-term vacation rentals."[4] Residents have continuously voiced this concern throughout the City's past efforts to regulate short-term rentals, most recently when the City Council adopted the 150-unit cap.[5] Current regulations must be substantively strengthened to preserve existing housing stock. Without strong regulations the economic pressures that unhosted short-term rentals cause will likely contribute to the threat of displacement of Pacifica's long-term residents, and possibly reduce the amount of full-time community members living in Pacifica.

Pacifica Unhosted STRS Are Not Affordable Overnight Accommodations

According to a forthcoming report by Nicholas DiRago of the University of California-Los Angeles, the average cost for an unhosted short-term rental in Pacifica's Coastal Zone ranges from $235 to $495 per night.[6] Meanwhile, the average price per night of a hotel room accommodating two people is $193.37 as of June 2024.[7] Therefore, on average, an unhosted short-term rental is at minimum $41.63 more expensive than a comparable hotel room. Unhosted short-term rentals thus cannot be considered affordable overnight accommodations in Pacifica when compared to hotels or other accommodations. While the staff report refers to the possibility of STRs being a "robust driver for the local economy, boosting tourism and hospitality,"[8] given that most STRs are likely cost-prohibitive to working class residents, the economic benefit is necessarily limited as compared to existing lower-cost visitor-serving accommodation.

Precedent for Stronger Regulations in Coastal Jurisdictions

Recent actions by the Coastal Commission suggest that jurisdictions may implement stronger STR regulations in the Coastal Zone than previously recommended by Coastal

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[3] Data on file with BNLA. In May 2017, approximately 67 unhosted short-term rentals existed in Pacifica compared to 173 as of March 2023.
[4] Pacifica 2023-2031 Housing Element, Appendix D: City of Pacifica Assessment of Fair Housing, page 169: https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.
[5] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.3 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615
[6] Data on file with BNLA. Average daily rate accounts for April 2022-March 2023.
[7] America's Best Value Inn Pacifica: https://www.sonesta.com/americas-best-value-inn/ca/pacifica/americas-best-value-inn-san-francisco-pacifica; The Anchor Inn: https://anchorinnhotels.com/book-now/; Fairfield Inn & Suites San Francsico Pacifica: https://www.marriott.com/reservation/rateListMenu.mi; Inn at Rockaway: https://www.innatrockaway.com/reservations?room_check_in=2024-06-06&room_check_out=2024-06-07&promo_code=&rooms=1&room1=2 ; Pacifica Beach Hotel: https://be.synxis.com/?adult=1&arrive=2024-06-06&chain=28109&child=0&currency=USD&depart=2024-06-07&hotel=35301&level=hotel&locale=en-US&rooms=1&start=availresults ; Pacifica Lighthouse Hotel, Trademark Collection by Wyndham: https://www.pacificalighthouse.com/ ; Sea Breeze Motel at Rockaway Beach: https://www.seabreezerockaway.com/.
[8] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.1 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

Commission staff. In March 2023, the Coastal Commission approved the City of Half Moon Bay's LCPA, which included a primary residency requirement for both hosted and unhosted short-term rentals, as well as a 60-night cap on the number of nights an unhosted short-term rental may be rented annually.[9] This was followed by an informational briefing the Coastal Commission held on December 14, 2023, during which a set of academic researchers, representatives from coastal cities, and Commissioners expressed how short-term rentals may impact access to long-term housing within the Coastal Zone.[10] Professor David Wachsmuth of McGill University cited a breadth of recent academic research that outlined how unhosted short-term rentals result in significant negative consequences, including increases in rents and decrease in housing stock.[11] Specifically, Professor Wachsmuth recommended that "[t]he CCC should consider establishing a common regulatory floor that restricts unhosted STRs and encourages home sharing in the coastal zone, to better preserve public access for visitors…"[12] Most importantly, several Coastal Commissioners expressed their reactions to the panelists. For example, Commissioner Paloma Aguirre stated, "it was very clear that unhosted short-term rentals are making the housing crisis worse."[13] Commissioners Mike Wilson, Katie Rice, Meagan Harmon and Dayna Bochco all expressed concerns regarding the issue of short-term rentals within the Coastal Zone.[14]

Furthermore, at the last Coastal Committee meeting on June 13, 2024, multiple Coastal Commissioners expressed disappointment that the City of Pacifica had not taken a stronger position on the issue of short-term rentals. Commissioner Newsom expressed that she herself had been displaced from her housing due to the effects of STRs.[15] Commissioner Wilson remarked, "If this had come to the commission maybe five or six years ago, this would have been a different discussion, but we've seen this massive experiment in the commercialization and commodification of our housing stock."[16] These statements from Coastal Commissioners should provide jurisdictions subject to Coastal Commission review like Pacifica with more confidence to pass stronger short-term rental regulations within the Coastal Zone—especially regulations that ensure the primary use of housing remains housing, while short-term renting remains a secondary use.

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[9] City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2: https://www.coastal.ca.gov/meetings/agenda/#/2023/3
[10] https://documents.coastal.ca.gov/reports/2023/12/Th5/Th5-12-2023-agenda.pdf
[11] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, beginning at 58:45: https://cal-span.org/meeting/ccc_20231214/
[12] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, slide 23 of PowerPoint presentation linked here: https://cal-span.org/meeting/ccc_20231214/
[13] Commissioner Paloma Aguirre, December 14, 2023 Coastal Commission Hearing, beginning at 4:46:42: https://cal-span.org/meeting/ccc_20231214/
[14] December 14, 2023 Coastal Commission Hearing. Commissioner Mike Wilson beginning at 4:43:08. Commissioner Katie Rice beginning at 4:49:47. Meagan Harmon beginning at 5:03:59. Commissioner Dayna Bochco beginning at 5:06:08. https://cal-span.org/meeting/ccc_20231214/
[15] June 13, 2024 Coastal Commission Hearing, Commissioner Gretchen Newsom beginning at 1:59:10: https://cal-span.org/meeting/ccc_20240613/
[16] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:09:30: https://cal-span.org/meeting/ccc_20240613/

Recommendations

Based on our data analysis and research, we suggest that the City move forward with ordinance amendments that include the following provisions:

1. *Define Unhosted vs. Hosted Short-Term Rentals:* According to the current ordinance, there is no distinction between unhosted and hosted short-term rentals. Currently, unhosted short-term rentals do not function as housing, while hosted short-term rentals necessarily function as housing. The ordinance should be amended to include this distinction for two reasons. First, this distinction will provide the City and the Commission with data needed to better understand the impacts of short-term rentals. Second, this distinction (coupled with the 60-night annual cap) will provide hosts with the ability to continue renting out their primary residence on a limited basis.
2. *Primary Residency Requirement for Hosts:* Comparable coastal cities in California have in the past approved primary residency requirements for short-term rental hosts in jurisdictions, such as the City of Half Moon Bay in March 2023.[17] A primary residency requirement ensures a short-term rental is used primarily as housing, with short-term renting as a secondary use.
3. *Limit One STR Per Natural Person:* Without a limit of one short-term rental per natural person, corporate hosts will be allowed to proliferate in Pacifica. By their very nature, corporate hosts do not use their properties as long-term housing, and instead operate these homes as de facto hotels. The Coastal Commission most recently approved this policy in Marin County in April 2024.[18]
4. *60-Night Cap on Unhosted STRs Annually:* Unhosted short-term rentals limited to 60 nights per year would prevent speculation on housing driven by short-term rental conversion. Furthermore, with a cap limited to only unhosted short-term rentals, hosted short-term rentals would continue to provide affordable lodging for visitors. This cap is similar to the one adopted by the City of Half Moon Bay.[19]
5. *Accountability for Platforms:* To ensure that platforms are cracking down on non-compliant listings and complying with regulatory requirements, a degree of liability should be placed on platforms that knowingly allow unscrupulous operators to break the law; for instance, levying fines if platforms facilitate bookings and payments for non-compliant listings.

These proposed additions to the ordinance would strengthen regulations to adequately protect long-term residents; in the words of Commissioner Wilson himself, “The suggestions made by [Better Neighbors LA] in the letter that was sent are very strong suggestions, and I would hear them.”[20]

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[17] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[18] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[19] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[20] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:10:30: https://cal-span.org/meeting/ccc_20240613/

Conclusion

If the City of Pacifica does not adopt further measures to regulate short-term rentals beyond the existing, modest 150-STR cap, it will not be able to adequately safeguard long-term residents from the impacts of unhosted short-term rentals. For these reasons, Better Neighbors asks that the City adopt stronger policies towards short-term rentals, outlined in our recommendations above. Should you have any questions, please contact Becca Ayala at rebecca@betterneighborsla.org.

/s/ Randy Renick

From: George P. Surmaitis <gps@surmaitislaw.com>
Sent: Monday, June 24, 2024 10:24 AM
To: Vaterlaus, Sue; mark stechbart; Judy surmaitis; Public Comment; _City Council
Subject: Short Term Rentals

[CAUTION: External Email]

The Air BNB on Park Pacifica Avenue has changed the character of our neighborhood from a quiet, safe area, to streams of cars driving up and around the cul-de-sac at night. We have been affected by noise, parking taken up along the street, and multiple cars in the driveway. We are aware that the neighbor next door is an elderly widow, who has lived there since the house was first built. Behind her house is an elderly man, who also owns the property behind the Air BNB and has mentioned litter, smoking on the deck, and noise. How is this okay? Do the residents have no rights or realistic way to address these things? **We are very unhappy with how the City has failed to consider the residents and actually do something meaningful. This is failing the people who choose to live in Pacifica.**

George P. Surmaitis
Attorney at Law
Certified Specialist In Workers' Compensation Law
State Bar Board of Legal Specialization
Phone: (650) 994-1148
Fax: (650) 451-6445
355 Gellert Boulevard, Suite 202
Daly City, CA 94015
GPSPLC.COM

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From: Nancy Tierney [redacted]
Sent: Monday, June 24, 2024 11:19 AM
To: Public Comment
Subject: public comment for City Council Special Session on STR--June 24, 2024

[CAUTION: External Email]

Mayor and Members of City Council:

Thanks to a group of committed Pacificans who compiled current data on the city's short term rental situation, I learned a number of things that should guide the City's deliberations. First and foremost, we appear to be a city with essentially no regulation on short-term rentals. While officially there is a cap on STR permits, it appears to not be enforced. Second, an estimated 84% of the short-term rentals operating in the City are unhosted, meaning they have no local oversight. Three, there is no limit on number of days a property can be rented out. The unsurprising result is a reduction in affordable housing for people who want to rent or buy. This comes at a time when Pacifica's unhoused population has grown by 10% over 2022 to 180 people, second only to Redwood City in San Mateo County.

City Council established a strategy this year to "prioritize protection and development of affordable housing" and included a goal to "update the short-term rental ordinance." The city should follow the lead of many other CA cities and counties to enact restrictions beyond a mere cap. Unchecked short-term rental properties result in reduced safety, disruption to the community, and fewer housing options for renters and homeowners. STR ordinances around the Bay Area limit the number of days a property can be rented and include restrictions on parking and number of people. Half Moon Bay adopted an ordinance requiring that all STRs be hosted, i.e., the property owner must live there. I encourage you to consider all such restrictions and settle on a solution suited to our city.

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From: Coffey, Sarah
Sent: Monday, June 24, 2024 11:45 AM
To: Public Comment
Subject: FW: PLEASE SUPPORT PACIFICA'S WELL DESIGNED SHORT TERM RENTAL PROGRAM

From: brian o'flynn [redacted]
Sent: Monday, June 24, 2024 11:41 AM
To: _City Council <citycouncil@ci.pacifica.ca.us>; Coffey, Sarah <scoffey@pacifica.gov>; Woodhouse, Kevin <kwoodhouse@pacifica.gov>
Subject: PLEASE SUPPORT PACIFICA'S WELL DESIGNED SHORT TERM RENTAL PROGRAM

[CAUTION: External Email]

RESPECT PACIFICA'S HISTORY

Pacifica was first and foremost born as a coastal visitor serving destination prior to there having been any significant full-time local resident population . The coastal railroad brought city dwelling visitors to the beach.

PACIFICA LEGACY AS FRIENDLY AND INCLUSIVE
Pacifica historically has always been about Sharing. STR's continue Pacifica's legacy of sharing the coast with visitors and vacationers. Lets keep Pacifica inclusive, not exclusive.

SHORT TERM RENTALS PRESERVE COASTAL ACCESS FOR ALL CALIFORNIANS AND VISITORS

The California Coastal Commission was established to ensure that residents of the coast preserved access to the coast for all - not just those fortunate enough to live in the Coastal Zone

THE EXISTING PERMIT CAP OF 150 YEAR- ROUND PERMITS ACHIEVES THE CORRECT BALANCE OF LOCAL AND VISITOR SERVING INTERESTS

The STR rental cap of 150 full time permits was the result of careful public policy planning . Any attempt to restricting the number of STR permits below 150 , or the number of nights that one of the 150 permitted units could be rented would be a backdoor way of limiting and otherwise cutting off the public's right to enjoy coastal access.

STRs benefit visitors and locals alike. STR rentals provided a variety of sorely needed more affordable family accommodations to working families who otherwise could not afford a vacation on the coast.

PACIFICA NEEDS VISITORS OF ALL VARIETIES

STRs provide needed affordable accommodation for working families who would not otherwise be able to afford a coastal vacation.

LOCAL PACIFICA BUSINESSES NEED VISITORS

STRs provided needed income for local businesses, as short term guests patronize local shops, restaurants and services who employ local Pacifica's

PACIFICA NEEDS GENERAL FUND TAX REVENUES

STRs TOT taxes and permit fees provide needed tax revenue to the General Fund of the city of Pacifica (estimated at $2,000,000 annually.)

LETS VOTE TO APPROVE THE SHORT TERM RENTAL PERMIT PROGRAM AS DESIGNED

" The Commission has historically recognized that STRs can provide a unique and important source of visitor-serving accommodations in the coastal zone, especially for larger families and groups, and has typically found that undue restrictions on this type of lodging type are inconsistent with Coastal Act and/or LCP provisions prioritizing public access and visitor-serving uses. At the same time, the Commission has also in the past recognized a need to restrict STRs in some coastal communities where evidence showed that the STR market was having impacts on coastal resources, or even significantly impacting the availability of housing. In that sense, the Commission has historically sought to accommodate a balance between these sometimes-competing interests, where the appropriate balance is typically driven by the community context. Further, in all cases, the Commission has always supported 'good neighbor' operational standards, which are important tools to address use concerns (e.g., as it relates to community character) while maintaining such balance. All of these same principles apply in Pacifica.

As applied to this proposed amendment, the STR cap and related proposed revisions seems like reasonable restrictions that will help to balance residential and visitor needs, which is important because Pacifica is a popular visitor destination. Importantly, Pacifica will retain a viable STR market for visitors, even while keeping that market to 1% of housing stock (which is actually a fairly low percentage when compared to other communities statewide, but which matches the City's neighbor to the south, Half Moon Bay), thus also addressing the City's housing objectives. Staff recommends that the Commission approve the City's proposal in the manner it was submitted, "

Quoted from the California Coastal Commission Meeting Report June 13, 2024 Hearing on Pacifica Local Coastal Plan:

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From: Cherie Chan [redacted]
Sent: Monday, June 24, 2024 11:50 AM
To: Public Comment; _City Council
Subject: Public comment: 5:00 PM - Short Term Rental Study Session

[CAUTION: External Email]

Dear Council,

Thank you for taking the time to evaluate the critical issues facing our community, as it continues to evolve.

The Staff report correctly identifies one of the key missing components to our existing ordinances, which if written with consideration for the conditions on the ground, would the economic development and vibrancy of our beloved coastal community, while ensuring that our visitors pay their fair share to our City to support our local businesses and infrastructure:

"A residential dwelling unit offered as an STR may be exclusively used as an STR (i.e., **unhosted**), or the property owner/renter may reside on the property (i.e., **hosted**). The STR Ordinance, as currently drafted, does not distinguish between "**hosted**" and "**unhosted**" properties. There is, therefore, no requirement that a host be present during a guest's stay." *Staff report at packet page 6*

Unfortunately, since the staff provided its June 13th 2022 update without Council taking any action, the challenges of Short Term Rentals in Pacifica, particularly whole-house unhosted short-term rentals have only further eroded Pacifica's available housing stock, and strained public resources, contributing to decreased TOT taxes paid to the City to support its critical needs, declining school enrollment, and increased police activity.
While the future of Pacifica's economic development must consider its greatest asset, access to its beautiful beaches and outdoor recreational opportunities, the answer is not to convert existing homes into unregulated hotels, without any of the protections, amenities, local jobs, and taxes hotels could provide.

Fortunately, a coalition of residents, PACIFICA HOMES ARE NOT HOTELS, have proposed a number of reasonable suggestions to improve our existing short term rental ordinance. I encourage you to consider these reasonable, well-researched recommendations. I ask you to listen to their voices, rather than those of out-of-town real-estate speculators.

Thank you for again working to enhance the well-being of our entire community.

Sincerely yours,
Cherie Chan
San Pedro Avenue

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From: info@pacificahomesarenothotels.org
Sent: Thursday, June 20, 2024 7:18 PM
To: _City Council
Cc: Public Comment; [redacted]
Subject: STR Study Session: June 24, 2024 — Proposed Amendments to Pacifica's Current STR Ordinance
Attachments: Proposed Amendments to City of Pacifica's Current STR Ordinance by Pacifica Are Not HotelsFINAL.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Thank you for listening to our community's call for prioritizing the amendment of Pacifica's current— and woefully lax— STR ordinance. As you know, ours is a city that has been dealing for several years with the destabilizing effects of unhosted STRs that have corporatized our neighborhoods. Since 2017, the number of STRs in Pacifica has increased by 254%. As more and more of these unregulated hotels set up their businesses in Pacifica's residential neighborhoods, removing much-needed housing from the community, driving up housing sale and rental prices, displacing residents, and creating myriad neighborhood disturbances, the struggle for families to find affordable housing and the inability of residents to feel safe in their own neighborhoods continue to get worse. We are overdue for addressing this issue in a meaningful way by mirroring the best practices legislation that other cities have put in place.

According to the non-profit InsideAirbnb, a data-scraping service set up to assist municipalities with regulating STRs, there are currently 230+ STRs in Pacifica, and 80% of them are unhosted. Seventy-three STR operators in Pacifica own multiple unhosted STRs here. These are not Pacifica residents who are simply trying to make ends meet. They are real estate investors who hold Pacifica homes in their investment portfolios and who are changing the character and quality of our neighborhoods by operating what are essentially hotels in areas zoned for residential use. Of course, Pacifica is not alone here, as this predatory and unfair business practice has become a global crisis, and cities around the world are responding by introducing new legislation to protect their housing stock and residents.

In an effort to assist you and City staff in your work on this critical issue, please find attached a proposed amended STR ordinance for our beloved city. This document pulls regulatory language from effective STR ordinances currently in existence in other California cities in San Mateo County—with a particular emphasis on Half Moon Bay, given the successful approval of its current STR ordinance by the California Coastal Commission just last year. All new text added to Pacifica's current ordinance is marked in blue ink.

The attached is the result of copious hours of research and reflects input from the community well beyond the twenty-plus names listed below.
We look forward to sitting down with you and reviewing this document together and answering any of your questions.

Thank you for helping to put Pacifica on the correct side of history as concerns unhosted STRs.

Sincerely,

Cindy Abbott
Gary Chinca
Kate Chinca
Carol Fragly
Gary Furlong
Kris Geiger
Alan Greene, M.D.
Cheryl Greene
Peter Garenani
Jen Hansen
Debi Hirshlag
Julie Hong
Patty Kephart
Leo Leon
Erin Macias
Amber Passanisi
Debbie Passanisi
Nick Passanisi
Caitlin Quinn
Brian Reinero
Lyla Reinero
Julie Starobin
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PACIFICA HOMES
ARE NOT HOTELS

AMENDMENTS TO THE CITY OF PACIFICA'S CURRENT STR ORDINANCE

PROPOSED BY PACIFICA HOMES ARE NOT HOTELS, A COALITION OF PACIFICA RESIDENTS

(June 20, 2024)

Proposed Ordinance Amendments to Pacifica's Short-term Rental Program

RECOMMENDED ACTION:

Amend the City of Pacifica's current STR ordinance to protect the City's meager housing stock and limit the negative impacts of unhosted STRs on the character of and quality of life in Pacifica's residential neighborhoods.

Section 1. Findings. The City Council of the City of Pacifica hereby amends Ordinance No. 835- C.S. governing Short-Term Rentals (STRs) and declares as follows:

a. The City of Pacifica is committed to its position as a destination for coastal tourism, offering rooms in hotel and motel establishments and RV parks accommodating recreational vehicles.
b. The City Council seeks to support lower-cost visitor serving uses, including accommodations and coastal access pursuant to the California Coastal Act and its Local Coastal Program, while also providing opportunities for income-generating uses in areas that are already developed.
c. The City Council further seeks to protect neighborhood integrity.
d. The City Council has identified affordable housing as a multi-year priority and directed that existing housing stock be preserved for residential use.
e. More than 200 STRs have operated within the city limits without benefit of compatible use regulations and registration requirements.
f. STR vacation rental use has, in some cases, eliminated residential use of dwelling units, especially those used as "whole house" or unhosted STR operations, and thereby reduced housing stock.
g. The operation of some STRs has caused significant disruption within various neighborhoods and required repeated code enforcement efforts; however, absent compatible use regulations and registration requirements, enforcement has not always resulted in sustained improvement.
h. Research concludes that "hosted" STRs with direct oversight from the owner and/or long-term tenant operate more compatibly with their surrounding neighborhood and tend to be lower cost to visitors.

i. Many other cities, including cities within the coastal zone, have implemented short- term rental regulations by imposing a primary residence requirement to ensure better local oversight and neighborhood compatibility.
j. Many other cities, including cities within the coastal zone, have implemented STR regulations that limit the number of overnight stays per year for whole house or “unhosted” short-term vacation rental operations because unlimited and/or predominate use of residential dwelling units as unhosted STRs diminishes, and in some cases leads to discontinuance of, the primary use of the residence as a dwelling unit and thereby reduces local housing stock.
k. Many other cities, including cities within the coastal zone, have implemented STR regulations that do not limit the number of overnight stays for hosted STR vacation rental operations in part because hosted short-term rentals are maintained as residential dwelling units, which is the intended primary use for residential development and maintenance of local housing stock.
l. The San Mateo County 21 Elements collaborative group supports housing policy in San Mateo County and has identified that primary residence requirements and disallowing short-term rental use of accessory dwelling units are effective regulations for preserving housing stock for residential use.
m. The proposed Ordinance amendments are consistent with the City of Pacifica’s Housing Element, which contains programs to preserve housing stock.
n. The proposed Ordinance amendments support hosted STR operations throughout the City as one of many available accommodation types. The City currently has significant visitor-serving capacity, including RV parks and hotels of every class, including “economy” to support lower-income visitors, as well as visitors seeking diversity with respect to accommodation type and location.
o. The proposed Ordinance amendments support lower-cost visitor-serving accommodations through broad allowances for hosted STRs, which have been found through review of rental listings to offer some of the lowest-cost lodging rates in Pacifica. [1]

Section 2. Proposed Ordinance Amendments

Section 9-4.4902- Short-Term Rentals Permitted.

Short-term rentals are permitted in the City of Pacifica, subject to compliance with the following requirements:

1. (a) No person may operate a short-term rental without first obtaining a short-term rental permit issued pursuant Section 9-4.4903. STR permit application to include:

[1] Adopted from LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

i. Name and contact information of the owner and/or operator who falls under the legal definition of a "natural person." All natural persons for whom the property is a permanent address shall be listed as "operator."
ii. Site plan showing location of all existing buildings and location and dimension of on-site parking.
iii. Floor plan showing all rooms with each room labeled as to room type, identifying only legal bedrooms as such.
iv. Proof of primary residence. The owner/operator, a "natural person," shall provide documentation that the property where the STR is to be conducted is the owner's/operator's primary residence[2] (i.e., they physically live in the residence 275 days per year).[3]
v. If STR is to be operated "unhosted," the name and contact information for designated operator/contact who will be available 24/7 (including all holidays) by phone during all times the property is rented and who can arrive at property within 20 minutes to respond to any issues.[4]

2. (b) In accordance with Section 9-4.453(a)(6), no person may operate a short-term rental in any accessory dwelling unit.
3. (c) Each person operating a short-term rental shall comply with the transient occupancy tax requirements set forth in Chapter 7 of Title 3 of this Code and shall obtain a Transient Occupancy Registration Certificate pursuant to Section 3.7-06.

   (d) Each person operating a short-term rental shall obtain a business license and pay the business license tax required pursuant to Chapter 1 of Title 3 of this Code.

   (e) No person shall operate or allow short-term rental of property in any location not approved for use as a permanent dwelling unit including, but not limited to, any vehicle, trailer, tent, storage shed or garage.

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[2] From HMB Municipal Code, 2.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[3] From Daly City's Short-term Rental regulations: https://dalycity.org/428/Short-Term-Rentals
Also, from Millbrae's Municipal Code, Ordinance 771: STRR-Ordinance-771-PDF (millbrae.ca.us)

[4] From HMB Municipal Code, 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

4. STR licenses are subject to a one-per-parcel and 250' zone of exclusion limits. The zone of exclusion is the distance of 250 (250) lineal feet from an existing STR parcel boundary.

Section 9-4.4903- Short-term Rental Permit Required.

A short-term rental permit may be approved by the Administrator, provided that the Administrator determines the applicant has met the following requirements:

(a) *Application.* The applicant must complete an application on a form provided by the City, accompanied by a fee established by resolution of the City Council.

(b) *One-Year Waiting Period*. Any property owner who wishes to convert a residential property to an unhosted STR must wait a minimum period of one (1) year from taking ownership of said property before applying for a short-term rental permit. There is no waiting period for an owner who wishes to operate a hosted STR within their residence.[5]

(c) *Proof of primary residence*. The owner/operator must provide official documentation proving the home is their primary residence, i.e., the owner/operator resides at the property a minimum of 275 days per year, including a copy of the property tax bill with the correct homeowner exemption designation and at least one (1) additional form of documentation such as a driver's license, DMV registration, or voter registration. A person may only have one primary residence at any given time. If a property has multiple dwelling units, as in an apartment complex, each dwelling unit shall be considered a separate residence subject to the primary residence requirement.

(d) *Property owner consent.* If the applicant is a tenant, he or she must demonstrate written consent of the property owner to operate short-term rentals on the property. The City will then notify the property owner to confirm consent.

(e) *Contact information.* The applicant must provide current contact information to the City, including the name and contact information for local party responsible and available by phone 24/7 for the dates when an unhosted STR is in operation and confirming they can arrive at property within 20 minutes to address any issues.[6]

(f) Applicant must provide a list of all advertising platform(s) to be used in relation to STR and ensure the City-provided permit number is clearly and prominently included on all such advertisements.

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[5] Added as bulwark to protect Pacifica's housing stock from predatory buying.

[6] From HMB Municipal Code, 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

(g) *HOA*. If the property is subject to a homeowners' association (HOA), the applicant must provide written approval from the HOA to use the property as a short-term rental.

(h) *Proof of rental nights*. For any permit renewal, the owner must provide documentation of the number of nights the unit was rented during the prior year, including whether the unit was used as a hosted or unhosted short-term rental[7].

(i) *Fee*. The owner shall pay a registration fee prescribed by City Council resolution, no part of which shall be returnable to the owner. The City Council may establish fees that are different for initial registration of a new STR and renewals of registrations for existing STRs.

(j) *Additional Materials*. Additional materials as deemed necessary by the Assistant City Manager may also be required.

Property Registration Requirements

The Assistant City Manager shall only register STRs that comply with all of the requirements of this Section, including:

(a) *Building and Fire Code Inspection*. There shall be no outstanding building electrical, plumbing, fire, health, housing, police, or planning code violations or enforcement actions, including any notices of violation, notices to cure, orders of abatement, cease and desist orders, or correction notices related to the property on which the STR is to be located.
(b) *Indemnification*. The property owner and any separate operator shall jointly and severally agree to indemnify, hold harmless the City and its officials, employees, and agents from any and all liability, actions, claims, damages, costs and expenses, including reasonable attorney's fees and costs, which may be asserted by any person or entity arising from or related to the issuance of the STR registration or its operations.
(c) *Insurance*. The owner shall file a certificate of insurance showing the maintenance of specific short-term/vacation rental insurance in the amount appropriate to cover any liability of the operator for property damage and injuries to persons in connection with STR activities.
(d) *Consent to Inspection*. Consent to physical inspection(s) by City staff, contractors, or representatives for the purpose of verifying compliance with all STR regulations during regular business hours (9 a.m. to 5 p.m.) or if in response to a complaint, regardless of the time. Consent to provide records of compliance to the City within one (1) week of request.[8]
(e) *Business License*. The owner/operator shall obtain a City of Pacifica business license.
(f) *Transient Occupancy Tax*. Evidence of compliance with the provisions of transient occupancy tax (TOT), including registration certificate. For STRs operating prior to the date of application, payment of all taxes, penalties, and interest due is also required.

[7] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[8] HMB Municipal Code - 3. Registration Requirements
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

(g) *Notification*. The owner shall have notified all neighbors within 500 feet of the STR property of intent to operate said property as an STR and posted a temporary sign for thirty (30) days on the property indicating intent to register as an STR.[9] The notification and signage shall include the contact information of the local responsible party designated to respond to a complaint 24/7 and who can arrive at property within twenty (20) minutes. Once STR is registered, a permanent sign on the property is to be erected in public view, providing the name and phone number of said local responsible party and City-provided permit number.

(h) *Compliance*. The property on which the STR will be located shall not have had two (2) or more violations of the City's Municipal Code within the last twelve (12) months from registration submittal and shall not have been denied registration or had registration revoked within the preceding twelve (12) months. Further, the STR's operator shall not have had two (2) or more violations of the City's Municipal Code within the last twelve (12) months from registration submittal related to any STR, shall not have been denied registration for any other STR within the preceding twelve (12) months, and shall not have had an STR rental registration or permit revoked at any time within the County of San Mateo. [10] Any host whose registration has been denied or revoked shall be ineligible from applying for a new STR registration for a 24-month period.

(i) *Nuisance*. Operation of the STR must not be a public nuisance or threat to the public health, safety, or welfare. It also must not directly and negatively impact the quiet enjoyment of any neighbor's home within 500 feet of the property. [11] There shall be no interior or exterior activity related to the STR that interferes with or is detrimental to residential use of adjacent property.

Section 9-4.4904- Permit Term and Renewal

A short-term rental permit is valid until October 31 of the year it is issued, unless suspended or revoked by the Administrator. The permittee may renew the permit annually, by submitting a renewal application and fee before the expiration of the permit. All neighbors within 500 feet of the STR shall be notified at least 30 days in advance by the STR owner/operator of intent to renew permit. Any host whose registration has been denied or revoked shall be ineligible from applying for a new registration for a 24-month period.[12] An approved registration shall be personal to the Host and shall automatically expire upon sale or transfer of the dwelling unit. No registration may be assigned, transferred, or loaned to any other person.[13]

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[9] Modeled on HMB Municipal Code 3.f - 100 feet increased to 500 feet for more broad neighborhood awareness.

[10] HMB Municipal Code 3.h.
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

12 Modeled on HMB Municipal Code 3.i. Language added re: protection of "quiet enjoyment of any neighbor's home" in response to significant neighborhood complaints across the City as heard at 3/9/24 goal-setting meeting.
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

[12] Modeled on HMB ordinance.

[13] Modeled on Daly City ordinance.

Section 9-4.4905- Operating Requirements and Performance Standards

(a) *Permit Required.* The short-term rental must be operated under a valid short-term rental permit issued by the City in accordance with Section 9-4.4903.

(b) *Current Information.* The short-term rental permittee shall, during the term of the permit, promptly inform the Administrator regarding any changes regarding information provided in the application, including contact information, designation of local responsible party, and information regarding advertising platforms used by the permittee to advertise the short-term rental.

(c) *Notification of City Registration*. The operator shall ensure that all advertising in any written publication or on any online website, or any other medium that lists or offers the availability or existence of the STR property, includes the city-issued STR registration number.[14]

(d) *Notification of City Requirements*. The operator shall prepare a manual of City requirements and standards for STR renters to be reviewed by and kept on file with the Assistant City Manager. The operator shall provide said manual to all renters in conjunction with any booking, as well as prominently display manual in the STR. The manual shall include the contact information for the local responsible party who is available 24/7 and who can be at the property within twenty (20) minutes. Within two hours of arrival, guests are required to sign the City's Good Neighbor Agreement, verifying they have received manual and understand and will adhere to all noise, parking, trash, party/event restrictions according to the City's code.[15]

(e) *Primary Residence*. No dwelling unit shall be operated as an STR unless the dwelling is the primary residence of the operator. (Primary residence to be defined as the residential property at which a person resides a majority of the time, i.e., 275 days per year, carries on basic living activities, is the place they usually return to in the event of travel, and can be substantiated through evidence such as a homeowner's exemption on the property tax bill, driver's license, DMV registration, or voter registration or long-term lease of the residential property.)[16]

(f) *Maximum Number of Rental Nights*. An unhosted STR shall be operated no more than sixty (60) nights per calendar year. There are no rental night limitations for hosted STRs.[17]

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[14] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[15] Good Neighbor Agreement modeled on document in effect in Trinidad, CA: https://www.trinidad.ca.gov/media/1881

[16] Again, primary residence requirement language based on Half Moon Bay ordinance.

[17] As per Half Moon Bay ordinance 5.c:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

i. An unhosted STR is defined as an STR use where a primary resident is not present during the course of the rental.

ii. A hosted STR is defined as an STR where a primary resident, who is the operator and acting as host, occupies one or more bedrooms in a dwelling unit while other areas of the unit are rented for the purpose of transient overnight lodging.

(g) *Minimum Number of Rental Nights*. An unhosted STR shall not be rented out for any one period of time for fewer than three (3) consecutive nights. There are no minimum rental night requirements for hosted STRs.

(h) *Maximum Number of STRs per Owner/Operator*. The maximum number of STRs per owner or operator within the City limits is one (1).[18]

(i) *Maximum Number of STRs Per Site*. The maximum number of STRs is one (1) per assessor's parcel number, one STR per residential condominium dwelling unit, or one STR per site developed within a duplex or triplex. An operator may register different areas of a site for use as an STR, but only one STR may be operated at a time.[19]

(j) *Maximum Number of Rental Agreements*. Only one (1) rental agreement may be in effect for an STR at any one time.[20]

(k) *Responsible Party*. For hosted STRs, the homeowner shall be the host and the responsible party. For unhosted STRs, the responsible party may be the property owner, operator, or the operator's agent. In all cases, the responsible party shall be a local contact person who shall meet all of the following minimum qualifications:

i. Be available twenty-four hours per day and seven days per week when the STR is in operation (including all major holidays); and

ii. Be accessible and able to respond in person at the STR within twenty (20) minutes to any complaint regarding the condition, operation, or conduct of occupants of the dwelling; and

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[18] As per Half Moon Bay ordinance 5.d:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[19] As per Half Moon Bay ordinance 5.e:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[20] As per Half Moon Bay ordinance 5.f:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

ii. Be responsive and able to take remedial action to resolve any violations of the requirements of this section, up to and including eviction of the current renters.[21]

(l) *Maximum Overnight Occupancy*. Overnight occupancy for STRs shall be limited to two (2) persons per bedroom, up to a total of eight (8) occupants. For a hosted STR, the bedrooms occupied by the host shall not be used in determining the maximum overnight occupancy for guests.[22]

(m) *Record Keeping*. The operator shall retain records documenting the compliance with this section for a period of three (3) years after any STR rental, including but not limited to, records indicating the history of all STR reservations on the subject property from the hosting platform or otherwise, records indicating the payment of any and all transient occupancy taxes, length of stay per reservation and number of persons per reservation. Upon reasonable notices, the operator shall provide any such documentation to the City.[23]

(n) *No Visibility*. Apart from a permanent sign listing the name and contact information of the local responsible party and STR permit number, the existence of the STR shall not be apparent beyond the boundaries of the site.[24]

(o) *Traffic*. An STR shall not create pedestrian, automobile, or truck traffic detrimental to property in the vicinity or neighborhood parking. The STR property address will also be clearly marked.[25]

(p) *Parking*. The maximum number of vehicles allowed at the STR shall be limited to one (1) vehicle per one-bedroom unit, two (2) vehicles per two- or three-bedroom unit, and one (1) additional vehicle for four or more bedrooms. On-site parking spaces shall be provided for at least fifty percent of the maximum allowed number of vehicles. No vehicles shall be used for overnight occupancy.[26]

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[21] As per Half Moon Bay ordinance 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[22] As per Half Moon Bay ordinance 5.h:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[23] As per Half Moon Bay ordinance 5.i:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[24] As per Half Moon Bay ordinance 6.c:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[25] As per Half Moon Bay ordinance 6.d:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[26] As per Half Moon Bay ordinance 6.e:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

(q) *Additional/Day-time Visitors*. The total number of day-time visitors to any STR are limited to one-half the total number of permitted renters (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) day-time visitors). Further, day-time visitors are only permitted on the STR property between the hours of 7 a.m. and 10 p.m.

(r) *Noise Limits*. All properties on which STR use is occurring shall be required to follow the standards set forth in Municipal code Sec. 5-10.01 through Sec. 5-10.03, with "quiet hours" observed from 10 p.m. to 7 a.m. Noise restrictions during quiet hours include, but are not limited to, loud voices, playing music, luggage dragging, and loading and unloading vehicles. [27]

(s) *Building and Fire Codes*. All properties on which STR use is occurring shall remain compliant with all applicable building and fire codes.[28]

(t) *State and Local Laws and Orders*. All STR use shall comply with all applicable state and local laws and orders, including any public health order.[29]

(u) *Special Events*. STRs shall not be used for any commercial purpose (such as a corporate retreat or conference) or any event that is likely to result in violation of traffic, parking, noise, or other standards regulating the residential use and character of the neighborhood. Such events include weddings, bridal or baby showers, retreats, parties of any type, and concerts. [30]

(v) *Trash and Recycling Management*. STR use shall comply with all trash and recycling requirements and scheduled solid waste pick-up days at least once per week. Trash and recycling containers shall be located to be readily accessible for guest use. No trash or recycling containers are to be left on the street after pick-up for a period of 12 hours or more.[31]

(w) *Guest Safety.* The short-term rental permittee must provide the following materials electronically to any guests before arrival and make available printed materials on-site for the guest with the following information:

1. (1) A diagram of exits, fire extinguisher locations, and fire and police contact numbers;
2. (2) The short-term rental permittee's contact information;

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[27] Modeled on Half Moon Bay ordinance 6.f, with language added to address common complaints made by current Pacifica residents at City Council meetings.

[28] As per Half Moon Bay ordinance 6.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[29] As per Half Moon Bay ordinance 6.h:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[30] As per Half Moon Bay ordinance 6.i:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[31] As per Half Moon Bay ordinance 6.j:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

3. (3) The local responsible contact's phone number;
4. (3) The City's noise regulations; and
5. (4) Good Neighbor Agreement, which each STR guest is required to sign within two hours of arrival at property and email to STR operator to keep on file for presentation to City upon request.

(x) *Duplexes and triplexes*. STRs may operate from duplexes and triplexes under limited conditions, as follows:

1. At least one unit within the duplex or triplex is the primary residence of the property owner; and

2. No more than one unit in a duplex or triplex may be registered and operated for STR use.[32]

(y) *Prohibited*: STRs may not operate from mobile homes, recreational vehicles, "tiny homes," multi-family developments with four or more units, any mixed-use or residential development containing one or more units restricted to be affordable to lower income households, or accessory dwelling units.[33]

Section 9-4.4906- Permit Revocation and Enforcement.
(a) *Permit Suspension or Revocation.* The Administrator may suspend or revoke a short-term rental permit after making a determination that the permittee has violated any of the provisions of this article or is operating the short-term rental in a manner that is detrimental to the public health, welfare or safety or constitutes a nuisance and/or has been shown to interfere with the quiet enjoyment of their home by any neighbor within 500 feet of the STR property. The Administrator shall provide the permittee with written notice stating the supporting factual basis for the decision. The notice shall contain an advisement of the right to request an appeal before a hearing officer by filing a written appeal.

(b) *Appeal to Hearing Officer.* Suspension or revocation issued by the Administrator pursuant to paragraph (a) will be effective ten days from the date appearing on the notice, unless a timely appeal is filed before such date along with the deposit of an appeal fee established by resolution of City Council. A hearing shall be scheduled before the hearing officer within thirty (30) days. The decision of the hearing officer shall be a final administrative order, with no further administrative right of appeal or reconsideration. The hearing officer may sustain a denial, suspension or revocation, overrule a denial, suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension.

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[32] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[33] Ibid.

Reapplication. No application for a short-term rental permit will be accepted within 24 months after a short-term rental permit is revoked.

(d) *Enforcement.* The City may enforce this article by any means permitted by law, including but not limited to those penalty provisions set forth in Chapter 2 of Title 1 of this Code. The City Council may establish fines for violating this article by resolution.

Section 3. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15061(b)(3) of the CEQA Guidelines (14 Cal. Code Regs. 15000 et seq.) because it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment. The City Clerk shall file a Notice of Exemption with the San Mateo County Clerk.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 5. Publication. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance by the City Council of the City of Pacifica, California, and cause the same to be published once in The Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, California.

Section 6. Effective Date. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. For areas within the Coastal Zone, this Ordinance shall not become effective until the California Coastal Commission certifies an amendment to the City's local coastal program pursuant to Section 30514 of the Public Resources Code.

Section 7. Amnesty Period. Notwithstanding any other provision of law, short-term rentals operating on or before the enactment of this ordinance shall be considered existing, unpermitted uses. An amnesty period of ninety (90) days after the effective date of this ordinance is being offered to allow these existing, unpermitted uses to be legalized by conforming to the requirements of this amended ordinance, including compliance with operating standards, registration, and recordkeeping obligations. Transient Occupancy Tax payments continue to be required at all times for STRs and must be collected and paid during the amnesty period. Applications to bring an existing, unpermitted STR use into compliance shall be made on or before ninety (90) days after the effective date of this ordinance. Existing STR uses that do not conform to the requirements of this section shall cease operation within ninety (90) days of the

effective date of this ordinance and shall be prohibited from resuming unless and until the use conforms to the requirements of this ordinance.[34]

PASSED AND ADOPTED this ___ day of _____, by the following vote

AYES:

NOES :

ABSTAIN:

ABSENT:

[34] See 5.92.090 of Daly City short-term rental ordinance: https://www.dalycity.org/DocumentCenter/View/4261/Ordinance-1440-PDF

Public Comments

Item 8 – FY 2024-25 Budget

Written Comments Received By 12pm on 06/24/2024

June 24, 2024

City Council Meeting

From: Coffey, Sarah
Sent: Monday, June 24, 2024 9:29 AM
To: Public Comment
Subject: FW: Agenda Item 8 Capital Budget: CIP Improvement Recommendation for Coastal Trail
Attachments: Coastal_trail_Visuals.pdf

From: Berman, Lauren <bermanl@ci.pacifica.ca.us>
Sent: Friday, June 21, 2024 5:30 PM
To: Vaterlaus, Sue <svaterlaus@pacifica.gov>; Beckmeyer, Sue <sbeckmeyer@pacifica.gov>; Bier, Mary <mbier@pacifica.gov>; Bigstyck, Tygarjas <tbigstyck@pacifica.gov>; Boles, Christine <CBoles@pacifica.gov>
Cc: Cervantes, Stefanie <SCervantes@pacifica.gov>; Yip, Roland <RYip@pacifica.gov>; Coffey, Sarah <scoffey@pacifica.gov>
Subject: Agenda Item 8 Capital Budget: CIP Improvement Recommendation for Coastal Trail

Hello Councilmembers!

As some of you may know either from serving on Planning Commission with me in the past or from listening in on a few of our recent Planning Commission meetings, I've provided a recurring comment on necessary coastal trail improvements along Linda Mar Beach related to trail continuity and accessibility. Most recently, the specific topic discussed at the April 29 and June 3 Planning Commission meetings was the gap in the trail at the interface of the Taco Bell property and the City's parking lot B (Gap 1). Although we focused on the gap south of Taco Bell, there is also a similar gap to the north, abutting parking lot A (Gap 2). I've included visuals to compliment my public comment attached. If you wish to watch the recordings of the April 29 and June 3 meetings, they are on YouTube:

- April 29, New Public Hearing Item 2: Use Permit and Temporary Use Permit for Taco Bell Modifications

  https://www.youtube.com/watch?v=jBRo_o_cupo&list=PLFUunuheJ0ZUFzWFh7lOpSSOdUYabsEZK&index=3

- June 3, Consideration Item: review of the 2024-2029 CIP

  https://www.youtube.com/watch?v=6pthrbZd5Uw

My request at the April 29th meeting was for Taco Bell and the City to work together to close coastal trail Gap 1 by adding approximately 9 linear feet of concrete across the property line for an appropriate width to conform to the existing trail. Gap 2, which was not specifically discussed, would require about 12 linear feet of concrete. It was decided at this meeting that the coastal trail improvement would be more appropriate to include with the City's 2024-2029 Capital Improvement Program (CIP) because it was, at least partially, within the City's property. Planning Commission reviewed the 2024-2029 CIP during our June 3rd meeting, but the coastal trail gap improvement was not yet incorporated into the plan. We were

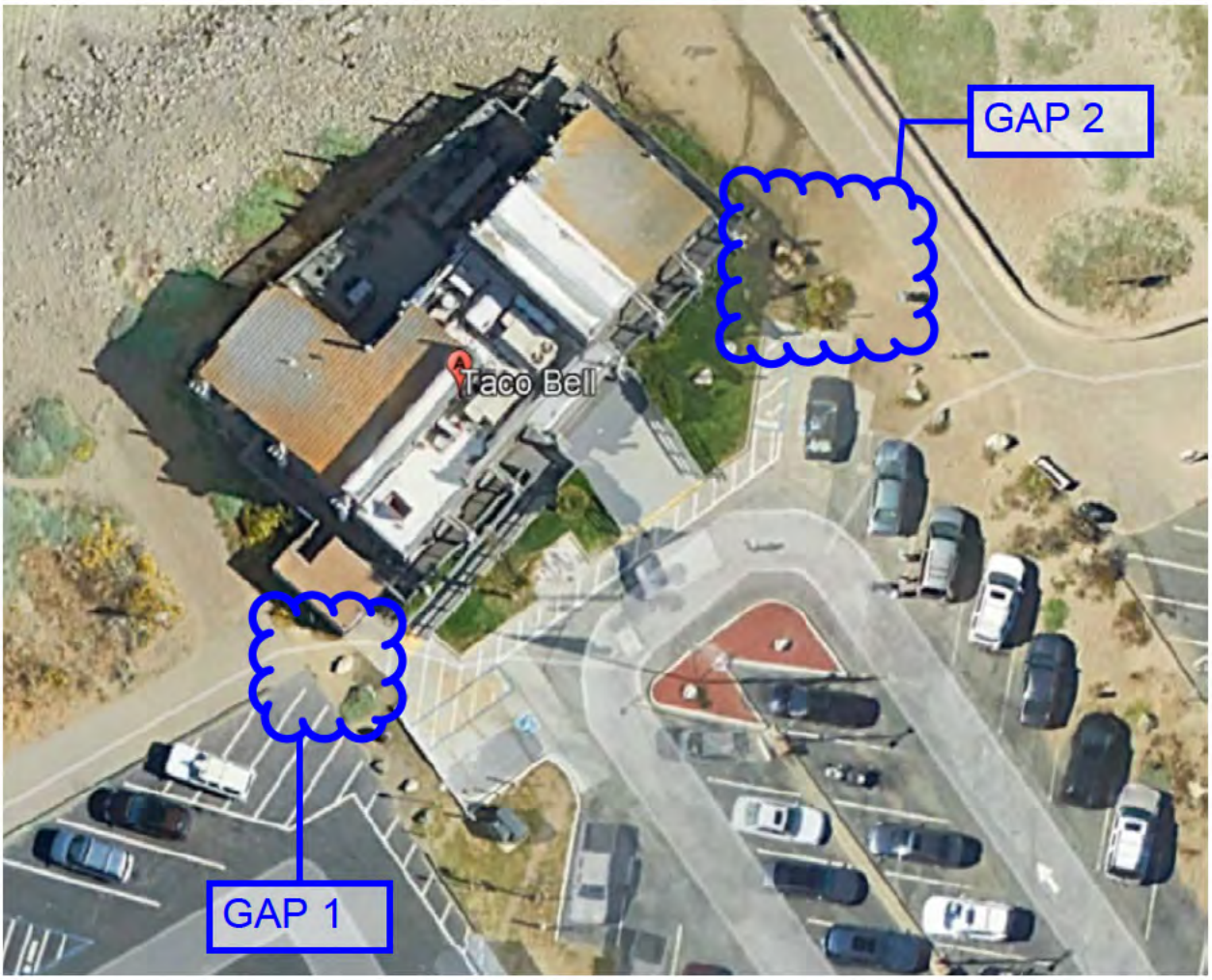
informed that Planning Commission did not have the ability to add the improvement into the CIP that night, so Staff advised that a recital be added to the Council's 2024-2025 Fiscal Year Capital Budget and CIP approval Public Hearing item at Council's June 24th meeting. I don't believe the recital made it into the June 24th agenda, but **I am providing this comment with the hope that Council still considers adding a coastal trail continuity and accessibility improvement item to the CIP for the coastal trail along Linda Mar Beach specifically, but not exclusively, between the City's Parking Lots A & B**. This improvement would be consistent with the General Plan (GP) and draft LCLUP for reasons including, but not limited to, providing coastal access and providing and maintaining a Class I mixed-use trail consistent with GP Figure 5-4.

For a more long-term consideration, I strongly recommend that the City require a true Class I trail facility and public access easement across the Taco Bell property with any future site improvement approvals. The current "access" across the site is not an adequate Class I facility, which is typically required to be at least 10-ft in width (AASHTO & HDM) for 2-way pedestrian and bike traffic. Not only is it 5-ft wide, but it also doubles as Taco Bell's ADA path of travel from the ADA parking stalls to the building entrance. Lastly, an easement would ensure the public's access rights along this privately owned segment of trail remain available and unobstructed.

Thank you so much for your time reviewing my comment and for your consideration. I'm happy to answer any questions you may have prior to the Council meeting. Please feel free to text/call me at 650-302-7355.

Thanks,

Lauren


GAP 2
Taco Bell
GAP 1

ONLY HAD TIME TO PHOTOGRAPH GAP 1 DUE TO SCREAMING BABY IN STROLLER

COASTAL TRAIL
CITY PROPERTY
TACO BELL PROPERTY

COASTAL TRAIL
CITY PROPERTY
TACO BELL PROPERTY

Figure 5-4: Existing and Proposed Bicycle Network

Existing Class I
Proposed Class I

From: Terry Milby [redacted]
Sent: Monday, June 24, 2024 11:15 AM
To: Public Comment
Cc: Marcy Milby; terry Milby
Subject: Public Comment on June 24 2024: Agenda Item 8.c "City of Pacifica Tree Permit Fees"

[CAUTION: External Email]

Dear Pacifica City Council and Staff,

The current and proposed Pacifica tree permit fee structure is prohibitive and not aligned with similar fee structures with the County of San Mateo and benchmark communities. For example here are the current tree permit fees for San Mateo County and local communities that were referenced in the "City of Pacifica Tree Ordinance Community Outreach and Benchmarking study 2022":

County of San Mateo - $305
Los Gatos - $250
Mountain View - $116
Palo Alto - $507

The proposed 2024-2025 Pacifica tree permit fee of $1,026.00 is definitely an outlier.

Can Pacifica's tree permit fee structure be modified to become more aligned with the local benchmark communities that have a more mature and customer friendly tree policy?

Thanks in advance for your time and consideration.

Marcy & Terry Milby
[redacted]

P.S. We saw a flyer on June 6th that did a great job summarizing the City of Pacifica's current tree policy. It would be great if there were a wider effort to educate Pacifican's about the current city tree policy. (At least upload the flyer onto the Pacifica web site)

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

City of Pacifica
City Council Regular Meeting

Name Russell Jones (Please Print) Date 6/24

City: Pacifica

No. of Item on Agenda or Subject: Short term rental

City of Pacifica
City Council Regular Meeting

Name Caitlin Quinn (Please Print) Date 6/24/24

City: Pacifica

No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name Michael Kahn (Please Print) Date 6/24/24

City: Pacifica

No. of Item on Agenda or Subject: STRs

City of Pacifica
City Council Regular Meeting

Name Connie Menefee (Please Print) Date 6/24/24

City: Pacifica

No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name LEO LEON (Please Print) Date 6-24-24

City: PACIFICA CA

No. of Item on Agenda or Subject: STUdy Session

City of Pacifica
City Council Regular Meeting

Name GARY Furlong (Please Print) Date 6/24

City: PACIFICA

No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name Greg Gahagan Date 6/24/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject: STR Questions

City of Pacifica
City Council Regular Meeting

Name BRYAN REINERO Date 6-24-24
Please Print
City: PACIFICA
No. of Item on Agenda or Subject: STR ORDINANCE

City of Pacifica
City Council Regular Meeting

Name BOB O'DONNELL Date 6/24/24
Please Print
City: PACIFICA
No. of Item on Agenda or Subject: SHORT TERM RENTAL ORDINANCE

City of Pacifica
City Council Regular Meeting

Name MARK CHINEA Chink-a Date
Please Print
City: PACIFICA
No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

Name Don Creasman Date 6/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject: AirBnb

City of Pacifica
City Council Regular Meeting

Name Jen Hansen Date 6/24/24
Please Print
City: Pacifica - Linda Mar
No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name Elda Kong (Please Print) Date 6/24/24

City: Pacifica

No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

Name Lyla Reinero (Please Print) Date 6-24-24

City: Pacifica

No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name Peter C. Garcnant (Please Print) Date 24 June 2024

City: Pacifica

No. of Item on Agenda or Subject: STRs

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott (Please Print) Date 6-24-2024

City: Pacifica

No. of Item on Agenda or Subject: STR Study Session

City of Pacifica
City Council Regular Meeting

Name Michael Verruzza (Please Print) Date

City: Pacifica

No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

Name [illegible] (Please Print) Date 6/24

City:

No. of Item on Agenda or Subject: STRs

City of Pacifica

City Council Regular Meeting

Name BRIAN O'FLYNN Date 6/24/24
Please Print

City: Pacifica SF

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Carlos Carbajal Date 6-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name JEFF JONES Date 6-24-24
Please Print

City: Daly City

No. of Item on Agenda or Subject:

City of Pacifica

City Council Regular Meeting

Name Cheryl Greene Date 6/24/2024
Please Print

City:

No. of Item on Agenda or Subject:

City of Pacifica

City Council Regular Meeting

Name Kathleen McGuire Date 6-24-24
Please Print

City: Paci —

No. of Item on Agenda or Subject: Short Term Rentals —

City of Pacifica

City Council Regular Meeting

Name Alex Vardakostas Date 6-24-24
Please Print

City: San Francisco

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Fallon Flynt Date 6/24/2024
Please Print

City:

No. of Item on Agenda or Subject: Ceasefire Proposal

City of Pacifica
City Council Regular Meeting

Name JAMES MACLEOD Date 6/24/24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: CALERA CREEK, CALERA CREEK PARK

City of Pacifica
City Council Regular Meeting

Name JEFF MOROSO Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Public Comment Re Calera Creek Park

City of Pacifica
City Council Regular Meeting

Name Jane A'Hearn Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Calera Creek Park

City of Pacifica
City Council Regular Meeting

Name Aren Clark Date 6-24-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Public Speaking

City of Pacifica
City Council Regular Meeting

Name Gail Benton Shoemaker Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Public Comment

City of Pacifica
City Council Regular Meeting

Name Paul Totah Date 6/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Public Comment
Not on Agenda

City of Pacifica
City Council Regular Meeting

Name SHIRLEY GIBBS Date 6/24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: RV'S ON
CALADA

City of Pacifica
City Council Regular Meeting

Name Sarah Gates Date 6/24/24
Please Print

City: Pacifica (Vallemar)

No. of Item on Agenda or Subject:

Calera Creek, Vallemar

City of Pacifica
City Council Regular Meeting

Name SHIRLEY GIBBS Date 6/24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject:
LANAS BANNERS ON
FENCES.

City of Pacifica
City Council Regular Meeting

Name Kathleen McGuire Date 6-24-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Oral Communication
re: Oversized Vehicles on
Salada Blvd. →

City of Pacifica
City Council Regular Meeting

Name ERROL HUNTER Date 6/24/24
Please Print

City: Vallemar

No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

Name Paul Totah Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 8: Y Master Fee Schedule

City of Pacifica
City Council Regular Meeting

Name Lauren Berman Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Public Hearing (#8) 2024-2025 Operating + Capital Budget

City of Pacifica
City Council Regular Meeting

Name SANDY AYERS Date 6-24-24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject:

TREE PERMIT FEES

City of Pacifica
City Council Regular Meeting

Name Gail Benton Shoemaker Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Agenda Item #8

(After Paul Totah please)

City of Pacifica
City Council Regular Meeting

Name Marcy Milby Date 6/24/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 8 - Tree trimming fees.

City of Pacifica
City Council Regular Meeting

Name Kimberly Finale Date 6.24.24
Please Print

City: Pacifica

No. of Item on Agenda or Subject 8

Public Comments

Item 7 – Short-Term Rentals

Written Comments Received By 12pm on 08/26/2024

August 26, 2024

City Council Meeting

From: Laurie Jones Jacobsen <noreply@adv.actionnetwork.org>
Sent: Friday, August 23, 2024 3:38 PM
To: Public Comment
Subject: We Need STR Regulation Now

[CAUTION: External Email]

Pacifica City Council,

Dear Councilmembers,
I'm writing to you today because I am concerned by the increase in short-term rentals in Pacifica and support strong short-term rental regulations in our city.
Short-term rentals, particularly unhosted short-term rentals, are increasingly becoming a problem in our community. Between 2017 and 2023, the number of STR listings in Pacifica increased by over 100 listings. That represents homes no longer available for people to live in, and I'm worried that without strong regulation, I or my neighbors might be displaced or otherwise negatively affected by this explosion of STRs.
Though the City has an existing draft ordinance which caps short-term rentals at 150 units, this does not go far enough to prevent the negative effects of short-term rentals from impacting my community. We need a strong ordinance, like other Coastal cities; one that has clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per person, and a cap on the number of nights an unhosted short-term rental may be operated per year.
Regulating STRs, especially unhosted STRs, will make sure that our communities are not displaced, and that neighbors are able to stay in their home. Please strengthen your proposed regulations on short-term rentals.

With all the furor over 'not enough housing' it's ridiculous to let STRs proliferate! It also prevents families with children from residing here and that decreases funding for out schools. We don't need party houses in our neighborhoods.

Thank you

Laurie Jones Jacobsen
[redacted]

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From: Haroldo Daltin <noreply@adv.actionnetwork.org>
Sent: Friday, August 23, 2024 4:09 PM
To: Public Comment
Subject: We Need STR Regulation Now

[CAUTION: External Email]

Pacifica City Council,

Dear Councilmembers,

I'm writing to you today because I am concerned by the increase in short-term rentals in Pacifica, and thus support strong regulations on short-term rentals in our city.

Short-term rentals, particularly unhosted short-term rentals, are increasingly becoming a problem in our community. Between 2017 and 2023, the number of STR listings in Pacifica increased by over 100 listings. Short-term rentals, especially unhosted short-term rentals, create a significant burden on communities—they tend to create noise issues, take up parking, and generate trash. Unhosted STRs are especially problematic in this regard, since they operate without an owner or property manager to supervise guests and their behavior and impact on communities and neighbors.

Though the City has an existing draft ordinance which caps short-term rentals at 150 units, this does not go far enough to prevent the negative effects of short-term rentals from impacting my community. We need a strong ordinance, like other cities on the coast; one that has clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per person, and a cap on the number of nights an unhosted short-term rental may be operated per year.

Regulating STRs, especially unhosted STRs, will make sure that our communities are not negatively burdened by the nuisances that STRs cause. Please strengthen our regulations, and make sure that communities like mine are protected.

Haroldo Daltin

[redacted]

[redacted]

[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Matthew McPhail <noreply@adv.actionnetwork.org>
Sent: Friday, August 23, 2024 4:34 PM
To: Public Comment
Subject: We Need STR Regulation Now

[CAUTION: External Email]

Pacifica City Council,

Dear Councilmembers,

I'm writing to you today because I am concerned by the increase in short-term rentals in Pacifica, and thus support strong regulations on short-term rentals in our city.

Short-term rentals, particularly unhosted short-term rentals, are increasingly becoming a problem in our community. Between 2017 and 2023, the number of STR listings in Pacifica increased by over 100 listings. Short-term rentals, especially unhosted short-term rentals, create a significant burden on communities—they tend to create noise issues, take up parking, and generate trash. Unhosted STRs are especially problematic in this regard, since they operate without an owner or property manager to supervise guests and their behavior and impact on communities and neighbors.

Though the City has an existing draft ordinance which caps short-term rentals at 150 units, this does not go far enough to prevent the negative effects of short-term rentals from impacting my community. We need a strong ordinance, like other cities on the coast; one that has clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per person, and a cap on the number of nights an unhosted short-term rental may be operated per year.

Regulating STRs, especially unhosted STRs, will make sure that our communities are not negatively burdened by the nuisances that STRs cause. Please strengthen our regulations, and make sure that communities like mine are protected.

Matthew McPhail

[redacted]

[redacted]

[redacted]

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From: HD [redacted]
Sent: Friday, August 23, 2024 4:39 PM
To: Public Comment
Subject: STRs Around My House

[CAUTION: External Email]

Dear Councilmembers,

As I have reported before:

1. I worry for the safety of my young children playing outside when we have so many people we don't know in the neighborhood.
2. We also have a problem with thrash, especially during windy days, when it flies everywhere and I have to pick it up as there isn't a homeowner around to collect it.

Here is a list of the STRs around my house and 2 pictures taken from Google Maps! How would you feel living around this with 2 young children?

1. 350A Buckingham Way
2. 350B Buckingham Way

3 - 178 Pacific Ave
4 - 2260 Palmetto Ave
5 - 2256 Palmetto Ave
6 - 2308 Palmetto Ave
7 - 2306 Palmetto Ave
8 - 2310 Palmetto Ave
9 - 149 Hilton Way

It is time to stop this!

Thank you.

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From: Michael [redacted]
Sent: Friday, August 23, 2024 5:05 PM
To: Public Comment
Subject: Pacifica Unhosted STR's

[CAUTION: External Email]

Dear Honorable Council members,

I have read the suggestions by Pacifica Homes are Not Hotels. (Their Text Below)

Pacifica Homes are Not Hotels is taking a very intelligent approach to this issue. Unhosted STR's may bring in revenue. However, their operations are by Ghost owners with numerous having no concern for neighboring residents. Hosted STR's are fine. However, there are few.

We all also know these are removing more housing for Pacifica. I have a STR across street from me located at #1 Sequoia. Police & Code Enforcement have been summoned to this property owned by a couple who frankly ignores the property & its upkeep. An idyllic peaceful Cul-de-sac has been severely compromised by comings & goings of strangers.

Please restrict the Unhosted STR's.

Thank you.

Michael Haase

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From: Tara Valcarcel <noreply@adv.actionnetwork.org>
Sent: Friday, August 23, 2024 7:51 PM
To: Public Comment
Subject: We Need STR Regulation Now

[CAUTION: External Email]

Pacifica City Council,

Dear Councilmembers,

I'm writing to you today because I am concerned by the increase in short-term rentals in Pacifica, and thus support strong regulations on short-term rentals in our city.

Short-term rentals, particularly unhosted short-term rentals, are increasingly becoming a problem in our community. Between 2017 and 2023, the number of STR listings in Pacifica increased by over 100 listings. Short-term rentals, especially unhosted short-term rentals, create a significant burden on communities—they tend to create noise issues, take up parking, and generate trash. Unhosted STRs are especially problematic in this regard, since they operate without an owner or property manager to supervise guests and their behavior and impact on communities and neighbors.

Though the City has an existing draft ordinance which caps short-term rentals at 150 units, this does not go far enough to prevent the negative effects of short-term rentals from impacting my community. We need a strong ordinance, like other cities on the coast; one that has clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per person, and a cap on the number of nights an unhosted short-term rental may be operated per year.

Regulating STRs, especially unhosted STRs, will make sure that our communities are not negatively burdened by the nuisances that STRs cause. Please strengthen our regulations, and make sure that communities like mine are protected.

Tara Valcarcel

[redacted]

[redacted]

[redacted]

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From: Elaine McKeen [redacted]
Sent: Saturday, August 24, 2024 8:43 AM
To: Public Comment
Subject: We Need Unhosted STR Regulation Now

[CAUTION: External Email]

Pacifica City Council,

Dear Councilmembers,

I'm writing to you today because I am concerned by the increase in short-term rentals in Pacifica, and thus support strong regulations on short-term rentals in our city.

Short-term rentals, particularly unhosted short-term rentals, are increasingly becoming a problem in our community. Between 2017 and 2023, the number of STR listings in Pacifica increased by over 100 listings. Short-term rentals, especially unhosted short-term rentals, create a significant burden on communities—they draw on our police and fire departments and deplete our school attendance. Unhosted STRs are especially problematic in this regard, since they operate without an owner or property manager to supervise guests and their behavior and impact on communities and neighbors.

Though the City has an existing draft ordinance which caps short-term rentals at 150 units, this does not go far enough to prevent the negative effects of short-term rentals from impacting my community. We need a strong ordinance, and can be guided by other cities on the coast; one that has clear definitions of unhosted and hosted short-term rentals, a primary residency requirement for hosts, a limit of one short-term rental per person, and a cap on the number of nights an unhosted short-term rental may be operated per year.

Regulating STRs, especially unhosted STRs, will make sure that our communities are not negatively burdened by the nuisances that STRs cause. Put our citizen first and lease strengthen our regulations, and make sure that communities like mine are protected.

Elaine McKeen

[redacted]

[redacted]

[redacted]

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From: Cynthia Kaufman [redacted]
Sent: Saturday, August 24, 2024 9:00 AM
To: _City Council; Public Comment
Subject: SRT

[CAUTION: External Email]

Dear Pacifica City Council member,
I am excited that you have agendized the issue of Short Term Rentals. The proposal being put forward to align Pacifica's regulations with other municipalities will do a lot to alleviate the damage to our community that has come from the current policy.

I am most concerned with Pacificans being priced out of our community by our homes being turned into hotels by commercial operators, and with the destruction caused when absentee owners don't steward the activities that take place on their property.

I believe that a well run program with good enforcement mechanisms will bring in revenue to our city that can pay for the staff time involved with enforcement.

Our city government exists to serve the needs of our residents and this is a great example of something that the city staff can do to improve our lives.

You are being presented with a well-tested and successful model and I hope you adopt it.

Thanks for your service to our community,
Cynthia Kaufman, Pedro Point.

--
Cynthia Kaufman

[redacted]

[redacted]

[redacted]
Another world is possible, on a quiet day I can hear her breathing
- Arundhati Roy

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From: Lisa Zimmerman [redacted]
Sent: Saturday, August 24, 2024 10:21 AM
To: Public Comment; _City Council
Subject: Public comment for STR Study Session 8/26

[CAUTION: External Email]

Lisa Zimmerman
[redacted]
August 24, 2024

Pacifica City Council
170 Santa Maria Avenue
Pacifica, CA 94044

Dear City of Pacifica City Council Members

I am writing to express my support for the continued operation and regulation of Airbnbs in your community. As a professional who values economic vitality, family experiences, and community culture, I believe Airbnb offers significant benefits that contribute positively to any community.

My family vacations often with 3 generations of us traveling together. We recently vacationed in Pacifica and were fortunate enough to find a wonderful Airbnb for the duration of our stay, which we hope to return to.

Airbnb locations and availability are a huge part of our decisions about where to stay. Because there are so many of us, a hotel stay would not provide the same bonding opportunities for us. We love to cook our own meals, enjoy morning coffee (and evening wine) together, and relax as a family. Airbnbs typically provide extras that you wouldn't find in a hotel that add to the enjoyability of the stay. We found board games, streaming subscriptions, basic food staples, and luxury touches to be such an amazing piece of our vacation to Pacifica through Airbnb. The ability to rent an entire home provides opportunity for connection, memories, and leisure time spent TOGETHER which is becoming increasingly important for us as my mother ages.

Airbnb stays also give us the joy of a personal host. Our host was available to us via text for any minor concerns throughout the stay. We had some trouble getting the hot water to work, and our issue was resolved within 10 minutes because we were able to connect directly with our host. There was a small backup in one of the sinks, again this was resolved within a day because we were able to connect directly with our host. Wayne was able to stop by and was the picture of courtesy and professionalism as he resolved our issue within 10 minutes. We have found that because the home is owned by an individual, they are dedicated to the little touches and service that make our stay fantastic in a way that hotels are not.

We stayed in Pacifica for 8 days at the end of July and early August this year. My mother grew up in the area, and I grew up spending weeks with my grandparents at their home close by. The point of this trip was to reconnect with friends and visit locations that were special to us, as we now live in Florida, and don't get the opportunity to visit as often as we might like.

The community element that Airbnb offers is so important to us! By staying in residential neighborhoods, we gain a deeper understanding of the city's unique history and culture. Pacifica charmed us! We went to Sharp Park Beach, just to explore and expose my son to the differences between beaches and ended up being able to watch whales for more than half an hour! As Floridians who visit the Gulf of Mexico when we go to the beach, seeing whales playing so close to the coast was an INCREDIBLE highlight for us. We hiked some of the coastal trails and were captivated by the history of the World War 2 bunkers that are still standing. It opened up many conversations about our history with my eight-year-old. We found small community parks that allowed my son to enjoy the beautiful weather and outdoors. (The cooler weather was AMAZING for us- we see a solid 8 months of temperatures in the 90s and above, and the cool, but not too cold was something we relished!) We loved exploring the local breweries, coffee shops, and restaurants. Part of the magic for us is finding non-chain options when we vacation. We ate at a restaurant on the coast and saw a community bulletin board post about a dog surfing competition. We enjoyed this small community event and savored being a part of it. We only discovered it because we were staying in the heart of the community.

We enjoyed our stay in Pacifica so much! We have recommended the city to many of our friends. I shared photos and videos of our trip on my social media throughout the trip, and even had requests to link the Airbnb we stayed in! We would absolutely come back to our Airbnb in Pacifica, but the experience would not be as enticing if we could no longer stay in a home. Hotels do not offer the same sense of community and "home away from home" as renting an actual home.

I recognize the importance of addressing concerns related to the regulation of short-term rentals, including noise, safety, and the preservation of affordable housing. However, I believe that with thoughtful regulation, we can mitigate these concerns while still reaping the many benefits that Airbnb brings to any city.

In conclusion, I urge the City Council to consider the positive impacts of Airbnb to the local economy, culture, travelers, and community when making decisions about its future in Pacifica. It is my hope that the council can find a way to address community concerns without outlawing the whole Airbnb system. We hope to make our way back to Pacifica someday, and to return to the Airbnb that made our stay so special.

Thank you for your time and consideration.

Sincerely,

Lisa Zimmerman

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From: Gary Furlong [redacted]
Sent: Saturday, August 24, 2024 3:30 PM
To: Beckmeyer, Sue; Bier, Mary; Bigstyck, Tygarjas; Boles, Christine; Vaterlaus, Sue
Cc: Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

Mayor and City Council Members,

I have read the staff report concerning Short Term Rentals in Pacifica. They have outlined in some detail their findings when comparing possible STR provisions in Pacifica to what eight other "agencies" are doing. My reading of the staff report shows the following to me:

* With one exception all of the proposed provisions are already in widespread use by the communities around us. The research of those of us who are interested in seeing these changes made has also confirmed that these changes are widespread among the communities that surround us, as Pacifica is one of the last communities to adopt a more comprehensive STR ordinance. So both the staff research and our own research shows that the proposed changes are not out of line with common practice around us, only that we are among the last to adopt them. We are not blazing a trail here, we're bringing up the rear.

* It appears to me that the staff's recommendations for/against the various proposals is largely based on their perception of how much work would be involved in implementing the various proposals, not on whether or not these provisions are good or bad or whether or not they are already in widespread use. This appears to have been within the parameters of this report.

* It appear that it was also within the scope of this report to find out what other communities were doing and to understand how implementation in our community would work. The scope of this report was not to understand whether or not these provision are best for our neighborhoods, that is a policy decision that can only be made by the city council itself. The report does show that the proposed provisions are in widespread use.

* the city council will now have to decide if they will follow through with a policy decision that is based on what is best for our neighborhoods or whether they will make a policy decision based on the possible workload of the city staff at its current levels. Based on my understanding, this decision is outside the scope of this report and was properly not considered in making recommendations for/against the various provisions.

When I was young I frequently heard the expression, "the tail doesn't wag the dog!". Is it best for the city council to start out with agreeing on what's best for our neighborhoods and then direct the City Manager and staff to work out implementation or is it best to start out by deciding what level of policy change the current level of staffing can handle? This report has already answered the question of whether or not the proposed provisions are already in use around us. It is up to the city council (and later, perhaps, the Coastal Commission) to decide if these provisions are best for our neighborhoods.

In reading through the staff report the closest I can find to the staff reporting on something from the other agencies that is not in widespread use would be the requirement concerning STR density. However, I would point out that Pacifica,

unlike many of the cities around us, has very distinct areas that are most attractive to STRs. For this reason we have a greater problem with STR clusters than some other cities.

If administering the STR ordinances requires additional staff then the STR program should pay for it. Let's be clear that this isn't a public works type of program, this is an optional, for-profit program that requires oversight and regulation. Requiring the permit holders to pay for the city's cost of this program is only fair as their point in using this program is to make money. This isn't the same as getting a permit for tree trimming or for putting a new roof on your house, this is getting a permit in order to make money. In spite of the difficulties of permit fees being based on usage, I can see that this would be useful tool. At first glance it would seem easiest to look at a previous year's TOT from a STR and then have two or three broad categories for permit fees based on this.

I do note that while the staff report does not address what is best for our neighborhoods it does address what might be best for our tax revenue. While tax revenues are essential to our city it is my hope that we will not make decisions about gutting neighbors in order to increase our tax revenues. What is the point of having a tax stream that is killing the neighborhoods? That's a lot like saying, "the surgery was a success but the patient died." If tax revenue is more important than the quality of our neighborhoods then we should remove residential zoning altogether, just think of the additional tax revenue that could generate!

Some discussion has been had about the revenue stream from tourists that are making use of unhosted STRs. It is true that these tourists spend money at restaurants, coffee shops, gas stations and, perhaps to a lesser extent, at grocery stores. However, this is not "plus" business. What needs to be considered is the "net" increase or decrease of tourists using unhosted STRs as opposed to those houses being used by a family living there full time. While an unhosted STR might be occupied as much as 50 to 70% of the time (though probably much less), a house with owner or long-renters is occupied almost continuously. These people not only go to the restaurants, coffee shop and gas stations but to all of the other businesses in our community (hardware stores, dry cleaners, etc.), and there's a good chance that they're also sending children to school in our community. Pacific has a net revenue benefit from a house that is occupied full-time over one that is occupied part-time by an unhosted STR occupant. If you are looking for net "plus" revenue you would need to look to hosted STRs and hotels (and by "hotels" I mean those businesses that are licensed as hotels and are in areas deemed appropriate for hotels).

In regards to compliance of an updated STR ordinance, I will also say we should not underestimate the vigilance of neighbors. The deep and widespread hostility toward unhosted STRs will certainly mean that they will be closely monitored by those that live around them.

Pacifica was recently named one of the safest cities in America! How has this happened? Of course having a local and well run police department plays a role in this. But I think that the police department will be among the first to tell you that Pacifica is a unique community. Why? In large part due to the vibrancy of our neighborhoods. But if those neighborhoods are gutted by the continuing influence of unhosted STRs this is bound to change. People in our neighborhoods, whether they're owners or long-term renters, have a stake in their neighborhood; they're invested and they're there for the long haul. Adding in a continuing mix of strangers who are constantly coming and going is sapping the vitality of our neighborhoods and creating friction and strife. Many times in the last few months I have seen residents start to literally cry when talking about the unhosted STR close to them; how long do you think these people will continue to live there? A house can become a home but just because an unhosted STR is located in a house doesn't make it a home, it's a hotel business located in a residential neighborhood.

To sum it up:
* the staff report shows that the provisions that have been discussed are already in widespread use in the communities around us.
* while unhosted STRs generate TOT they do so at the expense of the quality of our neighborhoods and are generating considerable ill-will in the neighborhoods. Should the city consider dropping all residential zoning requirements in order to generate more taxes? If mini-hotels are allowed to operate in residential communities how can the city legally deny any other business from setting up shot there?

* when comparing a house occupied by an unhosted STR to a house occupied by an owner or long term renter, the revenue stream to the city is a net loss for the unhosted STR.
* the STR program is a "for profit" program and thus should bear the full cost that it creates for the city.
* with the provisions that have been requested for the STR ordinance, Pacifica will not be "breaking new ground" or even "leading the way", we'll be bringing up the rear. Yes, there will difficulties in the execution but so many other communities are well beyond us on this so they can help guide us.
* every unhosted STR represents one less opportunity to have a long-term family in our city.
* every unhosted STR means that much less market pressure to keep home prices or rental rates as low as possible in our already overheated market.
* the decision about the proposed STR provisions is a policy decision regarding the quality of life in our neighborhoods, which is a City Council decision to make, I hope that the council will make it based on what is right for the neighborhoods.

Regards,
Gary Furlong

As an addendum ("addendum" is my fancy way of saying that you don't have to read this) to my letter I would like to note that "Pacifica For Responsible Tourism" sent in a letter making reference to certain articles/research. Of particular note to me are these two:
. ** "What Does Banning Short Term Rentals Really Accomplish?" https://hbr.org/2024/02/what-does-banning-short-term-rentals-really-accomplish While the bulk of this article deals with hosted STRs they do have a short section regarding unhosted STRs, which starts off this way, " ...Residences that are operated exclusively as short-term rentals have become increasingly common. This form of supply is most concerning for the rental market, because it has the potential to remove a large share of the housing stock devoted to long-term rentals. It can also reshape the composition of a local neighborhood, creating negative effects such as the replacement of nurseries by restaurants and the erosion of the historical neighborhood feel..." . (underlines are mine-GF)

** "Do Short Term Rental Platforms Affect Housing Markets?..."
https://www.sciencedirect.com/science/article/pii/S0094119020300498?via%3Dihub The authors' conclusion is, " Our main results imply that for the average neighborhood, Airbnb activity has increased rents by 1.9%, transaction prices by 4.6% and posted prices by 3.7%. The estimated impact in neighborhoods with high Airbnb activity is substantial. For neighborhoods in the top decile of Airbnb activity distribution, rents are estimated to have increased by 7%, while increases in transaction (posted) prices are estimated at 17% (14%) ..." This report is from 2020, based on what I've been reading about Barcelona this almost certainly has gotten much worse. (underlines mine-GF)

In regards to the impact of unhosted STRs on the housing market I would refer you to the talk the Dr. David Wachsmuthon gave to the California Coastal Commission in December of 2023. https://cal-span.org/meeting/ccc_20231214/ (his presentation begins at about the 59 minute mark).

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From: James DeJong [redacted]
Sent: Sunday, August 25, 2024 7:23 AM
To: _City Council
Cc: Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

To: Pacifica City Council

As a homeowner and voter in the Park Pacifica area for almost 25 years not having comprehensive codes/laws to cover STR homes is not acceptable. Every other city in the area including Half Moon Bay have addressed this issue and come up with codes/laws that city residents support and the Coastal Commission finds acceptable. We are way behind, and it is your job to do something now to protect homeowners and neighborhoods from the nuisance created by STR and especially the unhousted STR.

The staff report is very troubling. Everything the City Council wanted studied the staff report said would be too much work, and way to hard. These reasons are unacceptable. If the proposed codes/laws were against the law fine, but to tell you too much work, way too hard, is just wrong. I suggest you find staff willing to do the work the city council wish, and the voting public expects. If the city manager is not doing the work you request, find a new City Manager that values our community more than the tax revenue from the TOT.

There is a simple solution to the problem, ban all STR or at the minimum ban all unhousted STR. The taxes gained by STR will never outweigh the problems caused by the STR's in our neighborhoods.

Please consider the recommendations "Pacifica Homes Are Not Hotels" has requested be put into our city's new STR ordinance:

- **Limiting STR permits to property owners who are "natural persons"** and for whom the residence is their **primary residence**.
- Allowing only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Setting an operating limit on **unhosted STRs to 60 rental nights per year.**
- Setting a limit of only **two (2) guests per STR bedroom** and a **limit of one (1) car permitted per bedroom at any STR property.**
- Revoking the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creating **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requiring all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requiring **a 30-day notice be sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit.
- Stipulating that operation of the STR **must not be a nuisance or threat** to the public's health, safety or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who

live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.

- Mandating that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number.**
- Requiring **a minimum of 250 lineal feet between any two or more unhosted STRs** in any given Pacifica neighborhood.

Sincerely,
Jim DeJong
[redacted]

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From: Danny Estrella [redacted]
Sent: Sunday, August 25, 2024 10:54 AM
To: Pacifica City Council (Entire); Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

25 August 2024

Pacifica City Council

Subject March 9, 2024 Council Meeting Public Comment: Item 7. Short Term Rental Study Session

Dear City Councilmembers,

I am writing to you as a resident of Pacifica who is concerned about the number of unhosted short-term rentals (STRs) that are operating in our City and the lack of sensible restrictions placed upon them. Last year at goal-setting, Pacifica's City Council made a commitment to prioritizing revisions to the City's current ordinance on short-term rentals (STRs). I'm asking you to follow through on this committment. Please note the following arguments for this action.

Compared to most all other cities in San Mateo County, as well as cities up and down the California coast, **Pacifica's STR ordinance is lax and has left our City vulnerable to corporate and individual investors who have purchased homes in Pacifica not to live in them, but to add them to their portfolio of STR investment properties**. **These homes are taken out of the hands of families who want to live in our City and are converted into businesses that are being allowed to operate in areas zoned as "residential."**

240 total AirBnBs are operating in Pacifica. 201 (84%) are full house listings operating as hotels. Bear in mind that only 113 homes are registered with the City of Pacifica as AirBnBs. These 201 homes collectively list as "accommodating" 1366 people in total.

1. That's an average of 7 persons per home
2. The max number of persons the largest listings "accommodate" is 16
3. There are 15 homes that "accommodate" 16 people (averaging 5 people per bathroom)
4. **Only 113 STRs (of any kind) are registered with Pacifica. That accounts for only a mere 47% of all the AirBnBs actually operating in Pacifica**

Unhosted STRs are consolidating home ownership to the few

5. 28 AirBnB operators in Pacifica own more than one home in Pacifica
6. 34 AirBnB operators in Pacifica own multiple homes in San Mateo County

These same 34 individual operators own:

7. 128 homes in Pacifica
8. 198 homes in San Mateo
9. 1846 homes in total (state-wide or nationally)
10. Just one of these operators owns 1018 homes in total

That means just **34 operators own 64% of all the unhosted AirBnBs** in Pacifica. That's 11 more homes than the total number of AirBnBs actually registered with Pacifica. Consider that last bullet: **A single operator owns 1018 homes** (state-wide, perhaps nationally). While that single operator is the biggest, they are not the only one in Pacifica. **These super-operators have the purchasing power to drive Pacifica home prices at will.** Data source: insideairbnb.com

What are the effects?

Defunds our schools
Our schools are funded on enrollment. Converting housing to hotels displaces families and reduces the funding of our schools. If we had just one child from half of the homes currently running as hotels that amounts to **a $1,680,000 loss for our local schools. We wouldn't need to add more bond measures to the ballot to fund our schools if we had these students.**

Depletes our teachers and first responders
Unhosted AirBnBs take long-term rentals off the market, and that drives up rents and home prices. This makes it hard for Pacifica to recruit and retain teachers, firefighters, and police who cannot afford to live here.

Unhosted AirBnBs take jobs
Local hotels employ reservation clerks, maintenance workers, housekeeping staff, and night clerks. These are predominantly middle and low-income jobs. Unhosted AirBnBs deplete worker hours and redirect revenue that would have gone to local hotels to property owners.

Please do the right thing by Pacifica and revise the current STR ordinance, adding the types of restrictions other cities—including our sister-city, Half Moon Bay—have seen fit to apply, such as:

11. **A primary residence requirement for any host operating an STR property;**
12. **Only permitting one (1) STR to be owned/operated by any host within the City;**
13. **An operating limit of 60 nights per year for any unhosted STR; and**
14. **A limit of two (2) guests per bedroom and a limit of one (1) car permitted at the property per bedroom.**

There are many documented cases of illegal, unpermitted construction to build STRs. At the very least current Pacifica building codes need to be enforced.

Also, please commit to the allocation of sufficient staff to implement timely action and effective enforcement of all provisions in the amended ordinance.

Please do not delay this critical work any longer. **Each week that goes by without a revised STR ordinance is a week that—on average—another one (1) to two (2) unhosted STRs set up shop in Pacifica**. If the City's staff is too busy to take this work on, please hire a consultant to do it for us, as many cities—including Half Moon Bay—have done.

Pacifica's residents, schools and its neighborhoods are counting on you.

Thank you,

Danny Estrella

[redacted]

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From: Helen bronte-stewart [redacted]
Sent: Sunday, August 25, 2024 11:18 AM
To: Public Comment
Cc: Helen bronte-stewart
Subject: Regarding Short term rental ordinance
Attachments: 2024_ltr to council.pdf

[CAUTION: External Email]

Please see my enclosed letter insupportable of the ordinance.

Thank you

Helen Revlock

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A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

[redacted]_____ Date: _____08/25/24_____ Signature:
[redacted]____ Neighborhood: Pedro Point_____ Contact Information
[redacted]_____

To send to the City of Pacifica, use one of the following options:

From: Lisa Warns [redacted]
Sent: Sunday, August 25, 2024 11:56 AM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental - For safety's sake and concern for Pacifica residents

[CAUTION: External Email]

August 25, 2024
Hello Mayor Vaterlaus and City Councilmembers,
Please develop and enact a short-term rental policy that will be enforced in order to protect Pacifica residents.
There are many reasons why Pacifica needs to limit and regulate the number of short-term rentals.
However, in this letter, my main concern is for the quality of life and safety of Pacifica residents who live near these unregulated and dangerous unhosted short-term rentals.
Safety: neighbors near these STRs are experiencing threats such as verbal harassment, crime (eg: vandalism, illegal drug use), loud party noise, disrespect from tenants regarding parking and traffic problems, and erosion, to name a few issues.

We love living here in Pacifica and it saddens me to hear that neighbors and neighborhoods are being affected by irresponsible STR operators and their unruly, disrespectful short-term tenants. This affects our quality of life here in our lovely burg of Pacifica.

I urge you to hear the distress in our neighborhoods and work with our community on drafting a revised STR ordinance that:
• Limits STR permits to property owners who are onsite or nearby in Pacifica and for whom the property is their primary residence.

• Allows only one STR to be in effect within the City of Pacifica for any owner and/or operator.
• Sets an operating limit on unhosted STRs to 60 rental nights per year.
• Sets a limit of only two (2) guests per legal STR bedroom and a limit of one (1) car permitted per bedroom at any STR property.
• Stipulates that daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m., and further mandates that the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
• Revokes the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period.
• Creates new enforcement teams that include dedicated Code Enforcement and PPD officers.
• Requires all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters.
• Requires a 30-day notice be sent to neighbors within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
• Stipulates that operation of the STR must not be a nuisance or threat to the public's health, safety, or welfare; must not directly and negatively impact any neighbor's quiet enjoyment of their home who live within 500 feet of the property; and that no interior or exterior activity at the STR will interfere with or be detrimental to the residential use of adjacent properties.

• Mandates that all advertising (written publication or online website) of the STR property includes the City-issued STR registration number.

Thank you so much for your action on this short-term rental matter.

Please keep Pacifica a great place to live.

Sincerely,

Lisa Warns

Pedro Point Pacifica

Aug. 25, 2024

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From: Julie Starobin [redacted]
Sent: Sunday, August 25, 2024 12:04 PM
To: Public Comment; _City Council; Woodhouse, Kevin
Subject: Public Comment: Item 7, Short Term Rentals (STRs)

[CAUTION: External Email]

I am appalled that City Staff feels it is too much work to make the necessary changes in the current (non) regulations of STRs in our community. Many other communities in San Mateo have already put in place important limitations and I (we) are only asking for similar rules. Simply put:
1. Limit STR permits to property owners whose primary residence is their STR.
2. Having a limit on unhosted STRs to only 60 nights/year.
3. Allow only one STR/any owner or operator.
4. Every STR should have a City-issued registration number and all advertising of the STR should include this number.
This would also help the City to collect the fees that could be similar to what is collected from hotels.

There are a number of other possible regulations but these would be a good start. If these rules, which exist already in other cities, are too onerous then perhaps just ban all unhosted STRs completely!

Thank you, Julie Starobin, Pacific Manor

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From: Gary Furlong [redacted]
Sent: Sunday, August 25, 2024 3:01 PM
To: Beckmeyer, Sue; Bier, Mary; Bigstyck, Tygarjas; Boles, Christine; Vaterlaus, Sue
Cc: Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

Mayor and Council Members,

I would like to follow up my earlier letter with this brief note. As you receive letters and hear presentations from various people about the subject of revising the STR ordinance in Pacifica, please ask yourself "Why is this person is making a case for this particular side in this discussion?". You will hear passionate, possibly believable arguments from both sides, probably all pleading the case that they know what's best for Pacifica as they truly love Pacifica.

I would propose to you that you can generally group the responses into two groups: those who live in the residential neighborhoods in question and those who now own extremely profitable businesses in those residential neighborhoods. Which group do you think is really looking out for the Pacifica community-at-large over personal profit?

Regards,
Gary Furlong

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From: Carolyn Harrison [redacted]
Sent: Sunday, August 25, 2024 3:49 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

I would like to make a public comment at Monday night's meeting.

Carolyn Harrison
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Virginia Clements [redacted]
Sent: Sunday, August 25, 2024 3:55 PM
To: Public Comment
Subject: Letter re: STR ordinance
Attachments: A Letter to Pacifica's City Council-AirBNB.pdf

[CAUTION: External Email]

A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Date:

[redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: James Kremer [redacted]
Sent: Sunday, August 25, 2024 4:32 PM
To: Public Comment
Cc: CCC Coastal Commission
Subject: Council Mtg Aug. 26, 2024-STRs

[CAUTION: External Email]

TO: publiccomment@pacifica.gov, CCC Staffer Ringuette
RE: CC Mtg 8/26/24 – Item #7. STR Study Session.

Hard working Council Members:

1. **UN-HOSTED** STRs are the problem. You can act now with something that won't get hung up with CCCS. Please do not refuse the "*Homes are Not Hotels*" Draft regulation – waiting to make a "perfect" revision will make more staff work, force a longer delay, plus you risk further delays from likely repeated iterations with CCCS.
& Why? I see misguided concerns about perceived reactions of realtors and the R.E. Lobby?

2. You strongly support residential neighborhoods. After all, a major justification touted for SSRAs is neighborhoods. Yet your delays, and perhaps the revisions you will eventually bring before Council will necessarily cause further impacts on... NEIGHBORHOODS, leaving STR bad actors alone for longer.

3. If you can't bring yourself to act on the "Homes are Not Hotels" Draft, at least direct staff to enact a moratorium, and notify all STR hosts that permits will not be renewed, because new regs are pending.

Again: it appears to the public that Council is being guided by too much by senior staff guidance in denial of strong public interests.

Please avoid more delay and act on this now.

Jim Kremer
East Sharp Park.

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From: Joanne Gold [redacted]
Sent: Sunday, August 25, 2024 5:44 PM
To: _City Council; Public Comment
Cc: info@pacificahomesarenothotels.org
Subject: Public Comment for 8/26/24 Council Meeting: Item 7 - Short Term Rental Study Session

[CAUTION: External Email]

Dear City Councilmembers,

I am writing to once again urge you to adopt a strong ordinance to manage unhosted "whole house" Short Term Rentals (STRs) that are being operated as pseudo-hotels in Pacifica. These homes are being run as commercial business in neighborhoods that are zoned as Residential – a clear and obvious violation that must be stopped immediately.

Make no mistake, I have no objection to someone who is living in their home and on occasion renting out a room or a floor of the house they occupy as a way to subsidize income or afford a mortgage on the one home they own.

What is unacceptable is that companies and individuals (often with primary residences that are out of town or out of state) are buying up multiple single family homes in Pacifica for use as full-time unhosted STRs, turning neighborhoods into commercial business districts, .

Communications to the City Council from *Airbnb* and *Pacifica for Responsible Tourism* talk about how unhosted STR owners "depend on the income they earn from hosting" and "would suffer financially" if they could not operate unhosted STRs. Of course they would be impacted, because they are operating these homes and profiting from them as their business - their HOTEL business – but without having to comply with residential zoning and commercial regulatory requirements.

They also mention how their unhosted STRs are providing "affordable access to the beach/coast" No one argues that protecting beach access is a good thing. But protecting coastal access is about guiding land use development in the coastal zone (see my zoning objection above) and ensuring that private property owners can't restrict or deny access to the coast. It is disingenuous to suggest their STRs are essential to providing affordable coastal access - they are simply profiting from home rentals in a coastal zone with a business model that skirts zoning & regulation.

By enabling these unhosted "whole house" STRs without strong ordinances, the City and its residents are suffering all the burden: increased infrastructure costs, loss of hotel taxes, loss of public school funding due to enrollment impacts, etc. Meanwhile the growing number of unhosted STR is destabilizing our neighborhoods and negatively impacting the quality of life in residential communities.

I live on Pedro Point where there are a number of these STRs – including one directly across the street from me which is rented weekly all year long by owners who do not live in Pacifica. I have been directly and negatively impacted in the following ways:

- Every week there are strangers coming and going – They could be renters, guests attending a party in the STR, cleaning people, maintenance workers - I can't ever be sure who they are. As a widow living alone in my home, not knowing my neighbors makes me feel unsafe. And it makes our Neighborhood Watch efforts a joke.

- Parking near my home has become nonexistent. Street parking is filled 7 days a week by STR renters and maintenance employees coming and going in constant rotation. Cars are often parked in the wrong direction or halfway into the center of the road, not leaving enough space for cars to pass each other, and definitely no room for an ambulance or firetruck.

- On occasions there have also been noisy parties, increased litter, and even people using the street as a bathroom; urinating, brushing their teeth in front of the rental home.

The number of official complaints filed is not an accurate measure of negative impact. I wouldn't know where to file a complaint about unhosted STRs making my neighborhood feel unsafe, eroding the quality of life in my community, making parking worse, or because they are operating a commercial businesses in a residential area.

I am noting these impacts to you – the members of the City Council – and asking that you act now to implement strong ordinances recomended by *Pacifica Homes Are Not Hotels.* Because these negative impacts are growing and significant.

Thank you,

Joanne Gold
Pedro Point resident since 1999

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From: Dinah Verby [redacted]
Sent: Sunday, August 25, 2024 6:59 PM
To: Public Comment
Cc: Dinah Verby
Subject: Short Term Rentals City Council Aug. 26, 2024
Attachments: STR Ordinance Support486.pdf

[CAUTION: External Email]

Honorable Council Members:

I support enactment of a strong STR Ordinance, as indicated in attached form.

Thank You,

Dinah Verby

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A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: [redacted]

Date: 8/25/24

Neighborhood: Vallemar

Contact information (email/phone <optional>): _____

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Gina Mariko Rosales [redacted]
Sent: Sunday, August 25, 2024 7:40 PM
To: _City Council; Public Comment
Cc: [redacted]
Subject: Meeting Date (8/26/24) and Agenda Item: STR - Gina Rosales

[CAUTION: External Email]

Dear Pacifica City Council,

My name is Gina Rosales and I grew up in Pacifica and lived there for 18+ years with my family. As a family we have decided to offer it as a short and medium term rental in between our personal family use, so that we could afford to keep the house within our family for generations to come.

As a community member of the district and a short term rental host, I am concerned about new regulations being considered in Pacifica. Hosting helps our family be able to keep my childhood home in a town we love.

The vast majority of STR operators are compliant in Pacifica. I looked up on Peerspace and only found 2 spaces that were in Pacifica, and 1 of them IS actually an event space. We love our community and are connected with our neighbors, which is why I am asking you to enforce the rules on those breaking them for sure, but please protect the rights of hosts and do not ban unhosted stays.

Thank you for your work on this important issue.

Best,

Gina Rosales

Gina Mariko Rosales
[redacted]

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From: Cheryl Greene [redacted]
Sent: Sunday, August 25, 2024 8:17 PM
To: Public Comment; Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary; Bigstyck, Tygarjas; Boles, Christine
Subject: Public Comment RE: STRs

[CAUTION: External Email]

Esteemed City Council Members,

I am writing today to share my concern over the lack of regulations and oversight of ***unhosted*** short term rentals in Pacifica.

Because the owners of most of Pacifica's STRs are not on-site, or even residents of Pacifica, these vacation rentals can become overcrowded, loud, and a nuisance. Meanwhile, there is no one neighbors can turn to for help.

To be clear, I am not anti-tourism. I understand the financial role tourism plays in funding city government and services. Instead of allowing unhosted STRs to provide temporary lodging for tourists, I favor a small hotel or family resort on the property where the Council meets monthly. This would provide access to our beautiful beaches and bring tourism dollars into our city while protecting the integrity of our neighborhoods and increasing long-term rental options for families who want to live in Pacifica.

I understand there are barriers to such an ambitious undertaking. However, a well-regulated hotel would be a much better option for Pacificans, our city budget, and tourists.

Thank you for representing the residents of Pacifica. I acknowledge that your work is immense, and your rewards are small.

Best,

C~

Cheryl Greene
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Caitlin Quinn [redacted]
Sent: Sunday, August 25, 2024 8:31 PM
To: Vaterlaus, Sue; Beckmeyer, Sue; Bigstyck, Tygarjas; Bier, Mary; Boles, Christine
Cc: Public Comment
Subject: Public Comment: Item 7. Short-Term Rental Study Session
Attachments: Proposed Amendments to City of Pacifica's Current STR Ordinance by Pacifica Are Not HotelsFINAL.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Thank you, once again, for pushing forward the critical conversation on revising Pacifica's current and woefully lax short-term rental (STR) ordinance.

I attach here the proposed amended STR ordinance for our City, created by the resident coalition Pacifica Homes Are Not Hotels, that has been provided to you previously. For your convenience, please see broken out below the main requested restrictions on unhosted STRs that reflect the input of residents across multiple neighborhoods. Also provided is an explanation of WHY we feel these restrictions are important.

- **Limiting STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.

  WHY IMPORTANT: This restriction, enshrined in HMB's ordinance, is **the singular most critical restriction for keeping both corporations and out-of-town investors from buying Pacifica homes and flipping them into unhosted STRs.** This also fully supports the home-sharing in which our residents operating HOSTED STRs engage.

- Allowing only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.

  WHY IMPORTANT: Also enshrined in HMB's ordinance, this is **a critical restriction aimed at protecting Pacifica homes from the corporate and out-of-town investors** to which our neighborhoods have already fallen prey. **At present, there are 29 corporations or investors who own/operate more than one unhosted STR in Pacifica.** That's 29 too many. **One corporate investor owns 10 unhosted STRs, another operates 14, and one even has 17!**

- Setting an operating limit on **unhosted STRs to 60 rental nights per year.**

  WHY IMPORTANT: A hallmark of the HMB ordinance, restrictions on the number of rental nights an unhosted STR can operate is **essential to not only rescuing our housing stock from corporate and out-of-town investors but to returning quality of life to our neighborhoods**. At the same time, it **will afford residents the flexibility to rent out their homes as an unhosted STR should they go on extended travel, etc**. This requested restriction is **mirrored in cities all around us, such as: HMB, Daly City, Burlingame, Millbrae, Piedmont, Redwood City, San Bruno, San Mateo, South San Francisco, San Francisco,** just to name a few.

- Setting a limit of only **two (2) guests per STR bedroom** and a **limit of one (1) car permitted per bedroom at any STR property.**

  WHY IMPORTANT: Overcrowding of unhosted STRs with occupants is **dangerous and unhealthy and encourages parties and events**. Too many owners/operators of unhosted STRs in Pacifica cram multiple beds, cots, and even bunk beds into bedrooms in a bid to jam more and more guests into the home to collect higher per-guest rental fees. All over Pacifica, there are three- and four-bedroom homes advertising accommodations for 8-16 guests. This not only **puts a strain on neighborhoods but also on basic infrastructure, as these homes are now regularly occupied by more occupants than they were designed to house, which also puts undue strain on our city's sewage, water, and the electrical grid**. Additionally, most streets in Pacifica have limited parking for actual residents. **When unhosted STR guests bring with them six, eight, ten, or even more cars, it unfairly robs residents of parking spots and can also create unsafe conditions for emergency vehicles to access neighborhoods**.

- Stipulating **that visitors of guests staying at STRs are permitted only between the hours of 8 a.m. and 10 p.m.**, and that **the total number of visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) visitors).

  WHY IMPORTANT: Limiting the hours of when STR guests can have visitors come to the rental, as well as limiting the number of visitors they can have, **is necessary to curtail unhosted STRs being used as facilities for parties and events**.

- Mandating a **minimum rental of three (3) nights at unhosted STRs**.

  WHY IMPORTANT: Requiring a minimum stay of three (3) nights for unhosted STRs would **cut down significantly on those guests who rent an unhosted STR with the intent to hold a party or event**. (Kudos to Mayor Vaterlaus for suggesting this at the 6/24/24 STR Study Session!)

- Revoking the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**

  WHY IMPORTANT: Lax code enforcement of primarily unhosted STRs in Pacifica has been an ongoing problem and was even called out by the California Coastal Commission during the hearing our on STR cap on June 13, 2024. Permit revocation of STR owners/operators who do not abide by the rules and who do not respect the neighborhoods in which they operate are unworthy of the right to own/operate an STR in Pacifica. Permit revocation action as a result of two ordinance violations is standard practice in cities all around us, including HMB. **While "three strikes, you're out" may work well in baseball, asking a neighborhood to endure more than two violations from a bad actor STR owner/operator within a 12-month period is tone-deaf and disrespectful of neighborhood pain.**

- **Creating new enforcement teams** that include dedicated Code Enforcement and PPD officers.

  WHY IMPORTANT: Pacifica has long suffered from poor enforcement of its STR program. In order to have a well-functioning STR program that is successful, productive, safe, and conducive to maintaining neighborhood quality of life, **it is essential that new enforcement teams be created to monitor illegal STR activity from unpermitted operators and to respond to neighborhood complaints quickly and with the ability to take decisive action**. Please review this article, https://www.independent.com/2024/04/17/behind-santa-barbaras-short-term-rental- crackdown/, which details how the **City of Santa Barbara brought in special investigators who shut down illegal STR operators and collected for that city nearly $600,000 in fees in its first year of operation**. A good model for Pacifica to follow.

- Requiring all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.

  WHY IMPORTANT: Enshrined in the HMB ordinance but also **a key element of many STR ordinances in cities around us**, **it is essential that both city staff and the neighbors of unhosted STRs have a local contact person who is responsible for monitoring guest activity and responding to and abating neighborhood complaints**. At present, this burden is placed upon the shoulders of our embattled and short-staffed police force, as well as on neighbors, all of whom are put in the unfair position of playing "front desk manager" to businesses that are operating as unregulated hotels. **Hotels have front-desk staff who are available to address concerns 24/7. We should demand the same of unhosted STR owners/operators**. The **local contact person's phone number should be provided to guests and posted outside the property in a position where neighbors can see and access it.**

- Requiring **a 30-day notice be sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit.

  WHY IMPORTANT: Throughout our city, a particular **"playbook" has been created by corporate and out-of-town investors who buy homes to operate as unhosted STRs**. It goes like this: a home in a Pacifica neighborhood is sold and a set of stories are circulated to the neighbors that generally follow one of three scripts: 1) the new owners are "a young couple with children, who want to live here part time"; 2) the new owners "have bought the home for their elderly parents, who live in Pacifica"; 3) the new owners, who live down the Peninsula, "have purchased the home for their weekend get-away place." A few weeks later, instead of seeing moving trucks, the neighborhood sees only piles of boxes from Wayfair and West Elm being delivered. And then comes the revolving door of different "neighbors" and different cars. **No one deserves to be blindsided like this. When a property owner wants to build on a lot or a neighbor wants to do extensive work on their home, the neighborhood is notified, as their projects may affect neighborhood character. Operating an STR in a Pacifica neighborhood should be treated the same way, with proper notification given.**

- Stipulating that operation of the STR **must not be a nuisance or threat** to the public's health, safety or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home who live within 500 feet of the property**; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.

  WHY IMPORTANT: This language is enshrined in the HMB ordinance, as well as in the ordinances of well-managed cities all around us. **it is beyond time for the city to step up and protect neighbors from the disruptive activities of STRs that are creating both public and private nuisances in our neighborhoods.**

- Mandating that **all advertising** of the STR property **includes the City-issued STR registration number.**

WHY IMPORTANT: The city staff should not have to shoulder alone the enforcement of non-compliant STRs but **should require accountability of listing platforms like Airbnb, VRBO, and others to**

ensure that only STRs that are fully permitted and compliant with the city's ordinance are advertised on their sites. This starts with demanding that the registration numbers for all Pacifica STRs be listed on all advertising, and most especially on online hosting platforms. **San Francisco's Office of Short-Term Rentals has a robust team in place that works directly with Airbnb and other hosting platforms in monitoring illegal STR activity and could be a strong resource for city staff in this matter**.

- Requiring **a minimum of 250 lineal feet between any two or more unhosted STRs** in any given Pacifica neighborhood.

WHY IMPORTANT: The plethora of STRs in Pacifica are, unfortunately, not evenly spread across our city, with Sharp Park and Pedro Point absorbing the unfair burden of the majority. **In many Pacifica neighborhoods, but especially in Sharp Park and Pedro Point, there are multiple unhosted STRs operating on the same street, destroying neighborhood character**. For instance, **52% of the homes lining Beach Blvd. are now full-time unhosted STRs.** That street's neighborhood character is all but gone, with scant few actual neighbors left to create any "character." **To protect this "Airbnb Effect" from happening to their neighborhoods, many cities, including Pacific Grove, have put in place a mandated distance between two or more unhosted STRs operating in the same neighborhood. All of Pacifica—and most especially Sharp Park and Pedro Point—desperately need this restriction in place.**

- **Requiring all currently operating STRs to abide by these new ordinance regulations, i.e., no "grandfathering in" of existing Pacifica STRs.**

  WHY IMPORTANT: In neighborhoods throughout Pacifica, a breaking point has been reached because of the damage Pacifica's large number of unhosted STRs have caused through the commercialization of our residential zones, leading to loss of housing, community, neighborhood character, quality of life, and of actual neighbors. **Nothing will ever change if we simply allow current unhosted STR operators to maintain their status quo**. For that reason, cities around us, including **Daly City, have allowed a moderate amnesty period for existing STR owners/operators to come into compliance when new regulations were passed, but treated all STRs operating on or before the enactment of the new ordinance as "existing unpermitted."** Pacifica must do the same or risk further damage and hollowing out of our neighborhoods.

  The above represent reasonable restrictions on unhosted STRs **that are in place in many other cities throughout San Mateo County and along the California coast**. Pacifica will not be an outlier in enacting them. On the contrary, **Pacifica is an outlier for not already having such restrictions in place!**

  I understand that unhosted STRs are good things for their owners/operators and their wallets, but they are too often cancers in our neighborhoods, siphoning away much-needed housing; causing rents and home prices to rise; causing myriad disturbances; robbing residents of neighbors, quality of life, and peace of mind; and hollowing out actual community. This so-called "Airbnb Effect" is a real thing, documented by cities and studies all over the world. For your review, please see KRON's May 3, 2024 report on how cities like San Francisco, Santa Monica, and Irvine beat the Airbnb Effect, rescuing their communities through restrictions on unhosted STRs and instituting "platform accountability policies": https://www.kron4.com/news/bay-area/san-francisco-enacts-platform-accountability-policies-to- end-the-airbnb-effect/. As the report illustrates, when cities claw their neighborhoods back from unhosted STRs, good things happen:

"As the success stories pile up, a growing body of research points to the **dramatic positive impacts of policies like these, including lower rents, more equitable housing markets and the promise of a sustainable tourism economy**."

"In 2018, the city [Irvine, CA] banned all short-term rentals under 30 days and hired a fintech firm to track down and report scofflaw hosts. **This ban more than halved the number of Airbnb properties. As of 2023, rents in the city had dropped by up to three percent, according to a recent study. That saves tenants about $114 per month on average**."

You all know me well, and so also know how badly my family and I have suffered for two-plus years now because of the corporate-owned and -operated unhosted STR that set up its commercial enterprise next to our home. And you also know how this nuisance STR has been allowed to continue operating despite its copious noise and other ordinance violations due to the weakness of Pacifica's current STR ordinance. **PLEASE put the above reasonable restrictions on unhosted STRs into a new ordinance so that the pain will stop for me and for so many other neighbors**. **Let's please choose residents over corporate and out-of-town investors**.

It's highly disappointing that City staff claims to be unable to do things like request documentation of STR applicants for determining primary residence status and to enforce the types of restrictions that cities much smaller than Pacifica have been able to do for sometime. Also, that city staff can apparently depend upon Airbnb to calculate and provide the TOT (arguably the only reason why the city staff is in the STR business in the first place), but can't depend upon Airbnb to verify how many nights an unhosted STR is booked. Finally, **staff ignores the very real and critical role neighbors can and should play in helping to provide information on non-compliant STRs**. Law enforcement agencies the world over employ "see something, say something" strategies, openly inviting citizens to keep them informed about illegal activities. Likewise, our country's judicial system depends upon eyewitness testimony. **The City could very easily set up an "STR tip line,"** where neighbors could call in their concerns.

Thank you, as always, Mayor Vaterlaus and City Councilmembers, for your stalwart service to our city. We residents truly need you in this moment, and are depending upon you to end our unhosted STR nightmares and to put Pacifica on the right side of history as regards the pernicious Airbnb Effect.

With warm and deep respect,

Caitlin Quinn
West Sharp Park

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

PACIFICA HOMES
ARE NOT HOTELS

AMENDMENTS TO THE CITY OF PACIFICA'S CURRENT STR ORDINANCE

PROPOSED BY PACIFICA HOMES ARE NOT HOTELS, A COALITION OF PACIFICA RESIDENTS

(June 20, 2024)

Proposed Ordinance Amendments to Pacifica's Short-term Rental Program

RECOMMENDED ACTION:

Amend the City of Pacifica's current STR ordinance to protect the City's meager housing stock and limit the negative impacts of unhosted STRs on the character of and quality of life in Pacifica's residential neighborhoods.

Section 1. Findings. The City Council of the City of Pacifica hereby amends Ordinance No. 835- C.S. governing Short-Term Rentals (STRs) and declares as follows:

a. The City of Pacifica is committed to its position as a destination for coastal tourism, offering rooms in hotel and motel establishments and RV parks accommodating recreational vehicles.
b. The City Council seeks to support lower-cost visitor serving uses, including accommodations and coastal access pursuant to the California Coastal Act and its Local Coastal Program, while also providing opportunities for income-generating uses in areas that are already developed.
c. The City Council further seeks to protect neighborhood integrity.
d. The City Council has identified affordable housing as a multi-year priority and directed that existing housing stock be preserved for residential use.
e. More than 200 STRs have operated within the city limits without benefit of compatible use regulations and registration requirements.
f. STR vacation rental use has, in some cases, eliminated residential use of dwelling units, especially those used as "whole house" or unhosted STR operations, and thereby reduced housing stock.
g. The operation of some STRs has caused significant disruption within various neighborhoods and required repeated code enforcement efforts; however, absent compatible use regulations and registration requirements, enforcement has not always resulted in sustained improvement.
h. Research concludes that "hosted" STRs with direct oversight from the owner and/or long-term tenant operate more compatibly with their surrounding neighborhood and tend to be lower cost to visitors.

i. Many other cities, including cities within the coastal zone, have implemented short- term rental regulations by imposing a primary residence requirement to ensure better local oversight and neighborhood compatibility.
j. Many other cities, including cities within the coastal zone, have implemented STR regulations that limit the number of overnight stays per year for whole house or “unhosted” short-term vacation rental operations because unlimited and/or predominate use of residential dwelling units as unhosted STRs diminishes, and in some cases leads to discontinuance of, the primary use of the residence as a dwelling unit and thereby reduces local housing stock.
k. Many other cities, including cities within the coastal zone, have implemented STR regulations that do not limit the number of overnight stays for hosted STR vacation rental operations in part because hosted short-term rentals are maintained as residential dwelling units, which is the intended primary use for residential development and maintenance of local housing stock.
l. The San Mateo County 21 Elements collaborative group supports housing policy in San Mateo County and has identified that primary residence requirements and disallowing short-term rental use of accessory dwelling units are effective regulations for preserving housing stock for residential use.
m. The proposed Ordinance amendments are consistent with the City of Pacifica’s Housing Element, which contains programs to preserve housing stock.
n. The proposed Ordinance amendments support hosted STR operations throughout the City as one of many available accommodation types. The City currently has significant visitor-serving capacity, including RV parks and hotels of every class, including “economy” to support lower-income visitors, as well as visitors seeking diversity with respect to accommodation type and location.
o. The proposed Ordinance amendments support lower-cost visitor-serving accommodations through broad allowances for hosted STRs, which have been found through review of rental listings to offer some of the lowest-cost lodging rates in Pacifica. [1]

Section 2. Proposed Ordinance Amendments

Section 9-4.4902- Short-Term Rentals Permitted.

Short-term rentals are permitted in the City of Pacifica, subject to compliance with the following requirements:

1. (a) No person may operate a short-term rental without first obtaining a short-term rental permit issued pursuant Section 9-4.4903. STR permit application to include:

[1] Adopted from LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

i. Name and contact information of the owner and/or operator who falls under the legal definition of a "natural person." All natural persons for whom the property is a permanent address shall be listed as "operator."
ii. Site plan showing location of all existing buildings and location and dimension of on-site parking.
iii. Floor plan showing all rooms with each room labeled as to room type, identifying only legal bedrooms as such.
iv. Proof of primary residence. The owner/operator, a "natural person," shall provide documentation that the property where the STR is to be conducted is the owner's/operator's primary residence[2] (i.e., they physically live in the residence 275 days per year).[3]
v. If STR is to be operated "unhosted," the name and contact information for designated operator/contact who will be available 24/7 (including all holidays) by phone during all times the property is rented and who can arrive at property within 20 minutes to respond to any issues.[4]

2. (b) In accordance with Section 9-4.453(a)(6), no person may operate a short-term rental in any accessory dwelling unit.
3. (c) Each person operating a short-term rental shall comply with the transient occupancy tax requirements set forth in Chapter 7 of Title 3 of this Code and shall obtain a Transient Occupancy Registration Certificate pursuant to Section 3.7-06.

   (d) Each person operating a short-term rental shall obtain a business license and pay the business license tax required pursuant to Chapter 1 of Title 3 of this Code.

   (e) No person shall operate or allow short-term rental of property in any location not approved for use as a permanent dwelling unit including, but not limited to, any vehicle, trailer, tent, storage shed or garage.

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[2] From HMB Municipal Code, 2.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[3] From Daly City's Short-term Rental regulations: https://dalycity.org/428/Short-Term-Rentals
Also, from Millbrae's Municipal Code, Ordinance 771: STRR-Ordinance-771-PDF (millbrae.ca.us)

[4] From HMB Municipal Code, 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

4. STR licenses are subject to a one-per-parcel and 250' zone of exclusion limits. The zone of exclusion is the distance of 250 (250) lineal feet from an existing STR parcel boundary.

Section 9-4.4903- Short-term Rental Permit Required.

A short-term rental permit may be approved by the Administrator, provided that the Administrator determines the applicant has met the following requirements:

(a) *Application.* The applicant must complete an application on a form provided by the City, accompanied by a fee established by resolution of the City Council.

(b) *One-Year Waiting Period*. Any property owner who wishes to convert a residential property to an unhosted STR must wait a minimum period of one (1) year from taking ownership of said property before applying for a short-term rental permit. There is no waiting period for an owner who wishes to operate a hosted STR within their residence.[5]

(c) *Proof of primary residence*. The owner/operator must provide official documentation proving the home is their primary residence, i.e., the owner/operator resides at the property a minimum of 275 days per year, including a copy of the property tax bill with the correct homeowner exemption designation and at least one (1) additional form of documentation such as a driver's license, DMV registration, or voter registration. A person may only have one primary residence at any given time. If a property has multiple dwelling units, as in an apartment complex, each dwelling unit shall be considered a separate residence subject to the primary residence requirement.

(d) *Property owner consent.* If the applicant is a tenant, he or she must demonstrate written consent of the property owner to operate short-term rentals on the property. The City will then notify the property owner to confirm consent.

(e) *Contact information.* The applicant must provide current contact information to the City, including the name and contact information for local party responsible and available by phone 24/7 for the dates when an unhosted STR is in operation and confirming they can arrive at property within 20 minutes to address any issues.[6]

(f) Applicant must provide a list of all advertising platform(s) to be used in relation to STR and ensure the City-provided permit number is clearly and prominently included on all such advertisements.

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[5] Added as bulwark to protect Pacifica's housing stock from predatory buying.

[6] From HMB Municipal Code, 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

(g) *HOA*. If the property is subject to a homeowners' association (HOA), the applicant must provide written approval from the HOA to use the property as a short-term rental.

(h) *Proof of rental nights*. For any permit renewal, the owner must provide documentation of the number of nights the unit was rented during the prior year, including whether the unit was used as a hosted or unhosted short-term rental[7].

(i) *Fee*. The owner shall pay a registration fee prescribed by City Council resolution, no part of which shall be returnable to the owner. The City Council may establish fees that are different for initial registration of a new STR and renewals of registrations for existing STRs.

(j) *Additional Materials*. Additional materials as deemed necessary by the Assistant City Manager may also be required.

Property Registration Requirements

The Assistant City Manager shall only register STRs that comply with all of the requirements of this Section, including:

(a) *Building and Fire Code Inspection*. There shall be no outstanding building electrical, plumbing, fire, health, housing, police, or planning code violations or enforcement actions, including any notices of violation, notices to cure, orders of abatement, cease and desist orders, or correction notices related to the property on which the STR is to be located.
(b) *Indemnification*. The property owner and any separate operator shall jointly and severally agree to indemnify, hold harmless the City and its officials, employees, and agents from any and all liability, actions, claims, damages, costs and expenses, including reasonable attorney's fees and costs, which may be asserted by any person or entity arising from or related to the issuance of the STR registration or its operations.
(c) *Insurance*. The owner shall file a certificate of insurance showing the maintenance of specific short-term/vacation rental insurance in the amount appropriate to cover any liability of the operator for property damage and injuries to persons in connection with STR activities.
(d) *Consent to Inspection*. Consent to physical inspection(s) by City staff, contractors, or representatives for the purpose of verifying compliance with all STR regulations during regular business hours (9 a.m. to 5 p.m.) or if in response to a complaint, regardless of the time. Consent to provide records of compliance to the City within one (1) week of request.[8]
(e) *Business License*. The owner/operator shall obtain a City of Pacifica business license.
(f) *Transient Occupancy Tax*. Evidence of compliance with the provisions of transient occupancy tax (TOT), including registration certificate. For STRs operating prior to the date of application, payment of all taxes, penalties, and interest due is also required.

[7] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[8] HMB Municipal Code - 3. Registration Requirements
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

(g) *Notification*. The owner shall have notified all neighbors within 500 feet of the STR property of intent to operate said property as an STR and posted a temporary sign for thirty (30) days on the property indicating intent to register as an STR.[9] The notification and signage shall include the contact information of the local responsible party designated to respond to a complaint 24/7 and who can arrive at property within twenty (20) minutes. Once STR is registered, a permanent sign on the property is to be erected in public view, providing the name and phone number of said local responsible party and City-provided permit number.

(h) *Compliance*. The property on which the STR will be located shall not have had two (2) or more violations of the City's Municipal Code within the last twelve (12) months from registration submittal and shall not have been denied registration or had registration revoked within the preceding twelve (12) months. Further, the STR's operator shall not have had two (2) or more violations of the City's Municipal Code within the last twelve (12) months from registration submittal related to any STR, shall not have been denied registration for any other STR within the preceding twelve (12) months, and shall not have had an STR rental registration or permit revoked at any time within the County of San Mateo. [10] Any host whose registration has been denied or revoked shall be ineligible from applying for a new STR registration for a 24-month period.

(i) *Nuisance*. Operation of the STR must not be a public nuisance or threat to the public health, safety, or welfare. It also must not directly and negatively impact the quiet enjoyment of any neighbor's home within 500 feet of the property. [11] There shall be no interior or exterior activity related to the STR that interferes with or is detrimental to residential use of adjacent property.

Section 9-4.4904- Permit Term and Renewal

A short-term rental permit is valid until October 31 of the year it is issued, unless suspended or revoked by the Administrator. The permittee may renew the permit annually, by submitting a renewal application and fee before the expiration of the permit. All neighbors within 500 feet of the STR shall be notified at least 30 days in advance by the STR owner/operator of intent to renew permit. Any host whose registration has been denied or revoked shall be ineligible from applying for a new registration for a 24-month period.[12] An approved registration shall be personal to the Host and shall automatically expire upon sale or transfer of the dwelling unit. No registration may be assigned, transferred, or loaned to any other person.[13]

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[9] Modeled on HMB Municipal Code 3.f - 100 feet increased to 500 feet for more broad neighborhood awareness.

[10] HMB Municipal Code 3.h.
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

12 Modeled on HMB Municipal Code 3.i. Language added re: protection of "quiet enjoyment of any neighbor's home" in response to significant neighborhood complaints across the City as heard at 3/9/24 goal-setting meeting.
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html%2318.06

[12] Modeled on HMB ordinance.

[13] Modeled on Daly City ordinance.

Section 9-4.4905- Operating Requirements and Performance Standards

(a) *Permit Required.* The short-term rental must be operated under a valid short-term rental permit issued by the City in accordance with Section 9-4.4903.

(b) *Current Information.* The short-term rental permittee shall, during the term of the permit, promptly inform the Administrator regarding any changes regarding information provided in the application, including contact information, designation of local responsible party, and information regarding advertising platforms used by the permittee to advertise the short-term rental.

(c) *Notification of City Registration*. The operator shall ensure that all advertising in any written publication or on any online website, or any other medium that lists or offers the availability or existence of the STR property, includes the city-issued STR registration number.[14]

(d) *Notification of City Requirements*. The operator shall prepare a manual of City requirements and standards for STR renters to be reviewed by and kept on file with the Assistant City Manager. The operator shall provide said manual to all renters in conjunction with any booking, as well as prominently display manual in the STR. The manual shall include the contact information for the local responsible party who is available 24/7 and who can be at the property within twenty (20) minutes. Within two hours of arrival, guests are required to sign the City's Good Neighbor Agreement, verifying they have received manual and understand and will adhere to all noise, parking, trash, party/event restrictions according to the City's code.[15]

(e) *Primary Residence*. No dwelling unit shall be operated as an STR unless the dwelling is the primary residence of the operator. (Primary residence to be defined as the residential property at which a person resides a majority of the time, i.e., 275 days per year, carries on basic living activities, is the place they usually return to in the event of travel, and can be substantiated through evidence such as a homeowner's exemption on the property tax bill, driver's license, DMV registration, or voter registration or long-term lease of the residential property.)[16]

(f) *Maximum Number of Rental Nights*. An unhosted STR shall be operated no more than sixty (60) nights per calendar year. There are no rental night limitations for hosted STRs.[17]

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[14] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[15] Good Neighbor Agreement modeled on document in effect in Trinidad, CA: https://www.trinidad.ca.gov/media/1881

[16] Again, primary residence requirement language based on Half Moon Bay ordinance.

[17] As per Half Moon Bay ordinance 5.c:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

i. An unhosted STR is defined as an STR use where a primary resident is not present during the course of the rental.

ii. A hosted STR is defined as an STR where a primary resident, who is the operator and acting as host, occupies one or more bedrooms in a dwelling unit while other areas of the unit are rented for the purpose of transient overnight lodging.

(g) *Minimum Number of Rental Nights*. An unhosted STR shall not be rented out for any one period of time for fewer than three (3) consecutive nights. There are no minimum rental night requirements for hosted STRs.

(h) *Maximum Number of STRs per Owner/Operator*. The maximum number of STRs per owner or operator within the City limits is one (1).[18]

(i) *Maximum Number of STRs Per Site*. The maximum number of STRs is one (1) per assessor's parcel number, one STR per residential condominium dwelling unit, or one STR per site developed within a duplex or triplex. An operator may register different areas of a site for use as an STR, but only one STR may be operated at a time.[19]

(j) *Maximum Number of Rental Agreements*. Only one (1) rental agreement may be in effect for an STR at any one time.[20]

(k) *Responsible Party*. For hosted STRs, the homeowner shall be the host and the responsible party. For unhosted STRs, the responsible party may be the property owner, operator, or the operator's agent. In all cases, the responsible party shall be a local contact person who shall meet all of the following minimum qualifications:

i. Be available twenty-four hours per day and seven days per week when the STR is in operation (including all major holidays); and

ii. Be accessible and able to respond in person at the STR within twenty (20) minutes to any complaint regarding the condition, operation, or conduct of occupants of the dwelling; and

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[18] As per Half Moon Bay ordinance 5.d:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[19] As per Half Moon Bay ordinance 5.e:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[20] As per Half Moon Bay ordinance 5.f:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

ii. Be responsive and able to take remedial action to resolve any violations of the requirements of this section, up to and including eviction of the current renters.[21]

(l) *Maximum Overnight Occupancy*. Overnight occupancy for STRs shall be limited to two (2) persons per bedroom, up to a total of eight (8) occupants. For a hosted STR, the bedrooms occupied by the host shall not be used in determining the maximum overnight occupancy for guests.[22]

(m) *Record Keeping*. The operator shall retain records documenting the compliance with this section for a period of three (3) years after any STR rental, including but not limited to, records indicating the history of all STR reservations on the subject property from the hosting platform or otherwise, records indicating the payment of any and all transient occupancy taxes, length of stay per reservation and number of persons per reservation. Upon reasonable notices, the operator shall provide any such documentation to the City.[23]

(n) *No Visibility*. Apart from a permanent sign listing the name and contact information of the local responsible party and STR permit number, the existence of the STR shall not be apparent beyond the boundaries of the site.[24]

(o) *Traffic*. An STR shall not create pedestrian, automobile, or truck traffic detrimental to property in the vicinity or neighborhood parking. The STR property address will also be clearly marked.[25]

(p) *Parking*. The maximum number of vehicles allowed at the STR shall be limited to one (1) vehicle per one-bedroom unit, two (2) vehicles per two- or three-bedroom unit, and one (1) additional vehicle for four or more bedrooms. On-site parking spaces shall be provided for at least fifty percent of the maximum allowed number of vehicles. No vehicles shall be used for overnight occupancy.[26]

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[21] As per Half Moon Bay ordinance 5.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[22] As per Half Moon Bay ordinance 5.h:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[23] As per Half Moon Bay ordinance 5.i:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[24] As per Half Moon Bay ordinance 6.c:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[25] As per Half Moon Bay ordinance 6.d:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[26] As per Half Moon Bay ordinance 6.e:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

(q) *Additional/Day-time Visitors*. The total number of day-time visitors to any STR are limited to one-half the total number of permitted renters (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) day-time visitors). Further, day-time visitors are only permitted on the STR property between the hours of 7 a.m. and 10 p.m.

(r) *Noise Limits*. All properties on which STR use is occurring shall be required to follow the standards set forth in Municipal code Sec. 5-10.01 through Sec. 5-10.03, with "quiet hours" observed from 10 p.m. to 7 a.m. Noise restrictions during quiet hours include, but are not limited to, loud voices, playing music, luggage dragging, and loading and unloading vehicles. [27]

(s) *Building and Fire Codes*. All properties on which STR use is occurring shall remain compliant with all applicable building and fire codes.[28]

(t) *State and Local Laws and Orders*. All STR use shall comply with all applicable state and local laws and orders, including any public health order.[29]

(u) *Special Events*. STRs shall not be used for any commercial purpose (such as a corporate retreat or conference) or any event that is likely to result in violation of traffic, parking, noise, or other standards regulating the residential use and character of the neighborhood. Such events include weddings, bridal or baby showers, retreats, parties of any type, and concerts. [30]

(v) *Trash and Recycling Management*. STR use shall comply with all trash and recycling requirements and scheduled solid waste pick-up days at least once per week. Trash and recycling containers shall be located to be readily accessible for guest use. No trash or recycling containers are to be left on the street after pick-up for a period of 12 hours or more.[31]

(w) *Guest Safety.* The short-term rental permittee must provide the following materials electronically to any guests before arrival and make available printed materials on-site for the guest with the following information:

1. (1) A diagram of exits, fire extinguisher locations, and fire and police contact numbers;
2. (2) The short-term rental permittee's contact information;

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[27] Modeled on Half Moon Bay ordinance 6.f, with language added to address common complaints made by current Pacifica residents at City Council meetings.

[28] As per Half Moon Bay ordinance 6.g:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[29] As per Half Moon Bay ordinance 6.h:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[30] As per Half Moon Bay ordinance 6.i:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

[31] As per Half Moon Bay ordinance 6.j:
https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06

3. (3) The local responsible contact's phone number;
4. (3) The City's noise regulations; and
5. (4) Good Neighbor Agreement, which each STR guest is required to sign within two hours of arrival at property and email to STR operator to keep on file for presentation to City upon request.

(x) *Duplexes and triplexes*. STRs may operate from duplexes and triplexes under limited conditions, as follows:

1. At least one unit within the duplex or triplex is the primary residence of the property owner; and

2. No more than one unit in a duplex or triplex may be registered and operated for STR use.[32]

(y) *Prohibited*: STRs may not operate from mobile homes, recreational vehicles, "tiny homes," multi-family developments with four or more units, any mixed-use or residential development containing one or more units restricted to be affordable to lower income households, or accessory dwelling units.[33]

Section 9-4.4906- Permit Revocation and Enforcement.
(a) *Permit Suspension or Revocation.* The Administrator may suspend or revoke a short-term rental permit after making a determination that the permittee has violated any of the provisions of this article or is operating the short-term rental in a manner that is detrimental to the public health, welfare or safety or constitutes a nuisance and/or has been shown to interfere with the quiet enjoyment of their home by any neighbor within 500 feet of the STR property. The Administrator shall provide the permittee with written notice stating the supporting factual basis for the decision. The notice shall contain an advisement of the right to request an appeal before a hearing officer by filing a written appeal.

(b) *Appeal to Hearing Officer.* Suspension or revocation issued by the Administrator pursuant to paragraph (a) will be effective ten days from the date appearing on the notice, unless a timely appeal is filed before such date along with the deposit of an appeal fee established by resolution of City Council. A hearing shall be scheduled before the hearing officer within thirty (30) days. The decision of the hearing officer shall be a final administrative order, with no further administrative right of appeal or reconsideration. The hearing officer may sustain a denial, suspension or revocation, overrule a denial, suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension.

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[32] From LCP-2-HMB-21-0078-2: https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-exhibits.pdf

[33] Ibid.

Reapplication. No application for a short-term rental permit will be accepted within 24 months after a short-term rental permit is revoked.

(d) *Enforcement.* The City may enforce this article by any means permitted by law, including but not limited to those penalty provisions set forth in Chapter 2 of Title 1 of this Code. The City Council may establish fines for violating this article by resolution.

Section 3. Compliance with CEQA. The City Council hereby finds that the action to adopt this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15061(b)(3) of the CEQA Guidelines (14 Cal. Code Regs. 15000 et seq.) because it can be seen with certainty that there is no possibility that the adoption of this Ordinance may have a significant effect on the environment. The City Clerk shall file a Notice of Exemption with the San Mateo County Clerk.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 5. Publication. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance by the City Council of the City of Pacifica, California, and cause the same to be published once in The Pacifica Tribune, a newspaper of general circulation, published and circulated in the City of Pacifica, California.

Section 6. Effective Date. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law. For areas within the Coastal Zone, this Ordinance shall not become effective until the California Coastal Commission certifies an amendment to the City's local coastal program pursuant to Section 30514 of the Public Resources Code.

Section 7. Amnesty Period. Notwithstanding any other provision of law, short-term rentals operating on or before the enactment of this ordinance shall be considered existing, unpermitted uses. An amnesty period of ninety (90) days after the effective date of this ordinance is being offered to allow these existing, unpermitted uses to be legalized by conforming to the requirements of this amended ordinance, including compliance with operating standards, registration, and recordkeeping obligations. Transient Occupancy Tax payments continue to be required at all times for STRs and must be collected and paid during the amnesty period. Applications to bring an existing, unpermitted STR use into compliance shall be made on or before ninety (90) days after the effective date of this ordinance. Existing STR uses that do not conform to the requirements of this section shall cease operation within ninety (90) days of the

effective date of this ordinance and shall be prohibited from resuming unless and until the use conforms to the requirements of this ordinance.[34]

PASSED AND ADOPTED this ___ day of _____, by the following vote

AYES:

NOES :

ABSTAIN:

ABSENT:

[34] See 5.92.090 of Daly City short-term rental ordinance: https://www.dalycity.org/DocumentCenter/View/4261/Ordinance-1440-PDF

From: Breck Hitz [redacted]
Sent: Sunday, August 25, 2024 8:57 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

I coordinate the Pacifica Police Department's "Map Your Neighborhood"
program, which organizes neighbors to meet and identify capabilities and vulnerabilities within own their small -- 8 to 12 houses -- neighborhoods. In the past decade I've seen maybe a dozen Pacifica neighborhoods come together to "map" themselves, and even today several new neighborhoods are working to join them.

As homes in "mapped" neighborhoods become STRs, it undermines the spirit of cooperation that the neighbors created and essentially undoes the benefit of the Map Your Neighborhood program. For this reason, I urge City Council to adopt regulations similar to those in other California cities restricting the operation of unhosted STRs.

- Breck Hitz
  Pedro Point resident since 1990

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Liping Yu [redacted]
Sent: Sunday, August 25, 2024 9:12 PM
To: Public Comment; _City Council; Coffey, Sarah; Woodhouse, Kevin
Subject: Public comment for 8/26 Agenda Item 7: STR Study Session, Liping Yu

[CAUTION: External Email]

Dear Pacifica City Councilmembers,

As a constituent of your district and a short term rental host, I have been part of the Pacifica community for over 3 years. The relaxed and welcoming beach vibe was what drew my husband and I here. Hosting allowed me to afford a slice of the coastal living, and also shared it with visitors near and far.

As a proud business owner, we took pride in the pristine condition of our house, the neighborhood and the community. We enjoyed and shared with our guests our favorite hiking trails, and local eatery, cafe and restaurants. And we've got hundreds of feedback on how much they've enjoyed and appreciated the city and our neighborhood. It is our commitment to be a good host as well as a good neighbor.

Through the hosting community, we have learned that the vast majority of STR operators are compliant in Pacifica and that it is only a few bad actors causing problems. We support effort in strengthening enforcement against bad actors while preserving my rights as a host. We love our community and are respectful of our neighbors, which is why I am asking you not to ban unhosted stays.

Thank you for listening to our voice and thank you for your work on this difficult issue.

Sincerely,
Liping Yu

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From: Arlene Zhao [redacted]
Sent: Sunday, August 25, 2024 9:22 PM
To: Public Comment; _City Council
Subject: Public comment for 8/26 Agenda Item 7 - Arlene Zhao

[CAUTION: External Email]

Dear Pacifica City Council Members,

My name is Arlene Zhao, and I've been hosting on Airbnb in our community for the past five years. I truly enjoy hosting because it allows our family to embrace coastal living and share unique experiences with visitors from near and far.

I am writing to express my concerns about the potential ban on unhosted short-term rentals (STRs) or restrictions on the number of hosting days. Such changes would significantly impact our ability to continue hosting and could even jeopardize our ability to keep our home.

We deeply value our community and treat our short-term rental with the same care as our own home, always remaining respectful of our neighbors. I understand the issues raised at the last meeting were due to a few non-compliant hosts, but the majority of STR hosts in our city adhere to the rules. I believe that, by working together, we can address these concerns and enhance our community.

Here's how we manage our rental:

- **Strict No-Party Policy:** We enforce quiet hours from 9 pm to 8 am, which is stricter than city requirements. A noise detector monitors sound levels during these hours, and we have never received any complaints about parties.
- **Designated Parking:** We provide a designated parking spot for our guests and host only a small number at a time, avoiding any parking complaints from neighbors.
- **Property Maintenance:** We invest heavily in maintaining our rental in excellent condition. A dedicated team handles repairs, cleaning, gardening, and pest control to ensure the property remains well-maintained.

How Hosting Benefits the Community:

- **Increased Security:** More people around can enhance the sense of safety in the area. Our neighbors appreciate our outdoor security cameras, which contribute to neighborhood security. We also keep our property in excellent condition, benefiting the community.
- **Community Support:** Our short-term rental provides a convenient accommodation option for friends and family visiting our neighbors.
- **Local Business Support:** Our guests frequently visit local markets, restaurants, shops, and services, boosting the neighborhood economy.
- **Job Creation:** Hosting creates jobs in property management, cleaning, and maintenance.
- **Property Revitalization:** STRs lead to improvements and upgrades in properties, helping to revitalize areas.

I sincerely hope we can address any concerns about short-term rentals while recognizing the positive contributions they bring to our community. Please reconsider any bans on unhosted stays. Thank you for considering my perspective!

Sincerely,
Arlene Zhao

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From: Carol [redacted]
Sent: Sunday, August 25, 2024 9:24 PM
To: Public Comment
Subject: Please support the proposed limits on STRs in Pacifica

[CAUTION: External Email]

Please support the suggestions made by residents who wish to have stronger regulations and limitations on short term rentals in Pacifica.

Hotels in Pacifica have put money into developing their properties and yet they are usually only partially occupied. STRs are the the main reason.

Small mom and pop STRs where owners are local, hands-on, and willing to work with neighbors if problems arise are not the problem.

But the uptick in large scale, corporate-owned STRs has caused major problems for our community.

The more properties sold to large scale STR companies, the fewer residences available for people seeking permanent housing and wishing to become long term, tax paying members of our wonderful little city.

Houses are not hotels. Take a stand on this issue, please.

Thank you,

Carol Fregly
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Anna Tong [redacted]
Sent: Sunday, August 25, 2024 9:51 PM
To: Public Comment
Subject: Anna Tong - Agenda Item 7

[CAUTION: External Email]

Dear Members of the Pacifica City Council,

I am writing to you as a passionate short-term rental (STR) host in our beautiful coastal town of Pacifica. For the past 3 years, I have had the privilege of welcoming visitors from around the world to Pacifica, and I hope to provide some perspective on why we should allow unhosted STRs to continue.

STRs are a way for families to experience our beautiful coastline without breaking the bank. By making Pacifica accessible to a wider range of visitors, STRs play a crucial role in promoting tourism and supporting Pacifica's local economy.

For example, last month I hosted a family of six from Central California who were escaping a 115-degree heat wave in their hometown. For $238 a night, they got to celebrate their 6 year-old daughter's birthday with some much-needed relief by the ocean.

Another group was a couple who stayed with us while visiting their relatives who live in Pacifica. They brought their two nieces from Connecticut, who were excited to attend surf camp at Linda Mar. After they left, in their review they wrote that they enjoyed walking about our neighborhood and checking out the "cute shops and library that are very close by." Since they were staying over a week, they needed a kitchen and chose to stay in a STR.

A third example is a military family who were visiting from New York State and had never been to California. A few weeks ago, they stayed with me for less than $200 per night. They said they saw lots of whales and sea lions during their stay, and enjoyed the safe neighborhood, the pier and being able to hear the ocean at night.

These experiences are just a few examples of how by allowing STRs, we open our town to visitors who might not otherwise have the opportunity to experience Pacifica's unique charm. This not only supports local businesses—restaurants, shops, and surf lessons—but also makes our town an inclusive, welcoming place.

Furthermore, STRs provide an opportunity for residents like myself to supplement our income, which is essential for me, as the Bay Area is very expensive and I am a reporter. The income generated from hosting helps me pay for things like a much-needed roof replacement.

I am extremely empathetic to the issues some STRs cause, and I absolutely cannot stand hosts that are not respectful neighbors and good community members. I have never received a complaint and I use noise monitoring to ensure guests are not disruptive during quiet hours, screen guests diligently and never allow large gatherings. I encourage city council to look into regulations like fines and a "three strikes then you're out" rule. I am against an outright ban of unhosted STRs, or any day caps on unhosted STRs. STRs can coexist harmoniously with our long-term residents.

Thank you for your time and consideration.

Sincerely,
Anna Tong

From: Alexandros Vardakostas [redacted]
Sent: Sunday, August 25, 2024 9:55 PM
To: Public Comment
Subject: Pro unhosted STRs - against bad hosts

[CAUTION: External Email]

I'm an STR host in Pacifica.

I am vehemently against PHANH's proposed ban or day restrictions on unhosted/non-primary residence STRs as it would unfairly punish good hosts who care deeply about their neighbors, contribute significantly to Pacifica's municipal budget, and provide the most affordable lodging options for families wishing to appreciate our beautiful beaches. We deeply love Pacifica and take our responsibilities very seriously.

I am also in horror of what some members of PHANH have experienced if living next to an awful host that requires police intervention. I strongly support legislation that targets bad hosts while protecting the good hosts whether unhosted or not (hosted STRs can be nuisances as well!). The data is that 50% of all complaints come from just four STR listings. A three-strikes rule (perhaps also with large fines!) is clearly the most direct way to eliminate those who deserve to be eliminated while protecting the honest STRs who contribute immensely to our community. Let's punish and eliminate the bad actors.

I take my duties to my neighbors extremely seriously. I've installed noise sensors, require that my guests write that they agree to our noise policies, and check every single reason they are visiting. I am frankly aggressive in rejecting guests, putting my neighbor's peace and quiet above money made from guests. I'd much rather have a vacant home than bother my neighbors.

Further, my neighbors (who are not STR hosts) can be extremely loud. My neighbors have been the cause of every single noise-sensor alert for almost two years now. One neighbor accidentally started a fire on my fence. Another has a huge pile of construction trash (think: old pipes, rusted metal, degraded wood) sitting there for years. I are near a marijuana dispensary and other loud commercial buildings. Nevertheless, I'm certainly not complaining. I'm happy where I am: providing a clean, thoughtfully curated place for respectful visitors to stay and contributing heavily to Pacifica's municipal budget while disturbing no one. And compared to *some* neighbors, my STR guests are frankly much more respectful of our community's character.

Personally, I absolutely love hosting. I get to support families and facilitate unforgettable memories in Pacifica. Also, a happy, lively town has tourists. Hosts like me, (there are only ~150 of us- out of 15,000 homes, a mere 1 out of 100 homes) provide an opening in the curtain that would otherwise seal off Pacifica from the outside world. Hotels simply can't provide this as a multi-generation family not only can't fit into one space, they often can't afford the multiple hotel rooms they would need to pay for to house everyone. Furthermore, banning unhosted stays would simply jack up hotel prices even more (as well as the rents sought by hosted STRs).

Plus, the majority of our guests are families seeking climate refuge from overheated inland communities. Some examples of what our wonderful guests are saying (names withheld to protect privacy):

3. ***"Out of the valley heat and our grandsons had a great time without breaking the bank!! Thank you for making it all possible!"***

8. ***"Hello! :) we are planning this awesome little trip up the coast for my Grandma's bday. She was recently diagnosed with dementia so my parents, kids (2), and I want to make sure we give her the most memories we can. Our kids are usually in bed by 9 so no need to worry about loudness coming from us."***

13. ***"Hello, visiting because it's my daughter's 6th birthday. We live in central California and want to escape our 115 degree heatwave!"***

18. ***"Hi! I grew up in Pacifica so the fam and I are coming back for a visit. It will be my son's first time in Pacifica! Can't wait to show him around :)"***

23. ***"This will be my Mother's Day treat... so looking forward to hearing the waves, doing a little hiking at Mori Point and watching the sunset over the ocean! Living in Fremont, we don't get there often enough!"***

"We live way up in the foothills of the Sierra and never get to see the ocean anymore."

32. ***"Me and my fiance just got engaged and we plan to spend a nice weekend at your brilliant home by the sea!"***

37. ***"Pacifica is mine and my husband's favorite ocean getaway as of lately and we would like to bring our children down with us to enjoy the beauty this time."***

42. ***"We used to live in Pacifica and are looking forward to spending some time walking along that gorgeous beach."***

46.

47. “My husband’s family lives in Pacifica and we booked the place so that we could

48. ***spend time with them… It is not easy to find a place as accommodating of children and as well appointed as your home.”***

49.

We create lovers of Pacifica and provide a refuge from the heat for families who otherwise couldn’t afford multiple hotel rooms.

I’ve followed all of the rules that Pacifica laid out for me and contributed far more than the average resident to its tax base. Most of all, I am diligently respectful towards my neighbors and always open should they have any constructive feedback for me.

Unfairly punishing me by banning unhosted/non-primary residence STRs or putting day restrictions would cause immense financial harm as well as the emotional loss of doing something I love and having a sense of connection to both Pacifica and the world outside of it. The financial loss would be life changing for me.

It would also hurt all Pacificans by significantly contracting the municipal budget. And it would seal residents off from the diversity that respectful visitors bring.

It would hurt the many families from inland cities seeking climate refuge and who want a brief opportunity to experience what those able to afford a home near the beach get to enjoy.

Let’s get these bad hosts out of town while protecting the immense and diverse benefits that the tiny base of 150 STRs bring us. I support aggressive three-strikes-and-you’re-out policies and steep fines for bad hosts!

Kindly,

Alex

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Debi [redacted]
Sent: Sunday, August 25, 2024 10:54 PM
To: _City Council
Cc: Public Comment
Subject: Public Comment for 8/26/24 Council Meeting: Item 7 - Short Term Rental Study Session

[CAUTION: External Email]

City Council Members:

This is the second time I'm writing to urge you, as both stewards of this City and fellow residents/neighbors, to pass stronger regulations for unhosted STRs in Pacifica, like towns large and small throughout San Mateo County have already done. Although we are very late in passing these sensible regulations, it means Pacifica can benefit from the research and learnings of our neighboring towns, providing a laundry list of specific best-practice provisions already in place and allowing towns to better manage their housing stock and keep peace in neighborhoods.

I moved to Pacifica 4 years ago from crowded San Jose. I was excited to live in a smaller town where people actually know their neighbors. When you choose a new home, you know you might have a barking dog or loud child to contend with, maybe a poorly tended lawn or bright lights shining in your window. In my case, it was all of these. But, I was able to work through the situations with my neighbors because we live near each other, we see each other regularly and we mutually respect each other's desire to peacefully live together. In short, we're neighborly.

But Pacifica's lack of unhosted STR regulations means that the place I chose to live in - a RESIDENTIAL neighborhood - now has COMMERCIAL enterprises (pseudo hotels) sprinkled throughout it. Worse still, these are MINIMALLY managed and MINIMALLY regulated commercial enterprises - there is no manager on site ensuring noise ordinances are followed, parking regulations are adhered to, garbage is properly collected/disposed of, security is maintained. Can you imagine the Fairfield Inn or Lighthouse Hotel or Sea Breeze Motel operating without an onsite manager? Of course not but our lax regulations currently allow this situation throughout Pacifica and in RESIDENTIAL neighborhoods. If I wanted to open a retail store in my residence, of course I'd be denied - it's a residential zone. Why are people allowed to run mini hotels wherever they want?

As much as Pacifica stands to benefit from others' trial and error on unhosted STR regulations being at the tail end of passing ordinances, we're also suffering as one of the last towns that hasn't gotten its act together - our homes/apartments are ripe for the picking by companies looking to still profit on STRs where they can no longer elsewhere because EVERYONE ELSE has introduced limits. Some owner or ownership group, likely in another town (maybe even another state or country) gets rich while our police have to deal with noise complaints, our trash service has to deal with overflowing bins, our residents have to fight to find parking, our children have to see people urinating in yards, our hard-working people can't find affordable housing, our businesses close because they don't have enough residents to support them, our schools lose funding because STRs don't have resident children — honestly, Pacifica must really look like a bunch of patsies and suckers to these ownership groups who are miles away from the problems their STRs cause, counting their money.

I understand that the city management has recommended against anything more than capping the number of permits (something even the Coastal Commission thinks isn't enough) because more stringent regulations would be difficult.

Maybe. But isn't the security, peace and character of this town worth the work? And the "Pacifica Homes Are Not Hotels" group has done the heavy lifting on drafting a regulation (and can introduce City management to myriad resources to help them learn how other towns have successfully found a balance between what's best for residents, visitors and the town itself).

Please please please don't let this great town become a bunch of soulless party houses lining the pockets of people who see us not for our beauty and uniqueness but as resource to be taken advantage of, at whatever cost.

Thank you!

- Debi Hirshlag

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From: Andrew Meiman [redacted]
Sent: Sunday, August 25, 2024 11:00 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session
Attachments: STR Ordinance Letter 082524.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members:

I've reviewed the Staff Report for the Aug 26 Short Term Rental Study session and would like to address two main areas:

1) Economic Analysis
2) Platform Accountability

Before getting into those issues, I want to state that I am not against STRs and I support the idea of hosted rentals, with a limit on the number of permits held by a single entity.

Economic Analysis

The report's economic analysis is wholly inadequate, though it asserts the economic benefit of STRs throughout. The background section sets the table, saying:

"An effectively managed STR program can serve as a robust driver for the local economy, boosting tourism and hospitality, increasing local spending, enhancing property values, supporting local small businesses, and expanding the visitor-serving economy."

This "fact" is unsubstantiated and the report provides no analysis showing it to be true. In fact, for unhosted rentals, the City of San Francisco concluded just the opposite:

"On a net basis, then, a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year." (emphasis added, City of SF STR Economic Impact Report, pg 8 final bullet)

Why do we think the economics in Pacifica are so different that it flips the equation? Just what is the magnitude of the net impact on our economy? An ordinance that will have such wide-ranging impacts, good and bad across the community, needs a thorough Economic Analysis that considers the net economic impact. It's particularly important when suggested improvements to the ordinance are dismissed by staff asserting, for example, "If the City decides to ban or further restrict unhosted STRs, it would likely lead to a significant reduction in STR permits from compliant hosts, significantly impacting the economic benefits that the STR program provides to the local economy and local businesses."

The Transient Occupancy Tax (TOT) lost by STRs, if any, would be at least partially made up by TOT from the same visitors staying in hotels, the capacity and vacancy rates of which are not mentioned anywhere in the study. If not used for unhosted rentals, a majority of the homes would have permanent residents spending money in Pacifica year-round. None of this is addressed in the report.

Under the STR Density item, "…staff recommends further evaluating this provision with a financial impact analysis…" That analysis should absolutely be done, and done as a part of a broader STR Economic Analysis considering the full, net impact of STRs, both hosted and unhosted.

Platform Accountability

Another main theme that runs throughout the report is that the City won't be able to effectively enforce aspects of a strong ordinance. A large part of the solution to that problem is to outsource the task to the Platforms, such as Airbnb and VRBO, by explicitly putting them on the hook like San Francisco and others have done. San Francisco's STR ordinance was amended in 2016:

"… to require Hosting Platforms verify that a Residential Unit is on the City Registry prior to listing; require Hosting Platforms respond to notices and requests for information; and provide for civil, administrative, and criminal penalties against Hosting Platforms for violations of the Residential Unit Conversion Ordinance...."

San Francisco's amended Ordinance was litigated and San Francisco won, setting precedent for others. (amended Ordinance: https://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances16/o0104-16.pdf)

The key to success here is the financial consequence for the Platform when they list unpermitted properties. Voluntary collaboration is nice, but if we make it mandatory with consequences for their non-compliance, we will get real results and the system will be self-correcting. And if it isn't, there will be an income stream from Platform fines to pay for the City's efforts.

Regardless of the final policy provisions of the ordinance, making the Platforms accountable to list only permitted properties will greatly reduce the workload of City staff, enabling them to focus only on permitted properties.

I respectfully ask City Council to:

1) Direct staff to prepare a thorough Economic Analysis
2) Direct staff to investigate including Platform Accountability provisions in the Ordinance

Finally, thank you for your thoughtful consideration and work on this important issue.

Sincerely,

Andrew Meiman

Pedro Point

PS - I'm attaching a PDF of my comment letter in case the links don't come through in the email.

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1) Direct staff to prepare a thorough Economic Analysis
2) Direct staff to investigate including Platform Accountability provisions in the Ordinance

Finally, thank you for your thoughtful consideration and work on this important issue.

Sincerely,

Andrew Meiman

Pedro Point

From: Elda Kong [redacted]
Sent: Sunday, August 25, 2024 11:05 PM
To: Public Comment; _City Council
Subject: 8/26/24: STR Agenda Item

[CAUTION: External Email]

Dear Pacifica City Council Members,

I am Elda Kong, a former Pacifica resident and current short-term rental (STR) operator. My husband Wayne and I have been managing our property as an STR for the past eleven months. We are dedicated to upholding the integrity of our neighborhood and ensuring our property contributes positively to the community. Visitors LOVE their time in Pacifica! Here are a couple of reviews from our Airbnb.

[redacted] [redacted] July 2024

Our family recently stayed at Wayne's home in Pacifica as we traveled down the coast. The home was private, peaceful, super clean and extremely comfortable. Just what we needed after a few hectic days in the city. It's close enough to San Francisco that you could easily stay here and drive into the city. The master suite was fantastic and the beds were extremely comfortable. There are grocery stores nearby and the kitchen had all the basics if you wanted to cook here. Wayne recommended some local restaurants so we decided to let someone else do the cooking. The home has a fantastic layout and the main living area is excellent for gathering with the family for board games or binge watching your favorite show. There was even a small desk that would be useful if you needed to work remotely. If we are ever in Pacifica again we'll book here again.

[redacted] [redacted] March 2024

Perfect for our family gathering

Happy to have hosted you and your family! Thank you for the review!

Private feedback

Loved the place. We had my son's family with three kids and the setup was perfect.

Our Commitment:

-
-

- **Strict Screening:**

- We thoroughly vet all reservation requests, rejecting those that seem suspicious, and avoid using the “instant book” function to ensure we know our guests and their intentions.
- **No Parties and Quiet Hours:**
- We enforce a strict no-party policy and clearly communicate quiet hours (10 PM to 7 AM) to all guests.
- **Monitoring and Responsiveness:**
- We use outdoor cameras and noise detectors to monitor activity and address any concerns. We are available 24/7 by phone within 15 minutes and can be on-site within 30-60 minutes, depending on traffic.
- **Neighborhood Engagement:**
- We visit our property weekly and maintain open communication with our neighbors, who have our contact information and can reach out with any concerns. We are committed to preserving good relationships and ensuring that our STR does not disrupt the community.

- **Local Employment:**

- The contractor who renovated our bathroom is a Sharp Park resident, our landscaper and cleaning team live in Pacific Manor, and we employ a senior from Oceano High School to help with trash issues. Many of these individuals rely on the STR for their livelihood

- (including the high school senior who uses his earnings for video games). 🙂

Recommendations:

- **Allow Hosted and Unhosted STRs:**

- Require the property manager or owner be available by phone within 20 minutes

- and physically within the property within 60 minutes. For example, Las Vegas ordinance provides a phone number for residents to file noise/trash complaints for STRs. When the city investigates the complaint and finds that the PM/owner is not reachable, this

- is an automatic ordinance violation. This ordinance would remove “bad” property managers and owners, like Marbella Lane.
- **No cap on rental days:**
- Imposing a 60 or 120 day cap would severely impact our ability to cover mortgage and property taxes, potentially forcing us to discontinue our rental and lose our ability to return to Pacifica.

- **This cap could also reduce Transient Occupancy Tax (ToT) revenue by approximately $1.16 million.**
- That is a lot of revenue lost.
-
-
-
- **Limit 2 persons/bedroom and 1 car per room.**
-
-
-
- **Penalties for Violations:**
-
    -
    -
    - Enforce a three strikes penalty. First penalty $250. The second penalty is $500. The
    - third penalty revokes the business license/permit and a $1000 fine. If they continue to operate without a license a fine of $500/day. The owner of the property will be ineligible to reapply for a business license/str permit.
    -
    -
    -
    - Fine all unregistered STRs $500/day.
    -

I appreciate the city's efforts to manage STRs effectively and hope we can create ordinances that get the bad actors out and prevent bad actors from operating in Pacifica. Thank you for your time and attention to this matter!

Sincerely,

Elda Kong

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From: Allison West [redacted]
Sent: Sunday, August 25, 2024 11:25 PM
To: Bier, Mary; Boles, Christine; Beckmeyer, Sue; Vaterlaus, Sue; Bigstyck, Tygarjas; _City Council
Cc: Public Comment
Subject: Public Comment for 8/26/24 Council Meeting: Item 7 - Short Term Rental Study Session

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers:

I'm urging all of you to please adopt a strong ordinance to regulate unhosted Short Term Rentals (STRs). It's impossible to not view these STRs as acting and functioning like mini-hotels/motels. The impact on neighborhoods, property values, etc have been efficiently and effectively brought to your attention.

Key issues are:

- Changes to the flavor and feeling of neighborhoods. In Pedro Point, a very small community we unhosted STR's peppered throughout our community which limits parking, litter, increases noise, etc. You might think, what's the big deal, but when big corporations own the premises or the owners are unknown, it's hard to reach out to address the issues just noted.
- Pacifica is a poorly funded school district. Unhosted STR directly impacting school funding due to the loss of families being able to purchase homes that are owned by corporations.
- Corporations own the bulk of the STRs in Pacifica. We need strict regulations to protect the rest of us.

Other cities have:

- Primary residence requirements
- cap on the number of nights an unhosted STR may be booked
- cap on the number of nights an unhosted STR may be booked.

Please don't fall for the disingenuous arguments by Airbnb and tourism interests that they are somehow adding a benefit to our communities by increasing coastal access to the beach. This is a fallacy. This is solely about their business interests, they do not care about beach access because their model is to increase their business where there is less regulation - they profit. But, when their profits impact the health and safety of our community - we count on our elected officials to step up with regulations.

Not everyone knows how to complain about the impacts of STRs. Many neighbors are reluctant to call the police lest the owners or even the "renters" get mad and take retaliatory action.

Please see the Pacifica Homes are Not Hotels site - the statistics (some of which are obtained from the City) are real and we ask that you move forward responsibly. Please ask yourselves why every other community in San Mateo County has restrictive ordinances? Because it's necessary.

Thank you,
Allison West
Pacifica resident since 2003

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From: Alan Grinberg [redacted]
Sent: Sunday, August 25, 2024 11:27 PM
To: Boles, Christine; Public Comment
Cc: [redacted]
Subject: STR Regulations

Hello Christine and the other members of the City Council.

Mary and I would like to go on record that we encourage a strict limit on the number of short term rentals allowed in Pacifica.

The absence of a person or family living in a house is damaging to the neighborhood. With a varying number of rentals over the past 10 years this neighborhood has lost some of the sense of community that was here when we moved in 20 years ago.

We have never met the owners of the house 2 doors to the south of us (172 Shoreview Ave). I believe it is owned by a private corporation.
There are 2 other houses that are for sale in this area and we are worried that they could also be turned into STRs. This should be blocked.

As a related issue, there are often renter's cars parking in the driveway and blocking the sidewalk. This is dangerous for young children, strollers, and disabled people. It would be a tragedy if a child was killed by having to go in the street in order to continue their ride on the sidewalk. This is illegal parking and we wish the police department would ticket these offenders.

Thank you for your consideration.

Regards,

Alan Grinberg
Mary Janowitz
[redacted]

From: Victoria Sanchez De Alba [redacted]
Sent: Monday, August 26, 2024 8:02 AM
To: Public Comment
Cc: Rick De Alba
Subject: Public Comment- Item No. 7: Short Term Rental Study Session, August 26, 2024

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members,

I am writing to express my deep concern regarding the City Staff's apparent disregard for the safety and well-being of Pacifica residents. It is clear they have not followed your recommendations for the new ordinance on unhosted short-term rentals (STRs). Instead, City Staff appears to be prioritizing the interests of investors who are buying up homes and converting them into unhosted STRs, effectively turning our cherished neighborhoods into commercial districts.

As homeowners who have invested significantly in our properties and contribute thousands of dollars in property taxes each year, where is our legal right to live peacefully in our own community? We love Pacifica and are committed to preserving its unique character and sense of community. The unchecked proliferation of unhosted STRs undermines this by bringing in transient visitors who often have little regard for the peace and quiet that long-term residents value.

We are particularly distressed by the impact these STRs have on our daily lives and safety. For example, next door to us is a large two-story house at 520 San Pablo Terrace that is being used as an unhosted STR. Initially, this property hosted late-night parties, forcing us to call the Pacifica Police multiple times between midnight and 3 a.m. On one occasion, a memorial event at this Airbnb brought nine cars to the property, with additional vehicles blocking our driveway. More recently, a large group of guests left trash overflowing from bins, scattering garbage across the street.

Unfortunately, this is not an isolated incident. There is another large unhosted Airbnb across the street at 549 San Pablo Terrace and yet another behind us at 451 Talbot Street. Both properties generate noise far exceeding normal levels for our area, disrupting our right to a peaceful environment.

I urge you to consider how City Staff and the owners of these unhosted STRs would feel if such disturbances occurred in their own neighborhoods—or their mothers' neighborhoods. Many of these investors live in places like Millbrae and Burlingame and are not affected by the negative consequences of their actions here in Pacifica.

We ask for your immediate action to enforce stricter regulations on unhosted STRs to protect the integrity of our neighborhoods and the safety of our community. Your leadership is crucial in ensuring that Pacifica remains a place where residents can enjoy the peace and security they deserve.

Thank you for your attention to this critical matter.

Sincerely,

-Victoria and Rick De Alba

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From: Pat Kremer [redacted]
Sent: Monday, August 26, 2024 9:11 AM
To: Public Comment; _City Council
Cc: Woodhouse, Kevin
Subject: CC Mtg 8/26/24 – Item #7. STR Study Session

[CAUTION: External Email]

City Council:

Modification of Pacifica's current flawed ordinance pertaining to Short Term Rentals (STR) should be a straightforward process. Other cities in San Mateo County have faced precisely the same issues plaguing STRs in Pacifica. They discussed the problem and come up with reasonable ordinances. These ordinances guarantee that neighborhoods will be composed primarily of residences occupied by owners and long-term renters, while still allowing a reasonable but limited number of days of "no-host" short term rentals of these same properties.

No-Host STR's in our city are out of control. The solution is straightforward: Use an existing draft ordinance that has already been developed to expedite the process. Use the HMB ordinance as a basic model. A group of responsible citizens ("Pacifica Homes are Not Hotels") did this and has offered a draft worthy of consideration.

This problem has existed for long enough. It is now time to take action because the problem is getting worse.

Pat Kremer
Pacifica, CA

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From: Amanda Romero [redacted]
Sent: Monday, August 26, 2024 9:27 AM
To: _City Council; Public Comment
Subject: Public comment for 8/26 Agenda Item: STR Study Session

[CAUTION: External Email]

Dear Pacifica City Council Members,

My name is Amanda Romero, and I have been living next to a short-term rental (STR) for the past two years. I wanted to share my positive experience with you.

Before the STR started operating, the owner reached out with thoughtful gestures, including gift baskets and a direct contact number for any concerns. We have had no issues. The STR has been a wonderful addition to our neighborhood; the property is well-maintained, and the landscaping is the best on our street. Its presence has even inspired other neighbors to improve their own properties, contributing to a more beautiful and inviting environment.

I understand there are challenges with some STRs in Pacifica, but I believe we can address those issues without penalizing well-managed properties. I attended the recent study session and agree that we need restrictions on corporate ownership of multiple properties or apartment buildings. However, I am concerned that imposing limitations on the number of rental days may be difficult to enforce and may not effectively address issues with problematic STR operators.

Let's focus on improving the situation with problematic rentals rather than implementing broad changes that could negatively impact those that are well-managed. Let’s ensure we address the issues without inadvertently harming the positive aspects of STRs.

Thank you for your consideration.

Best regards,
Amanda Romero

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From: La, Emily
Sent: Monday, August 26, 2024 9:31 AM
To: Public Comment
Subject: FW: Support for current short term rental ordinances

From: White, Gwen <gwhite@pacifica.gov>
Sent: Monday, August 26, 2024 9:23 AM
To: La, Emily <ELa@pacifica.gov>; Public Comment <publiccomment@pacifica.gov>
Subject: FW: Support for current short term rental ordinances

Received from a City of Pacifica property owner.

Gwendolyn White, CCEO
Senior Code Enforcement Officer
540 Crespi Dr.
Pacifica, CA 94044
650.738.7456

From: Li Joy [redacted]
Sent: Friday, August 23, 2024 1:29 PM
To: White, Gwen <gwhite@pacifica.gov>
Subject: Re: Support for current short term rental ordinances

[CAUTION: External Email]

Dear Council Member White,

I am writing to express my strong support for the current short-term rental (STR) regulations in Pacifica. As a homeowner in this community, I have witnessed the positive impact that STRs have on our local economy, as they allow visitors to come, stay, and spend money in our city, directly supporting our local businesses, restaurants, and shops.

It's important to note that STRs represent only a very small percentage of the available housing units in Pacifica. With approximately 15,000 to 16,000 housing units in the city, the 230-240 Airbnb properties account for just a small fraction of the total housing stock. This demonstrates that STRs are not significantly impacting the availability of long-term housing, while still providing

essential economic benefits.

STRs make it possible for visitors who may not be able to afford a home in a beach neighborhood to experience the beauty of Pacifica. By offering more affordable lodging options, STRs help to sustain the vibrancy and diversity of our community, ensuring that our city remains a welcoming place for all.

I respectfully urge you to continue supporting the current STR regulations. These regulations strike a fair balance between allowing homeowners to share their properties responsibly and maintaining the character and tranquility of our neighborhoods.

Thank you for your attention to this important matter.

Sincerely,
Yang Li
[redacted]

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From: Lyla Reinero [redacted]
Sent: Monday, August 26, 2024 9:52 AM
To: Public Comment; _City Council; Beckmeyer, Sue; Boles, Christine; Bigstyck, Tygarjas; Vaterlaus, Sue; Bier, Mary; Woodhouse, Kevin; Carter, Yulia
Cc: Bryan Reinero
Subject: Public Comment for 8/26/24 Council Meeting: Item 7. Short-Term Rental Study Session

[CAUTION: External Email]

Greetings Mayor Vaterlaus, City Councilmembers, City Manager, and Staff,

I hope you have all had a chance to enjoy some quality time with family and loved ones this summer.

I'm not going to get into the weeds and argue every point on staff's recommendations as to why an amended STR ordinance is too difficult to enforce. However, a **Primary Residence Requirement** needs to be at the top of the list and cannot be brushed off as too difficult to enforce. When I go to enroll my kids in school, guess what I need to provide? PROOF OF PRIMARY RESIDENCE. I need to show 3 forms of proof of residency:
•my Driver's License or ID Card

and 2 of the following:
•vehicle registration, voter registration, medical records, bank accounts, income tax records or the like. These are all personal records that I would prefer NOT to share, but they are required in order for my children to attend public schools. There's *no way* that it should be more difficult to enroll a child in school here in Pacifica than it is for out-of-town operators to obtain the permits and licenses to run micro hotels in our residential neighborhoods.

The City Manager and Staff need to work together to comply with the direction of City Council. Council members, please hold steady and keep working to ensure the City Manager and Staff do their jobs. I know it's exhausting, but it is absolutely necessary. It's "too difficult" is not an acceptable answer.

Thank you, as always, for your time to hear our concerns.

Thanks and take care,
Lyla Reinero
Longtime Pacifican (Pedro Point)
Concerned Parent of 3
Cabrillo PTO Board Member
Community Volunteer
Pacifica Police CERT trainee in progress

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From: George P. Surmaitis [redacted]
Sent: Monday, August 26, 2024 9:55 AM
To: Public Comment; Bigstyck, Tygarjas
Subject: Unhosted Short Term Rentals - AirBnB

[CAUTION: External Email]

I am a resident of Pacifica, who has lived on Park Pacifica Avenue for the last several years. The neighbor directly across from us is a widow, who has lived on our street since the homes were built. Behind her lives an elderly man, also a widower. Both are adjacent to an AirBnb, and this STR which sprung up in our neighborhood, is a few houses down from us. The elderly man has a fence which runs along a side of the STR property, with the deck of the STR fairly close, and a source of noise and disruption. The house on the other side of the STR is owned by another, older couple.

The STR on our street is next to a *cul de sac*. When there are "guests" at the STR, there can be 3, 5, 6 cars at a time. Cars drive up and down our street and turn in the cul de sac at all hours. The cars take up street parking, and importantly, take up space that would needed if there were a fire or other emergency.

We are not wealthy NIMBY's. In fact, we do not have the privilege of unoccupied STR rental owners to have multiple properties, worth millions. Their goal is profit. We all want profit, I own a small business and I am not ignorant of the needs of a business. There has to be a balance though, it cannot be all or nothing, and if the resident do not have a voice and some limits, then the City has failed it's residents in favor of wealthy outsiders, who have the backing of a corporation to flip the narrative and portray us as simply small minded, wealthy, NIMBY's.

Other counties obviously have common-sense regulations. To say that it is not feasible or is a barrier in Pacifica, is simply not acceptable. If that is the determination of the City Administrator, we need a new City Administrator who is focused on a balance and creating common-sense limitations. As a resident, and I think others feel the same way, I feel like the outsider, because companies and people who own millions in properties and are unaffected in the same way as us, matter more somehow.

The City can create limits now and follow successful models in other cities, or there needs to be a grassroots effort to change City Hall.

George P. Surmaitis
Attorney at Law
Certified Specialist In Workers' Compensation Law
State Bar Board of Legal Specialization
[redacted]

From: Pam Raymond [redacted]
Sent: Monday, August 26, 2024 10:24 AM
To: Public Comment; _City Council
Subject: STR ordinance

[CAUTION: External Email]

Dear Mayor Vaterlaus, members of the city Council,

I am urging you to adopt an ordinance that allows responsible operators of STRs to operate within limitations of a robust revision of the current ordinance. This community needs a balanced approach.

I walk in my beloved neighborhood of 35 years, West Sharp Park, every day. Over the past decade in particular, I have seen an exodus of families. Almost all of these family homes have been bought by someone with the express and sole interest of renting them out as full-time, NON HOSTED Airbnbs.THIS IS MORE DISTURBING THAN THE LATE NIGHT NOISE-ORDINANCE VIOLATIONS FROM THE AIRBNB NEXTDOOR TO ME, THE CONSTANT INS N OUTS OF NEW GUESTS /STRANGERS COMING AND GOING, AND THE LACK OF PARKING SPACES. HOUSES SITTING VACANT 80% OF THE YEAR, THAT COULD HOUSE A FAMILY, IS JUST WRONG. We have a huge housing deficit in California, & the Bay Area, how are we not paying attention to this bigger issue?

I agree that the current permissive STR ordinance is destabilizing to our community, not just financially but culturally.
I agree with Pacifica Homes are Not Hotels that some of the top themes in the new ordinance should include, but not limited to:

- Limits STR permits to property owners who are “natural persons”
- Allows only one STR to be in effect within the City of Pacifica for any owner and/or operator.
- Sets an operation limit on non hosted STRs to 60 rental nights per year,.
- Revokes the permit for any STR property at which two or more noise or other ordinance violations have occurred within any 12-month period
- Creates new enforcement teams that include dedicated Code Enforcement and PPD officers.
- Mandates that all advertising (written publication or online website) of the STR property includes the City-issued STR registration number.

It's not too late for Pacifica to tighten up and dispel our reputation of being a permissive city that attracts the interest of corporations to buy up existing property for the sole interest of making it an 100% non hosted STR , 365 days of the year, ie...an unregulated hotel.

I also ask that a moratorium on new permits go into effect until a proper STR ordinance can be crafted.

Finally, I don't think Airbnbs are a bad thing. I've stayed in some over the years and are a great alternative to traditional accommodations However, we the citizens of Pacifica, are vulnerable without protections via a strong ordinance. Almost all of our neighboring towns in San Mateo County and beyond have taken the step. Isn't it time the city staff and city council did right by the citizens who live, work, raise families and pay taxes in Pacifica?

Very truly yours,

Pam Raymond
West Sharp Park resident

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From: Wendy Yun [redacted]
Sent: Monday, August 26, 2024 10:28 AM
To: _City Council; Public Comment
Subject: Don't ban unhosted STRs

[CAUTION: External Email]

Dear Members of the Pacifica City Council,

As a resident and short-term rental (STR) owner in Pacifica, I am writing to express my concerns about the proposed ban on short-term rentals currently under consideration by the council. As a respectful STR host with no complaints and a wonderful connection with my neighbors, such a ban would unfairly cause significant and undeserved financial harm to me and to the community. It would significantly reduce the city's budget via TOT taxes, impacting all Pacificans.

What my STR provides is different and more affordable to families than what traditional accommodations have to offer. Please consider the significant loss in Pacifica's bed base and the unheard voices of those who will no longer be able to stay in Pacifica if the city bans unhosted STRs or sets a day cap:

"We need a space which can accommodate our big group, to celebrate my 50th birthday. Wendy's place is amazing, it's an unhosted house, which allows us to have a private place and time with our kids and dogs. I had a blast celebrating my 50th birthday with my family and friends.

Since hotels don't allow dogs, if the city doesn't allow the unhosted STRs, I would have no idea where I can find an intimate space for us."

I am committed to bringing more job opportunities to Pacifica city. All the employers are local hires, cleaners, gardeners and handymen, the income helps them to support their family. They all appreciate the job especially when the economy is slowing down.

The guests also went to restaurants, shared their wonderful experiences with friends which will also attract other tourists in the future which will continue to stimulate pacifica local business.

We Need Legislation That Removes Bad Actors

-
-
- Three strikes and you're out: founded complaints should be used
- to eliminate bad actors.

- Require that all STR hosts be reachable by a registered phone
- number within 15-30 minutes if an issue arises and be able to physically respond within 60 minutes if necessary.
- Implement designated quiet hours from 10 pm to 7 am to ensure
- that STRs are not disruptive to neighbors. Hosts must track decibels on their properties.
- Even HMB, whose council was aggressively against STRs, grandfathered
- in their unhosted, non-primary residence STRs as the financial injury would be catastrophic to many hosts, even triggering bankruptcy.

We are lovers of Pacifica and create more lovers of our town via our carefully curated STRs. Only 5 listings are responsible for 50% of complaints; we can get rid of them with thoughtful, and reasonable regulations. Blunt force banning the unhosted STRs would have no positive impact on rental prices, cripple the city's budget for all residents and prevent affordable access to the beach all in the unchecked interest of a small number of those wealthy enough to own homes near Pacifica's beaches.

Sincerely,

Wendy Yun

[redacted]

Aug 25th

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From: Dian Emerson [redacted]
Sent: Monday, August 26, 2024 10:37 AM
To: Public Comment; _City Council
Subject: Short term Rental Ordinance

[CAUTION: External Email]

Council Members:

The staff report submitted for consideration of Council for the August 26 meeting is stunning in its disregard for, and indifference to the citizens of Pacifica who have expressed loudly and in great detail the negative effects of the short term rental industry in our neighborhoods. The report claims that the city's goal is to have an STR program that is "balanced with the needs and quality of the life of residents" while promoting the "coastal hospitality industry." They have failed on that goal.

Instead, without exception, suggestions proposed by Council, including the well researched and realistic proposals put forth by the Homes not Hotel s group are deemed "difficult to administer" or "difficult to implement effectively" or "very challenging." In short, the staff report recommendations clearly demonstrate that the city has deliberately refused to realistically consider the input of residents. Instead of a "we can" approach to this issue, staff has repeatedly responded with "we can't" or "we won't" or "it's too hard." In my professional capacity leading and managing organizations and limited budgets, such a response to a clear imperative for changes meeting the needs of stakeholders would not be acceptable, and might get someone fired,

Every other city in the area has figured out how to enact restrictions that weigh in favor of residents, communities and neighborhoods — not to benefit out of town investors, AirBnB or other rental platforms. If it is that hard, the logical outcome is to do what other communities have, ban STRs altogether. Problem solved.

Let's be crystal clear here. We did not ask to have STRs invade our neighborhoods. We did not ask to have a commercial for-profit hotel operating across our quiet street or next door to us. We did not ask to shoulder the city's financial health by living next door to a continuing string of strangers, noise, excessive parked cars, and unease about who is on our street. If you had asked us to agree to this, we all would have said NO.

Now is the time to listen to Pacifica residents, not the "coastal hospitality industry" and do the right thing. Every STR, not just the so-called "party houses" negatively impacts the homes or apartments around them. If there are 200 STRs in the city, that is likely to impact at least 8-10 adjacent occupied dwellings, as it does in my neighborhood. That may be 2,000 or more households that are burdened by STRs in this city. I doubt any of those 2,000 households, whose residents likely are voters in this city, would ask to have an STR as their neighbor.

We want real neighbors who live in Pacifica, not tourists. Before the STRs, we rarely ever locked out doors or our cars. That sense of security is gone. We are asking now for you to take action to restrict the investor-led rental industry and make residents your priority.

Dian Emerson
Park Pacifica

From: Noah Suarez-Sikes [redacted]
Sent: Monday, August 26, 2024 10:58 AM
To: Public Comment
Cc: Rebecca Ayala
Subject: Better Neighbors LA Public Comment on Agenda Item no. 7 - Short Term Rental Study Session
Attachments: Better Neighbors Comment Letter - Pacifica City Council STR Study Session - August 26, 2024.pdf

[CAUTION: External Email]

Good morning,

Please find attached as a PDF a public comment letter I'm submitting on behalf of Better Neighbors LA, related to Agenda Item no.7 on tonight's meeting, the Short-Term Rental Study Session.

If you have any questions regarding the content of the letter, please feel free to contact either myself or our Policy and Advocacy Director, Becca Ayala, at [redacted]

Best regards,

Noah Suarez-Sikes
Organizer
Better Neighbors LA
[redacted]

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August 26, 2024

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: City of Pacifica Short Term Rental Study Session—Strengthen Pacifica's Short-Term Rental Regulations

Dear Honorable Mayor Vaterlaus and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities. Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and coastal public access.

BNLA urges the Pacifica City Council to amend current short-term rental regulations to a true home-sharing model composed of hosted-only rentals to prevent displacement and ensure that communities are protected from the negative effects of STRs. Should you decide not to move forward with a true home-sharing model, we encourage the City to adopt common-sense policies present in many jurisdictions throughout the California coast, including defining unhosted and hosted short-term rentals, requiring a host to be the primary resident of their short-term rental property, placing a limit of one short-term rental per natural person, and establishing a 60-night cap on the number of nights an unhosted short-term rental may be operated annually. Several other coastal cities have adopted similar policies to protect long-term housing and provide truly lower-cost overnight accommodations. Current regulations and the most recent staff recommendations will not adequately safeguard existing housing stock, and will continue to leave long-term residents at risk of displacement.

Pacifica Unhosted STRs Eliminate Housing Stock

Pacifica has seen significant growth in the number of unhosted short-term rentals in recent years. Unhosted short-term rentals are housing units used solely as tourist-serving accommodations, whereas hosted short-term rentals necessarily function as housing for the host living onsite during a guest's stay. According to AirDNA, as of March 2023 there were

approximately 198 short-term rentals operating in Pacifica, 173 of which were unhosted.[1] In this period, the City of Pacifica staff recognized only 108 total STRs,[2] meaning that 37.5% of short-term rentals in Pacifica were likely operating without sufficient City oversight. Between May 2017 and March 2023, the number of unhosted short-term rentals increased by more than 100 total listings, from 67 in May 2017 to 173 as of March 2023.[3]

This sharp increase in unhosted STRS illustrates the rapid corporatization of housing for tourist-serving accommodations, at the cost of available housing options for long-term residents. Pacifica's 2023-2031 Housing Element recognizes that this loss of housing stock to tourist-serving accommodations is contributing to fair housing issues within the City: "Pacifica's housing market is influenced by economic pressures to convert a portion of its housing stock to short-term vacation rentals."[4] Residents have continuously voiced this concern throughout the City's past efforts to regulate short-term rentals, most recently when the City Council adopted the 150-unit cap.[5] Without strong regulations, unhosted short-term rentals will continue to threaten existing housing stock, and potentially displace Pacifica's long-term year-around residents.

Pacifica Unhosted STRS Are Not Affordable Overnight Accommodations

According to a forthcoming report by Nicholas DiRago of the University of California-Los Angeles, the average cost for an unhosted short-term rental in Pacifica's Coastal Zone ranges from $235 to $495 per night.[6] Meanwhile, the average price per night of a hotel room accommodating two people in Pacifica is $193.37 as of June 2024.[7] Therefore, on average, an unhosted short-term rental is at minimum $41.63 more expensive than a comparable hotel room. Unhosted short-term rentals thus cannot be considered affordable overnight accommodations in Pacifica when compared to hotels or other accommodations. While the staff report refers to the possibility of STRs being a "robust driver for the local economy, boosting tourism and

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[1] Data on file with BNLA. AirDNA combines data from STR websites to put together a picture of the STR market in a particular area: https://www.airdna.co/

[2] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.6 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

[3] Data on file with BNLA. In May 2017, approximately 67 unhosted short-term rentals existed in Pacifica compared to 173 as of March 2023.

[4] Pacifica 2023-2031 Housing Element, Appendix D: City of Pacifica Assessment of Fair Housing, page 169: https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.

[5] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.3 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

[6] Data on file with BNLA. Average daily rate accounts for April 2022-March 2023.

[7] America's Best Value Inn Pacifica: https://www.sonesta.com/americas-best-value-inn/ca/pacifica/americas-best-value-inn-san-francisco-pacifica; The Anchor Inn: https://anchorinnhotels.com/book-now/; Fairfield Inn & Suites San Francsico Pacifica: https://www.marriott.com/reservation/rateListMenu.mi; Inn at Rockaway: https://www.innatrockaway.com/reservations?room_check_in=2024-06-06&room_check_out=2024-06-07&promo_code=&rooms=1&room1=2 ; Pacifica Beach Hotel: https://be.synxis.com/?adult=1&arrive=2024-06-06&chain=28109&child=0&currency=USD&depart=2024-06-07&hotel=35301&level=hotel&locale=en-US&rooms=1&start=availresults ; Pacifica Lighthouse Hotel, Trademark Collection by Wyndham: https://www.pacificalighthouse.com/ ; Sea Breeze Motel at Rockaway Beach: https://www.seabreezerockaway.com/.

hospitality,"[8] given that most STRs are likely cost-prohibitive to working class residents, the economic benefit is necessarily limited as compared to existing lower-cost visitor-serving accommodation.

Precedent for Stronger Regulations in Coastal Jurisdictions

Recent actions by the Coastal Commission suggest that jurisdictions may implement stronger STR regulations in the Coastal Zone than previously recommended by Coastal Commission staff. In March 2023, the Coastal Commission approved the City of Half Moon Bay's LCPA, which included a primary residency requirement for both hosted and unhosted short-term rentals, as well as a 60-night cap on the number of nights an unhosted short-term rental may be rented annually.[9] This was followed by an informational briefing the Coastal Commission held on December 14, 2023, during which a set of academic researchers, representatives from coastal cities, and Commissioners expressed how short-term rentals may impact access to long-term housing within the Coastal Zone.[10] Professor David Wachsmuth of McGill University cited a breadth of recent academic research that outlined how unhosted short-term rentals result in significant negative consequences, including increases in rents and decrease in housing stock.[11] Specifically, Professor Wachsmuth recommended that "[t]he CCC should consider establishing a common regulatory floor that restricts unhosted STRs and encourages home sharing in the coastal zone, to better preserve public access for visitors…"[12] Several Coastal Commissioners expressed their reactions to the panelists. For example, Commissioner Paloma Aguirre stated, "it was very clear that unhosted short-term rentals are making the housing crisis worse."[13] Commissioners Mike Wilson, Katie Rice, Meagan Harmon and Dayna Bochco all expressed concerns regarding the issue of short-term rentals within the Coastal Zone.[14]

Furthermore, at the last Coastal Committee meeting on June 13, 2024, multiple Coastal Commissioners expressed disappointment that the City of Pacifica had not taken a stronger position on the issue of short-term rentals. Commissioner Newsom expressed that she herself had been displaced from her home due to the effects of STRs.[15] Commissioner Wilson remarked, "If this had come to the commission maybe five or six years ago, this would have been a different discussion, but we've seen this massive experiment in the commercialization and

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[8] City of Pacifica Council Agenda Packet Staff Report: Short Term Rental Study Session, August 26, 2024, P. 99 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1546&Inline=True
[9] City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2: https://www.coastal.ca.gov/meetings/agenda/#/2023/3
[10] https://documents.coastal.ca.gov/reports/2023/12/Th5/Th5-12-2023-agenda.pdf
[11] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, beginning at 58:45: https://cal-span.org/meeting/ccc_20231214/
[12] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, slide 23 of PowerPoint presentation linked here: https://cal-span.org/meeting/ccc_20231214/
[13] Commissioner Paloma Aguirre, December 14, 2023 Coastal Commission Hearing, beginning at 4:46:42: https://cal-span.org/meeting/ccc_20231214/
[14] December 14, 2023 Coastal Commission Hearing. Commissioner Mike Wilson beginning at 4:43:08. Commissioner Katie Rice beginning at 4:49:47. Meagan Harmon beginning at 5:03:59. Commissioner Dayna Bochco beginning at 5:06:08. https://cal-span.org/meeting/ccc_20231214/
[15] June 13, 2024 Coastal Commission Hearing, Commissioner Gretchen Newsom beginning at 1:59:10: https://cal-span.org/meeting/ccc_20240613/

commodification of our housing stock."[16] These statements from Coastal Commissioners should provide jurisdictions subject to Coastal Commission review, like Pacifica, with more confidence to pass stronger short-term rental regulations within the Coastal Zone—especially regulations that ensure the primary use of housing remains *housing residents*, while short-term renting remains a secondary use.

Recommendations

Based on our data analysis and research, we suggest that the City move forward with ordinance amendments that include the following provisions:

1. *Define Unhosted vs. Hosted Short-Term Rentals:* According to the current ordinance, there is no distinction between unhosted and hosted short-term rentals. Currently, unhosted short-term rentals do not function as housing, while hosted short-term rentals necessarily function as housing. The ordinance should be amended to include this distinction for two reasons. First, this distinction will provide the City and the Commission with data needed to better understand the impacts of short-term rentals. Second, this distinction (coupled with the 60-night annual cap) will provide hosts with the ability to continue renting out their primary residence on a limited basis.

2. *Restrict Unhosted Short-Term Rentals:* BNLA advocates strongly for Pacifica to allow hosted only STRs with a primary residency requirement. The recommendations laid out in the staff report on the subject allege that banning unhosted STRs would lead to a loss in City tax revenue and the local economy. In fact, allowing unhosted STRs to continue operating represents a significant loss of Pacifica's tax base, as each unhosted STR represents a unit of housing that could house a long-term resident. While hosted STRs most likely are tied to an actual inhabitant of Pacifica, unhosted STRs are not. Unhosted STRs are more likely to be owned by corporations and have no full-time, taxpaying resident associated with them—a significant issue in a city whose population is already shrinking.

3. *Primary Residency Requirement for Hosts:* Comparable coastal cities in California have in the past approved primary residency requirements for short-term rental hosts in jurisdictions, such as the City of Half Moon Bay in March 2023.[17] A primary residency requirement ensures a short-term rental is used primarily as housing, with short-term renting as a secondary use. Such a provision exists in Half Moon Bay, San Francisco, Berkeley, and Emeryville.[18] Staff recommended forgoing this requirement because it relies on staff verifying documentation self-reported by hosts. However, it is possible—and indeed routine in other jurisdictions—to easily check whether or not

[16] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:09:30: https://cal-span.org/meeting/ccc_20240613/
[17] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[18] Half Moon Bay: https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06
San Francisco: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-27965
Berkeley: https://berkeley.municipal.codes/BMC/23.314.050
Emeryville: https://johnbauters.net/assets/2017/12/ordinance-3.pdf

an STR operator is a primary resident. For property owners, we recommend working with the County of San Mateo Tax Collector to determine whether a host claimed the homeowner's exemption. For tenants, we recommend requiring hosts to submit a notarized lease.

4. *Limit One STR Per Natural Person:* Without a limit of one short-term rental per natural person, corporate hosts will be allowed to proliferate in Pacifica. By their very nature, corporate hosts do not use their properties as long-term housing, and instead operate these homes as de facto hotels. The Coastal Commission most recently approved this policy in Marin County in April 2024.[19] The staff report suggests a policy premised on limiting any entity to owning a single STR. Such a regulation would be most effective paired with a primary residency requirement, to prevent abuse through the establishment of multiple LLCs.

5. *60-Night Cap on Unhosted STRs Annually:* Unhosted short-term rentals limited to 60 nights per year would prevent speculation on housing driven by short-term rental conversion. Furthermore, with a cap limited to only unhosted short-term rentals, hosted short-term rentals would continue to provide affordable lodging for visitors. This cap is similar to the one adopted by the City of Half Moon Bay.[20]

6. *Accountability for Platforms:* To ensure that platforms are cracking down on non-compliant listings and complying with regulatory requirements, a degree of liability should be placed on platforms that knowingly allow unscrupulous operators to break the law. This should include levying fines against platforms that facilitate bookings and payments for non-compliant listings.

Additionally, any short-term rental program requires enforcement. Currently, noncompliant and unregistered STRs operating in Pacifica represent a loss in tax revenue for the City and an urgent nuisance issue for neighboring residents. Enforcing regulations would allow the City to recuperate revenue through fines and penalties for violations. This has been successful in various jurisdictions, like in Santa Barbara, where the City Council authorized $1.75 million for STR enforcement, but only spent $99,083—and collected $502,879 in fines on noncompliant units and permit fees.[21] Additionally, in other cities, strong STR regulations have tangibly benefited residents. For example, the City of Irvine banned short-term rentals, which according to a recent study ultimately led to a decrease of $72 million in annual renting spending, or $1,212 in average savings per resident.[22] This constitutes a significant influx of money now circulating in the local economy, instead of going towards rent.

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[19] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[20] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[21] As of April 12, 2024: https://www.independent.com/2024/04/12/taking-on-the-short-term-rental-problem-in-santa-barbara/
[22] Airbnb or Not Airbnb? That is the Question: How Airbnb Bans Disrupt Rental Markets. Michael J. Seiler, College of William & Mary; Ralph B. Siebert, Purdue University; and Liuming Yang, The Chinese University of Hong Kong. https://webapps.krannert.purdue.edu/sites/Home/DirectoryApi/Files/3b19fe91-8ec2-46ff-90a5-66255b61d390/Download?_ga=2.238418120.951964904.1675199431-1570152881.1675197478

Conclusion

The staff report also contains recommendations not in the list of recommendations suggested by BNLA, including a minimum rental duration period of 2 nights, parking requirements, a 24/7 contact requirement, restrictions on permit processing, and an effort to shorten the enforcement timeline. These are all well and good, and we encourage the City Council to adopt them. However, these recommendations, by themselves, will not amount to a strong piece of legislation that can adequately address the issues with the proliferation of unhosted short-term rentals. Thus, we urge the adoption of the full suite of recommendations listed above, which would strengthen regulations to adequately protect long-term residents; in the words of Commissioner Wilson himself, "The suggestions made by [Better Neighbors LA] in the letter that was sent are very strong suggestions, and I would hear them."[23]

Should you have any questions, please contact Maura O'Neill at maura@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

[23] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:10:30: https://cal-span.org/meeting/ccc_20240613/

From: Teeda Tangprasertchai [redacted]
Sent: Monday, August 26, 2024 11:04 AM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

To Pacifica City Council -

Pacifica is a beautiful place and it's wonderful to have visitors who spend money at our local businesses when they're here. Pacifica is also a beautiful place because of the incredible community - within the first month of moving in, we knew nearly everyone on our block. Within the first year moving in, we had a great group of friends.

The SRTs take Pacifica's community away and make life worse for Pacifica residents - especially those who live near SRTs. I am on Carmel near Beach Boulevard and here are my experiences:

1) Our driveway has been thoughtlessly blocked 3+ times in the past 8 months. The people who park there are guests staying in the STR on Beach, **every time**.

2) When we have so many SRTs we are hurting our neighborhood - through housing loss, less community, increased rental prices in the midst of a housing crisis.

3) Please put in place the types of restrictions on unhosted STRs that nearly every other city in San Mateo County has enacted, with the Half Moon Bay ordinance serving as a gold-standard model that was approved by the California Coastal Commission.

4) I'm disappointed that the City staff values revenue from TOT (transient-occupancy tax). I understand that we need $, but it should not come at the community's expense. Thus far it feels like residents' pains and poorer quality of life is falling on deaf ears.

Teeda Tangprasertchai
Pacifica Resident/Homeowner @ Carmel + Beach

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From: Peter Loeb [redacted]
Sent: Monday, August 26, 2024 11:09 AM
To: Public Comment
Subject: Item 7, Short Term Rentals, Pacifica City Council meeting, 8-26-24

[CAUTION: External Email]

Please limit unhosted short term rentals in Pacifica, as other cities have done. Friends, acquaintances, and people I don't even know have told me horror stories of living next to unhosted STR's with people coming on to their property, urinating in their yards, leaving trash, blocking driveways and access to their homes, knocking on their doors and even coming into their houses. The problem is that there is no resident manager or staff on site at unhosted STRs. The result is that what was once a residence has become an unmanaged hotel. There is nobody to talk with to address problems – the property owners are not in Pacifica, and many are corporate-owned so there is no way to solve problems as they occur. You can only complain to a faceless entity after the fact, with no results. If unhosted STR's are limited to, for instance, 30 nights a year, then the housing is available as a residence for most of the year, thus preserving the housing stock as well as preserving the residential quality of the neighborhood.

Peter Loeb
[redacted]

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From: Wayne Thai [redacted]
Sent: Monday, August 26, 2024 11:11 AM
To: Public Comment; _City Council
Subject: Public comment for 8/26 Agenda Item: STR Study Session

[CAUTION: External Email]

Pacifica City Council
170 Santa Maria Avenue
Pacifica, CA 94044

Dear Mayor Vaterlaus and Councilmembers of Pacifica,

My name is Wayne, and I am an Airbnb host in Pacifica. My wife and I bought our home in 2019 and spent three years remodeling to make it our own. Life often takes unexpected turns, and in 2023, we found ourselves relocating across the bay. This move brought us away from our home, work, friends, and neighbors to be closer to personal matters that needed our attention. In order to mitigate the financial impact we decided to list our home for short term rental. We love Pacifica and have the opportunity to share our home and city with visitors looking to stay together as a family while also respecting our neighbors and neighborhood, going through great measures to ensure their peace and safety is held above all else, how we do this is listed in below:

Our Commitment:

- **Strict Screening:**
- We thoroughly vet all reservation requests, rejecting those that seem suspicious, and turn off the "instant book" function to ensure we know our guests and their intentions.
- **No Parties and Quiet Hours:**
- We enforce a strict no-party policy and clearly communicate quiet hours (10 PM to 7 AM) to all guests.
- **Monitoring and Responsiveness:**
- We use outdoor cameras and noise detectors to monitor activity and address any concerns. We are available 24/7 by phone within 15 minutes and can be on-site within 30-60 minutes, depending on traffic.

- **Neighborhood Engagement:**
- We visit our property weekly and maintain open communication with our neighbors, who have our contact information and can reach out with any concerns. We are committed to preserving good relationships and ensuring that our STR does not disrupt the community.
-
- **Local Employment:** The contractor who renovated our bathroom is a Sharp Park resident, our landscaper and cleaning team live in Pacific Manor, and we employ a senior from Oceano High School to help with trash issues. Many of these individuals rely on the STR for their livelihood (including the high school senior who uses his earnings for video games). 🙂

I understand the need for regulation but believe that a ban on unhosted STRs and cap on hosting days would unfairly penalize responsible hosts like us and significantly reduce the revenue generated from STRs (at a minimum -75% to $300K) since most legal and permitted unhosted STR's would be eliminated. The $1.5M revenue generated could fund updating our police department's firearms, reduce fees for at-risk events like the World Dog Surfing Championship that bring joy and economic activity to our city, or fund the increased city staff wages to be in line with surrounding cities. Recurring yearly revenue is difficult to obtain and if we remove the bad apples from the bunch we can maintain it and reduce the complaints being brought to your attention.

Recommendations:

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-
- **Allow Hosted and Unhosted STRs:**
- Require the property manager or owner be available by phone within 20 minutes and physically
- within the property within 60 minutes. For example, the Las Vegas ordinance provides a phone number for residents to file noise/trash complaints for STRs. When the city investigates the complaint and finds that the PM/owner is not reachable, this is an automatic
- ordinance violation. This ordinance would remove "bad" property managers and owners, like Marbella Lane.
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- **No cap on rental days:**
- Imposing a 60 or 120 day cap would severely impact STR owners' ability to cover expenses, resulting in discontinuing legal short term renting and decreasing ToT to $300K, possibly lower if all hosts pull out.
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- **Limit 2 persons/bedroom and 1 car per room.**
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- **Penalties for Violations for Owners:**
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    -
    -
    - Enforce a three strikes penalty. First penalty $250. The second penalty

- is $500. The third penalty revokes the business license/permit and a $1,000 fine. If they continue to operate without a license a fine of $500/day. The owner of the property will be ineligible to reapply for a business license/str permit.
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- Fine all unregistered illegal STRs $500/day

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As I think about the STR topic, I'm reminded of the time when we decided on RV/oversized parking. Generally people were against it if the parking was in **their** neighborhood while aware that the lack of homeless shelters is also an issue. Our home is in Pacific Manor, 2 blocks from the designated RV parking along Oceana Blvd and although it's not "ideal" for us, it was the right thing to do and we were for it. Similarly, I feel we should consider the broader benefit to the city and do what's right for all of Pacifica, and not just for one neighborhood. Our community of good hosts has developed a plan, in collaboration with local authorities (public and private) to address these issues effectively and would love the opportunity to correct and remove these bad actors that do not represent the majority of unhosted STR's.

I'd also like to offer the city my time to review current processes, data, tools, etc. to create efficient ways for our city to implement the recommendations above. We can do this together!

Here is just a fraction of the positive feedback we receive from families that stay in our home:

[redacted] August 2024

What a fantastic stay & host! Communication was upbeat, clear, & quick through the entire process: booking, check-in/out, & throughout the stay! Wayne was exceptionally responsive; often within minutes of my messages through the Airbnb app. He was patient with our operator errors, and quick to address (and fix) a minor concern (a slow drain). The home is lovely, and as described/pictured. The finishings, fixtures, linens, & appliances were top of the line. Supplies (detergent, coffee supplies, soaps etc) were also GENEROUSLY provided. The area is quiet, without being far from daily comforts. Groceries, Starbucks, Walgreens, a small park, and restaurants were minutes away. The beach wasn't far (5 min drive). We even saw whales at local Sharp Point Beach (though I understand this is seasonal, and not always predictable). Commute to San Francisco was easy and manageable. And it was lovely to return to the home OUTSIDE the chaos of the city at night. 10/10 would return!

[redacted] March 2024

From check in to check out, this home and host met or exceeded our expectations. We loved the vibe, style, and comfort it provided. Wayne was super responsive and helpful when we had questions. We had one interaction with the neighbor and his dog; they were very friendly! Great neighborhood for walks, with beautiful surroundings; green hills on one side and the ocean on the other. The nearby Safeway was convenient, and there are lots of local restaurants. We had great pizza from Viva Italiano, and the biggest burrito I've seen in my life from the Taqueria down the street. Overall rating of our stay was 10 out of 10, 5 stars, A+. Thanks for the great stay, Wayne and Elle!

Hope you and your family had a great spring break! Thanks for being such great guests!

[redacted] February 2024

Words aren't enough to describe the hospitality that Wayne provided for our stay; this is a no brainer location for a stay in the Bay Area. Close proximity to the PCH, 25/30 mins from the city, 10 mins from the airport, etc. The home was an amazing modern sleek look with great decor and space, helpful appliances/etc to make my friends and I's visit a comfortable stay. I would book this place again in a heartbeat.

Thanks Justin for the kind words! Hope to see you again!!

Private feedback

Wayne - thanks again for the hospitality and sharing your home! I wish all Airbnb hosts model your rollout, u set the standard! JG

[redacted] January 2024

We stayed at Wayne's home for 2 nights in January, 2024, to attend a family event. Wayne's communication was excellent, and he anticipated what we might need before we even thought of it. The home itself was immaculate, with everything a family could need. There were so many decorative touches, including the towel, hand-towel, and washcloth, carefully folded for each guest. We forgot to pack a few items, but happily, they were included in the stay. We brought our own coffee, but forgot creamer, but there was creamer and sweeteners in a basket, which saved us a trip to the store. The kitchen was beautifully remodeled, with all new appliances. The bathrooms were immaculate, with more than adequate water pressure & hot water. The master bath with jets, and body spray, and rainfall shower head was awesome! It took us a few minutes to figure out how to turn it on, but everything worked flawlessly. We loved the home, and we loved Pacifica, just a mile or two away from everything!

Glad you enjoyed your stay! Would love to have you back!

Private feedback

Thank you again for making your home available to our family. We were there for a funeral, but, in spite of the timing, having a clean, beautiful place to stay separate from the sadness made our trip so much better. We love the Bay Area, and would love to stay in your home again, and we will recommend it to our sons, families and friends.

Warm regards,

Wayne Thai

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From: mark stechbart [redacted]
Sent: Monday, August 26, 2024 11:12 AM
To: _City Council; Public Comment; [redacted]
Subject: Aug 26-- STR/AIRBNB oppose

[CAUTION: External Email]

The public mood has shifted against str. STRs are not a balance between interests and have NO vested rights. Neighborhoods object to the impacts. Strangers do not belong in our neighborhoods.

The STR approval at council May 2018 had NO public comment. No one was paying attention.

Now hundreds of Pacifica voters are paying attention and uniformly objecting.

Ignore the August 26 dissembling staff report.

My neighborhood quiet enjoyment is not for sale-- reject the city STR fee/revenue quick fix.

Council's 2018 ordinance adoption (excerpts below) contains glowing statements of accountability, monitoring and enforcement. My experience is NONE of these assurances have been honored.

STR new ordinance will take a few more months. Certainly CCC approval will drag things out. Institute a moratorium on new permits because number of legal and illegal units is excessive. Make sure new ordinance applies to all permits

Institute strict requirements for zero STR neighborhood impact.

Narrow occupancy limits; no street parking, no noise; no events/parties/meetings/yoga; no day visitors because that invalidates occupancy; 60 day max rental then owner re-occupies to maintain family neighborhood character; natural person ownership; split ordnance between CCC control vs east side because east side will not tolerate being held hostage to either CCC edict or approval delay.

May 29, 2018 Council hearing and approval.

No public comment

Unanimously approved: keener, oneill, digre, martin, Vaterlaus.

6/11/2018 at second reading enactment resolution:

WHEREAS, the City of Pacifica will collect data regarding public health, safety, and welfare impacts related to operation of short term rentals and may decide to enact further appropriate regulations in the future; and

WHEREAS, pursuant to applicable law, the permitting of short-term rentals under this ordinance does not establish any vested land use right, and short term rentals will be subject to further regulation or prohibition pursuant to the City of Pacifica's police power; and

Section 9-4.4906 – Permit Revocation and Enforcement. (a) Permit Suspension or Revocation. The Administrator may suspend or revoke a short-term rental permit after making a determination that the permittee has violated any of the provisions of this article or is operating the short-term rental in a manner that is detrimental to the public health, welfare or safety or constitutes a nuisance. The Administrator shall provide the permittee with written notice stating the supporting factual basis for the decision. The notice shall contain an advisement of the right to request an appeal before a hearing officer by filing a written appeal. (b) Appeal to Hearing Officer. Suspension or revocation issued by the Administrator pursuant to paragraph (a) will be effective ten days from the date appearing on the notice, unless a timely appeal is filed before such date along with the deposit of an appeal fee established by resolution of City Council. A hearing shall be scheduled before the hearing officer within thirty (30) days. The decision of the hearing officer shall be a final administrative order, with no further administrative right of appeal or reconsideration. The hearing officer may sustain a denial, suspension or revocation, overrule a denial, suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension. (c) Reapplication. No application for a short-term rental permit will be accepted within one year after a short-term rental permit is revoked. (d) Enforcement. The City may enforce this article by any means permitted by law, including but not limited to those penalty provisions set forth in Chapter 2 of Title 4 June 11, 2018 Packet Pg. 157 Pacifica City Council 7 1 of this Code. The City Council may establish fines for violating this article by resolution.

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From: Robert Stevens [redacted]
Sent: Monday, August 26, 2024 11:17 AM
To: _City Council
Cc: Public Comment
Subject: Public Comment Item 7. Short Term Rental Study

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council: :

My name is Robert Stevens. and I have lived at [redacted] for the past 26 1/2 years (since February 1998). I live next door to the Air BnB on Aspen Drive (since my long term neighbor sold his home in the winter of 2021). As I am next door to the Short Term Rental units, I feel my feedback is relevant and should be considered in any study the City of Pacifica is undertaking.

Here's my feedback as the person living next door to the Air BnB:

1. First of all, let's call it what it is. It is a transient hotel. There are no permanent residents living there. I watch who comes and goes and it is simply a transient hotel in a residential neighborhood.

2. My family's quality of life has declined in the following ways:
a. My daughters used to sun bathe on the deck. Now, as we don't know who is there on any given day, they do not , as our decks are right next to each other.
b. Depending on the makeup of the hotel guests parking can be materially impacted at times. My daughter Samantha, who has been at grad school in UC Davis, is moving home for good on September 15, the first time she would be living with us full time in two years. She usually parks right in front of our house . Now with the Air BnB, she has to park a couple of hundred yards down the street. In this case we are the permanent residents of the neighborhood, why should we be inconvenienced?
c. I would like to understand more about the process. When someone buys residential real estate in Pacifica and essentially uses it as commercial real estate (which is the case here), do they have to disclose this with the City of Pacifica at the time of Purchase? Do they have to have any significant construction approved and permitted?
d. As this is essentially a hotel, do they go through the same permitting process? For instance, is there an annual fire inspection? Is there a posted maximum occupancy? Are they subject to ADA laws and wheelchair access? Shouldn't they pay for certain zoned parking that can be for the use of their tenants rather than taking parking spaces from the permanent residents of the neighborhood?

3. Has my property value gone down, should I decide to sell my home with an Air BnB next door? Have any studies been done on this? I ask because, though I may not have a legal responsibility to disclose this to someone buying my home, I do have an ethical responsibility and if this situation were to occur, I would disclose it. Would a new family with small children pay as much if they know the house next door is an Air BnB? I think at best the effect of this is neutral, but in all likelihood the effect is negative. Would the City of Pacifica consider making me "whole" in this type of scenario, if I can demonstrate I have to sell my house at a discount relative to "comps"?

I ask these things because about 15 years ago, I had to have a 100 year old pine tree removed from my front yard that was deemed a "heritage tree". We actually had to get permission from the neighborhood prior to taking the tree down.

Why should a new residential owner get to convert his property to commercial real estate without going through some kind of approval process?...when I had to disclose and get permission to take down a tree!!!

My wife tells me that the Air BnB is paying Pacifica Hotel Occupancy Taxes (12%). As I was a Director of Finance in the Luxury Hospitality industry in San Francisco for 40 years (Nikko Hotels International. InterContinental Hotels and Resorts, and Omni Hotels and Resorts), I know that the City and County of San Francisco collected 14%. These went into the General Fund, but there was a full disclosure annually on what was collected from the hotels and what the funds were used for (a big portion in SF supported the City's Arts programs). I would like to understand how much the City of Pacifica collects annually from Hotels and Air BnB's and maybe a breakdown between both , so we can get an idea city wide of the scope we are talking about. It would be nice if the City disclosed the expenditures these collected funds paid for. It seems to me that this should be done annually.....maybe in the Pacifica Tribune? In I i it's not already) Also, The City of Pacifica should consider allocating resources to have some kind of audit program to assure these A ir BnB owners, particularly people and corporations who live outside of Pacifica, are not cheating and are paying their fair share similar to the brick and mortar hotels like the Lighthouse Inn or the Sebreeze Hotel down the hill.

I humbly ask that the City of Pacifica take these items under consideration before making any kind of ruling on Item 7. What is happening here is that you are changing the tenor, feel and value of neighborhoods. I understand that this is becoming a trend, but there is a big difference between people buying homes as rental properties and renting them out all year round, in which case the renters are permanent residents, and short term rentals which are really hotels. iIn 2 1/2 years, I don't think I've ever seen a family stay there longer than a week. From my observations over time, the average length of stay is 2 or 3 days. Not only does it take away from the neighborhood, but it also takes short term business from other established Pacifica Hotels.

Thank you very much for your appreciation.

Best Regards,

Robert Stevens

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From: Cherie Chan [redacted]
Sent: Monday, August 26, 2024 11:31 AM
To: Public Comment
Cc: _City Council; Beckmeyer, Sue; Boles, Christine; Bigstyck, Tygarjas; Vaterlaus, Sue; Bier, Mary; Woodhouse, Kevin; Carter, Yulia
Subject: Public Comment for 8/26/24 Council Meeting: Item 7. Short-Term Rental Study Session

[CAUTION: External Email]

Hello, Neighbors,

At the last Pacifica City Council Study Session, June 24th 2024 on Short-Term Rentals, at 2:07, Councilmember Bigstyck opens up council's remarks clearly and articulately, setting our elected Councils' STR priorities:

"It is unconscionable when an outside operator owns and operates 17 homes as hotels, it is unconscionable when an apartment owner buys a six-unit apartment building and operates it as STRs" and directs staff to craft regulations in line with curbing these excesses from out-of-town corporations. (YouTube Link: https://youtu.be/SeNRHmdVtOo?si=-Y9iX6qQua5oto2c&t=7621)

Councilmember Bier then follows-up with the heartbreaking story of the relatively affordable apartment she had lived in becoming an all-STR building, removing relatively affordable housing stock which could be used to support the many essential workers who wish to live in Pacifica and continue sending their children to school here, where we all volunteer and live.

The staff report completely misses this key direction from our councilmembers: a limitation of STR permits to one STR for any owner or operator. As other Pacifica residents have noted, there are at least 29 corporations or investors who own/operate more than one unhosted STR, one corporate investor who owns 10 unhosted STRs, another operates 14, and one even has 17. This is not right.

These large-scale Commercial Businesses should not be allowed to run in Pacifica's residential neighborhoods. We do not want Pacifica to be a magnet for corporate investors seeking to game communities to find the "easiest" community to exploit. At the very least, we can, and should maintain the same restrictions as Half Moon Bay, which only has 1/3 the residents of Pacifican. If it isn't too hard for Half Moon Bay, it isn't too hard for Pacifica planning staff.

Go Tigers and Sharks!

Sincerely yours,

Cherie Chan

Pedro Point

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From: S.k. Mohanty [redacted]
Sent: Monday, August 26, 2024 11:41 AM
To: Public Comment
Subject: Susanta Mohanty - Agenda Item 7

[CAUTION: External Email]

Respected City Council Members,

We cherish the city of Pacifica—its stunning beauty, vibrant diversity, rich culture, and, most importantly, its incredible people. Our love for this city began with frequent visits, where we would search for a place to stay and soak in all that Pacifica has to offer. Inspired by these experiences, we made the decision to invest in a condo, allowing us to spend more time in this wonderful city. To make this possible, we decided to list the property as a Short-Term Rental (STR), enabling us to host travelers while also helping us manage the financial responsibility of the mortgage.

We are deeply committed to maintaining the highest standards for our guests, ensuring they are thoroughly screened and adhere strictly to the house rules. We prohibit parties, and our minimum stay requirement is two nights. Given the typical occupancy rate and the nature of short-term stays, our property creates minimal disruption to the surrounding neighborhood, often less than a long-term tenant might.

On a personal note, we've stayed in STRs across the globe, and many of the unique, small cities we've visited wouldn't have been accessible to us without the availability of such accommodations. STRs provide travelers with a way to experience the charm of places like Pacifica, contributing to the local economy while fostering tourism.

We kindly urge the city council to consider the positive impact STRs have on our community. While there may have been isolated negative incidents, the benefits—both to visitors and the city—are substantial and far-reaching.

Thank you for your time and consideration.

Warm regards,
Susanta

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From: [redacted]
Sent: Monday, August 26, 2024 11:44 AM
To: Public Comment
Subject: 08/26/24 City Council Mtg: Public Comment on Item No. 7, Short-Term Rentals
Attachments: 8.26.24_Ltr2PacificaCouncil.ReqSTROrdinances.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members,

Attached above is my letter to you for the City Council Meeting of 08/26/24 with my public comments on item number 7, Short-Term Rentals.

Thank you for your consideration.

Best regards,
Jenifer Behling

Jenifer Behling
[redacted]

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A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: JENIFER BEHLING Date: 08/24/2024

[redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: mark stechbart [redacted]
Sent: Monday, August 26, 2024 11:46 AM
To: _City Council; Public Comment
Subject: Aug 26 good str signage
Attachments: 20240730_183351.jpg

[CAUTION: External Email]

Code complaint # is manned 24-7 for prompt investigation. Occupancy, car restriction avoids guessing

Mark Stechbart
[redacted]

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BIG BEAR

COOL CABINS

909-866-7374

Max Occ: 4 **Max Cars: 2**

24/7 CODE COMPLIANCE TELEPHONE NUMBER

909-866-CODE

ity of Big Bear Lake
egistered TPHR Unit
proved for Rental
On: _____
pected by:

From: Kate Chinca [redacted]
Sent: Monday, August 26, 2024 11:49 AM
To: _City Council; Public Comment
Subject: Public Comment Item 7 Short Term Rental Study Session

[CAUTION: External Email]

Dear Mayor and Council Members,

I don't want to bore you with too much repetitions of why I am so against these rentals. I do, however, have a couple of items I would like to ask that might be answered tonight if your staff is prepared.

What 8 areas have the staff used to compare the ordinances when coming up with their recommendations? AirBnB is mentioning places like Tuolumne County.

Why are we having such ongoing discussions about this when the Planning Commission was able to turn down an obvious problem at the Quarry site within a short time?

When did we find ourselves so tied to Big Corporations that we cannot take care of the little people of this city?

I know that there is much to be considered but, like a child, stomping its foot and demanding that they have candy to be recognized and catered to is no way for them to act. They are disgraceful.

Please right the ship on this one and help us, please! See you tonight.

Sincerely,

Kate Chinca
Gary Chinca
Aspen Drive

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From: Cheryl Henley [redacted]
Sent: Monday, August 26, 2024 11:51 AM
To: Public Comment
Subject: Comments on Agenda item #7 (Short Term Rental Study Session)

[CAUTION: External Email]

Submitted by: Cheryl Henley

I'm in favor of a ban on short term rentals in Pacifica. If this is unpalatable to the majority then I would ask you all to consider a ban on non hosted STRs. I am deeply troubled by the actions of corporations who own these rentals and do not do a good job keeping them up and do not respond to problems from neighbors. Imagine living adjacent to one of these with people arriving at all hours, throwing parties, disrespecting neighbors, etc. No one wants to live next to the party house. Think how this might be impacting the neighbor's property value? I would not buy a house adjacent to a STR.

A cap on the number of allowable STRs in Pacifica is an unfair approach. Some people get the benefit and some don't? I recommend a full ban.

Airbnb is reshaping cities in their own interest. A long list of coastal cities in California have all out bans including:

Belvedere
Carmel
Del Mar
Hermosa Beach
Huntington Beach
Larkspur
Manhattan Beach
Rancho Palos Verdes
Redondo Beach
San Juan Capistrano
Sausalito
Tiburon

STRs are no longer the "mom and pop" operations they once were. There is big money in STRs and we know that corporations are scooping up properties above asking price making home ownership even more impossible for families. In New York City a ban was enacted to help with the housing shortage and make housing more affordable for New Yorkers. Researchers analyzed data from 100 metro areas in the U.S. between 2012 - 2016 and found that a 10% increase in Airbnb listings leads to a .39% increase in rent and a .64% increase in housing prices.

STRs are ruining our neighborhoods, especially along Beach Blvd in West Sharp Park where more than half the houses are STRs. In South Lake Tahoe, STRs are banned in most of the city in response to concerns about their impact on neighborhoods. Our neighborhood is becoming commercialized. Might as well put hotel signs in front of each of these houses. This has to be terrible for our local legitimate hotels.

STRs are bad for local businesses. People who rent STRs in Pacifica are more likely to be here on their way to somewhere else such as, major conferences and other attractions in SF, Muir Woods, etc., where they actually spend their money. The local stores are geared toward families, especially along Palmetto, and they are suffering as a result of STRs. Long term owners or renters buy plants, antiques, get their hair cut and wash their cloths at the laundry while short term renters do not.

Stand up to large corporations taking over our neighborhoods. Please vote to ban all STRs in Pacifica

Respectfully,

Cheryl

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From: robert odonnell [redacted]
Sent: Monday, August 26, 2024 11:52 AM
To: _City Council; Public Comment
Cc: [redacted]
Subject: STR Ordinance

[CAUTION: External Email]

Dear Mayor and Council Members,

The public have urged you for over a year to review and strongly revise our Short Term Rental ordinance. I plan to speak to you tonight about the commercialization of our neighborhoods with transit hotels plopped among us by absentee owners backed by big corporations. Every city around us and most in San Mateo County have taken action to protect their citizens and neighborhoods. Pacifica needs to step up and do the same. Many fellow citizens will join me to urge you to implement a strong ordinance to alleviate the problems we encounter. Please listen to us and ACT on this important issue.
Thank You,
Bob and Jackie O'Donnell
Aspen Dr.
51 year residents of Pacifica

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From: Albert Zhang [redacted]
Sent: Monday, August 26, 2024 11:54 AM
To: Public Comment; _City Council
Subject: Public comment for 8/26 Agenda Item:STR Study Session

[CAUTION: External Email]

Dear City Council Members,

My name is Albert Zhang and my husband Russell and I live at [redacted]

First of all, thank you for your work to help Pacifica to become a better place.

My husband and I operate an unhosted Airbnb with our primary residence. We rent it out occasionally to provide tourists with a clean, comfortable, and much better living experience compared to hotels, especially for families spanning multiple generations.

We've never caused any problems for our neighbors or the community. We fully support fair and effective regulation of short-term rentals (STR) in Pacifica. However, we oppose overly restrictive regulations that could hinder STR development and deter tourists from visiting Pacifica, where they prefer staying in places that offer more comfort than traditional hotels.

Airbnb has been a lifeline for us, helping us cover essential expenses like our mortgage, insurance, property taxes, and home renovations that would otherwise have been out of reach or delayed.

Recently, a member of the "Pacifica Homes Are Not Hotels" group told my husband, "How long have you lived in Pacifica? Just three years? I've been here for 22," implying that our opinions don't carry the same weight. This was a hurtful and untrue statement. For context, we bought our home in 2021 at peak market prices, and we pay property taxes based on that sales value. In addition, we contribute to the city through TOT (Transient Occupancy Tax) and license fees, and our guests bring in sales tax revenue.

This isn't a competition, but we believe we've made significant contributions to the city we love. Our voices matter, and it's important to hear both sides of the story.

Thank you.

Best,
Albert

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From: [redacted]
Sent: Monday, August 26, 2024 11:54 AM
To: Public Comment
Subject: Anasuya Mohanty - Agenda Item 7

[CAUTION: External Email]

Dear City Council members,

We are writing to share our love for Pacifica and to explain why we believe Short-Term Rentals (STRs) are an important part of our community. Our connection to Pacifica began as visitors, captivated by its natural beauty, vibrant culture, and welcoming atmosphere. Eventually, we decided to purchase a condo here, allowing us to spend more time in this wonderful city and share it with others.

To help cover the costs of owning a vacation home in Pacifica, we chose to list our property as a Short-Term Rental. This allows us to continue enjoying Pacifica while also welcoming travelers who want to experience its unique charm. We carefully screen our guests and enforce strict house rules to ensure they are respectful of our neighbors. We also require a minimum stay of two nights to reduce turnover and any potential disruption.

Our experience with STRs has shown us that they can provide a great opportunity for visitors to explore cities like Pacifica while supporting the local economy. We believe that, when managed responsibly, STRs can have a positive impact on our community, contributing to local businesses and tourism without causing significant issues.

We understand that there may be concerns about STRs, but we are committed to being responsible hosts who minimize any negative effects on the neighborhood. We hope the city council will recognize the value that STRs bring to Pacifica and consider the benefits they offer to both visitors and homeowners like us.

Thank you for your time and consideration.

Sincerely,

Anasuya

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From: Julie Hong [redacted]
Sent: Monday, August 26, 2024 11:59 AM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

Hello,

I am reaching out to you as a concerned Pacifica native, regarding the issues of unhosted Short Terms Rentals in Pacifica. I have been speaking up and out about this issue since 2022 when I noticed that my husband and I could not compete with investors when we were putting in offers on houses in our neighborhood. We were losing to the investors that were always able to offer more money than we were able to on bids for homes.

Our background-

In 2022, I had my second daughter and my mother-in-law, who was 84 years old suffered a stroke. She needed to come live with us to rehabilitate, and we were all living for months in our 900 square foot townhouse- my husband and I, my 84-year-old mother-in-law, my 2.5-year-old and my 5-month-old baby. It was a lot! The five of us outgrew our townhouse quickly and we needed to get into a bigger home. We were fortunate enough to be able to downsize my mother in laws home she had and we wanted to purchase a home in Pacifica as a multi-generation family together. This need for our family was hard to obtain because we could not compete with investors' money and their real estate teams and systems. We put in several bids and these were not accepted, and rather were sold to investors who then immediately put these homes onto short term rental websites such as Air BNB and VRBO. We could not compete.

We are Pacifica and San Francisco natives, we work in public service at a local community college and a local fire department, we are volunteers and board member of a 60-year-old Pacifica non-profit preschool, homeowners and tax payers, and plan to stay and thrive in the community we are deeply connected to and love- Pacifica.

Concerns-

- The investors have so much capital backing, they can buy real estate high, and inflate the market even more than is already is.

- Regular people in our community cannot buy or compete with investor backed monies.

- The investors have no stake in the community and take away homes from real people who will contribute to the local economy, volunteer opportunities, schools, organizations, and everything that makes Pacifica great.

- These investor, real estate professionals and STR management company teams use the real estate sales photos on the STR website, and seemed to buy the houses with all of the staged furniture so they homes were already equipped for people to start renting them immediately- it is a well thought through system that makes it impossible for real people in our community to compete.

- These STR are unhosted- there is no oversight on what takes place at these houses- causing so many nuisances to the community that surrounds them.

- There are two particular real estate professionals that seem to be tied to many of these real estate transactions and flipping onto STR websites. They know the "game". There was a brief pause in the buying by these particular real estate professionals when the STR cap was put into place- are they strategizing on their next moves?

My ask-

Please help to protect us, and all of our community, from investment money coming into Pacifica and taking over our opportunities to stay with our families and communities we love and want to see thrive.

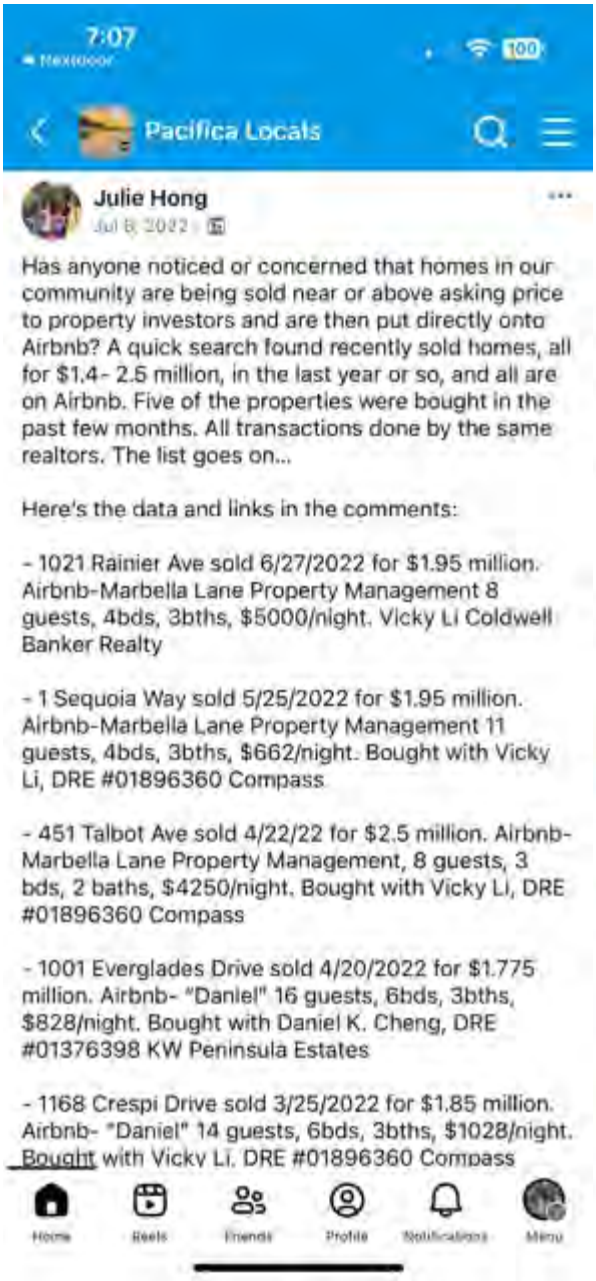
Please put in regulations and restrictions on unhosted STRs. The Half Moon Bay ordinance serves a gold-standard model and was already approved by the California Coastal Commission, and almost every other city in San Mateo County has enacted regulations. Please be sure that Pacifica follows our sister cities leads, and put in regulations for unhosted STRs in Pacifica. Please do not allow our community to be hollowed out any more. It is hard work, but our community is depending on you and the city council to protect our beautiful community and the people that make this place so wonderful to be our home.

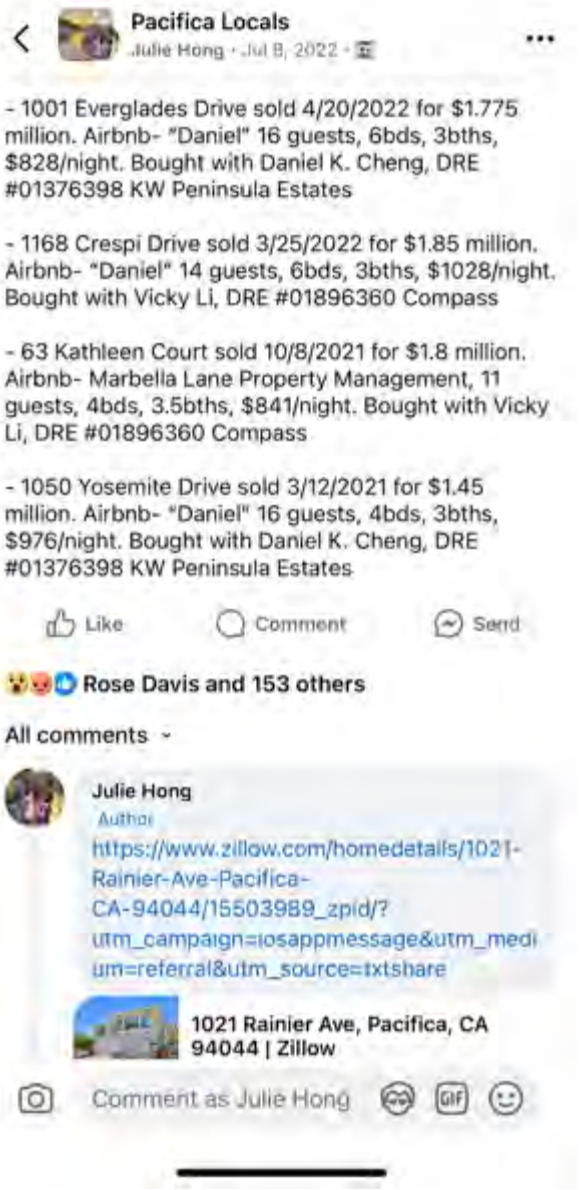
Lastly, I have done much research about this issue in 2022 and I plan to continue investigating and bringing light to this issue. Please find attached photos of a Facebook post with much community discussion, and where the data is clearly laid out.

I really appreciate your time in reading our story and your consideration of how to continue to protect and serve our community.

With gratitude,

Julie H.


7:07
Pacifica Locals
Julie Hong
Has anyone noticed or concerned that homes in our community are being sold near or above asking price to property investors and are then put directly onto Airbnb? A quick search found recently sold homes, all for $1.4- 2.5 million, in the last year or so, and all are on Airbnb. Five of the properties were bought in the past few months. All transactions done by the same realtors. The list goes on...
Here's the data and links in the comments:
- 1021 Rainier Ave sold 6/27/2022 for $1.95 million. Airbnb-Marbella Lane Property Management 8 guests, 4bds, 3bths, $5000/night. Vicky Li Coldwell Banker Realty
- 1 Sequoia Way sold 5/25/2022 for $1.95 million. Airbnb-Marbella Lane Property Management 11 guests, 4bds, 3bths, $662/night. Bought with Vicky Li, DRE #01896360 Compass
- 451 Talbot Ave sold 4/22/22 for $2.5 million. Airbnb-Marbella Lane Property Management, 8 guests, 3 bds, 2 baths, $4250/night. Bought with Vicky Li, DRE #01896360 Compass
- 1001 Everglades Drive sold 4/20/2022 for $1.775 million. Airbnb- "Daniel" 16 guests, 6bds, 3bths, $828/night. Bought with Daniel K. Cheng, DRE #01376398 KW Peninsula Estates
- 1168 Crespi Drive sold 3/25/2022 for $1.85 million. Airbnb- "Daniel" 14 guests, 6bds, 3bths, $1028/night. Bought with Vicky Li, DRE #01896360 Compass
Home
Reels
Friends
Profile
Notifications
Menu


Pacifica Locals
Julie Hong
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- 1168 Crespi Drive sold 3/25/2022 for $1.85 million. Airbnb- "Daniel" 14 guests, 6bds, 3bths, $1028/night. Bought with Vicky Li, DRE #01896360 Compass
- 63 Kathleen Court sold 10/8/2021 for $1.8 million. Airbnb- Marbella Lane Property Management, 11 guests, 4bds, 3.5bths, $841/night. Bought with Vicky Li, DRE #01896360 Compass
- 1050 Yosemite Drive sold 3/12/2021 for $1.45 million. Airbnb- "Daniel" 16 guests, 4bds, 3bths, $976/night. Bought with Daniel K. Cheng, DRE #01376398 KW Peninsula Estates
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Comment
Send
Rose Davis and 153 others
All comments
Julie Hong
Author
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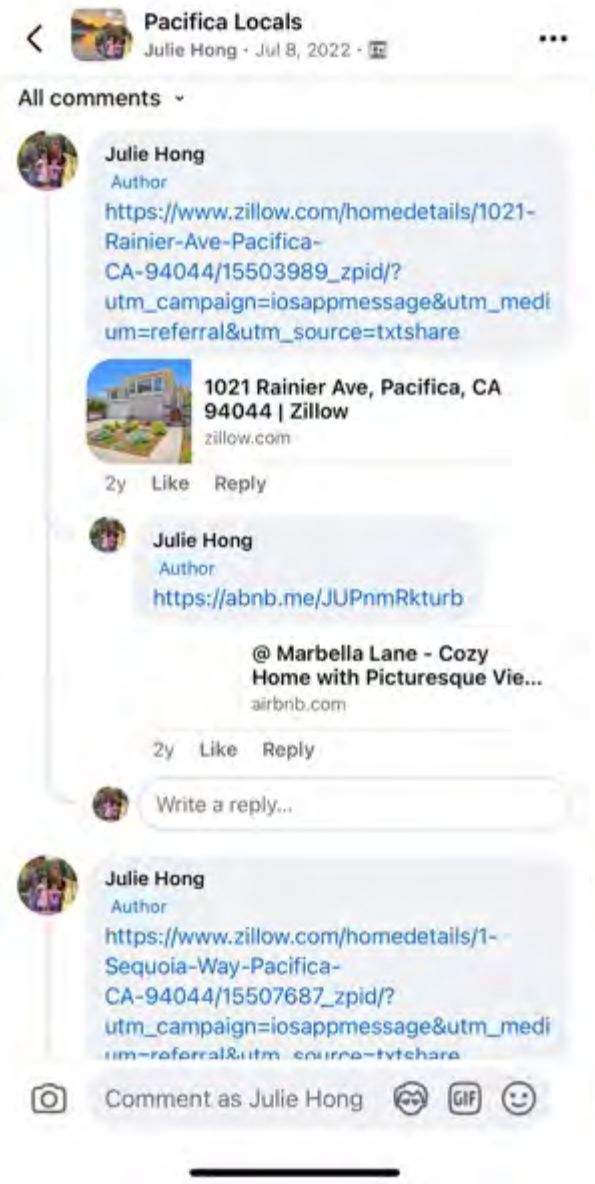
1021 Rainier Ave, Pacifica, CA 94044 | Zillow
Comment as Julie Hong


Pacifica Locals
Julie Hong · Jul 8, 2022 ·
All comments
Julie Hong
Author
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Julie Hong
Author
https://abnb.me/JUPnmRkturb
@ Marbella Lane - Cozy Home with Picturesque Vie...
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Author
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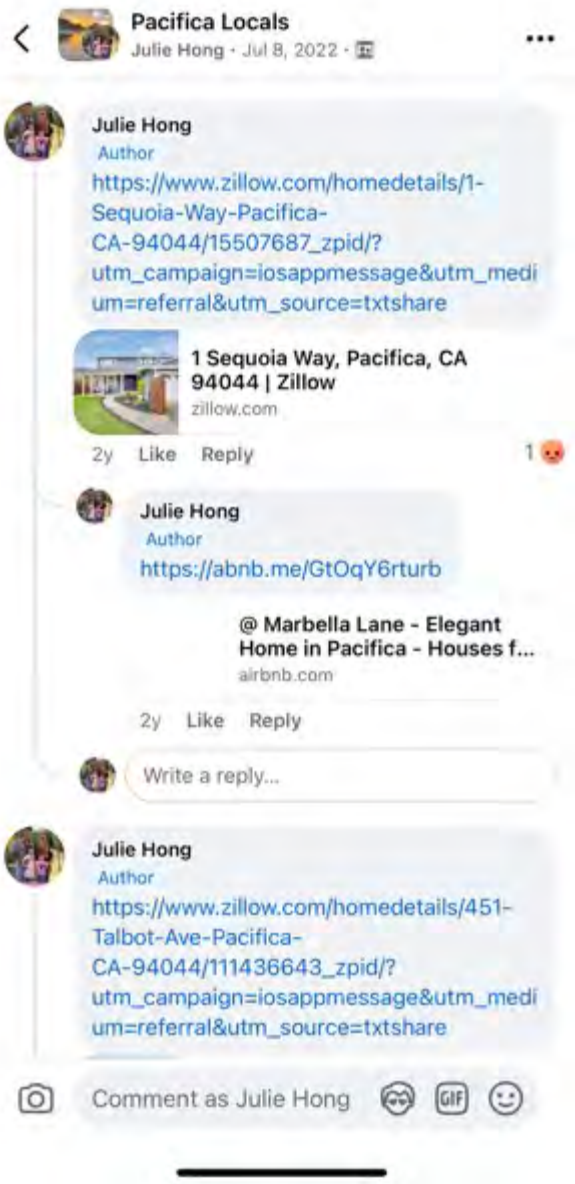
Comment as Julie Hong


Pacifica Locals
Julie Hong · Jul 8, 2022 ·
Julie Hong
Author
https://www.zillow.com/homedetails/1-Sequoia-Way-Pacifica-CA-94044/15507687_zpid/?utm_campaign=iosappmessage&utm_medium=referral&utm_source=txtshare
1 Sequoia Way, Pacifica, CA 94044 | Zillow
zillow.com
2y Like Reply 1
Julie Hong
Author
https://abnb.me/GtOqY6rturb
@ Marbella Lane - Elegant Home in Pacifica - Houses f...
airbnb.com
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Julie Hong
Author
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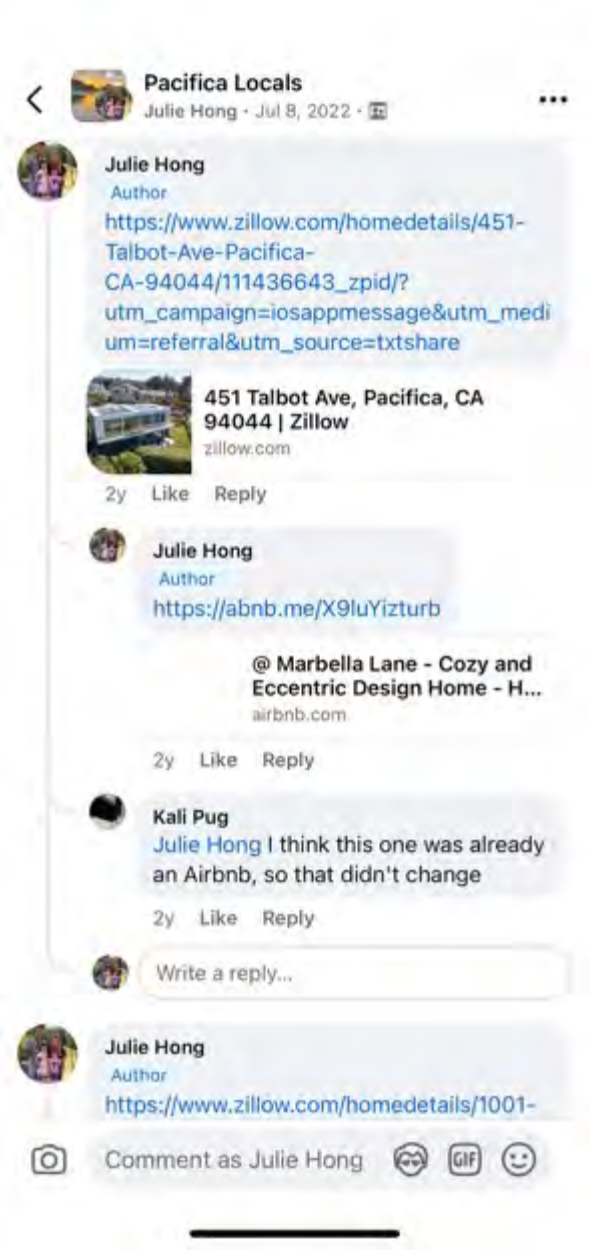
Comment as Julie Hong



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From: Cindy Abbott [redacted]
Sent: Monday, August 26, 2024 11:59 AM
To: Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary; Boles, Christine; Bigstyck, Tygarjas; Public Comment
Subject: City of Pacifica, City Council Meeting, Aug 26, 2024, Item 7, STR Study Session
Attachments: PHANH Recap_Ordinance Survey by Category_June 2024.pdf; A Letter to Pacifica's City Council re new STR Ordinance Governance.pdf

[CAUTION: External Email]

Dear Members of the Pacifica City Council,

Two weeks ago at the last City Council meeting, we heard the welcome news by city staff who noted that they had been conducting extensive work to address the clear and consistent direction provided by you at the June 24, 2024 Study Session, regarding your interest in new regulations to be added to the 2018 Short Term Rental Ordinance.

Unfortunately, it is unclear that additional "extensive" analysis has been conducted, as the current staff report references the June Study Session staff report where only eight jurisdictions were reviewed. And, most of what you requested has received a response by staff that "it would be too difficult to do" and/or that it would lose the city TOT tax revenue and so staff is discouraging the change, even though municipalities throughout the area, state and country, have been able to do so.

In Vision 2025, the mission of the city has been crafted as follows: The City of Pacifica provides exceptional services, **maintains the small-town feel and safety of its unique community**, and stewards its environment, coastal beauty, and recreational opportunities. The proliferation of unhosted short term rentals is in direct conflict with this mission statement.

While the inadequate compliance conducted to date remains a big issue, the problem for the community is much more than the big party houses. Pacifica, since it's inception, has been built and shaped by community – actual residents who take part and give back.

What has been occurring now though that so many have observed, is a change in our residential neighborhoods. We've seen homes and apartments, where full time residents previously lived and participated in the Pacifica community, had kids attending local schools, volunteered and supported local nonprofit organizations, and purchased from local retail and service businesses, be turned into commercial areas with micro hotels (short term rentals). Folks have been experiencing significant nuisances with parties, parking, noise, trash and a general feeling of insecurity with a constant churning in and out of unknown people.

This does not provide the small-town feel and safety of the unique community.

Please, direct staff to:

- Develop the processes to implement strong new regulations regarding UNHOSTED Short Term Rentals throughout the City of Pacifica. These include at minimum:
    - **Permit Short Term Rentals ONLY to property owners who are "natural persons" and for whom the home is their primary residence**. (Half Moon Bay has done this as have other

cities. Pacifica can do this to prevent the commodification of housing, as corporate and out-of-town investors buy properties, forcing up prices for both home purchases and rentals.)

- **Allow only ONE STR permit per any owner/operator** (to ensure housing stock is not flipped from providing long-term residential housing to short term profit).
- **Set an Operating Limit on hosted STRs to 60 rental nights per year.** This sound regulation with time limits provides opportunity to residents who may be away for a period of time during the year to share their home with others, while providing relief for full time residential citizens from the disruption and sense of insecurity caused by the constant churn of visitors. Time limits have been implemented in: Half Moon Bay, Daly City, Burlingame, Millbrae, Piedmont, Redwood City, San Bruno, San Mateo, South San Francisco, San Francisco and many more municipalities.
- Additional recommendations that were included in the well-researched draft ordinance submitted by Pacifica Homes are Not Hotels, are attached**.**
- ***Please note: Each of the top three recommendations are also supported by members of the California Coastal Commission, as expressed directly to City staff at the June 14, 2024 CCC hearing on the 150 unit CAP. During that hearing the Coastal Commissioners expressed their concern that they City was not taking ample steps to regulate the loss of housing and character of the coastal residential neighborhoods. The CCC in fact wanted the City to enact a moratorium while working on the new Ordinance, and were even poised to do this for the city.***

- Direct staff to **implement a method of equitably and equally allocate the 150 unit STR cap throughout ALL of Pacifica neighborhoods** (as is done with marijuana dispensaries) to minimize the significant negative impact and loss of housing in the historic neighborhoods of West Sharp Park and Pedro Point. (See below for the recap of current STRs by neighborhood, dramatically showing how West Sharp Park has been inundated.)

The staff report is extremely concerning, indicating the intention of allowing even more in these areas. NO area of Pacifica is far from the coast. ***NO area of Pacifica should bear more than their fair share of burden of short term rentals.***

- Have staff immediately **develop a new application process that reflects a more robust data collection** that will be beneficial both now and in the future with regard to understanding ownership, occupancy, and compliance of short term rentals.
- **Provide you with the draft letter to current (and potential future) short term rental permit holders** to ensure it contains appropriate information on the upcoming new ordinance, to include that *any new permits are conditioned to be revokable when the new ordinance goes into effect*.
- **Provide you with correspondence and documentation regarding the agreement with Airbnb and other STR platforms.** These companies are listed to be "data and technology companies, who must be held accountable for not only complying with all aspects of the updated City of Pacifica STR Ordinance, but must also be held accountable to provide the documentation that they are doing so. This at minimum should include: a) requiring the posting of the STR Permit Number on the online listing; collection of tax; b) detailed reporting including the number of bookings and nightly stays for each permitted STR; and c) immediate removal of violators of the Ordinance.

A recent review of the City of Pacifica Municipal Code shows how Bed and Breakfast Sec. 9-4.462. – have significantly stronger regulations. Unhosted Short Term Rentals are essential Bed and Breakfasts, reserved through an online platform. One must ask, Why are STRs being given such leeway? Why aren't we supporting our hotels? Why are we allowing the commercialization of our residential neighborhoods?

Please find neighborhood details below, and additional information on how other municipalities have responded to the blight of Unhosted STRs, attached.

City of Pacifica, Short Term Rentals, by Neighborhood (as of June 2024)		
West Sharp Park	48	28%
East Sharp Park	12	7%
WSP Shoreview	3	2%
Sharp Park/Shoreview	63	37%
Manor	38	22%
Fairmont/Manor	5	3%
	43	25%
Linda Mar	16	9%
Park Pacifica	14	8%
	30	18%
Pedro Point	20	12%
Vallemar	7	4%
East Rockaway	6	4%
Fairway	2	1%
	171	

Thank you,

Cindy Abbott
West Sharp Park

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All STRs Banned
Anaheim[4]
Atherton[1]
Belvedere[2]
Carmel[3]
Carslbad[3]*
Colma[1]
Danville[2]
Del Mar[3]
El Cerrito[2]
Hermosa Beach[3]
Huntington Beach[3]
Larkspur[2]
Manhattan Beach[3]
Ojai[4]
Rancho Palos Verdes[3]
Redondo Beach[3]
San Juan Capistrano[3]
Santa Ana[4]
Sausalito[2]
Sonoma[4]
Tiburon[2]
West Hollywood[4]
Woodside[1]
Yountville4

Only Hosted STRs Allowed
Brisbane[1]
Burlingame[1]
Orinda[2]
Redwood City[1]
San Francisco[2]
Santa Monica[3]
Sunnyvale[2]

Banned in Residential Zone/ Commercial Zones only
Buellton[4]
Calistoga[4]
Cloverdale[4]
Healdsburg[4]
Laguna Beach[3]
Newport Beach[3]
San Clemente[3]
Santa Barbara[3]

STRs treated like Hotels and Motels:
Costa Mesa[4]

Must be Primary Residence
Berkeley[2]
Brisbane[1]
Burlingame[1]
Daly City[1]
Emeryville[2]
Half Moon Bay[1]
Millbrae[1]
Piedmont[2]
Redwood City[1]
San Francisco[2]
South San Francisco[1]
Sunnyvale[2]

Limit to # of Unhosted nights:
Burlingame[1] < 120
Daly City[1] < 100
Emeryville[2] < 90
Half Moon Bay[1] < 60
Millbrae[1] < 100
Piedmont[2] < 60
Redwood City[1] < 120
San Bruno[1] < 120
San Mateo[1] < 120
South San Francisco[1] < 90

Local Contact Must be Registered w/ the city:
Daly City[1]
Half Moon Bay[1]
Millbrae[1]
San Bruno[1]
San Mateo[1]
South San Francisco[1]
St Helena[4]

Local Contact must respond 24/7:
Daly City[1]
Half Moon Bay[1]

+ Data as of 12 June 2024
* Banned outside coastal zone

1. San Mateo County ↩
2. San Francisco Bay Area ↩
3. CA Coastal City ↩
4. CA non-coastal city ↩

A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: _____ Date: _____

Signature: _____ Neighborhood: _____

Contact Information (email/phone <optional>): _____

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: sarah [redacted]
Sent: Monday, August 26, 2024 12:06 PM
To: _City Council; Public Comment
Cc: Lyla Reinero
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

Dear City Council Members and citizens of Pacifica,

Thanks for the opportunity to electronically voice my lament on the current policies for unhosted STRs in our communities.

My family of four (+cat) sold our small home in Potrero Hill, SF, to move to the beautiful Pedro Point neighborhood in summer of 2021. You might recognize us from our frequent bike rides on the coastal trail or from my daughter playing with your dog at the beach. You might recognize my kindergartener and second grader from Cabrillo (where I'm also a parent volunteer). You might recognize me as a patron of local businesses and a small business owner myself (with a current Pacifica business license).
We love our neighbors and this community and want to grow deep roots in Pacifica. Unfortunately, our housing situation makes it difficult. Three years ago, we signed a lease to rent a house while we house hunted. Three years later, we are still paying $5,000 a month to rent this house because we have not been able to buy a house of our own.
Two particular houses that we looked at to purchase in 2021-2022 were snatched up quickly and over asking. 175 Olympian Way was listed at $2.1 mil and went pending 12 days later- sold for $2.65mil. The house became an unhosted STR. And we get to see it each time I take my daughter to playdates at her friend's house across the street.
The other house was 223 Kent - listed at $2.195mil and sold at $2.4mil after going pending within 13 days. This is also an airbnb.
And since 2022, the interest rates for mortgages have skyrocketed, turning what was once an affordable monthly payment into something unattainable. It has hobbled us in the real estate market that we are trying to buy into.
Please help instate reasonable STR regulations so that investors are not taking all the houses that us families want to live in. Our community deserves these protections so we can continue to thrive with active members engaged in the facets of Pacifica life.
Thanks,
Sarah

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From: Bryan Reinero [redacted]
Sent: Monday, August 26, 2024 12:06 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 7. Short Term Rental Study Session

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Council Members,

Thank you again for your continuing work to address the crisis caused by the proliferation of unhosted STRs in Pacifica.

I wish to make a clear and important distinction between hosted and unhosted STRs.
Hosted STR, where a homeowner "shares" a part of their home with a renter, doesn't remove housing from the community, and generally doesn't result in noisy parties, over-flowing trash bins, and parking issues because the home-owner host is on hand and dealing such things immediately. They are on the whole responsible for making sure their income is not coming at the expense of the neighborhood.

Unhosted STRs have the opposite effect. They deplete our housing stock, and burnden neighbors by effectively extracting services from neighbors for free, rather than providing security and services themselves, as do proper hotels, traditional B&Bs, and hosted STRs operators.

I have read City Staff's report in the meeting packet, and found it totally inadequate, incomplete, and skewed. It assumes that the operation of unhosted STRs somehow have a net economic benefit without supporting data, evidence, or analysis. In fact, a 2015 study by San Francisco's Office of Economic Analysis shows that San Francisco city lost $250,000-$300,000 per year for every unhosted STR in operation.
Applying that model to Pacifica, and limiting the number of unhosted STRs the proposed cap of 150 (in fact, the number is closer to 200) the estimated **annual loss to Pacifica's economy is $37.5 million dollars**. That loss is nearly the entire budget for the City itself, and totally eclipses the $1.7 million received in ToT income. The actual losses are probably worse than that, since that doesn't include all the unhosted STRs that have been running without a permit for years. The real losses are probably over $50 Million a year. And that loss has been occurring year after year.
A major reason for these losses is the fact that unhosted STR customers simply do not spend money in Pacifica like a resident would. For instance, they are not buying groceries weekly, filling up regularly at our gas stations, taking their pets to the local veterinarian, going to the local dentist, using local the dry cleaners, shopping at the local hardware store, or getting their prescriptions filled at the local drugstore. Furthermore, they are not supporting our local non-profits or making donations to our local Police Officers' Association. It's clear: Displacing residents hurts Pacifica's economy.
Another way to quantify the net loss to our community is the effect on our schools. Full-time unhosted STRs displace families that would otherwise live in the home being rented out, and thereby reduce student enrollment that our local schools depend upon for funding.

-
-
- 87% of unhosted STRs in Pacifica that are run by out-of-town operators comprise at least

- 2 bedrooms, making them suitable for a resident family.
-
-
-
- If just half the unhosted STRs in Pacifica were home to even one child,
- **our schools would have received well over $1.5 million dollars**
- **in additional funding** each year.
-
    -
    -
    - School year 2019-2020: $1.57 million lost
    -
    -
    -
    - School year 2020–2021: $1.62 million lost
    -
    -
    -
    - School year 2021-2022: $2.07 million lost
    -
-
-
- The
- California
- DoE Budget Act for 2023-24
- increased the per-pupil funding amount. Meaning that
- **our schools are on track to lose $2.3 million this year due to**
- **unhosted STRs**.
-
-
-
- That's a combined loss
- **of $7.56 million** in the past 4 years
-

“On a net basis, then, a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.” City of SF STR Economic Impact Report
Thank you for your attention and focus.

regards,
Bryan Reinero

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From: Ellen O'Neil [redacted]
Sent: Monday, August 26, 2024 12:07 PM
To: Public Comment
Subject: Agency 7

[CAUTION: External Email]

To all respected City Council Members,

I hope this message finds you well. I am writing to express my support for maintaining and allowing short-term rentals in Pacifica. I believe these rentals play a vital role in our local economy and contribute significantly to the overall happiness and well-being of both residents and visitors. Short-term rentals bring a host of benefits to Pacifica. They attract tourists and travelers from around the world, providing them with the opportunity to experience and appreciate the natural beauty and unique charm of our city. By offering diverse and personalized accommodation options, short-term rentals enhance the attractiveness of Pacifica as a destination, which in turn supports local businesses and boosts economic activity. Furthermore, short-term rentals contribute to the local economy by generating additional revenue and creating jobs. The influx of visitors supports restaurants, shops, and other services, providing a valuable economic stimulus. This additional income can help fund community projects and infrastructure improvements, benefiting all residents. We are committed to maintaining the highest standards of quality and safety in our short-term rental operations. Our rigorous screening process ensures that each guest has a proven track record of positive rental history through established platforms. This approach not only protects our community but also fosters a respectful and enjoyable experience for both guests and residents. In conclusion, short-term rentals are a valuable asset to Pacifica, enhancing its appeal and contributing to the local economy. I urge you to consider these benefits when evaluating policies related to short-term rentals. Thank you for your attention to this matter.

Best regards, Ellen O'Neil

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City of Pacifica
City Council Regular Meeting

Name Chris Redfield Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject

Consent # 2 #3

City of Pacifica
City Council Regular Meeting

Name Kate Chinca Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #7 STR

City of Pacifica
City Council Regular Meeting

Name Wolfgang Fernandez Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Airbnb
Vacation Rentals
#7 Short term Rentals

City of Pacifica
City Council Regular Meeting

Name GARY Furlong Date Aug 26
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR #7

City of Pacifica
City Council Regular Meeting

Name GARY CHNCA Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #7 STR

City of Pacifica
City Council Regular Meeting

Name PAT GONZALES Date 8-26-2024
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: #7 - S.T.R.

City of Pacifica
City Council Regular Meeting

Name Jeff Jones Date 8-26-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject:
STR #7

City of Pacifica
City Council Regular Meeting

Name Randy Maynard Date 8/26/24
Please Print

City: Pacifica.

No. of Item on Agenda or Subject:
#7 short term Rentals

City of Pacifica
City Council Regular Meeting

Name BOB O'DONNELL Date 8/26/24
Please Print

City: PACIFICA 1319 ASPEN DR

No. of Item on Agenda or Subject:
SHORT TERM RENTAL ORD.

City of Pacifica
City Council Regular Meeting

Name GINA ROSALES Date 8/24/24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: AIRBNB / STR / #7

City of Pacifica
City Council Regular Meeting

Name Lynn Shinamoto Date 8/26/24
Please Print

City: Pacifica, CA

No. of Item on Agenda or Subject:
#7 AIR BNB

City of Pacifica
City Council Regular Meeting

Name GEORGIA BERRY Date 08/26/24
Please Print

City: PACIFICA CA 94044

No. of Item on Agenda or Subject: NO. 7

City of Pacifica
City Council Regular Meeting

Name Jen Hansen (Please Print) Date 8/26

City: Pacifica, CA - Linda Mar

No. of Item on Agenda or Subject: #7 STR ordinances

City of Pacifica
City Council Regular Meeting

Name George SURMAITIS (Please Print) Date 8/26/24

City: PACIFICA

No. of Item on Agenda or Subject: STR REGULATIONS

City of Pacifica
City Council Regular Meeting

Name Arlene Zhao (Please Print) Date 8.26.2024

City:

No. of Item on Agenda or Subject: #7

City of Pacifica
City Council Regular Meeting

Name Judy SURMAITIS (Please Print) Date 8/26

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name CAROLYN HARRISON (Please Print) Date 8/26/24

City: PACIFICA

No. of Item on Agenda or Subject: #7

City of Pacifica
City Council Regular Meeting

Name Albert Zhang (Please Print) Date 8/26

City: Pacifica

No. of Item on Agenda or Subject STR

request to speak at end

City of Pacifica

City Council Regular Meeting

Name Russell Jones (Please Print) Date 8-26

City: Pacifica

No. of Item on Agenda or Subject: STR

Request to speak at end

QR code handout

City of Pacifica

City Council Regular Meeting

Name Alex Vardakostas (Please Print) Date 8-26

City: Vardakostas ~ vardakostas

No. of Item on Agenda or Subject

City of Pacifica

City Council Regular Meeting

Name Pam Raymond (Please Print) Date 8-26-24

City: Pacifica

No. of Item on Agenda or Subject 7

City of Pacifica

City Council Regular Meeting

Name Marilee Longland (Please Print) Date 8/25/24

City: San Bruno

No. of Item on Agenda or Subject 7

City of Pacifica

City Council Regular Meeting

Name Elda Kong (Please Print) Date 8/26/24

City: Pacifica, CA

No. of Item on Agenda or Subject: #7

City of Pacifica

City Council Regular Meeting

Name Dale Carlson (Please Print) Date 08/26/24

City:

No. of Item on Agenda or Subject Short-term rentals

City of Pacifica
City Council Regular Meeting

Name Anna Tong Date 8-26
Please Print

City: Pacifica

No. of Item on Agenda or Subject #7 STR

City of Pacifica
City Council Regular Meeting

Name Wayne Thai Date 8/26/2024
Please Print

City:

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Bryan Reinero Date 8-26-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #7 STR

City of Pacifica
City Council Regular Meeting

Name Lyla Reinero Date 8-26-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #7 STR

City of Pacifica
City Council Regular Meeting

Name Wendy Yun Date
Please Print

City: Pacifica.

No. of Item on Agenda or Subject STR. #7

City of Pacifica
City Council Regular Meeting

Name Andy Meiman Date
Please Print

City: Pacifica

No. of Item on Agenda or Subject #7

City of Pacifica
City Council Regular Meeting

Name Joanne Gold Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject Item 7 - Short Term Rental Study

City of Pacifica
City Council Regular Meeting

Name Hanna Steinbach Date 08/26/2024
Please Print
City: Pacifica
No. of Item on Agenda or Subject 7

City of Pacifica
City Council Regular Meeting

Name Sophia Chiang Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STR

City of Pacifica
City Council Regular Meeting

Name Mike Kahn Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STRs

City of Pacifica
City Council Regular Meeting

Name Stephanie Robbins Date 8-26-24
Please Print
City: Pacifica
No. of Item on Agenda or Subject 7 STR

City of Pacifica
City Council Regular Meeting

Name Stacie Parrish Date 8-26-24
Please Print
City: Pacifica
No. of Item on Agenda or Subject 7. C + D

City of Pacifica
City Council Regular Meeting

Name Alan Grenn, MD Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject #7

City of Pacifica
City Council Regular Meeting

Name Cheryl Greene Date 8/26/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject STR :)

City of Pacifica
City Council Regular Meeting

Name Cate Cavendish Date
Please Print

City: Pacifica

No. of Item on Agenda or Subject STR's :)

Thank you

City of Pacifica
City Council Regular Meeting

Name ROBERT GEORGES Date 8/26/24
Please Print

City: PACIFICA

No. of Item on Agenda or Subject
SHORT TERM RENTALS

City of Pacifica
City Council Regular Meeting

Name Connie Menefee Date 8/26/24
Please Print

City:

No. of Item on Agenda or Subject: Item 7

STR Study Session

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott Date 8/26/24
Please Print

City:

No. of Item on Agenda or Subject: #7 STRs

City of Pacifica
City Council Regular Meeting

Name Caitlin Quinn Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STRs

City of Pacifica
City Council Regular Meeting

Name Dian Emerson Date 8-26-24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STR Ordinance

City of Pacifica
City Council Regular Meeting

Name IGOR K Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STR

City of Pacifica
City Council Regular Meeting

Name Haroldo Dalin Date 8/26/24
Please Print
City: Pacifica
No. of Item on Agenda or Subject STRs

City of Pacifica
City Council Regular Meeting

Name Sharon Cao Date 8/26/2024
Please Print
City: Pacifica.
No. of Item on Agenda or Subject #7.

City of Pacifica
City Council Regular Meeting

Name Ruth Gravanis Date
Please Print
City:
No. of Item on Agenda or Subject STRs

Public Comments

Item 6 – Automated License Plate Reader (ALPR) Technology

Written Comments Received By 12pm on 09/09/2024

September 9, 2024

City Council Meeting

From: Coffey, Sarah
Sent: Thursday, September 5, 2024 3:20 PM
To: Public Comment
Subject: FW: Automated License Plate Reader
Attachments: City Manager Woodhouse.pdf

From: Woodhouse, Kevin <kwoodhouse@pacifica.gov>
Sent: Thursday, September 5, 2024 3:19 PM
To: Coffey, Sarah <scoffey@pacifica.gov>; Sarasua, Maria <sarasuam@pacificapolice.org>
Subject: FW: Automated License Plate Reader

FYI, support letter for ALPR.

From: BAWSCA Board [redacted]
Sent: Thursday, September 5, 2024 3:16 PM
To: Woodhouse, Kevin <kwoodhouse@pacifica.gov>
Subject: Automated License Plate Reader

[CAUTION: External Email]

Hello Kevin,

Please see the attached.

Respect,

Tom Piccolotti

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Date September 5, 2024

Dear City Manager Woodhouse,

In my day job as City Manager of the City of Daly City, I have been able to witness the success of an Automated License Plate Reader program and confirm its contribution to the community's safety. In May of 2024, the City of Daly City implemented an Automated License Plate Reader program at the recommendation of the Police Department. The focus was a reduction in crime and an improved quality of life for the residents and visitors of Daly City. The early warning notifications assist officers in locating missing persons, stolen vehicles, which are often used in the commission of other crimes, and other vehicles associated to known criminal activity. The technology has proved critical in closing investigations for multiple violent crimes, having a significant impact on our community.

In only a few short months, the license plate reader program resulted in the following:

- Over 30 recovered stolen vehicles, worth an estimated value of $360,000
- Dozens of arrests directly related to license plate reader notifications, or investigations utilizing license plate reader data
- Solved and assisted in the recovery of property totaling more than $100,000 from numerous cases involving grand theft and organized retail theft

Alerts from the license plate reader system for vehicles entering Daly City led to the arrest of a murder suspect from an adjoining jurisdiction, suspects from two separate robbery cases, and another for an assault with a deadly weapon, amongst other cases. This technology has become instrumental in law enforcement efforts towards improving safety and the quality of life for our residents.

As a lifetime resident of Pacifica, I believe that having this technology deployed in our community will assist and enhance our Police Department's ability to better serve and protect our residents. Additionally, this program will solve crimes and create a higher level of safety in our neighborhoods. I support the Council and staff's investment in creating a safer environment for all of us who call this beautiful city home.

Respectfully

[redacted]

Thomas J Piccolotti

[redacted]

From: Gary Furlong [redacted]
Sent: Saturday, September 7, 2024 4:45 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 6. Automated License Plate Readers

[CAUTION: External Email]

Mayor Vaterlaus and Council Members,

License plate readers, or LPRs, raise valid concerns. It is my belief that LPRs are not just a new tool but a new class of tools for our police department. The possibility of abuse is real and the chance of abuse will always be more than zero. And yet I have come to believe that they are well worth the risk and will be an extremely significant addition to our police department.

As a member of CAP (Chief's Advisory Panel) I and several others have had the opportunity to speak in-depth with both Chief Sarasua and Corporal Martinez about LRPs. While I am relatively comfortable with electronics I wanted to understand and test their commitment to the integrity and privacy of data. After having two in-depth, pointed discussions about these issues I am satisfied that reasonable precautions will be taken and that a sound policy has been written regarding their use.

Once we get agreement on the issues of data integrity, privacy and verification istjust makes sense to have LPRs, and we are one of two communities in the area that don't have them. Let's face it, our police department is always going to be small, we're a small town. When I was in the corporate world I very much disliked all those corporate jingles that came and went but one actually fits this situation: work smarter not harder. LRPs will not give us more police, LPRs won't give our police more time, but they will raise the level of the quality of work that our officers do; we will have extra "eyes" watching out for criminals on our roads, along with our officers. It's time Pacifica stopped being a conduit for lawbreakers.

I know that some people will be concerned about LRPs keeping an "eye" on things. But consider that we already take for granted that once out in public we no longer have any real privacy. When my spouse and I return to SFO from out of the country we depend on facial recognition to get us out of passport control almost immediately, without ever showing our passports. Almost daily I walk through my neighborhood, knowing that as I walk I'm being recorded on dozens and dozens of front door cameras (and "yes", sometimes I wave as I walk). My cell phone gives away my location and the photos it takes are time stamped and geolocated. If I walk on the beach on a crowded day I know that I am included in dozens of photos by accident. Almost every store that I enter records me on their security camera. Teslas, in operation or not, probably have recorded me thousands of times. When I'm on the road my GPS enabled car gives away my location and the Fastrak transponder identifies me to toll booths. My hardware store, grocery store and drugstore know me in-depth because I use a code when I make a purchase in order to get a discount. Heck, if I ever forget where I parked my car, an app on my phone will give me walking directions to it.

My point in telling you all of this is to remind you that there really isn't any privacy in public now. It doesn't seem fair to me that those who are trying to keep us safe do not have the opportunity to use technology that actually does less than most of the electronics we now take for granted, after all, LPRs will not record faces. The issues that most concerned me (data retention, verification of data and data privacy/unauthorized use) seem to have been dealt with in the policy statement and the proposed training that the policy requires. It will be up to us, the citizenry and our city council, to keep a vigilant eye on the policy and adherence to it.

As someone who has lately been in contact with the council for other issues, you may recognize that I don't hesitate to tell you what I think is right or wrong. I think LRPs are right for Pacifica and just wish we were getting more.

Regards,
Gary Furlong

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Public Comments

Item 8 – Short-Term Rentals

Written Comments Received By 12pm on 09/09/2024

September 9, 2024

City Council Meeting

From: Robert Georges [redacted]
Sent: Thursday, September 5, 2024 3:59 PM
To: _City Council; Public Comment
Subject: 08/26/2024; Agenda Item No. 7; Short Term Rentals

[CAUTION: External Email]

Good afternoon, Pacific City Councilmembers,

I'm very happy to see that this topic is being discussed and that everyone seems to be asking important questions and wanting to do what's best for our community. I currently live in the Sharp Park neighborhood of Pacifica and have been living here with my girlfriend and dog for almost three years. We have several Unhosted STRs on our very short street, one of them directly across the street from us which is owned/operated by Marbella Lane, who seems to own a minimum of twelve homes in our town all ranging from 3-4 bedrooms and even some with additional ADUs that are also being rented out as Unhosted STRs. Unfortunately, as I dove into AirBnB's website, I found that this is not an uncommon occurrence.

Here is what I found just looking for availability in September and October:
Out of 52 hosts with properties available in Pacifica, there were only 22 hosts that had the Pacifica listing as their only listing on the platform.
There were 20 hosts who had multiple listings within Pacifica.
From those 52 hosts, there were 99 listings just in Pacifica and 257 listings on AirBNB in total. And that's just one STR platform.

This seems excessive and is limiting the amount of families and residents we are able to have living in our town, and since there isn't new housing being built, it seems like we are having an issue of our population and school attendance decreasing as a result of more and more of our homes being turned into STR businesses. Below, I've included Half Moon Bay's code for STRs and would like to see Pacifica adopt something similar and stop the corporate takeover of the homes in our neighborhoods. Mainly, I like that their requirement for STRs is that it needs to be the hosts primary residence and can there's a limit to how many days the STR can be listed in a twelve month period. I figure it can't be too hard to confirm primary residence with either voter registration and/or mailing address. Is there any way to secretly have mail forwarded that I'm unaware of? Anyways, just some ideas.

In a perfect world, I'd love to see the vacation homes, second or third homes, and Unhosted STRs completely go away in our city, I'm just not sure how we can effectively get there. I know some cities are trying to create Vacancy and Empty Home Taxes and Fees, but it seems really hard to enforce. To me, what makes the most sense is sending out Census paperwork and/or emails every 6-12 months for all residents to fill out and we can make sure the city is aware of which homes have families in them and which ones are Unhosted STRs or mostly empty vacation and secondary homes. We have a housing crisis in a small coastal town where we can't just build outward, so we need to come together as a community and push for making sure the homes we do have here are being used in the best interest of our community. I'm sure the local restaurants and businesses would also appreciate constant year-round customers instead of the influxes of vacationers at specific times of the year.

Half Moon Bay Municipal Code 18.06.025, Section G, Article 5 is on Short Term Rental Operation Requirements.

Half Moon Bay Municipal Code
codepublishing.com

Thank you for your time and attention to this matter.

Best regards,
Rob Georges

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From: Michael Willency [redacted]
Sent: Saturday, September 7, 2024 10:32 AM
To: Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

To the City Council, Mayor, and fellow Residents of Pacifica:

I write to you in favor of limiting STR-permits to only one per natural person, who should be a listed person on the property deed.

Greedy property management companies continue to burden Pacifica with transients, who often destroy the quiet enjoyment for full-time residents.

At the same time, they disseminate disinformation through the community.

For example, unhosted STR proponents claim that limiting STR's denies access to Pacifica to middle-class visitors. Surely the visitors who wish to stay overnight in our community can take advantage of the SIX hotels and motels Pacifica offers, to say nothing of the scores of hotels within a 15-minute drive from basic rooms at $100-200 a night to luxury accommodations charging upwards of $1,000 per night.

Another dishonest claim is that they pay significant occupancy taxes to the city. They pay none. They simply pass those fees directly to their guests. Go to any site like VRBO or AirBnB, you'll see the tax is a separate line item.

As a proud Pacifica resident, I welcome visitors to my community. I am proud to live somewhere so amazing that people travel from all over the USA to visit. At one time I was one of those visitors, and nine months later, enamored with the beauty of this city, I moved here from New York City. I was excited to find that I could afford a modest apartment within view of the ocean- it is truly a dream come true to live here.

Do we want that community, or do we want a community like the one featured on "Jersey Shore," (Seaside Heights, NJ)?,

Do we want a community where the majority of dwellings near the beach are reserved for visitors? A community where police need to be called every night to deal with rowdy visitors who don't want to alienate their own neighbors, but instead rent an AirBNB so they can alienate us? A community where restaurants, bars, and shops struggle to survive in seasons where visitors aren't plentiful? A community where working people can't even find a property for rent at any price because greedy out-of-town investors have turned them into hotels?

Let's put aside the dishonest appeals to emotion that the property management lobby attempts to insert into this debate. They couldn't care less about this community beyond the money they can vacuum from the pockets of hard-working visitors. We've seen so many instances of billion-dollar corporations pretending to look out for the communities they wish to invade so they can get favorable legislation that does the opposite of what they claim.

Let's keep Pacifica a place where families can live, where the neighbors are familiar and are invested in the community. Let's keep Pacifica a place where people from across the world can join us in enjoying this breathtaking paradise.

And let's keep wealthy property syndicates from destroying this community of nearly 40,000 for the benefit of a few, who live in communities with the foresight to ban STR's.

Michael Willency
[redacted]

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From: Gary Furlong [redacted]
Sent: Saturday, September 7, 2024 1:52 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Mayor Vaterlaus and Council Members,

As someone who actually lives here I would like to thank you for continuing your efforts to save our neighborhoods by bringing Short Term Rentals under control.

At the June 24, 2024 meeting, city staff listed eight communities who's ordinances they would research: Half Moon Bay, Grover Beach, Capitola, Pacific Grove,Oceanside, Burlingame, Palm Springs and the County of Marin. I decided to spend time actually studying each of the STR ordinances of these communities to see how our proposed provisions would compare to theirs. Note that as an "extra" I decided to include San Francisco, because in my mind we have more in common with it than some of the other communities mentioned in the August 26, 2024 study. I have made an honest effort in this work but admit the possibility of a misstatement. Again, this is only a partial list of provisions that I believe our ordinance should cover but it will give you a feel for what the "studied" communities have done. And I must say, that after studying the ordinances from these communities, I believe that Pacifica can do a better job than most of them.

In regards to the principal residency clause, Half Moon Bay, Burlingame and San Francisco all have this as a key part of their ordinance, evidently not finding it to be a hurdle too high or too difficult. Palm Springs, Marin County, Half Moon Bay and San Francisco stipulate one STR permit per person. Palm Springs goes so far as to stipulate that a couple still only get one permit. In regards to defining how many people can stay in a bedroom, the communities of Pacific Grove, Oceanside, Palm Springs and Half Moon Bay had no problem regulating this, as well as San Francisco.

Half Moon Bay and Palm Springs have specified the number of cars allowed at a STR. All but one of the studied communities require a contact person and some require that this contact person be available in-person in as little as about 20 minutes. Let's face, if the STR visitors next door are making a commotion at 3am how long should a person have to wait for a resolution? In studying the various ordinances it was plain to me that all of these ordinances expect a contact person to be available 24/7 every day that the STR is rented regardless of anything else.

The city of Palm Springs had no problem declaring that only a natural person could get a permit, neither did San Francisco. In regards to limiting the number of daytime visitors to the STR, Pacific Grove, Oceanside and Palm Springs felt that they could do so. In addition, Burlingame, the County of Marin, Palm Springs and Half Moon Bay prohibit commercial/special events and some specifically include weddings in the prohibited list of events (after all, it would be a commercial, for-profit event). Those communities that limit daytime guests pretty much make it impossible to have any special events as the allowed number of daytime guests is kept very low. Half Moon Bay does allow special events at STRs that are not in residential areas. Obviously each of these communities is not only depending on the host to police this but also the neighbors; don't underestimate how willing the neighbors will be to report infractions, particularly if the city sets up a standardized means of doing so.

Both Palm Springs and the County of Marin had no problem instituting a moratorium while they figured all of this out; Marin's moratorium lasted two years! A moratorium isn't just the enforcement of a cap but it also means that as people

drop out of the STR program, no new ones take their place until the moratorium ends. This means that there's a chance that the problem shrinks while a solution is worked out.

The new ordinance should have a cap on the number of unhosted nights a STR can have, such as what Half Moon Bay, San Francisco and others have done in their ordinances. My preference is the equivalent of one month per year.

In the last council meeting there was a discussion about what to do about those who violate the STR ordinance and there was a discussion of three strikes and you're out. That's a catchy phrase but do we base policy on catchy phrases? Shouldn't it be like Half Moon Bay, two violations and you're done? If the council decides to go with three violations then I strongly encourage you to attach a fine to the first two violations so that everyone understands that each violation is serious, there are no "freebies". My suggestion would be at least $100 for the first violation and at least $500 for the second. This may sound steep but consider the Palm Springs ordinance that specifies a fine of $500 for the first violation and $1000 for the second violation. With the third violation you're out of business for two years.

Those that willfully lie on their applications should face a far stiffer punishment than for it to be considered a first violation. After all, these people have tried to deliberately deceive, therefore showing that they're not honest players. They should be banned for at least two years, if not permanently. City staff doesn't have time to try to keep up with those that are going to attempt to deliberately deceive.

Many of the ordinances that I looked at required each STR to post a sign visible from the street that stated the permit number, the number of people allowed to be there, the number of cars allowed, the number of visitors allowed, and the name and contact information of the contact person. In my opinion it might be best if this was actually on a city maintained website but the important thing is that neighbors need to have this information readily available to them, especially at 3am!

At the most recent California Coastal Committee meeting, more than once Pacifica staff gave absolute assurance to the commissioners that Pacifica would require one permit per unit even in a multi unit situation, that a 150 permit cap translated to a total of 150 units period. Please do not let this assurance become lost, one unit is one unit, please don't let it be defined some other way. For the CCC meeting where this was discussed see 2:14-17 at https://cal-span.org/meeting/ccc_20240613/

The ordinance that Pacifica Homes Are Not Hotels has proposed is an excellent template, a starting point (this may be obtained by emailing info@pacificahomesarenothotels.org) . I included San Francisco in my study because I have heard several people commenting that we don't want to hurt our tourist business but San Francisco, a city known for tourism, requires that an STR be a principal residency, which they define as being occupied by the permit holder at least 275 days per year. Is our tourism more important than San Francisco's? Please remember that unhosted STRs do not provide as much to our economy or our community as a family that actually lives here, and short term rentals can be long term rentals.

The AirBnB data that was shared in a letter in the agenda packet for the August 26 meeting noted that "A typical Host on Airbnb in Pacifica has guests for a little over three months a year...". While this doesn't give a breakout between hosted and unhosted we must assume that this must be generally true for both. Which means the STR is unused for more than 70% of the year. Instead of having a full time family we have a mostly unused STR. Even if you push the occupancy rate for unhosted up to an average of 50% or even 75% a year, that still means its occupied significantly less than it would be with a family living there. And during those times it is used as an unhosted STR, frequently those guests are from out of state. Californians care so much about Californians having access to our coastal zones that we created a commission to ensure this, as noted in these statements: "The Commission acknowledges its role in making California's coast accessible for all Californians..."(note 1, below). "The agency is charged with implementing the California Coastal Act to benefit all citizens of California." (see note 2, below). " The Commission acknowledges its role in making California's coast accessible for all Californians..." see note 3, below. And yet we frequently displace Californians from our coastal zone for the benefit of short-term out of state visitors.

In regards to unhosted STRs I have heard it said that if we just got rid of a few bad actors the problem would be solved. While the bad actors are certainly a symptom of the problem, they're not THE problem; we don't want to manage the pain, we want to resolve the underlying issue. The problem is that during a housing crises we're allowing homes to become hotels, it's the gutting of our neighborhoods, it's taking "neighbor" out of neighborhood, it's some people choosing to not let other people the chance to have a home. Due to the influence of unhosted STRs I'm already noticing a change in the character of my neighborhood; fewer neighbors than there used to be, fewer residents, more people just passing through. Less homes. Literally, less homes.

Please work to ensure that more of the people that want to live here have an opportunity to do so.

Regards,
Gary Furlong

1. pg
10, https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://documents.coastal.ca.gov/assets/strategicplan/CCC_Strategic_Plan_Adopted_11.06.20.pdf&ved=2ahUKEwjmxpeDs6eIAxVrATQIHYXaGuQQFnoECBgQAQ&usg=AOvVaw1Is_nE3HFNeCQm8Xm4POIM
2. pg 9
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3. pg 29
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From: Jayme Murakami [redacted]
Sent: Saturday, September 7, 2024 3:42 PM
To: _City Council; Public Comment
Subject: We Need STR Regulation Now

[CAUTION: External Email]

August 31, 2024
Neighborhood: Sharp Park

Pacifica City Council,

Dear Councilmemebers,

I am writing to you today because I am concerned about the increase in short-term rentals in Pacifica, and urge your support for strong regulations on short-term rentals in our city.

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting a revised STR ordinance that:

• Limits STR permits to property owners who are "natural persons" and for whom the property is their primary residence.
• Allows only one STR to be in effect within the City of Pacifica for any owner and/or operator.
• Sets an operating limit on unhosted STRs to 60 rental nights per year.
• Sets a limit of only two (2) guests per legal STR bedroom and a limit of one (1) car permitted
per bedroom at any STR property.
• Stipulates that daytime visitors to the unhosted STR are only permitted between the hours
of 7 a.m. and 10 p.m., and further mandates that the total number of daytime visitors an STR
renter can bring to the property is one-half the total number of permitted renters (e.g., the
six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime
visitors).
• Revokes the permit for any STR property at which two or more noise or other

ordinance
violations have occurred within any 12-month period.
• Requires all unhosted STR permit holders to designate a local representative who is on call
24/7 while the property is rented and who can arrive at the property within 20 minutes to
abate any problems, up to and including eviction of renters.
• Requires a 30-day notice to be sent to neighbors within a 500-foot radius of any property for
which the owner has applied for an STR permit, allowing neighbors a comment period.
• Stipulates that operation of the STR must not be a nuisance or threat to the public's health,
safety, or welfare; must not directly and negatively impact any neighbor's quiet enjoyment
of their home who live within 500 feet of the property; and that no interior or exterior activity
at the STR will interfere with or be detrimental to the residential use of adjacent properties.
• Mandates that all advertising (written publication or online website) of the STR property
includes the City-issued STR registration number.

Thank you,

Jayme Murakami
[redacted]

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From: William.Leo Leon [redacted]
Sent: Saturday, September 7, 2024 4:02 PM
To: _City Council; Public Comment; Coffey, Sarah
Subject: CITY COUNCIL MEETING: MONDAY, SEPTEMBER 9TH, Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear Mayor and City Council Members

Good evening, My name is Leo Leon and my wife is Kris Geiger. We live on Olympian way in Pedro Point. As stated in past meetings, we are seeing an ever-increasing number of hosted and unhosted STRs in our neighborhood. We are concerned that our neighborhood is at risk of being dominated by STRs. We think it is urgent that the City Council enact an ordinance with strong restrictions and controls as soon as possible.

You, as our elected City Council, needs to reach a consensus and implement restrictions on all STRs in general and specifically on unhosted STRs. We, therefore, urge you to consider and incorporate all of the following examples into the STR ordinance as restrictions:

1. Set a limit on the total number of permits the City will issue on a City-wide basis. This aggregate number is important so we can limit the total number of units lost to individuals and families who want to live and raise families in Pacifica. We need real people as neighbors in our community not more short-term rentals in our neighborhoods.
2. Set a total number of permits that the City will issue in each District. This will limit the oversaturation of STR permits in any given district. Then set a maximum number of permits that can be issued on any residential street in a District. This will prevent over saturations of STRs on any residential street.
3. Incorporate a requirement that all advertising and listings for STRs must include the City issued STR permit number along with penalties and fines for violations.
4. Primary residence requirement. This is needed to prevent the commercialization of our residential neighborhoods.
5. Allow for only one STR permit per “natural person”. Again, this is needed to prevent the commercialization of our residential neighborhoods.
6. Establish a limit on the number of nights an unhosted STR may operate. We like Half Moon Bay's cap of 60 nights for any and all unhosted STR's
7. Require all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters. That local representative must be available for annual and, as needed, inspections by the local Fire and Building Inspector.
8. Require yearly inspections by the Fire Department and the City Building Inspector to ensure compliance with Fire Safety and Building Codes. All STR's should be held to the highest standards of Fire Safety and Building Code compliance. STRs shall be responsible for the cost of the inspections. Permits will not be approved or renewed without proof of Fire Safety and Building Inspector inspections.

In closing, we appreciate your attention to this urgent matter. Our neighborhoods and community need these changes now. To prolong the implementation only benefits the profiteers at our expense and the expense of our neighborhoods and community.

Best Wishes, Leo Leon and Kris Geiger

[redacted]

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From: Pieter Gorsira [redacted]
Sent: Saturday, September 7, 2024 6:36 PM
To: Public Comment
Subject: STR Letter
Attachments: A Letter to Pacifica's City Council re new STR Ordinance Governance.pdf

[CAUTION: External Email]

Please see attached letter regarding STRs in Pacifica

Thank you
CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per year.**
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- Stipulates that **daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: [redacted]

Date: _____

Neighborhood: _____

Contact Information (email/phone <optional>): _____

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Patricia Kephart [redacted]
Sent: Saturday, September 7, 2024 7:31 PM
To: _City Council; Public Comment
Subject: Public Comment Item 8: Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear Council members and Pacifica City Staff,

Thank you all for the serious effort and time afforded the STR ordinance revision.

I again urge you to consider the consequences disruptive economics of STRs create to the livability quality of our neighborhoods.

My experience on Barcelona Dr. drove my involvement in this discussion. 1159 Barcelona Dr. is an unhosted STR. It is advertised as accommodating up to 16 guests. Guests turn over two and three times a week. Often there are 6 to 10 cars lining the street, sometimes occupying both sides leaving inches for a car to squeeze through. This situation makes me and my neighbors feel insecure for two reasons: emergency vehicles can't pass and unfamiliar cars on the street make us nervous. This change in the security and peace of our neighborhood was not of our choosing.

The study session revealed key corrective measures. Key to me are:
Pacifica homes should be a buyer's primary residence.
One STR per "natural person" avoids corporate buying of multiple homes to flip from residences to STRs.
Unhosted STRs should have a limit of days occupied through the year. (Half Moon Bay has a 60 day limit which has been effective.)
Limit the number of cars to the number of bedrooms.
Allow only 2 guests per bedroom.
Unhosted STRs should have a local host available within 20 mins to respond to bad actor guests.

August saw a lot of activity that negatively affected my neighborhood at 1159. Overflowing garbage cans, cars lining the street, delivery cars idling making it difficult to pass are a few examples. None of these examples were emergencies, but they do affect the lives of all the neighbors.

Thank you for listening to my concerns. I expect an outcome that will restore the peace.

Sincerely,

Patricia Kephart

--
Patricia Kephart
[redacted]

From: luna lu [redacted]
Sent: Saturday, September 7, 2024 10:28 PM
To: Public Comment; Bigstyck, Tygarjas
Subject: STR Short Term Rentals

[CAUTION: External Email]

Dear Tygarjas and Members of the Pacifica City Council,

My name is Luna Huang and I live in District 4. I agree with the 6 proposals outlined by Pacifica for Responsible Tourism. I believe that Pacifica should remain accessible to visitors from around California — and around the world — who want to visit with their families and enjoy the peaceful quiet of our Coastal Town.

I am writing as a local resident and small business owner to express my support for responsible short-term rentals in Pacifica. I have been an Airbnb host for the past six years, during which I've had the privilege of hosting over 600 groups of guests. Throughout this time, I have strictly adhered to the city's regulations, ensuring that no parties have been thrown on the property, and all guests have respected quiet hours and been considerate of our neighbors.

By running a short-term rental, I've been able to maintain the appearance of my home, contributing to the overall value and appeal of our street. Moreover, my business supports the local economy, as my guests frequent nearby restaurants, cafes, and shops, helping other small businesses in the area thrive.

I understand there is a group in the community that opposes short-term rentals. While I appreciate the concerns raised, I firmly believe that with proper management and adherence to rules, short-term rentals can coexist harmoniously within our neighborhoods. In fact, they can help enhance the community by promoting tourism, supporting local businesses, and fostering positive engagement with visitors.

I kindly urge the council to consider the benefits of responsible short-term rentals and the positive impact they have on both individual homeowners and the broader community. Thank you for your time and consideration.

Sincerely,

Best,
Luna

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From: Cindy Abbott [redacted]
Sent: Sunday, September 8, 2024 10:46 AM
To: Vaterlaus, Sue; Beckmeyer, Sue; Boles, Christine; Bigstyck, Tygarjas; Bier, Mary
Cc: Public Comment
Subject: City Council Meeeting, Sept 9, Agenda Item #8, STRs by Residential Neighborhood Impact
Attachments: Pacifica STRs by neighborhood_June 2024.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and Councilmembers,
Thank you for your ongoing dedication to the residents of the City of Pacifica who have been plagued by the impact of Unhosted Short Term Rentals in our neighborhoods. Your discussions at both the June 2024 Study Session and August 2024 City Council meeting - adjourned for additional consideration to Monday, Sept 9, are appreciated. Many feel and are grateful for your understanding of the impact in Pacifica's residential neighborhoods by the proliferation of micro-hotels, that have removed neighbors and long-term residents from the area, imparting housing affordability.

It was very troubling to read in the August 26, 2024 staff report, page 11 (an excerpt provided below) that for city staff aw key consideration should be how to promote tourism over actual long-term residents. There are outdoor amenities and recreational opportunities THROUGHOUT the City of Pacifica, from Pacifica State Beach, Linda Mar to the hiking trails that surround our wonderful City. To promote the degradation and reduced quality of life in our residential neighborhods is eggregious.

> "A provision that limits the number of STRs per neighborhood could reduce the proposed STR operations where the City experiences some of the highest visitors and has the most tourist attractions. For example, most visitors visit Pacifica for the beautiful beaches and outdoor recreational amenities along the coast, and limiting STR operations within a neighborhood such as the Sharp Park neighborhood, where there are many outdoor recreational amenities and visitor-serving activities, could have a financial impact on existing business operations in the area. Based on data provided by HdL, the City currently has 67 STR Permits located in the Coastal Zone and the majority are within the Sharp Park neighborhood. A provision that limits STRs within this neighborhood may have an impact on existing STR operations and a financial impact on the City."

As provided in June, see below the signifiant impact to our neighborhoods from Sharp Park to Pedro Point and the impact to Manor too where formerly affordable multi-unit apartment buildings, where tenants were evicted for tourism, is recapped.

At the August California Coastal Commission meeting, Commissioner Rice asked about if restrictions were being proposed to limit the number in the Coastal Zone, as all the commissioners continued to express concern with how coastal ***residental neighborhoods*** are being impacted negatively by the impact of unhosted STRs.

City staff again looked at only a handful of municipalities - and even though they detailed out that several in their limited study of 8 have restrictions, they didn't do an extensive review of STR regulations in the Coastal Zone. Limitations by geographic area have been approved up and down the coast. Pacifica does this for pot shops -- the same can be done to control the detrimental effects of STRs by neighborhood.

Let's get this done and stop the undermining of our residential areas by making sure that STRs are equitably distributed through ALL neighborhoods in the City, and single blocks and streets aren't concentrated hotel districts where we use to have families and neighbors.

With appreciation for your recognition of how our city has been disrupted and your work to change this.
Cindy Abbott
West Sharp Park

---------- Forwarded message ---------
From: **Cindy Abbott** [redacted]
Date: Sun, Jun 23, 2024 at 1:16 PM
Subject: City Council Study Session, June 24, 2024, STRs by Neighborhood
To: Vaterlaus, Sue <svaterlaus@pacifica.gov>, Bier, Mary <mbier@pacifica.gov>, Boles, Christine <cboles@pacifica.gov>, Beckmeyer, Sue <sbeckmeyer@pacifica.gov>, Bigstyck, Tygarjas <tbigstyck@pacifica.gov>
Cc: <publiccomment@pacifica.gov>

Dear Mayor Vaterlaus and City Council Members,

For a number of years, it's been requested that when providing the community with reporting on the impact of Short Term Rentals (STRs) in the City of Pacifica, that these statistics be provided ***by neighborhood***. In the staff report for Monday, June 24, 2024, only a list of addresses, and a recap of those in and outside of the coastal zone was provided. Attached for your review therefore is a list by neighborhood.

You will see in the recap below the significant impact to small neighborhoods, particularly to West Sharp Park, where ***28% of STRs are located***. The small neighborhood of Pedro Point is also impacted. *It would be interesting to see where the housing stock is in the city compared to these numbers.*

While the City of Pacifica has approved a 150 unit cap, this number needs to be managed ***by neighborhood***, not for the overall city.

City of Pacifica, Short Term Rentals, by Neighborhood		
West Sharp Park	48	28%
East Sharp Park	12	7%
WSP Shoreview	3	2%
Sharp Park/Shoreview	63	37%
Manor	38	22%
Fairmont/Manor	5	3%
	43	25%
Linda Mar	16	9%
Park Pacifica	14	8%
	30	18%
Pedro Point	20	12%
Vallemar	7	4%
East Rockaway	6	4%
Fairway	2	1%
	171	

Further detail is provided on the attached, where you can see how specific areas/streets are highly impacted, changing the character of these once residential neighborhoods, but have now been commoditized into commercial lodging.

Additionally, see notes (not complete for each address) where:

- entire apartment buildings/triplex/duplexes, formerly affordable housing, have been turned into quasi-hotels;
- permits are noted to be in process for unoccupied structures and vacant lots (along Beach Blvd); and,
- a brand new apartment in Pedro Point also has a permit “in-process”.

This information is alarming and further proof for how the current unregulated unhosted STRs are breaking residential zoning and the review process needs a thorough overhaul.

Cindy Abbott
West Sharp Park

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City of Pacifica, Short Term Rentals as of June 2024, by Neighborhood

#	West Sharp Park	
132	1581 BEACH BLVD 1 Pending - City	***Not occupied; Rennovation***
145	1581 BEACH BLVD APT 2 In-Process	***Not occupied; Rennovation***
146	1581 BEACH BLVD APT 4 In-Process	***Not occupied; Rennovation***
141	1977 BEACH BLVD In-Process	Just sold (Prior STR)
99	1987 BEACH BLVD Current	Numerous nuisance complaints
103	2061 BEACH BOULEVARD 1 Current	Former Apartment Building
102	2061 BEACH BOULEVARD 2 Current	Former Apartment Building
104	2061 BEACH BOULEVARD 3 Current	Former Apartment Building
143	2105 BEACH BLVD In-Process	**Vacant Lot - Planning App for Duplex**
144	2115 BEACH BLVD In-Process	**Vacant Lot - Planning App for Duplex**
107	2121 BEACH BOULEVARD 1 Current	Blue House Former Apartment Building
106	2121 BEACH BOULEVARD 2 Current	Blue House Former Apartment Building
105	2121 BEACH BOULEVARD 3 Current	Blue House Former Apartment Building
97	2121 BEACH BOULEVARD 4 Current	Blue House Former Apartment Building
117	103 SALADA AVE Current	Apartment above commercial space
130	124 SALADA AVE Current	Apartment building
129	126 SALADA AVE Current	Apartment building
123	128 SALADA AVENUE Current	Apartment building
128	130 SALADA AVE Current	Apartment building
170	15 Salada Ave Non-compliant	
111	200 LAKEVIEW AVENUE 1 Current	Former Apartments
92	200 LAKEVIEW AVENUE 2 Current	Former Apartments
109	200 LAKEVIEW AVENUE 3 Current	Former Apartments
100	200 LAKEVIEW AVENUE 4 Current	Former Apartments
98	200 LAKEVIEW AVENUE 5 Current	Former Apartments
131	2260 PALMETTO AVE Current	
124	2306 PALMETTO AVE Current	
90	2308 PALMETTO AVE Current	
83	2309 PALMETTO AVE C2 Current	
87	2310 PALMETTO AVE Current	
110	2530 FRANCISCO BLVD 4 Current	
139	1522 FRANCISCO BLVD In-Process	
152	1 CARMEL AVE A Non-compliant	Former residence now big party house
153	1 CARMEL AVE B Non-compliant	Former residence now big party house
79	38 CARMEL AVE Current	
91	1 SANTA ROSA AVE Current	
112	5 SANTA ROSA AVE Current	
86	31 SANTA ROSA AVE Current	
115	45 CLARENDON RD Current	
118	159 CLARENDON RD Current	

77	131 PACIFIC AVE Current	
82	174 PACIFIC AVENUE Current	
108	129 PALOMA AVE Current	
122	2 PALOMA AVE Current	
89	159 HILTON WAY Current	
71	350 BUCKINGHAM RD Current	
142	66 SANTA MARIA AVE # 1 In-Process	
95	84 SAN JOSE AVE Current	
	East Sharp Park	
56	250 MOANA PL Current	
5	430 FULLERTON ST Current	
19	577 PALOMA AVE Current	
6	527 BRIGHTON RD 1 Current	
65	527 BRIGHTON RD 2 Current	
68	549 SAN PABLO TER Current	
54	520 SAN PABLO TER Current	
135	408 SAN PABLO TER In-Process	
38	451 TALBOT AVE Current	
154	560 TALBOT AVE Non-compliant	
7	670 TALBOT AVE Current	
55	710 TALBOT AVE Current	
35	722 TALBOT AVE Current	
	WSP/Shoreview	
113	104 SURF ST Current	
81	172 SHOREVIEW AVE Current	
85	184 SHOREVIEW AVE Current	
	Manor	
168	106 W Avalon Dr. Non-compliant	
147	110 W AVALON DR Non-compliant	
133	206 PALMETTO AVE Current	
148	220 PALMETTO AVE Non-compliant	
88	315 ESPLANADE AVE 1 Current	Former Apartments
127	315 ESPLANADE AVE 2 Current	Former Apartments
126	315 ESPLANADE AVE 3 Current	Former Apartments
125	315 ESPLANADE AVE 4 Current	Former Apartments
75	325 ESPLANADE AVE Current	Former Apartments
101	543 ESPLANADE AVE Current	Recent sale, conversion to STR
72	567 ESPLANADE AVE Current	Recent sale, conversion to STR
33	347 MANOR DR Current	
137	468 MANOR DR C2 In-Process	
8	524 INVERNESS DR Current	
23	404 INVERNESS DR Current	

52	410 FARALLON AVE Current	
41	425 FARALLON AVE Current	
12	519 FARALLON AVE Current	
42	535 FARALLON AVE Current	
167	590 Farallon Ave Non-compliant	
10	423 NORFOLK DR Current	
59	425 NORFOLK DR Current	
57	437 NORFOLK DR Current	
53	472 LEWIS LN Current	Triplex Conversion
63	474 LEWIS LN Current	Triplex Conversion
64	476 LEWIS LN Current	Triplex Conversion
21	672 CLARIDGE DR Current	
62	743 CLARIDGE DR Current	
158	767 CLARIDGE DR Non-compliant	
20	187 LORRY LN Current	
58	488 MONTEREY RD Current	
9	103 MCKINNEY AVE Current	
156	630 FOOTHILL DR Non-compliant	
166	339 HEATHCLIFF DR Non-compliant	
22	286 MILAGRA DR Current	
134	290 CLIFTON RD In-Process	

Fairmont/Manor Edge

4	143 BEACHVIEW AVE Current
78	312 MAGELLAN DR Current
60	653 PARKVIEW CIR Current
25	301 CHANNING WAY Current
16	555 BEAUMONT BLVD Current

Fairway Park

150	751 BRADFORD WAY A Non-compliant
151	751 BRADFORD WAY B Non-compliant

Vallemar

39	1021 RAINER AVE Current
46	1049 RAINIER AVE Current
30	530 REINA DEL MAR AVE Current
50	630 REINA DEL MAR AVE Current
43	260 JUANITA AVE Current
164	267 Lauren Ave Non-compliant
165	334 REICHLING AVE Non-compliant

East Rockaway

24	451 HARVEY WAY Current
14	498 COPELAND ST Current
136	530 ROCKAWAY BEACH AVE In-Process
155	598 ROCKAWAY BEACH AVE Non-compliant

49	758 ROCKAWAY BEACH AVE Current	
17	759 ROCKAWAY BEACH AVE Current	

Pedro Point

73	227 STANLEY AVE Current	
161	268 STANLEY AVE Non-compliant	
74	215 STANLEY AVE Current	
149	243 STERLING AVE Non-compliant	
162	279 STERLING AVE Non-compliant	
114	1331 LIVINGSTON AVE Current	
119	1383 LIVINGSTONE AVE Current	
76	1343 GRAND AVE Current	
160	1525 GRAND AVE Non-compliant	
140	1560 GRAND AVE In-Process	
116	1561 GRAND AVE Current	
94	175 OLYMPIAN WAY Current	
121	223 OLYMPIAN WAY Current	
93	236 OLYMPIAN WAY Current	
169	243 Olympian Way Non-compliant	
84	223 KENT RD Current	
96	265 KENT RD Current	
138	1200 DANMANN AVE APT F In-Process	***New Build to be an apartment***
80	400 BELFAST AVE Current	
120	423 BELFAST AVE Current	

Linda Mar

44	1049 FASSLER AVE Current	
40	1149 BANYAN WAY Current	
29	1159 BARCELONA DR Current	
61	1159 DE SOLO DR Current	
67	1080 CRESPI DR (PERMIT) Current	
34	1168 CRESPI DR Current	
51	1375 CRESPI DR Current	
28	1227 REDWOOD WAY Current	
13	1585 ADOBE DR Current	
3	1641 HIGGINS WAY Current	
32	728 NORIEGA WAY Current	
66	736 CORDOVA CT Current	
157	744 CORDOVA CT Non-compliant	
31	756 ALTA VISTA DR Current	
45	795 MONTEZUMA DR Current	
159	847 ARGUELLO BLVD Non-compliant	
69	9 CRANHAM CT Current	

Park Pacifica

37	1 SEQUOIA WAY Current	
2	1018 YOSEMITE DR Current	

27 1050 YOSEMITE DR Current
70 1022 GRAND TETON To Be Issued
1 1128 ODDSTAD BLVD Current
47 1215 LERIDA WAY Current
48 1331 ASPEN DR Current
26 26 KINGS CANYON WAY Current
18 63 KATHLEEN CT Current
171 857 BIG BEND DR Non-compliant
11 916 PARK PACIFICA AVE Current
163 1054 PARK PACIFICA AVE Non-compliant
15 11 BROOKS PL Current
36 1001 EVERGLADS DR Current

172 Location 1 In-Discovery
173 Location 2 In-Discovery

From: Ivan [redacted]
Sent: Sunday, September 8, 2024 12:38 PM
To: _City Council; Public Comment
Subject: September 9, 2024 - Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

My wife and I are writing to you to share our experience with our unhosted STR neighbor and express our support for regulations on unhosted STRs in Pacifica.

We moved to Pacific Manor in 2019 and the idyllic, peaceful and friendly neighborhood is why we fell in love with Pacifica. At the time our neighbor's house was owned by a family and we have had a good relationship with each other for two years. Our nightmare started when they had to move out of state and sell the house.

The noise started off from a pool table in their outdoor deck with just a thin layer of metal sheets. The pool hitting noise after midnight caused us many nights of interrupted sleep, but we tolerated it for several days because we thought it was the new neighbor moving in. **When we finally went over to introduce ourselves and welcome them to the neighborhood, we then found out it was an Airbnb.** It shocked us as we have never imagined a STR would invade our tightly knitted neighborhood.

It had only gotten worse from here. The property's interior design and marketing is **tailored to make it the perfect place for partying**, including a karaoke machine, pool table deck, foosball table, large TV and a sauna. Since then we were **constantly woken up to party music with bass thumping through our house and people yelling or shouting after midnight**.

We called PPD many times, at first someone would show up but the noise always resumes after they leave. **Then they stopped showing up.** We talked to the "superhost" of the property (who is not the owner and **manages 14 unhosted STR rentals alone** on Airbnb) whose only action is to message their tenants which usually does not lead to much change in noise. Please see the appendix for a list of noise complaints we had to file with PPD during quiet hours, not including other events with loud noise during the day which would go into 9-10 pm.

We had to request a building code check up on Oct 29th 2021, which prompted the owners to register this unit as a STR and remodel the house up to code only then.

Even with all the effort we spent with Airbnb support, STR host and the city, we still heard bass music, thumps reverberating throughout our house, especially **on weekends and holidays.**

This experience had caused **significant stress and feelings of hopelessness** on both my wife and I and made us question if we could ever have peace in our own home and how one STR unit can change the whole neighborhood. This experience had also led to **months of heightened sensitivity and long lasting trauma** to noise for us and directly affected our mental health.

Eventually we had to hire contractors specialized on noise canceling out of our own pocket in the beginning of 2022 to address the noise getting into our bedroom. It helps a lot but still is not enough for louder parties or events.

The house is also frequently **used as an event venue**, karaokes, birthday parties, and church gatherings which have occurred many times in this property. Speakers and instruments are usually set up for karaoke or live music. People that are clearly locals and non-travellers would gather and prepare for the event. There usually are on average of 5-10 cars on site and street. The event noise can be **heard around the entire block all the way to 9-10 pm, sometimes even across the street in Edgemar Park.**

Since the house was converted to an unhosted STR, it stopped being a part of the neighborhood. No one in the neighborhood has met the owner of the property or the "superhost" of the property even once in person. They made no effort to maintain the property beyond attracting more people to stay. When the fence between our houses broke due to fallen tree branches, they put no effort into repairing it and leveraged us as a "contractor" to get it fixed. It also introduced a lot of safety issues. We have seen and smelt people smoking marijuana on the property and people come and go late in the night.

It would bring back the charm of the neighborhood to have a neighbor again in that house and not a different set of strangers every few days. Thus, we'd like to voice our opinion in support of an ordinance regulating unhosted STRs, including,

- Primary residence requirement
- Allowing for only one STR permit per “natural person”
- Limit number of nights an unhosted STR may operate to 60 like Half Moon Bay
- Dedicated code enforcement on STRs
- Noise monitoring device around the perimeter of unhosted STR properties
- Penalty for violation of regulations for unhosted STR owners/operators.

We believe the rules and regulations will bring back the neighborhoods, set a higher standard for STRs which in turn will have long lasting economic and cultural benefits. Please do what's right and bring Pacifica up to speed on STR regulations.

Best,
Ivan Tham and Danlei Zhou

Appendix

1. Listing: "Entire home in Pacifica, California" with 4 bedrooms, 12 beds, 4 baths

- listed as 2 beds in each bedroom, but 4 more beds in other rooms
- https://www.airbnb.com/rooms/52604377
- the host for this property is not the owner and he manages
- **14 homes**
- https://www.airbnb.com/users/show/27754493

2. Noise complaints filed with PPD

- multiple occasions in October 2021
- 10 pm Nov 5th 2021
- 11:55 pm Nov 7th 2021
- 00:42 am Nov 14 2021
- 11:19 pm Nov 19 2021
- 2:50 am Dec 5 2021
- 12:54 am Aug 6th 2022
- 4:30 am Sep 23 2023

- 12:35 am Sep 24 2023
-
-
-
- 12:45 am May 15th 2024
-

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From: Julie Starobin [redacted]
Sent: Sunday, September 8, 2024 1:30 PM
To: Public Comment; _City Council; Woodhouse, Kevin
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

To the City Council: I appreciate the consideration you gave at the last meeting concerning Short Term Rentals (STRs). I wanted to reiterate some of the restrictions I think are important: a primary residence requirement, putting limits on the number of nights that an unhosted STR can rent and allowing only one STR permit/'natural' person. The main goal of any of the proposed restrictions being to keep corporations (who care nothing for the people in Pacifica) out of the STR business in Pacifica.

I hope the Council will be able to pass a much needed resolution to put limits on STRs in our city.
Thank you, Julie Starobin Pacific Manor

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Ivan [redacted]
Sent: Sunday, September 8, 2024 1:38 PM
To: _City Council; Public Comment
Cc: Danlei Zhou
Subject: September 9, 2024 - Public Comment: Item 8. Short Term Rental Study Session Continuation
Attachments: A_Letter_to_Pacifica's_City_Council.pdf

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Attached is 2 filed out forms as 1 PDF file stating our support for a revised STR ordinace.

Sincerely,
Ivan Tham and Danlei Zhou

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A Letter to Pacifica's City Council

Dear Mayor Vaterlaus and City Council Members:

Please pass a new short-term rental (STR) ordinance that restricts the operations of the hundreds of unhosted STRs that are robbing our City of much-needed housing and destabilizing our neighborhoods.

I urge you to hear the distress in our neighborhoods and work with our community on drafting **a revised STR ordinance that**:

- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on ***unhosted STRs to 60 rental nights per year.***
- Sets a limit of only **two (2) guests per legal STR bedroom** and a **limit of one (1) car permitted per bedroom** at any STR property.
- *Stipulates that* ***daytime visitors to the unhosted STR are only permitted between the hours of 7 a.m. and 10 p.m.,*** and further mandates that **the total number of daytime visitors an STR renter can bring to the property is one-half the total number of permitted renters** (e.g., the six (6) renters of a three-bedroom unhosted STR are permitted to have only three (3) daytime visitors).
- Revokes the permit for any STR property at which **two or more noise or other ordinance violations have occurred within any 12-month period.**
- Creates **new enforcement teams** that include dedicated Code Enforcement and PPD officers.
- Requires all unhosted STR permit holders to **designate a local representative** who is **on call 24/7** while the property is rented and **who can arrive at the property within 20 minutes** to abate any problems, up to and including eviction of renters.
- Requires **a 30-day notice** be **sent to neighbors** within a 500-foot radius of any property for which the owner has applied for an STR permit, allowing neighbors a comment period.
- Stipulates that operation of the STR **must not be a nuisance or threat** to the public's health, safety, or welfare; **must not directly and negatively impact any neighbor's quiet enjoyment of their home** who live within 500 feet of the property; and that **no interior or exterior activity** at the STR will **interfere with or be detrimental to the residential use of adjacent properties**.
- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Danli Zhou [redacted] Date: 09/08/24

Neighborhood: Pacific Manor

Contact Information (email/phone <optional>): [redacted]

To send to the City of Pacifica, use one of the following options:

1) Scan your statement and email it to publiccomment@pacifica.gov. This will go to the City Council and members of City Staff.
2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

A Letter to Pacifica's City Council

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- Mandates that **all advertising** (written publication or online website) of the STR property **includes the City-issued STR registration number**.

Name: Ivan Tham [redacted]

Date: September 8, 2024

Neighborhood: Manor

Contact Information (email/phone <optional>): [redacted]

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2) Complete your statement during this session and leave it with one of the hosts. We will PDF it with others and send them to the City within the week.

From: Tom Abel [redacted]
Sent: Sunday, September 8, 2024 4:52 PM
To: Boles, Christine; Public Comment
Subject: Short Term Rental policy

[CAUTION: External Email]

Dear Christine Boles and City Council,

We are Tom and Cathy and have lived in Pacifica for over 20 years.
We write to you to **urge you to not restrict the majority of responsible short term rentals operating in Pacifica**. Also it is important to us you do **not set a time limit on short term rentals.**

We got married in the backyard of our house on Shoreview Ave and raised our daughter here. She went to Sunset Ridge, Oceanshore, and Oceana High School and is now away at college.
We originally hail from Canada and Germany and love traveling particularly now that we are empty nesters. Tom teaches at Stanford and goes on extended research stays in most years to many locations in the world. The extra income from renting the house allows us to continue this practice.

Some years we rent the house a couple of weeks and other years, as in 2023 when we were on sabbatical, we rented it for multiple months. Being able to rent our Oceanfront home allows us to:
- travel and connect with our families and friends abroad.
- spend valuable professional research time elsewhere.
- help finance property taxes as well as upkeep such as a new roof and the maintenance of the seawall that also protects city property.
- share our home and beautiful Pacifica with grateful guests.
- give our guests the opportunity to make wonderful memories.
- advertise the many wonderful things that Pacifica has to offer.
- promote local businesses [we have a long curated list of local cafes, restaurants, and businesses that is appreciated and used by our guests].
- look forward to an active retirement with income from the house.

Our guests have come to the area for many reasons. In our experience, **short term renters are** in essentially all cases an **enrichment to our town**. They are here to enjoy a vacation, visit close family, recuperate from medical treatment, enjoy the coast, and generally make the most of a few precious days away from their daily grind at home.
We have had folks who have rented a week at the beach as a way to recover from surgeries and treatments in nearby hospitals from Stanford to UCSF. We have had children take their aging parents for special time away. We are pet friendly and many of our renters have enjoyed being able to bring their dog and relax in a way that would not be possible in a hotel. Guests appreciate our well-equipped kitchen and ask about suggestions for our local markets, bakers, butchers, and suppliers.

Previous renters loved Pacifica so much they decided to a buy a house here. Other returning renters have become close to two of our neighbors and all look forward to seeing each other again. Multi-generational families have celebrated milestones: Other renters came to be part of the graduation ceremonies of their children at Skyline, Berkley, UCSF, and Stanford. Others are parents from out of town who want to stay close but not on top of their kids in the City. We've had

writers and artists come on short term retreats and people from inland escaping the heat for a few days. We have no doubt these guests have enriched the atmosphere in Pacifica, and keep our cafes, shops, and restaurants lively and in business.

Out of 105 reviews on VRBO we have 104 five star reviews. Our **guests love it here**. We have **not had a noise complaint, parking complaint, or such issue in many years**. We are always in touch with our neighbors and have very fast response rates to any questions that come up from our guests or neighbors.

We encourage you to read our reviews here:

vrbo.com

You will find that visitors are enthusiastic about our town including the businesses here. **Restricting short term rentals is taking away many wonderful, powerful memories that are being made here by our guests**.

We hope to continue to rent the house to support our active retirement. STR income will help us to afford our high property taxes and general upkeep including seawall rock revetment work necessary to protect not only our property but also City services including water, electrical, and sewer lines on Shoreview Ave. Limiting our ability to rent our home as a short term rental will significantly restrict our lives and retirement here in Pacifica.

We have reviewed the policy proposal of the "Pacifica for Responsible Tourism" group as detailed in the link below:

Pacifica for Responsible Tourism
pacificatourism.org

We agree with most of their suggestions, specifically proposals 2-4 that deal with noise complaints, holding someone accountable, and limiting how many people can be hosted per rental unit.

The three strikes proposal (their number 1) seems strident and difficult to enforce. Policy 5 and 6 dealing with STRs in multi-unit buildings and the response of City planners should really follow from a more detailed study and clear articulation of what the goals are.

Personally we do not believe there is a need to cap the number of short term rental units at 150 specifically. Many Pacificans, in particular as they age, could benefit from once in a while renting out a room or two to help pay for rising property taxes and to share their knowledge and love for the area. To not allow them to use their house in this way seems like an overreach on their rights and freedom.

One could imagine that perhaps there could be a cap on STRs that are never owner occupied. However, hosted and owner-run STRs, in our opinion, should be not only tolerated but welcomed.

We strongly hope that you will keep
- no time limit on short term rentals
If the City must set a time limit on STRs, we propose to make it more than 200 days. Given that we apply for a business license and pay SRT fees and TOT taxes it makes little sense to license businesses and then not allow them to operate for at least 200 days a year.

We would also recommend to **not put a numbered cap on responsible owner hosted AirB&Bs/VRBOs as well as STRs that are the primary residence of the owner**.

n your deliberations we often have seen people separate unhosted STRs to mean they are not homes. Our guests appreciate having the whole house to themselves. For us our **property is both an unhosted STR and our home**.

One should also keep in mind that the overall issue so far is really a minor one on a city scale. If say 1.5% of our housing units are STRs and they have an occupancy of about one third to one half of the year this amounts to approximately 200 - 300 people in Pacifica on STRs. There are also approximately 350 hotel rooms in Pacifica which likely have significantly higher occupancy rates than the STRs. On a typical weekend one can see many cars pouring into the area by the Pier, Rockaway as well as Linda Mar mall and beach. The total number of tourists in Pacifica coming here through STRs are a significant but still minor fraction of all.

We hope this opinion is useful to you.

Best wishes,
Tom & Cathy Abel
Shoreview Ave

PS: We also see that you are being lobbied by this group:

Pacifica Homes Are Not Hotels
pacificahomesarenothotels.org

They argue that the 1 to 1.5 % of housing units that are STRs in Pacifica somehow cause economic damage and lost school funding. Those arguments are clearly incorrect. Our guests spend very significant amounts of money in this community. They more likely to have special meals, go out to restaurants, and fill up at the gas stations before they leave town. We think anyone who has spent vacation time in the Bay Area has not come back and said oh boy did we save a lot of money as compared to staying home!

They also imply that 1.5% of housing units that are STRs in Pacifica is a reason for the declining long-term rental market and also a possible reason for a large decline in home ownership in Pacifica. Mathematically this is hard to make sense of: the financial stresses of the pandemic and associated unemployment seem a much more likely reason.

In their estimate of lost school funding, it seems they simply multiply what 100 extra kids would bring to school funding but forget that those 100 kids would also require services: It is disingenuous to call this “lost" school funding since the addition of these kids would require increased funding.

We are certainly sympathetic in discouraging AirBnB party houses and any STRs that do not respond nor comply to noise and public nuisance complaints: we would agree to stricter enforcement. We believe responsible short term rentals in Pacifica are a source of sustainable income to the City of Pacifica and an enrichment to our lives and this community.

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From: Erin Farrell [redacted]
Sent: Sunday, September 8, 2024 5:57 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session

[CAUTION: External Email]

Dear Council,

I am writing regarding the STR item 8 to provide my perspective and request.

I am a single parent, who is a homeowner in Pacifica. I support my family as a Social Worker and also by renting my home approximately one weekend per month throughout the year. The short-term rental income I earn is vital for my ability to pay my taxes and maintain my property in good condition. I pay just about $20,000 in property taxes for my home. In 2023 I earned just over $14,000 through short term rentals. Without this income it would be financially more difficult to maintain my home. My guess is that there are other people who are in a similar situation.

However, I have come to learn that my situation is not like all other STR providers. There is a house across the street from me that demonstrates that not all Air BnB hosts are responsible with their property. This house does not have a resident occupant and has a history of renting to large groups who have had all night parties requiring the police to be called, where a guest threatened a neighbor with a gun, and where they have endangered the rest of us by not properly maintaining their house. There is mudslide damage on the property (from two years ago!) that they have ignored, It is an eyesore that reminds me daily of their irresponsibility and that the DPW had to intervene with barriers to hold back the land. The rest of us on the street continue to be in danger of having the street cut off during heavy rain since they have neglected to fix this problem.

Their lack of connection and care about this house, their neighbors, and our community is clearly evident. Their disinterest and entitlement drains public resources from departments like the police, DPW, and planning department through their lack of accountability. When the STR fee went up for me from about $250 to $1,600 it was a shock that made me question whether renting my home was still worth it. After a review of my financials I determined it is, so I have paid that giant fee increase. I also continue to maintain my property without the need for multiple community members and city services to instruct me or fine me to do so.

When I learned that the neighboring property owner owns ten (or more?) other properties, and that one STR permit covers all their properties, and then I read that the city is losing about a million in funds for our schools, I felt sickened. This is an injustice to our community and it needs to stop. How many dollars are we spending on services (other than the loss to our schools) that could be directed towards productive and positive improvements to Pacifica that are being channeled away by unhosted STR properties and their absent owners? And how can we justify locals having to leave due to the lack of housing stock when we know there are so many unhosted houses in the city? What are the consequences of that problem? The negative consequences to our community are far reaching.

For these reasons, I ask that the Council put in place the types of restrictions on unhosted STRs that nearly every other city in San Mateo County has enacted. The Half Moon Bay ordinance serves as the gold-standard model and was approved by the California Coastal Commission.

Thank you for your consideration.

Sincerely,

Erin Farrell
[redacted]

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From: Caitlin Quinn [redacted]
Sent: Sunday, September 8, 2024 8:58 PM
To: Vaterlaus, Sue; Beckmeyer, Sue; Bigstyck, Tygarjas; Bier, Mary; Boles, Christine
Cc: Public Comment
Subject: CITY COUNCIL MEETING: MONDAY, SEPTEMBER 9TH, Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Thank you, truly, for the difficult and time-consuming work you are doing to curb the destabilizing effects Pacifica's large number of unhosted STRs are having on our neighborhoods. We residents know that you are listening to us, and we are incredibly grateful for your stalwart support!

At the STR Study Session on August 26, 2024, I was struck by Councilmember Boles's recounting of her conversation with Half Moon Bay's Assistant City Manager, John Doughty, and how he had reported to her that—in direct contrast to the the spin pushed by Pacifica's cadre of unhosted STR owners/operators—**Half Moon Bay's STR ordinance is a true success story**. The number of Half Moon Bay's STRs have actually grown by nearly 50% during this first year of its new ordinance. **However, with a primary residence requirement in place, these new STRs are *the right kind of STRs***, i.e., those that are NOT robbing their city of housing and NOT operating as unregulated, unmonitored hotels by out-of-town investors 365 days a year. **Furthermore, with a primary residence requirement in place for all STR owners/operators, Half Moon Bay has actually managed to double their yearly intake of TOT!** As Councilmember Boles stated, "In reality, their [HMB's] ordinance is working."

Best of all, the HMB STR ordinance found resounding favor with the California Coastal Commission. So, what could provide a better model for Pacifica's revised ordinance?

I am encouraged that City Council is spending so much time studying and deliberating over Half Moon Bay's ordinance, and encourage you all to please continue on that course. Let's please not waste anymore time, and put in place for Pacifica the same restrictions on unhosted STRs HMB has so wisely adopted.

I also want to take a moment to give a shout-out to **Councilmember Bigstyck, who mentioned at the August 26th meeting how it is not just implementation of one restriction that will deter corporations and out-of-town investors from turning Pacifica homes into unregulated hotels, but a "cocktail" made up of: 1) a primary residence requirement; 2) the limit of only one STR per "natural person"; and 3) a cap on the number of operating nights for unhosted STRs (a reminder here that, for HMB, that limit is 60 nights per year).** Councilmember Bigstyck is absolutely correct, and this "cocktail" is a precedent that has been set by nearly every other city in San Mateo County, as well as in cities up and down the coast.

As I know the subject of STR density will be discussed at tomorrow night's City Council meeting, I offer for your review **the following STR density clauses in both Pacific Grove's and the City of Seaside's ordinances** that **mandate a specific number of lineal feet between the parcel boundaries of any two or more unhosted STRs**:

<u>From Pacific Grove:</u>

Cap, Density, and Occupancy Limits

1. License Caps: STR Licenses are limited to 250 City-wide.
2. Density: STR licenses are subject to a one-per-parcel and 55' zone of exclusion limits. The zone of exclusion is the distance of fifty-five (55) lineal feet from an existing STR parcel boundary.
3. Occupancy: Overnight occupants (aged 18 or older) are limited to two persons per bedroom, plus one additional person per site. The maximum number of day time (non-overnight) occupants is limited to 1.5 times the number of overnight occupants.

https://www.cityofpacificgrove.org/our_city/departments/administrative_services/business_taxes,_license___resources/short-term_rental_program/index.php

From Seaside:

Non-Hosted Short-Term Rental License

A Non-Hosted STR License allows non-owner occupied entire home rentals. Non-Hosted STR Licenses are subject to following limits:

1. **License Cap:** Non-Hosted STR Licenses are limited to 90 City-wide.
2. **Density Limits:** Non-Hosted STR licenses are subject to a one-per-parcel and 55' zone of exclusion limits. The zone of exclusion is the distance of fifty-five (55) lineal feet from an existing STR parcel boundary. Please contact program staff to determine eligibility of your property based on these limits.
3. **Occupancy Limits:** Two adults (aged 18 or older) per bedroom plus one additional adult per site, up to a maximum of 9 adults for homes with 4+ bedrooms.
4. **Vehicle Limits:** Maximum number of vehicles allowed at a Short-term Rental (both on- and off-street) cannot exceed the total number of bedrooms included in the rental.

https://www.ci.seaside.ca.us/662/Short-Term-Rental-Program

Instituting a similar density clause is critical for returning neighborhood character and community to areas like Sharp Park, Manor, and Pedro Point, which have been unfairly burdened with the majority of Pacifica's unhosted STRs. **I would argue, however, for a distance of at at least 100 lineal feet between unhosted STRs here, given how closely set the homes are in most of Pacifica's neighborhoods.**

Thank you, Mayor Vaterlaus and Councilmembers, for responding to the cries for help from Pacifica's residents—folks like me, who aren't bolstered and resourced by Airbnb, an $8 billion behemoth. Thank you, too, for seeing the onslaught of arguments made by the unhosted STR owners/operators (the majority of whom live outside Pacifica) for what they are: specious diatribe and fear-mongering from investors who have used our City and its neighborhoods as their cash cow and now don't want to see the gravy train leave the station.

Best,

Caitlin Quinn
West Sharp Park

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From: Khoi Bui [redacted]
Sent: Sunday, September 8, 2024 8:59 PM
To: Public Comment; citycouncil@pacifica.org
Subject: Unhosted STR public comment for 9/9/2024

[CAUTION: External Email]

Pacifica Airbnb

To the city of Pacifica,

I moved to an apt on Esplanade in 2021. Since then, I gradually saw this neighborhood changed for the worst. Where it lost community, people losing their livelihood and was replaced with streams of random strangers. I would like to share my personal experiences.

Example #1 on Esplanade: after its recent sale in ~2021, I saw this 4-plex evicting their tenants gradually with a major planned renovation as just-cause. The tenants here have been there 15-20+ years and had difficulty relocating, some simply had nowhere to go due to affordability. Well cared for gardens and nice neighbors were replaced with paved concrete and random tourists.
All 4 units are full time STR.

Example #2 on esplanade: after its recent sale in ~2021, I observed the current owner pretended to move into a unit with Section 8 tenant to evict them. They never intended to live in this unit. They "moved" in for a few weeks (had mails delivered there), remodeled and put it on STR sites.
After that, they changed the terms of lease to say "no dogs" to get rid of another tenant.
For the rest, they split water/trash separately from the rent and has been increasing the rent maximum every year. the remaining tenants are currently in the process of relocating because the planned rent increase will not make sense.
I've witness a lot of passive hostility designed to get rid of tenants with this particular complex.

I've witnessed and experienced a loss of community and it has been replaced with random strangers and nuisances with unhosted STR.
I hope that my examples above depicts a huge flaw in the current law and enforcements. Please note on the extremity of having two 4 plex apartments (same neighborhood) being full time STR and what that does to communities.

Please ask yourselves if you would rather live next to neighbors that you know or continuous flow random strangers.
Also please consider the housing crisis and affordability for residents and how these units are sitting empty during slow seasons.

Khoi Bui

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From: Kate Chinca [redacted]
Sent: Sunday, September 8, 2024 9:06 PM
To: _City Council; Public Comment
Subject: STR ordinance for Pacifica Neighborhoods

[CAUTION: External Email]

Good evening!

Without going through each item from start to finish, I have highlighted my comments in red.

1) Primary Residence Requirement
2) 1 STR Permit per Natural Person
3) Limiting # of nights to 60 or 90

Of course, these are definite requests.

Setting the number of guests per bedroom
Owners should NOT be able to turn downstairs family rooms into dormitories

Stipulating the number of guest sfrom 8am to 10 pm
In Favor

3 Nights for unhosted homes
This would be a help

Permit revocation with 2 offenses in 12 months
Would be good

Dedicated Code Enforcement Team
Taking an informal survey from others, it appears many people hesitate to call our PD as these may be annoying us but we don't want to deplete our department for these calls. Seems that the permit fees could be adjusted and the fines more readily given to cover the salaries needed.

Have a local rep on call 24/7 to assist when the properties are having renter issues
One man stood up at the last council meeting stating he lived in the Castro and was just 20 minutes away. Does he have wings? I worked there and no way would 20 minutes do it. Proof of residence would be helpful.

500 lineal feet is discussed as to not create an issue with residents for noise, etc. But then, it's only 250 lineal feet between an STR and the next STR
If 500 feet is recognized as noise abatement, then this should have the same 500 foot parameter

No grandfathering in
This is so important

Parking Issues
Many homes have used all possible inside space for bedrooms. Then the garages are turned into game rooms with pool, pinball, ping pong, etc. to enhance rentals. If these homes were directed to allow 2 cars in the garages, it would take more cars off the street.

One more thought...
It seems to me that we are all treating these STRs as businesses. So, what I am wondering is when rezoning was completed to turn our neighborhoods into commercial

As always, thank you for being here for us and representing us. This is hard work, indeed. But, it is a relief to have a Mayor and a Council who is working with us to create and keep better neighborhoods and neighbors.

Sincerely,

Kate Chinca
Aspen Drive

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From: Arlene Zhao [redacted]
Sent: Sunday, September 8, 2024 9:54 PM
To: Public Comment
Subject: STR - Sept 9 - Arlene Zhao

[CAUTION: External Email]

Dear Pacifica City Council,

I have attended two study sessions and reviewed all the public comments for the 8/26 meeting. From what I've seen, it appears that four homes are responsible for 50% of all STR complaints, while the majority of STRs respect our neighborhoods.

Would it not be reasonable to first revoke the licenses of these bad actors and assess the results before making broader changes?

Thank you for your time and consideration.

Sincerely,
Arlene

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From: Allison West [redacted]
Sent: Sunday, September 8, 2024 9:56 PM
To: _City Council; Public Comment
Subject: City Council Meeting, 9/9/24, Public Comment, Item 8, Short Term Rental Study Session, Continuation

[CAUTION: External Email]

Dear Mayor and Council Members:

I urge you to continue your diligence and enact an ordinance with strong restrictions and that protects our community. Every community in San Mateo County has a strong ordinance. Our neighbors down the road in Half Moon Bay have the gold standard which you can easily follow as we have the virtually the same issues.

As HMB states on their site: "This ordinance strives to find a balance between encouraging the potential benefits of Short-Term Rentals, while also protecting housing stock and focusing on neighborhood preservation." That is our goal, too.

Some key restrictions to keep front and center:

1. **Primary residence requirement -** this is imperative to help keep corporations and out-of-town investors from taking over neighborhoods. In particular, in neighborhoods like mine in Pedro Point and also in Sharp Park due the proximity to the ocean.
2. **One STR permit per "natural person".** We can't keep having corporations who have no connection to Pacifica invade our neighborhoods.
3. **STR Host must designate a local respresentative to be available 24/7 and arrive within a very short window of time (approx. 30 minutes) to respond to issues.** The designee must be able to promptly sort out any issues, to make sure noise levels are kept down, and for neighbors to be able to call them to handle these issues.
4. **Limit of only 2 guests per STR bedroom and limiting the number of cars per unit.** The overcrowding on some of our streets in Pedro Point is already making driving the roads dangerous. Even today when I was driving on Sterling Ave, there was a car parked sticking into the middle of the road! There was almost no parking to be able to visit a friend who lives up there.
5. **Capping the limit on the number of nights an unhosted STR may operate** - 60 is the number other communities have, there is no reason Pacifica should be considering anything more than 60 as it increases the burdon neighborhoods. All decisions made by the counsel should bend towards protecting it's residents and 60 is a fair number.
6. **Minimum of three nights at unhosted STRs**. Again, this helps with cutting down the number of guests who will rent STRs.
7. **Minimum number of feet between STRS in a neighborhood.** The need for this is obvious - Sharp Park and Pedro Point are impacted the most. As noted above, in Pedro Point the bulk of the streets are very narrow and winding, in particular on those streets that are higher up and offer the beautiful views. Residents must be able to drive and park and have their own guests come to visit and stay. STRs that offer 5+ guests in one house and adding 5 or more cars is just untenable and dangerous.

Additionally, I believe it's absolutely imperative that the City have code enforcement officers dedicated to monitoring STRs. I know from my own experience contacting Code enforcement and having them respond has been, candidly,

pitiful. We deserve better. We need something similar to HMB where neighbors are able to provide information about illegal STR activities or non-compliance. We are up to the challenge and can do what other communities do.

I also believe that every STR unit must be required to show proof of compliance with all building and other regulations. No grandfathering! We know that there are many STRs in Pacifica that are not properly insulated, have multiple code violations, and are a danger to their neighbors.

Thank you.
Allison West
[redacted]

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From: Jeff Jones [redacted]
Sent: Sunday, September 8, 2024 10:24 PM
To: _City Council; Public Comment
Subject: Public comment-Item8: Short term rental study Continuation

[CAUTION: External Email]

9-8-24

Dear Councilwoman Beckmeyer and other City Council Members:

I am writing to update you on recent developments at 400 Belfast and I want to thank whoever was responsible for the recent posting of the warning notice that the City has finally condemned the property as unsafe. Despite the posted warning, the managers of the facility are continuing to advertise it on Air B&B as available for twelve guests.

At the July study session I heard someone say that before the City could take any remedial action someone had to file a formal complaint. More than anything else, I would like to know specifically how do I file a formal complaint? To whom? To what Department? Is there a specific form to fill out? What are the ramifications if Marbella continues to violate the City's rules? And to whom should I complain when the operator does so.

At last August's City Council meeting the City's staff mentioned that additional regulations are unnecessary because the current ordinance already addresses many of the issues. To some degree that is correct- but the City's failure to enforce its regulations is a central problem.

The numerous Pacifica residents who are expressing their unhappiness about STRs are doing so because we are the victims of a problem the City has caused. STRs have been allowed to flagrantly violate the City's regulations without being penalized or closed down. Logically, the taxpayers expect the City to solve the problem by either enforcing and strengthening the flawed current ordinance. It is disingenuous for City staff to claim that the situation cannot be addressed without the City losing money; are we being told the City y has mortgaged its financial future to Air B&B?

I would be truly grateful if you could point me in the right direction and inform me how to and to whom I should I should file a complaint. Once again, thank you to the City Council members for your many thoughtful questions about the STR situation

Sincerely,

Jeff Jones

[redacted]

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From: T Neilands [redacted]
Sent: Sunday, September 8, 2024 11:00 PM
To: _City Council; Public Comment
Cc: T Neilands
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear Pacifica City Council Members,

We would like to add our views on the short-term rental problem in our city. We live in Pedro Point, one of the neighborhoods most impacted by these STRs.

Most important is that the unhosted (ie, the owner does not reside on the property) residences are acting as businesses in areas that are not zoned for that purpose, nor should they be so zoned. Many of these owners (some of them are companies rather than individuals) do not even live in Pacifica, so they are taking money out of our city without giving anything back.

Our experience with the unhosted STRs near us includes:

--hosts encouraging people to trespass on our property to access the Pedro Point Headlands, which led to destruction of plants in our garden

--short-term renters coming to Pacifica specifically to set off illegal fireworks, including very near to the Headlands, creating a huge fire danger

--noises from illegal parties and voices from a front-yard hot tub

--increased use of our street leading to faster deterioration as tourists come and go more often than residents do

--increased foot and vehicle traffic lingering in our cul-de-sac

--increased vehicle traffic due to food and other deliveries

--unfamiliar dogs disturbing the resident dogs and not always being cleaned up after

--increased difficulties in determining who is a neighborhood resident, lowering overall neighborhood safety

These unhosted STRs have completely changed the character of our neighborhood in a solely negative way, as listed above. It is also extremely concerning that these rentals are allowed to exist in light of the current affordable housing crisis, to which the STRs have undeniably contributed.

For these reasons, we feel unhosted STRs should be banned in Pacifica, as they have been in a number of other cities around the world.

Thank you,

Tor Neilands and Dianne Seaborg

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From: HD [redacted]
Sent: Monday, September 9, 2024 12:33 AM
To: _City Council; Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear City Council Members,

Thank you for your efforts and consideration regarding short-term rentals (STRs) in Pacifica. In this note, I would like to share an incident that occurred on the morning of August 27th, my reflections on key topics discussed during the study session on August 26th, and the proposals I support.

Incident: August 27th at 8:30 a.m.
While leaving my house to take my son to daycare, after arriving home at 1:15 a.m. from the study session, I witnessed a guest staying at 350 Buckingham Way driving the wrong way on Pacific Ave and nearly crashing into an oncoming car. This was a close call, as there is a blind spot on the street due to a slight curve. I watched the entire event while holding my son. Later that day, while playing basketball outside with my 7-year-old, the same person was again driving the wrong way. I politely approached him, informed him about the earlier incident, and reminded him that driving the wrong way is dangerous. He apologized and said he was making a right turn onto Buckingham this time.

Having nine unhosted STRs around my house creates various issues, including neighborhood disruptions, funding shortages for local schools, and a diminished sense of community, which we could foster with long-term neighbors.

Reflections on Topics Raised During the August 26th Meeting

1. **Out-of-town hosts' concerns about their ability to service mortgages without STRs and their desire to keep homes in Pacifica**
   While I understand the financial challenges, I believe this argument is weak. As a capitalist, I support the freedom to invest, but if someone owns a home in Pacifica and wishes to keep it, they can rent it long-term to a family. No one is preventing investments in Pacifica real estate, but we are asking for residential zoning and neighborhoods to be respected and preserved for long-term residents.
2. **Out-of-town hosts' desire to connect with families and promote Pacifica as a destination**
   While I empathize with this sentiment, I believe it is possible to achieve the same goals without STRs. For instance, they can rent to a long-term family and engage with the community in other ways, such as volunteering in local activities or opening a local business.

Proposals I Support

1. Require STRs to be the owner's primary residence. No more unhosted STRs.
2. Limit permits to one per resident. Permits should not be issued to LLCs or business entities.
3. Allow a maximum of 60 days per year for unhosted STRs. Extending this period would undermine the goal of preserving residential neighborhoods for long-term residents.
4. Limit the number of guests to two per permitted bedroom.
5. Revoke permits after two or more violations.
6. Revoke permits for any property with construction violations.

7. Limit STRs to one per 500-foot radius.
8. Require unhosted permit holders to designate a local resident who can be available 24/7 and arrive at the property within 20 minutes.
9. The City of Pacifica should publish a list of all unhosted STR permits on its website, including the address, and the name and phone number of the designated local resident. This information should be easily accessible to everyone in the community.
10. Create an enforcement team and publish their contact information.

Thank you for your time and consideration.

Sincerely,
Haroldo

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From: Cheryl Greene [redacted]
Sent: Monday, September 9, 2024 7:00 AM
To: _City Council; Public Comment
Subject: "Public Comment: Item 8. Short Term Rental Study Session Continuation"

[CAUTION: External Email]

Esteemed Council Members,

Thank you for working hard to create a solution that honors the value of Pacifica's neighborhoods and makes room for members of our community to use their homes to earn additional income. In short, I support:

1. One STR permit per natural person
2. A total permit limit not to exceed what has already been set
3. A limit to the total number of nights residents can rent out their homes when they are not on site
4. A local residency requirement
5. No limit to hosted rental nights
6. Enforcement of "no loud parties" and "two guests per bedroom". I understand that the City staff feels enforcement is impossible, but neighbors can (and do) report loud parties and excessive number of people coming and going. I believe enforcement could be achieved by a police check when residents report abuse. Three confirmed strikes and the permit is pulled.

Thanks again. I admire your commitment to service.

Best,
C~

Cheryl Greene
[redacted]

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From: Stephanie Robbins [redacted]
Sent: Monday, September 9, 2024 8:49 AM
To: _City Council; Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation
Attachments: STR council letter 090924.pdf

[CAUTION: External Email]

Dear Pacifica City Council and Staff,

Thank you for addressing our concerns regarding unhosted short term rentals in Pacifica. Attached is my letter to you. I hope it is helpful as you continue to consider this issue and the best path forward for Pacifica.

Thank you for your time and consideration,
Stephanie Robbins
[redacted]

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Stephanie Robbins

[redacted]

September 9, 2024

Pacifica City Council
Pacifica, CA 94044

Dear City Council,

Thank you for caring to hear from the citizens of Pacifica regarding the situation with unhosted Short Term Rentals (STRs), and for considering the quality of life for us in Pacifica. I want to reiterate my concern is not against AirBNB rentals. House sharing, hosting tourists and guests in extra bedrooms, mother-in-law type units or other dwellings on the same premises as the host and resident is not at issue here. My concern is for situations like my next-door neighbor who sold his house to what he thought was going to be a couple moving in to retire. Instead they use it as a full time, unhosted STR. This means that the three other families that were bidding on this house had to go elsewhere. It's hard to accept continuing to build more housing for this "housing crisis" when we see hundreds of our single-family homes used like hotels.

It also means, that my house is now in constant view of people I don't know, I now live in a commercial, hotel area rather than a neighborhood with a community. I am now planning to build a privacy wall as these people, I don't know, sit outside and watch the comings and goings of my home. We feel insecure leaving the house unattended.

I appreciate council member Bier's concern for density. This is incredibly important. I read the letter from AirBNB and I find it interesting they note the success in San Luis Obispo county. This is a place I rent a house for my vacation every year. What I learned while there, and doing online research is that they are well regulated. Most of what is in place in SLO County is what we are asking for here in Pacifica. Actually, the municipalities there also have density requirements, for example there is a minimum of 9 lots or 500 feet between vacation rentals, and other requirements like this that in Los Osos, and a 30% max with no unhosted rentals allows to be next door to each other in Cayucos. We need to ensure that our neighborhoods are not destroyed with rows of unhosted STRs.

We are not asking for anything out of the ordinary. We have looked at San Francisco, Half Moon Bay and other cities in California and simply copied what is working for them. The requirements of a primary residence in Pacifica to help ensure that those responsible are committed to this town and that neighbors have access directly to the owners is quite reasonable. Allowing for only one STR permit per "natural person" also supports our neighborhoods, while allowing our neighbors some investment income in our town. And, putting a limit on the number of nights an unhosted STR may operate throughout the year, such as 60 or 90 nights total, has also proven successful with our neighboring cities.

Our neighbors looking to add some income by using their most valuable asset, their house, in this incredibly expense place to live, is just fine. All we ask is that these STRs are hosted, are managed in a way that doesn't breakdown the fabric our community, and that the peace and connectivity of our neighbors and lives is supported.

[redacted]

From: Mark Hubbell [redacted]
Sent: Monday, September 9, 2024 9:20 AM
To: Public Comment
Subject: Public Comment: City Council Meeting 9/9/24, Item 8. Short Term Rental Study Session

[CAUTION: External Email]

Good day,

My understanding is that because the item on the agenda is a continued study session, no more oral public comments will be allowed. If so, please accept that I, as a 38 year resident of Pacifica, am in full agreement with this well crafted list of pertinent measures, from other long-time citizen's and well trusted sources -- Leo Leon and Kris Geiger

You, as our elected City Council, need to reach a consensus and implement restrictions on all STRs in general and specifically on un-hosted STRs. We, therefore, urge you to consider and incorporate all of the following examples into the STR ordinance as restrictions:

1. *Set a limit on the total number of permits the City will issue on a City-wide basis. This aggregate number is important so we can limit the total number of units lost to individuals and families who want to live and raise families in Pacifica. We need real people as neighbors in our community, not more short-term rentals in our neighborhoods.*
2. *Set a total number of permits that the City will issue in each District. This will limit the oversaturation of STR permits in any given district. Then set a maximum number of permits that can be issued on any residential street in a District. This will prevent over-saturation of STRs on any residential street.*
3. *Incorporate a requirement that all advertising and listings for STRs must include the City issued STR permit number along with penalties and fines for violations.*
4. *Primary residence requirement. This is needed to prevent the commercialization of our residential neighborhoods.*
5. *Allow for only one STR permit per "natural person". Again, this is needed to prevent the commercialization of our residential neighborhoods.*
6. *Establish a limit on the number of nights an unhosted STR may operate. We like Half Moon Bay's cap of 60 nights for any and all unhosted STR's*
7. *Require all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters. That local representative must be available for annual and, as needed, inspections by the local Fire and Building Inspector.*
8. *Require yearly inspections by the Fire Department and the City Building Inspector to ensure compliance with Fire Safety and Building Codes. All STR's should be held to the highest standards of Fire Safety and Building Code compliance. STRs shall be responsible for the cost of the inspections. Permits will not be approved or renewed without proof of Fire Safety and Building Inspector inspections.*

In closing, we appreciate your attention to this urgent matter. Our neighborhoods and community need these changes now. To prolong the implementation only benefits the profiteers at our expense and the expense of our neighborhoods and community.

Thank you,

Mark Hubbell
[redacted]
[redacted]

--

Mark Hubbell — [redacted]

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From: Lyla Reinero [redacted]
Sent: Monday, September 9, 2024 10:20 AM
To: _City Council; Public Comment
Cc: Beckmeyer, Sue; Bier, Mary; Boles, Christine; Vaterlaus, Sue; Bigstyck, Tygarjas; Woodhouse, Kevin; Carter, Yulia; Bryan Reinero; Harkousha, Brianne
Subject: Public Comment for 9/9/24 Council Meeting: Item 8. Short-Term Rental Study Session Continuation
Attachments: Gmail - 400 Belfast Safety Concern - Red Tag.pdf

[CAUTION: External Email]

Greetings Mayor Vaterlaus, City Councilmembers, City Manager, and Staff,

First of all, a huge **Thank You!** for all of your hard work moving forward with the STR ordinance update and especially to the 'powers that be' for *finally* getting the STR located at 400 Belfast red-tagged. Customers of that STR, my family, and our neighbors all deserve the right to safety. However, as of this writing, this listing is still available on Airbnb, VRBO, and Marbella Lane, the LLC that operates this place. We have reached out to all 3 entities to try to get the listing taken down for everyone's safety and have not had success (see attachment). Therefore, the city, specifically the STR administrator, has more work to do and needs to revoke this permit for the public's safety.

Since the last meeting on 8/26/24, before the adjournment, multiple people have reached out to us directly via private messages and info@pacificahomesarenothotels.org with stories of being displaced or evicted from their longtime residences followed by their former apartment buildings being turned into full-time unhosted STRs. This is so wrong on so many levels. These displaced people are afraid to share their stories directly in public comment out of fear of retaliation.

What also hasn't sat well with me about the last meeting are the STR operators who were asking their housecleaning staff to vouch for them. That's an imbalance of power dynamic. A friend of mine texted me during the 8/26 meeting to let me know they were put in an awkward position because the owner of the STR that they manage asked them to provide oral comments via Zoom in favor of unhosted STRs. They were provided with a script of what to say. This cut into their family time to the extent that they were not able to provide the usual nighttime meal and bedtime routine for their kids.

3 strikes is a BS idea that should not be entertained in this situation. This is not baseball, and even if it were, there are flagrant fouls that get players ejected from the game. We need to make enforcement much stricter than it is currently. Anyone who lies on their applications needs to go. Anyone who has performed unpermitted work on their properties needs to have their licenses revoked immediately. Similarly, if I or anyone else lies on a job application, it is considered to be automatic grounds for dismissal.

In summation, if we allow unhosted STRs to continue to operate as they are we will continue to have a small number of winners including the behemoth corporations like Airbnb, VRBO, and the LLCs who are profiting immensely versus a much greater number of losers: people who are being evicted from their homes, people who are losing the quiet enjoyment of their homes, people who have played the game of life correctly by working their whole lives towards paying off mortgages and are now hostages in their own homes by having to live next door to out of control party houses. It is indescribably exhausting to spend so much time defending our home, but we know we must continue to do so for the sake of our children, our neighbors, and our community.

Thank you, as always, for your time to hear our concerns.

Kind Regards,
Lyla Reinero
[redacted]
Longtime Pacifican (Pedro Point)
Concerned Parent of 3
Cabrillo PTO Board Member
Community Volunteer
Pacifica Police CERT trainee in progress

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Gmail Lyla Reinero <lyla.reinero@gmail.com>

400 Belfast Safety Concern - Red Tag

Lyla Reinero [redacted] Fri, Sep 6, 2024 at 1:42 PM
To: MARBELLA LANE MANAGERS [redacted]
Cc: Bryan Reinero [redacted], Jeff Jones [redacted], Building Official <bldgoff@pacifica.gov>, "White, Gwen" <gwhite@pacifica.gov>, codeenforcement@ci.pacifica.ca.us, "Beckmeyer, Sue" <sbeckmeyer@pacifica.gov>, citycouncil@pacifica.gov, "Woodhouse, Kevin" <kwoodhouse@pacifica.gov>, "Carter, Yulia" <ycarter@pacifica.gov>, cartery@ci.pacifica.ca.us, [redacted], Debra Rhodes [redacted], [redacted], [redacted]
Bcc: Caitlin Quinn [redacted]

Marbella Lane Management, Operators, and Owners,

On Tuesday, September 3, 2024 the Building Inspector Official for the City of Pacifica placed a red-tag on the property located at 400 Belfast. For your convenience, I have attached a photo and transcribed what it reads:

UNSAFE

DO NOT ENTER OR OCCUPY
This structure has been inspected, **found to be unsafe to occupy**, as described below:
Building is unpermitted and in Public Right of Way

Do not enter, except as specifically authorized in writing by jurisdiction. **Entry may result in death or injury.**

Facility Name and Address:
400 Belfast

Date: 9/ /24
Time: 12:00

We respectfully request that Marbella Lane Management and its Operators and Owners immediately remove the listing for 400 Belfast from **all STR hosting platforms** until the safety issues are completely remedied. Please remove the listing from Marbella Lane, Airbnb, VRBO and the countless other sites (google search screenshot attached) that host this listing.

This is a situation where the **health and safety** of your **customers**, along with that of **our family and neighbors** are at risk. We are longtime residents of this neighborhood who have had the misfortune of living downhill from this nuisance property for the past 5 years when Marbella Lane began operating here. We live in constant fear that the unpermitted work done at the 400 Belfast property will result in catastrophe, such as injury, or worse, to a customer, neighbor, or our homes. As the work was performed without permits, we assume it is not to code, and executed by unlicensed contractors. There's a fire risk due to possible faulty electrical wiring and a flood risk due to the unpermitted additional bathroom added.

Also, it is coming up on 2 years since the mudslide happened at 400 Belfast which resulted in a flooding/muddy waterfall at our property and the Building Inspector posted a notice for you to fix it (construct a retaining wall). When is that going to happen? We hope before the next rainy season begins.

Thank you for your prompt attention to this matter,
Lyla and Bryan Reinero (and neighbors)
Residents at
[redacted]

On Fri, Aug 9, 2024 at 12:10 PM MARBELLA LANE MANAGERS [redacted] wrote:
> Hello Lyla,
> Thank you for your kind communication and letting us know.
> We will take your comments into account.
> Sandra
>
> On Fri, Aug 9, 2024 at 1:37 PM Lyla Reinero [redacted] wrote:
> > Marbella Lane Management,

> On Wednesday, August 7, 2024, we observed 2 teenagers on the roof of the garage/illegal "guest house" located at 400 Belfast. One of the teens threw something in the direction of our home. For their personal safety, the police were called. The guests are still staying there. This email is intended to advise you of our safety concerns. I do not want Marbella Management to take any action against the guests for fear of retaliation against us.
>
> Thanks and take care,
> Lyla
> [redacted]

--

3 attachments

400 Belfast RED-TAG.jpg
7497K

400 Belfast Buld Insp notice 01.19.23.jpg
2952K

screencapture-google-search-2024-09-05-21_50_46.pdf
2835K

From: Pam Raymond [redacted]
Sent: Monday, September 9, 2024 10:37 AM
To: _City Council; Public Comment
Subject: Public Comment ITem #8 STR Study session continuation

[CAUTION: External Email]

Hello Mayor Vaterlaus and Council Members,

Thank you again for your ongoing attention to the Short-Term Rental issues raised by our community.

As we head into tonight's crucial meeting, we anticipate with some anxiety but even more optimism, that Pacifica will be in a more solid place with the ordinance you propose and vote on.

Please include the three pillars that I believe, as one surrounded by too many short-term rentals, to be:

1. The primary resident requirement
2. One STR permit per "natural resident"
3. Limitation on # of nights unhosted STR's may operate to 60 or 90 nights per year.

We also welcome other restrictions, such as density and spacing allowances, mentioned by Councilmember Bier. West Sharp Park and Pedro Point are over capacity already.

I know that 2 million dollars in revenue is something we sorely need as a city, but not at the expense of keeping those who want to move to Pacifica to raise families and be full-time residents (with the current ordinance encouraging real estate investors to operate un-hosted STRs.) I think other cities around us had to weigh some of these issues and in the end adopted an ordinance to support long-term housing. The unregulated hotel culture was dividing their communities as well. I think we can still do this and allow some STR commerce that can bolster the city's budget.
(And send Airbnb/ VRBO a message that they can't just rule the world one neighborhood at a time).

Thank you again for your ongoing service on the city council.

Sincerely,

Pam Raymond

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From: Jen Hansen [redacted]
Sent: Monday, September 9, 2024 11:12 AM
To: Public Comment; Bigstyck, Tygarjas; Boles, Christine; Bier, Mary; Vaterlaus, Sue; Beckmeyer, Sue
Subject: Public comment about STR Study Session

[CAUTION: External Email]

Esteemed council,

I connect with you today tired. As a mother to 2 very "boy" boys, a middle school math teacher in a low income neighborhood, and as a human being that cannot sleep, partly because of the noise our local STR generates.

Just over 3 weeks ago, my oldest, Robert, came running downstairs after 10pm. He was woken up from a dead sleep in sheer panic. He was scared. Scared because he didn't understand that a large group of people with at least 4 cars were renting a house, listening to music and playing cornhole in the backyard, enjoying their vacation.

At 1:52am Saturday morning, I was awoken from a dead sleep by someone screaming. Naturally, I thought it was my own children. After orienting myself to the room and realizing the TV was still on, I realized the screaming was coming from outside. To my surprise, the yelling was coming from the backyard of 1168 Crespi. The young and inebriated woman was screaming out multiple types of sexual remarks. PD arrived onsite moments later and everyone proceeded into the house, where they could still be heard talking loudly, but it was not quite as disturbing

Now, If this were any traditional neighbor situation, I would either chat over the fence, call or text to inquire how long they plan to be or why we weren't invited. *teehee* But this is not a normal neighbor situation and conversing with unfamiliar vacationers presents a safety issue to myself and my family, as aggressive interactions with UNHOSTED STR's tenants are not uncommon.

I live over 276 feet as the crow flies from a 6 bedroom, 16+ person UNHOSTED short term rental where the people inhabiting the dwelling have one goal in mind…. Enjoying their vacation. They don't care about the people living in the surrounding houses and the panic their partying incites on young children. They don't care that this 3+ year situation has caused dozens upon dozens of stressed out sleepless nights to an already exhausted teacher and mother who has made dozens of complaints to both AirBnB and disturbing the peace calls to PPD. They just want to enjoy their $500+ per night vacation spot.

But at almost $1,000 a month in property taxes, my family and I are not enjoying the home that we have dumped our life savings into in the community where I have lived for 15,118 days,

After PPD made contact with yet another disturbance at my local UNHOSTED STR just 9 nights ago, my response to you is this "OMG, get a F—---G LIFE". I have a life, a very busy life, which is why continuing disturbances such as this are so frustrating.

While I understand that change is never easy or fast, I continue to ask the council to enact robust ordinances, especially regarding UNHOSTED STR's such as those already in place in almost every city in San Mateo county.

On

One ordinance that should be included is an inspection requirement before ANY STR permit is issued. When vacationers visit a permitted STR, they logically can assume that the premisses has been deemed safe for all types of visitors, like children. There is a property on Lerida that has a swimming pool and there currently is no safety measures on the premises preventing children from unknowingly accessing the pool area.

I would like to see the inspection ordinance confirm things like working smoke detectors and fire extinguishers are on the premises and marked. I would like to see the inspector verify that any room designed for sleeping is, in fact, a legal bedroom and boards an appropriate number of individuals that could vacate the premises safely in an emergency situation, and that ladders from 2nd story windows are provided in each room. Furthermore, I would like inspectors to verify that any addition to the home, like hot tubs, saunas, and other upgrades are permitted and property safety measures are in place.

Because of the current **mental health concerns** that many of these properties pose and safety hazards that exist in our STR's due to lack of inspections, I am especially disappointed that the city attorney and staff continue to push back against placing a moratorium on new STR permits.

As always, I appreciate your extensive efforts in establishing a robust ordinance that preserves each resident's right to peaceful enjoyment of their homes and protects the health and safety of our city's visitors.

Jen Hansen, Linda Mar

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From: Wayne and Elda [redacted]
Sent: Monday, September 9, 2024 11:13 AM
To: Public Comment
Subject: 9/9: STR Public Comment

[CAUTION: External Email]

Dear
Pacifica City Council,

Wayne
and I are former Pacifica residents and we love the city of Pacifica. We put our life savings into this home and plan to move back one day. Short term renting allows us that flexibility that would not be possible with a long term renter. The long term rental
rates do not pay for the mortgage and property tax, but short term renting our home throughout the year allows us to keep our home. We love our home, we love our neighbors, and our community. We've had zero complaints and we've had the opportunity to share
our home with visitors traveling down highway 1; with families celebrating the holidays, and life events like birthdays, graduations and funerals.

We
are responsible short term rental operators and take pride in providing a great experience for those that want to experience Pacifica. We understand that the City Council is moving towards new ordinances and I ask the City Council to consider grandfathering
the short term operators that are in good standing and reshape the STR image that the bad apples have created on our community.

Best,
Wayne
Thai and Elda Kong

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From: Noah Suarez-Sikes [redacted]
Sent: Monday, September 9, 2024 11:12 AM
To: Public Comment
Subject: Public Comment - Item 8 Short Term Rental Study Session (Continuation of Council Deliberations from 8/26/2024)
Attachments: Better Neighbors Comment Letter - Pacifica City Council STR Study Session - August 26, 2024.pdf

[CAUTION: External Email]

Good morning,

I'm re-submitting the following public comment letter on behalf of Better Neighbors LA, pursuant to the continuation of the STR Study Session begun on 8/26/24. Please let me know if you all have any issues accessing the attached PDF.

If you all have any questions, feel free to reach out to me by email or on my direct line as listed below.

Thank you so much!

Best regards,

Noah Suarez-Sikes
Organizer
Better Neighbors LA
[redacted]

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August 26, 2024

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: City of Pacifica Short Term Rental Study Session—Strengthen Pacifica's Short-Term Rental Regulations

Dear Honorable Mayor Vaterlaus and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities. Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and coastal public access.

BNLA urges the Pacifica City Council to amend current short-term rental regulations to a true home-sharing model composed of hosted-only rentals to prevent displacement and ensure that communities are protected from the negative effects of STRs. Should you decide not to move forward with a true home-sharing model, we encourage the City to adopt common-sense policies present in many jurisdictions throughout the California coast, including defining unhosted and hosted short-term rentals, requiring a host to be the primary resident of their short-term rental property, placing a limit of one short-term rental per natural person, and establishing a 60-night cap on the number of nights an unhosted short-term rental may be operated annually. Several other coastal cities have adopted similar policies to protect long-term housing and provide truly lower-cost overnight accommodations. Current regulations and the most recent staff recommendations will not adequately safeguard existing housing stock, and will continue to leave long-term residents at risk of displacement.

Pacifica Unhosted STRs Eliminate Housing Stock

Pacifica has seen significant growth in the number of unhosted short-term rentals in recent years. Unhosted short-term rentals are housing units used solely as tourist-serving accommodations, whereas hosted short-term rentals necessarily function as housing for the host living onsite during a guest's stay. According to AirDNA, as of March 2023 there were

approximately 198 short-term rentals operating in Pacifica, 173 of which were unhosted.[1] In this period, the City of Pacifica staff recognized only 108 total STRs,[2] meaning that 37.5% of short-term rentals in Pacifica were likely operating without sufficient City oversight. Between May 2017 and March 2023, the number of unhosted short-term rentals increased by more than 100 total listings, from 67 in May 2017 to 173 as of March 2023.[3]

This sharp increase in unhosted STRS illustrates the rapid corporatization of housing for tourist-serving accommodations, at the cost of available housing options for long-term residents. Pacifica's 2023-2031 Housing Element recognizes that this loss of housing stock to tourist-serving accommodations is contributing to fair housing issues within the City: "Pacifica's housing market is influenced by economic pressures to convert a portion of its housing stock to short-term vacation rentals."[4] Residents have continuously voiced this concern throughout the City's past efforts to regulate short-term rentals, most recently when the City Council adopted the 150-unit cap.[5] Without strong regulations, unhosted short-term rentals will continue to threaten existing housing stock, and potentially displace Pacifica's long-term year-around residents.

Pacifica Unhosted STRS Are Not Affordable Overnight Accommodations

According to a forthcoming report by Nicholas DiRago of the University of California-Los Angeles, the average cost for an unhosted short-term rental in Pacifica's Coastal Zone ranges from $235 to $495 per night.[6] Meanwhile, the average price per night of a hotel room accommodating two people in Pacifica is $193.37 as of June 2024.[7] Therefore, on average, an unhosted short-term rental is at minimum $41.63 more expensive than a comparable hotel room. Unhosted short-term rentals thus cannot be considered affordable overnight accommodations in Pacifica when compared to hotels or other accommodations. While the staff report refers to the possibility of STRs being a "robust driver for the local economy, boosting tourism and

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[1] Data on file with BNLA. AirDNA combines data from STR websites to put together a picture of the STR market in a particular area: https://www.airdna.co/

[2] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.6 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

[3] Data on file with BNLA. In May 2017, approximately 67 unhosted short-term rentals existed in Pacifica compared to 173 as of March 2023.

[4] Pacifica 2023-2031 Housing Element, Appendix D: City of Pacifica Assessment of Fair Housing, page 169: https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.

[5] City of Pacifica Council Agenda Summary Report: Short Term Rental Study Session, June 24, 2024, P.3 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=30&ID=18165&MeetingID=1615

[6] Data on file with BNLA. Average daily rate accounts for April 2022-March 2023.

[7] America's Best Value Inn Pacifica: https://www.sonesta.com/americas-best-value-inn/ca/pacifica/americas-best-value-inn-san-francisco-pacifica; The Anchor Inn: https://anchorinnhotels.com/book-now/; Fairfield Inn & Suites San Francsico Pacifica: https://www.marriott.com/reservation/rateListMenu.mi; Inn at Rockaway: https://www.innatrockaway.com/reservations?room_check_in=2024-06-06&room_check_out=2024-06-07&promo_code=&rooms=1&room1=2 ; Pacifica Beach Hotel: https://be.synxis.com/?adult=1&arrive=2024-06-06&chain=28109&child=0&currency=USD&depart=2024-06-07&hotel=35301&level=hotel&locale=en-US&rooms=1&start=availresults ; Pacifica Lighthouse Hotel, Trademark Collection by Wyndham: https://www.pacificalighthouse.com/ ; Sea Breeze Motel at Rockaway Beach: https://www.seabreezerockaway.com/.

hospitality,"[8] given that most STRs are likely cost-prohibitive to working class residents, the economic benefit is necessarily limited as compared to existing lower-cost visitor-serving accommodation.

Precedent for Stronger Regulations in Coastal Jurisdictions

Recent actions by the Coastal Commission suggest that jurisdictions may implement stronger STR regulations in the Coastal Zone than previously recommended by Coastal Commission staff. In March 2023, the Coastal Commission approved the City of Half Moon Bay's LCPA, which included a primary residency requirement for both hosted and unhosted short-term rentals, as well as a 60-night cap on the number of nights an unhosted short-term rental may be rented annually.[9] This was followed by an informational briefing the Coastal Commission held on December 14, 2023, during which a set of academic researchers, representatives from coastal cities, and Commissioners expressed how short-term rentals may impact access to long-term housing within the Coastal Zone.[10] Professor David Wachsmuth of McGill University cited a breadth of recent academic research that outlined how unhosted short-term rentals result in significant negative consequences, including increases in rents and decrease in housing stock.[11] Specifically, Professor Wachsmuth recommended that "[t]he CCC should consider establishing a common regulatory floor that restricts unhosted STRs and encourages home sharing in the coastal zone, to better preserve public access for visitors…"[12] Several Coastal Commissioners expressed their reactions to the panelists. For example, Commissioner Paloma Aguirre stated, "it was very clear that unhosted short-term rentals are making the housing crisis worse."[13] Commissioners Mike Wilson, Katie Rice, Meagan Harmon and Dayna Bochco all expressed concerns regarding the issue of short-term rentals within the Coastal Zone.[14]

Furthermore, at the last Coastal Committee meeting on June 13, 2024, multiple Coastal Commissioners expressed disappointment that the City of Pacifica had not taken a stronger position on the issue of short-term rentals. Commissioner Newsom expressed that she herself had been displaced from her home due to the effects of STRs.[15] Commissioner Wilson remarked, "If this had come to the commission maybe five or six years ago, this would have been a different discussion, but we've seen this massive experiment in the commercialization and

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[8] City of Pacifica Council Agenda Packet Staff Report: Short Term Rental Study Session, August 26, 2024, P. 99 https://pacificacityca.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1546&Inline=True
[9] City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2: https://www.coastal.ca.gov/meetings/agenda/#/2023/3
[10] https://documents.coastal.ca.gov/reports/2023/12/Th5/Th5-12-2023-agenda.pdf
[11] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, beginning at 58:45: https://cal-span.org/meeting/ccc_20231214/
[12] Professor David Wachsmuth, "Short-Term Rentals and Housing: What Are the Issues and What Should We Do?," December 14, 2023, slide 23 of PowerPoint presentation linked here: https://cal-span.org/meeting/ccc_20231214/
[13] Commissioner Paloma Aguirre, December 14, 2023 Coastal Commission Hearing, beginning at 4:46:42: https://cal-span.org/meeting/ccc_20231214/
[14] December 14, 2023 Coastal Commission Hearing. Commissioner Mike Wilson beginning at 4:43:08. Commissioner Katie Rice beginning at 4:49:47. Meagan Harmon beginning at 5:03:59. Commissioner Dayna Bochco beginning at 5:06:08. https://cal-span.org/meeting/ccc_20231214/
[15] June 13, 2024 Coastal Commission Hearing, Commissioner Gretchen Newsom beginning at 1:59:10: https://cal-span.org/meeting/ccc_20240613/

commodification of our housing stock."[16] These statements from Coastal Commissioners should provide jurisdictions subject to Coastal Commission review, like Pacifica, with more confidence to pass stronger short-term rental regulations within the Coastal Zone—especially regulations that ensure the primary use of housing remains *housing residents*, while short-term renting remains a secondary use.

Recommendations

Based on our data analysis and research, we suggest that the City move forward with ordinance amendments that include the following provisions:

1. *Define Unhosted vs. Hosted Short-Term Rentals:* According to the current ordinance, there is no distinction between unhosted and hosted short-term rentals. Currently, unhosted short-term rentals do not function as housing, while hosted short-term rentals necessarily function as housing. The ordinance should be amended to include this distinction for two reasons. First, this distinction will provide the City and the Commission with data needed to better understand the impacts of short-term rentals. Second, this distinction (coupled with the 60-night annual cap) will provide hosts with the ability to continue renting out their primary residence on a limited basis.

2. *Restrict Unhosted Short-Term Rentals:* BNLA advocates strongly for Pacifica to allow hosted only STRs with a primary residency requirement. The recommendations laid out in the staff report on the subject allege that banning unhosted STRs would lead to a loss in City tax revenue and the local economy. In fact, allowing unhosted STRs to continue operating represents a significant loss of Pacifica's tax base, as each unhosted STR represents a unit of housing that could house a long-term resident. While hosted STRs most likely are tied to an actual inhabitant of Pacifica, unhosted STRs are not. Unhosted STRs are more likely to be owned by corporations and have no full-time, taxpaying resident associated with them—a significant issue in a city whose population is already shrinking.

3. *Primary Residency Requirement for Hosts:* Comparable coastal cities in California have in the past approved primary residency requirements for short-term rental hosts in jurisdictions, such as the City of Half Moon Bay in March 2023.[17] A primary residency requirement ensures a short-term rental is used primarily as housing, with short-term renting as a secondary use. Such a provision exists in Half Moon Bay, San Francisco, Berkeley, and Emeryville.[18] Staff recommended forgoing this requirement because it relies on staff verifying documentation self-reported by hosts. However, it is possible—and indeed routine in other jurisdictions—to easily check whether or not

[16] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:09:30: https://cal-span.org/meeting/ccc_20240613/
[17] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[18] Half Moon Bay: https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06
San Francisco: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-27965
Berkeley: https://berkeley.municipal.codes/BMC/23.314.050
Emeryville: https://johnbauters.net/assets/2017/12/ordinance-3.pdf

an STR operator is a primary resident. For property owners, we recommend working with the County of San Mateo Tax Collector to determine whether a host claimed the homeowner's exemption. For tenants, we recommend requiring hosts to submit a notarized lease.

4. *Limit One STR Per Natural Person:* Without a limit of one short-term rental per natural person, corporate hosts will be allowed to proliferate in Pacifica. By their very nature, corporate hosts do not use their properties as long-term housing, and instead operate these homes as de facto hotels. The Coastal Commission most recently approved this policy in Marin County in April 2024.[19] The staff report suggests a policy premised on limiting any entity to owning a single STR. Such a regulation would be most effective paired with a primary residency requirement, to prevent abuse through the establishment of multiple LLCs.

5. *60-Night Cap on Unhosted STRs Annually:* Unhosted short-term rentals limited to 60 nights per year would prevent speculation on housing driven by short-term rental conversion. Furthermore, with a cap limited to only unhosted short-term rentals, hosted short-term rentals would continue to provide affordable lodging for visitors. This cap is similar to the one adopted by the City of Half Moon Bay.[20]

6. *Accountability for Platforms:* To ensure that platforms are cracking down on non-compliant listings and complying with regulatory requirements, a degree of liability should be placed on platforms that knowingly allow unscrupulous operators to break the law. This should include levying fines against platforms that facilitate bookings and payments for non-compliant listings.

Additionally, any short-term rental program requires enforcement. Currently, noncompliant and unregistered STRs operating in Pacifica represent a loss in tax revenue for the City and an urgent nuisance issue for neighboring residents. Enforcing regulations would allow the City to recuperate revenue through fines and penalties for violations. This has been successful in various jurisdictions, like in Santa Barbara, where the City Council authorized $1.75 million for STR enforcement, but only spent $99,083—and collected $502,879 in fines on noncompliant units and permit fees.[21] Additionally, in other cities, strong STR regulations have tangibly benefited residents. For example, the City of Irvine banned short-term rentals, which according to a recent study ultimately led to a decrease of $72 million in annual renting spending, or $1,212 in average savings per resident.[22] This constitutes a significant influx of money now circulating in the local economy, instead of going towards rent.

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[19] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[20] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[21] As of April 12, 2024: https://www.independent.com/2024/04/12/taking-on-the-short-term-rental-problem-in-santa-barbara/
[22] Airbnb or Not Airbnb? That is the Question: How Airbnb Bans Disrupt Rental Markets. Michael J. Seiler, College of William & Mary; Ralph B. Siebert, Purdue University; and Liuming Yang, The Chinese University of Hong Kong. https://webapps.krannert.purdue.edu/sites/Home/DirectoryApi/Files/3b19fe91-8ec2-46ff-90a5-66255b61d390/Download?_ga=2.238418120.951964904.1675199431-1570152881.1675197478

Conclusion

The staff report also contains recommendations not in the list of recommendations suggested by BNLA, including a minimum rental duration period of 2 nights, parking requirements, a 24/7 contact requirement, restrictions on permit processing, and an effort to shorten the enforcement timeline. These are all well and good, and we encourage the City Council to adopt them. However, these recommendations, by themselves, will not amount to a strong piece of legislation that can adequately address the issues with the proliferation of unhosted short-term rentals. Thus, we urge the adoption of the full suite of recommendations listed above, which would strengthen regulations to adequately protect long-term residents; in the words of Commissioner Wilson himself, "The suggestions made by [Better Neighbors LA] in the letter that was sent are very strong suggestions, and I would hear them."[23]

Should you have any questions, please contact Maura O'Neill at maura@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

[23] June 13, 2024 Coastal Commission Hearing, Commissioner Mike Wilson beginning at 2:10:30: https://cal-span.org/meeting/ccc_20240613/

From: mark stechbart [redacted]
Sent: Monday, September 9, 2024 11:34 AM
To: Public Comment; _City Council
Subject: STR opposition testimony recap, for Sept. 9

Importance: High

[CAUTION: External Email]

STR opposition testimony recap, for Sept. 9

Strangers do not belong in our neighborhoods.

The STR approval at council May 2018 had NO public comment. No one was paying attention.

Now hundreds of Pacifica voters are paying attention and uniformly objecting.

My neighborhood quiet enjoyment is not for sale-- reject the city STR fee/revenue quick fix.

Five years ago, Council's 2018 ordinance adoption (excerpts below) contained glowing statements of accountability, monitoring and enforcement.

NONE of these assurances have been honored.

Institute strict requirements for zero STR neighborhood impact.

Very narrow occupancy limits—census occupancy is 2.7 people.

916 Park Pacifica advertised as 600% higher : 16+ guests

· 4 bedrooms, · 7 beds, · 2.5 baths

House is terribly overloaded.

Permit #, occupancy, manager name and direct phone, and car limits posted on house. Kids are counted toward limit because they are an impact. If 916 Park Pacifica is allowed 8 adults and unlimited kids..over-loaded again.

And neighbors counting tenants will not distinguish kids from adults at 8PM in the dark. Pac PD going to turn out all occupants to count heads? Demand identification to establish age?

No cars parked on street. Real simple enforcement guideline. Pac PD will have to determine if tenant cars parked down the street belong to the house? Neighbors will require that level of effort.

no noise; no events/parties/meetings/yoga; no day visitors because that invalidates occupancy limits and adds parked cars; 60 day max rental then owner re-occupies to maintain family neighborhood character; natural person ownership; split ordinance between CCC control vs east side because east side will not tolerate being held hostage to either CCC edict or approval delay.

Pac PD dispatchers will need an updated permit book so manager can be called to evict. Or use number on house sign.

Neighborhood notified of permit hearing and hearing will be a public meeting.

May 29, 2018 Council hearing and approval.

No public comment

Unanimously approved: keener, oneill, digre, martin, Vaterlaus.

6/11/2018 at second reading enactment resolution:

WHEREAS, the City of Pacifica will collect data regarding public health, safety, and welfare impacts related to operation of short term rentals and may decide to enact further appropriate regulations in the future; and

WHEREAS, pursuant to applicable law, the permitting of short-term rentals under this ordinance does not establish any vested land use right, and short term rentals will be subject to further regulation or prohibition pursuant to the City of Pacifica's police power; and

Section 9-4.4906 – Permit Revocation and Enforcement. (a) Permit Suspension or Revocation. The Administrator may suspend or revoke a short-term rental permit after making a determination that the permittee has violated any of the provisions of this article or is operating the short-term rental in a manner that is detrimental to the public health, welfare or safety or constitutes a nuisance. The Administrator shall provide the permittee with written notice stating the supporting factual basis for the decision. The notice shall contain an advisement of the right to request an appeal before a hearing officer by filing a written appeal. (b) Appeal to Hearing Officer. Suspension or revocation issued by the Administrator pursuant to paragraph (a) will be effective ten days from the date appearing on the notice, unless a timely appeal is filed before such date along with the deposit of an appeal fee established by resolution of City Council. A hearing shall be scheduled before the hearing officer within thirty (30) days. The decision of the hearing officer shall be a final administrative order, with no further administrative right of appeal or reconsideration. The hearing officer may sustain a denial, suspension or revocation, overrule a denial, suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension. (c) Reapplication. No application for a short-term rental permit will be accepted within one

year after a short-term rental permit is revoked. (d) Enforcement. The City may enforce this article by any means permitted by law, including but not limited to those penalty provisions set forth in Chapter 2 of Title 4 June 11, 2018 Packet Pg. 157 Pacifica City Council 7 1 of this Code.

The City Council may establish fines for violating this article by resolution.

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From: Boles, Christine
Sent: Monday, September 9, 2024 11:54 AM
To: Public Comment
Subject: Fw: Pacifica Short-Term Rental Regulations
Attachments: Carlson prim res docs.pdf

Please include in record for tonight's meeting, thank you!

Christine Boles
Councilmember, City of Pacifica

From: Dale Carlson [redacted]
Sent: Monday, September 9, 2024 7:36 AM
To: Vaterlaus, Sue <svaterlaus@pacifica.gov>; Beckmeyer, Sue <sbeckmeyer@pacifica.gov>; Bier, Mary <mbier@pacifica.gov>; Bigstyck, Tygarjas <tbigstyck@pacifica.gov>; Boles, Christine <CBoles@pacifica.gov>
Subject: Pacifica Short-Term Rental Regulations

[CAUTION: External Email]

Dear Mayor Vaterlaus, Mayor pro Tem Beckmeyer and Councilmembers Bier, Bigstyck and Boles:

I am the co-founder of ShareBetter SF, a coalition of tenants and landlords, businesses and unions, neighborhood associations and advocates for seniors and the disabled that came together in 2014 to address problems created short-term rentals in San Francisco. From 2017-20, I was retained jointly by the American Hotel & Lodging Association, a national trade association for hoteliers, and UNITE HERE, the international hotel workers union, to advise cities on effective regulations for STRs and STR platforms. (So far as anyone can tell, I am the only consultant to ever represent both sets of interests.)

I was invited to address a Pacifica community meeting on the issue earlier this summer and asked to testify at the City Council meeting on August 26th. I have a few thoughts on the staff report prepared for that meeting that I hope you might find helpful in consideration of amendments to your own ordinance.

Primary Residences
It's somewhat discouraging to see so many of the possible amendments dismissed by staff because they're "challenging" or burdensome. Nearly every suggestion has been adopted in other jurisdictions. Some are more effective in curbing STR problems than others. None deserve dismissal simply because they require additional effort from staff, especially when the increase is *de minimis*. The discussion of limiting STRs to primary residences is a striking example of this bias:

> [R]equiring that the property be used as a primary residence to obtain the STR permit, presents administrative and enforcement challenges....
>
> Identifying whether an STR property is used as a primary or temporary residence would require staff to review both the property owner's documentation and the documentation of the lessee residing in the unit prior to issuing an STR Permit. Documentation would likely include driver's license, tax information or a copy of any lease and evidence proving that the host is actually living in the dwelling unit for the requisite period of time per calendar year. However, verifying the residential occupancy requirements could be difficult and presents the same challenges for staff to enforce a primary residency provision as described

above. Practically, this provision would not be enforceable and would mainly be a self-reporting task in which compliance is only verified through documentation. For these reasons, staff is not recommending pursuing these requirements.

Limiting STRs to primary residences is common in municipalities up and down the state and across the country. The staff report claims that it "would not be enforceable" and an administrative hardship in Pacifica. Those are fact-free assertions.

Consider San Francisco, for example, where the City's Office of Short-Term Rentals will accept any two of the following documents as proof of primary residences:

- Driver license or photo ID
- Homeowner tax exemption
- Voter registration
- Vehicle registration
- Vehicle insurance
- Utility bill
- Other forms of ID
    - Liability insurance
    - Lease

Attached are scanned copies of the documents I might submit, should I wish to apply for a San Francisco STR certificate. (The utility bills are in the name of my wife.) I would be surprised if you or anyone else needed more than a few seconds to examine these documents and confidently ascertain the address of my primary residence. And remember, San Francisco requires the submission of only two, not the half dozen I've provided.

Given that Pacifica limits the total number of STR annual permits to 150, if a clerk spends a few minutes reviewing each verification submittal, the exercise should be completed in a just day or two. That's hardly a hardship.

Regulatory Compliance: Permit Limits

I'm not sure what to make of the discussion on pages 11 and 12, as I've never seen anyone make the argument that state and federal laws grant corporations the same rights as natural persons. We don't issue drivers licenses to corporations, nor are they allowed to vote. Unlike natural persons, corporations do not have primary residences. It's hard to imagine a credible argument that limiting STRs to primary residences (as is common) unfairly infringes on corporate rights. Other jurisdictions limit issuance of short-term rental permits to natural persons, and I am unaware of the restriction ever facing judicial challenge.

"Collaboration" with Airbnb and the Need for Platform Accountability

This is remarkable:

> Airbnb generally believes that all local regulatory policies and laws related to STRs are the sole responsibility of the local jurisdiction. Therefore, in the past, Airbnb was hesitant to suspend unpermitted, non-compliant STRs from its platform unless they were engaged in criminal conduct or imposed open threats to health and safety.

Can you imagine Hertz or Avis renting vehicles to unlicensed drivers, because they "believe" that it's up to the highway patrol to enforce the motor vehicle code? How about BevMo knowingly selling liquor to minors, claiming it's the Alcoholic Beverage Commission's "sole responsibility" to check IDs?

Provisions of applicable laws hold businesses accountable – with fines, license suspensions and criminal penalties – when they fail to comply with legal requirements and standards. We do not allow companies – even multi-billion-dollar companies – to pick and choose which laws they will respect and which they may ignore. (Natural persons aren't allowed that option either.)

Many cities have adopted ordinances that hold platforms accountable when they fail to respect the rules for short-term rentals. And in many cases, they've done so after learning first-hand of Airbnb's arrogance; of its belief that as a multi-billion-dollar corporation, it has the "right" to rent any unit it chooses, legal or not, and to do so with impunity.

Indeed, when San Francisco first considered adding platform accountability to its STR ordinance, when asked how Airbnb would respond if adopted, its lobbyist told the Planning Commission, "We'd ignore it. Or we'd sue."

Well, the company did sue. And lost. And as Santa Monica and Boston followed San Francisco's lead, adopting platform accountability measures of their own, Airbnb sued them, too. And lost.

In every case, the number of unlicensed STR listings on Airbnb and other platforms fell precipitously, once the corporations could be sanctioned for facilitating illegal rentals.

The San Francisco model is now standard across the country and abroad, in cities large and small. It works. It's effective and efficient. When faced with a significant number of illegal STRs, pursuing the scofflaws individually can be a Sisyphean task for a municipal enforcement team. But the platforms can limit their offerings to only legal STRs with just a few keystrokes, denying renegade operators access to their markets.

Platform accountability is founded on a very simple premise: corporations should not profit from aiding and abetting illegal activity. That's a good deal more credible than Airbnb's "belief" that local laws are the sole responsibility of local authorities.

Finally, and as a sidenote, given Airbnb's attitude, it may be appropriate to audit the company's compliance with Pacifica's voluntary tax collection agreement. Has the company collected the appropriate TOT revenue from its rentals? Has it remitted the appropriate amount to the city? If Airbnb is ready and willing to ignore Pacifica's ordinance, why assume compliance with its tax obligations? "Trust but verify," as someone once said.

Sincerely,

Dale A. Carlson
Co-founder, ShareBetter SF

Dale A. Carlson
Managing Director, Carlson Advisors
Strategic Communications | Public Affairs
[redacted]

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DRIVER LICENSE

City & County of San Francisco
José Cisneros, Treasurer
David Augustine, Tax Collector
Property Tax Bill (Secured)
For Fiscal Year July 1,2023 through June 30, 2024

1 Dr. Carlton B. Goodlett Place
City Hall, Room 140
San Francisco, CA 94102
www.sftreasurer.org

[redacted]

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- usaa.com,
- USAA's Mobile App, or
- By calling **210-531-USAA (8722)**, our mobile phone shortcut number #8722 or 800-531-USAA.

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FCA1 Rev. 6-13 50781-0513_02

ENERGY STATEMENT

www.pge.com/MyEnergy

[redacted]

sonic.

[redacted]

From: Cindy Abbott [redacted]
Sent: Monday, September 9, 2024 12:00 PM
To: Vaterlaus, Sue; Beckmeyer, Sue; Boles, Christine; Bigstyck, Tygarjas; Bier, Mary
Cc: Public Comment
Subject: STR Ordinance: City Council Sept 9, 2024, Item 8
Attachments: CCC June 13_ 2024 Transcript Pacifica STR CAP.pdf

[CAUTION: External Email]

Dear Members of the Pacifica City Council.
Please find attached a transcript of the June 13, 2024 California Coastal Commission Meeting, when they heard the issue of the City of Pacifica 150 STR Unit Cap.
Highlighted in yellow are areas that express the concern of the CCC as to the commoditization and commercialization of housing in the coastal zone. The include the following excerpts:

Commissioner Escalante: Question for staff. Um, **I'm going to talk really agree with Commissioner Wilson and Commissioner Newsom's concerns. I mean, I just, you know, I think it's, it's time for us to really be a lot more proactive and making sure that we stop losing bleeding housing units too**, to more STRs.

Commissioner Cummings: Sure, I just want to acknowledge the comments that have been made here today. And, I also just want to express my deep concern with short term rentals and the impacts that it has on affordable housing within our communities. As a renter, I've seen many people and having friends who are renters, have seen many people get displaced from their housing with it being converted to short term rentals. You know from our workshop last year, and there's a lot of new information that we've learned about, you know, the benefits of having hosted rentals and trying to limit the amount of short term rentals.

Thank you for continuing to work for strong regulations.

Cindy Abbott

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Item 10a, City of Pacifica Short Term Rental Amendment.

Item 10a is a proposed City of Pacifica LCP Amendment, that would modify LCP short term rental or str provisions. Slide one shows Rockway Beach, one of the beaches comprising the city's landscape and a very popular beach and visitor destination.

We have to get the slides up. Slide 2 shows you the area around Beach Boulevard and the pier. Another prime visitor destination in Pacifica. The city has been regulating short-term rentals since 2018 through certified LCP provisions that require compliance primarily in relation to potential use issues such as noise and guest safety and also the collection of transient occupancy. tax or TOT. The proposed new short-term rental provisions would establish a cap of 150 STRs in the city, which would end up being about 1% of the city's housing stock. Additionally, the new provisions would prohibit STR use in junior accessory dwelling units. and would establish new permitting provisions such as annual renewal requirements, enforcement procedures and a wait list.

Short to rentals in the city have changed between 100 to 150 units in the last few years throughout the city. And thus the proposed cap essentially accommodates STRs in good standing, but would limit future STRs. Next slide, please.

The land use plan, which is the standard of review for this proposal encourages visitor serving facilities provided that adequate services are available and offsite impacts are minimized and the proposal meets those tests. Importantly, the city considers this a first step to regulate the number of short-term rentals in order to accommodate a balance between visitor and housing needs. And the current proposal appropriately reflects that. Additionally, the city next plans to continue their local process, including through City Council study sessions and workshops to work with city residents to determine any further regulations on STRs that might be appropriate, with the 150 cap acting and the first step in regulating the amount of short-term rentals in the city. During this continued local process, further regulations in line with any feedback or concerns received pursuant to this first step will be

considered by the city and any local decision would be brought back to the commission for certification. Thus, (CCC) sStaff recommends that the Commission approve that proposed amendment as submitted. The one motion necessary to do so can be found on page four of the staff report. This concludes staffs. presentation.

Chair Hart: Thank you. Okay great thank you very much. All right are there any exparte on this? Right we'll open the public hearing asking for public comment.

CCC Staff: Yes, we have one person in person, Stephanie Cervantes from the Community Development Office, Pacifica. And, then we have three more on Zoom.

Stephanie Cervantes: Honorable Chair and Commissioners, my name's Stephanie Cervantes. I'm interim Deputy Director and I'm also joined today by Yulia Carter, Assistant City Manager, and we are here to present the City of Pacifica's LCPA for the short-term rental program. Slide.

The City began regulating SDR in 2018 with the good neighbor policies, and since than additional issues and concerns have been identified, which led to this amendment, which was locally approved in 2023. Next.

As mentioned in the report, the LCPA includes some essential provisions to the cities STRs regulations, including establishment of the short-term rental cap to 150 units, establishes a waiting list for applications if and when the cap is reached, and I just want to highlight that the city does require one STR permit per unit. It also includes STR, (excuse me) **excludes** STRs from junior accessory dwelling units and any other location not approved to be used as a permanent dwelling unit. The ordinance also establishes the term for expiration and requires renewal on October 31st of each year, and revokes the permit if the permitee fails to renew. Next.

The city adopted these changes after public participation starting in the summer of 2022. The city council determined a citywide cap of 150 permits as

a consideration item at the regular meeting on October 10, 2022. At that meeting, the City Council deliberated on various methods to impose the Cap before deciding that a citywide Cap instead of any other type of Cap would be the best fit the most straightforward and manageable way for the city to enforce a Cap. At that time **the Cap was established as a near term policy option** that staff could reasonably implement with the existing resources and without altering other key work plan items and council priorities. **A more comprehensive update to the short term rental ordinance is on the city council strategic plan and it is a priority item** for the city and work is set to begin this summer. The City Council recently directed staff to allocate funds to that effort. Slide.

We appreciate the commission hearing this item today. And, we want to emphasize the importance of certifying the cap now. This will allow the city to focus on the upcoming SDR ordinance update on other important issues and concerns raised by the council and by the community. This does conclude our presentation. Thank you.

Chair Hart: All right, great. Thank you very much. May I have the Zoom speakers now.

CCC Staff: Yes. that we have Noah Suarez likes from Better Neighbors LA. All right.

Noah Suarez Sikes: All Righty. Good morning, my name is Noah Suarez Sikes, and I'm an organizer of Better Neighbors LA, a Coalition of, hosts, tenants, housing activists, and community members. We conduct data analysis and research on the impact of the short term rentals industry throughout the coastal zone and its impact on affordable coastal access and housing.

So, we believe true home sharing and hosted only short term rentals is the best way to balance housing accessibility and affordable access to the coast for visitors. But as submitted the modest 150 STR Cap in Pacifica's LCPA will not adequately safeguard long-term residents for the impacts of unhosted short-term rentals. Nor ensure affordable coastal access for visitors. We request the Commission strengthen this LCPA to include policies approved by

this Commission and other jurisdictions. The definition of unhosted and hosted STRs; a primary residence requirement for the host; a limit of one short-term rental permit per natural person; and a sixty night cap on the number of nights am umhosted STR can be operated annually.

We've growth of the Pacifica short-term rental market illustrates the corporatization of housing for luxury tourist serving accommodations at the cost of available housing options for long-term residents. Between May 2017 and March 23, the number of on hosted STRs more than doubled from 67 in May 2017 to 173 in March 2023. Meanwhile, the average on hosted STRs and in the Pacifica coastal zone cost between $235 a night, to $435 a night, whereas the average price but comparable hotel room in one of the Pacifica's seven hotels is approximately $193 a night.

And so because the LCPA as submitted will not adequately protect existing housing stock, nor necessarily provide low cost overnight accommodations for visitors for these reasons, we request that the Commission strengthen the Pacifica LCPA, again to include a definition of unhosted STR's, a primary residency requirement, limit of one short-term rental for natural person and a 60 day cap on the number of nights an unhosted short-term rental may be operated annually. Thank you very much.

CCC staff: Thank you, our next speaker is Lyla Raynero. Lyla, you're in as a panelist. You're able to unmute yourself.

Lyla Reinero: Hi, my name is Lyla Reinero. I'm a concerned citizen of Pacifica residing in the coastal zone in Pedro. I echo just about everything that the previous speaker said from Better Neighbors LA. We moved to Pacifica because we love the neighborhood and it's family-friendly vibe. In 2019, the house across the street from us was purchased by a corporation that turned into a into a full-time STR. And the loss of homes for full-time residents has many negative consequences, including, but not limited to, population decline, the loss of families, which means the loss of children in our school systems, the loss of funding for services, including the police, the inflation of housing prices that shuts families out from the market, rising rents lead to

minimal housing available for long-term renters. And... The devastating drop in the value of homes for those living next to out of control STRs and there's also this strain that's put on the water and other resources for homes that would normally house three to four people and are now regularly hosting party houses up to 16 people. We just don't have the infrastructure with the current sewage situation.

We also have the degradation of security and community and the loss of our neighborhood's character. And, a case in point to the safety issue, recently, our neighbors just to the south of us in Montara, faced an issue last weekend when an unhosted SDR house party got out of control, resulting in multiple arrests of felons in possession of fire arms.

We have no issues with our neighbors who occasionally rent out their homes for supplemental income. We live next to a retired teacher who rents out his house semi-regularly and there's never been an issue with that. It's the out of town operators and corporations that need to go. Residents of the Pacifica are looking to the CCC to help us in supporting a much improved STR ordinance similar to our sister city in Half Moon Bay. Thank you for your time.

CCC Staff: Thank you. And then we had one more speaker who was briefly in the meeting as Kevin Woodhouse and we aren't able to find him anymore. Giving it one last look. Kevin Woodhouse if you're in the meeting please raise your hand.

Stephanie Cervantes: Chair, Kevin Woodhouse is our city manager, he was unable to join the meeting.

Chair Hart: All right, but you spoke for the city.

CCC Staff: No more speakers for this item. Okay. All right, I'll bring it back to staff.

CCC staff (Dan Carl): Just quickly, I think it's important to think about this in terms of phasing. This is like phase one of a multi-phase project that the city is going through. As you heard, they're going to be going into phase two and trying to think about some of these changes that folks are asking about. And

so we felt that this was a good first start. And, let that process play out there, they went through a multi year process to get to this point. These things take a long time and so that was just the one thing I would note for you guys.

Chair Hart: All right, great. So I'll bring it back to the commission for any comments or questions.

Commissioner Gretchen Newsom (Alternate for Notthoff): Yes, Thank you. I serve as an alternate commissioner, so it's rare that you get to see me because Commissioner Notthoff is always serving. But, I am one of the commissioners that was displaced by a short term vacation rental from my long term rental in Ocean Beach, San Diego, that I lived in with my son, and they eventually, sold it in hopes of turning it over into a short term vacation rental. And, where I currently live, there are 10 houses on a dead end block, three of which are short term vacation rentals by corporations that have a high propensity of turnover and are not abiding by a good neighbor kind of practice. So this is an issue that is very concerning to me.

I would like to know from staff, if you could respond to the recommendations made by Better Neighborhoods Los Angeles, primarily I'd say to find that a primary residency requirement for the host be implemented and also limiting one short-term vacation per natural person. If you have thoughts of howl that could be implemented. And I did just visit the city of Pacifica on Monday, which is located near my hometown of Loma Mar in Pescadero and Half Moon Bay.

When you say that they're entering into the first phase of implementing this, what does that timeline look like for making considerations of the next phase?

CCC Staff: The city could probably speak better to the timeline of that. I know they're starting this summer. But some of the requests are things that this commission approved in other communities. Every community is different. And so this is part of the difficulty of kind of like a cookie cutter approach to short-term rentals. Every community has their own way that they want to do it. **We've seen primary residency requirements**. **We've definitely seen the one short term rental per natural person getting away from the**

corporatization. Those are all things, I'm sure they're going to consider. I won't put words in your mouth Ms. Cervantes. That's the next step, right? So we're very familiar with those kind of things and we can provide them with some information from other communities and what they've done. There have been folks who have mentioned Half Moon Bay that was one that went through two years ago maybe now that I think that was quite restrictive. And a lot of, a lot of folks who are, you know, not supportive of short term rentals, point to Half Moon Bay in that regard. So I think that all of those things will be on the table.

Commissioner Newsom: Can I hear from the city? Thanks.

Stephanie Cervantes: Yes, thank you. So we are tentatively scheduled right now, actually it is scheduled for June 24th will be our study session kickoff, so that is occurring in less than two weeks. That will be our kick off for Phase 2. We have a presentation and study session to City Council and we are advertising that currently for the public to join that on that study session. And really with that study session is, is to identify, **we have a long list of the issues we want to really get to identifying possible solutions and get policy direction from the council at that meeting, in order** for staff to be able to draft that ordinance and come back later this year.

Chair Hart: All right. Any other questions, commissioners?

Commissioner Cummings: Thank you Chair. I had a question for the city. I'm just kind of curious. You know, when it's captive 1% rather than an actual number, what that means is that as more housing is produced over time, that leads to the potential for an increase in more short time rental. So I'm just kind of wondering if you can just speak to that and kind of where the, maybe the city council is coming from on that.

Stephanie Cervantes: Yes, thank you for the question. So I just want to correct the cap is 150 units. That's just roughly one percent of our current housing stock.

Commissioner Cummings: Got it, that's helpful because I was just concerned with the fact that with all the housing mandates, if we built more housing than that, if it was the 1% it could lead to more short term rentals.

Stephanie Cervantes: Yes, of course but it's capped at 150. Thank you.

Chair Hart: Great any other questions? We have Commissioner Wilson then Commissioner Rice. Thank you so much. Commissioner Rice, excuse me, first and then Commissioner Wilson.

Commissioner Rice: Very quick question on that on that 150. Does it discriminate between being coastal zone and city.

Stephanie Cervantes: Thank you. That is a city wide cap. We don't have a distinction between coastal zone and non-coastal.

Commissioner Rice: Okay and right now if I read correctly there's 44 in the coastal zone.

Stephanie Cervantes: Yes, that number does fluctuate on almost a monthly basis, but that's the most recent data that we have is that number.

Commissioner Rice: Okay, and is that one of the things that you may be considering in your workshop is actually discriminating between the cap in the coastal zone versus the city.

Stephanie Cervantes: As our right now staff does not have any sort of agenda what the city council will be considering. All policy options on the table.

Commissioner Rice: Okay, thank you.

Chair Hart: Commissioner Wilson, Okay, sorry about that.

Commissioner Wilson: That's all right. I'm used to it. So first of all, **so I guess what I'm hearing is this is kind of like a moratorium, is that how you guys are viewing this? Is this like a moratorium until you actually create a better policy for short-term rentals?** I know my county <<Humboldt>> and I think Marin County and other county's did basically a moratorium on new applications until you get your ordinance done and that way, it was very

helpful to motivate, you know, like, have a cutoff. So is that what you guys are trying to do here?

Stephanie Cervantes: Thank you. No, our cap of 150 is intended to stay. We are currently not at that number. We are accepting new STR applications currently. The cap is, once we reach that cap, it will just be no new STR permits will be issued. We will have a wait list if any of the existing STRs drop off, so we'll be able to go to that wait list to gather more.

Phase two is really more intended to work on the operational issues that come up with STRs

Commissioner Wilson: In that when you call it phase two, then you could in the future lower that cap and lose them by attrition.

Stephanie Cervantes: We could if the city council goes that direction.

Commissioner Wilson: Okay, then do you know what your vacancy rate is currently in, in Pacifica?

Yulia Carter (responding from the audience): 16%.

Commissioner Wilson: Okay, because you know, because the, your short term rentals are now basically adding to the vacancy rate. **So, okay, so I get where you're coming from here and personally I would prefer that this was to like a moratorium while you get your new ordinance dealt with and you actually analyze this number of which means approximately 1%, 150 is still impactful**.

I also live in a neighborhood that's been impacted by short term rentals and it's impacted the number of kids in my neighborhood and the number of families and all that, all that stuff.

So are you guys planning on doing any… What's your enforcement? Sounds like you have an enforcement issue. And I'm wondering, are you guys going to be charging or do you charge fees like annual fees in order to support your enforcement of the regulations that you will have to this, because what we

found in some jurisdictions is that there's no enforcement, because there's no fee structure.

Yulia Carter: Yes…

Chair Hart: Hi, could you state your name please?

Yulia Carter: Absolutely. Yulia Carter, Assistant City Manager City of Pacifica. Thank you so much for your questions.

So we do contract with HDL for tax liability enforcement and we've recently, actually last year we created the local enforcement program for STRS. So we do charge, in addition to TOT, we do charge the STR permit fees that help with the enforcement specifically for the STRs and creating this cap actually making it more manageable for us to address the issues. As Ms. Cervantes said, so once the non-compliant STRs drop off, we will have more compliance. by enforcing the cap right? So we'll be actually enforcing good operators to operate STRs in the city.

Commissioner Wilson: And have you had people's licenses revoked due to operations that were non-compatible?

Yulia Carter: Not yet, but we did issue NOVs <<notice of violations>>, so we are actually in the process of doing some legal enforcement on some of the bad players in the community. So this is actually going to be a part of this community discussion on the 24th. And once we reach the cap, again, this will be much more manageable process to address, because they will be no more room for them to get back in the way.

Commissioner Wilson: And, do you anticipate… one of the suggestions, and we see commonly as hosted versus un-hosted in terms of the definitions, do you think you will have an indepth discussion with your community about hosted and unhosted? And, do you think that that will expand that cap or will that cap hold solid? What's your expectation?

Yulia Carter: Well, I can't speak for the city council as far as what the policy will look like, but I'm pretty much sure that they will be robust discussion on

the hosted versus unhosted because we already get some of the feedback and some questions from the community related to that.

Commissioner Wilson: Okay. Okay, because it's furthering this discussion, I will say, as you probably read in the report, if this had come to this commission maybe five or six years ago, there'd be a kind of a different discussion, but **we've just really seen it a massive experiment in this commercialization and commodification of our housing stock**. And so basically as you were creating commercial enterprises across our housing stock, and if you could imagine taking a neighborhood of 150 homes in your city and saying, you know what we're gonna do? We're gonna convert that into a hotel. Like you would have uprising. People would lose their minds about that, right? So what we're doing is we're just kind of dispersing that across the community and then saying, well, we're not, we're dispersing that impact across, **but still on my housing perspective and an impact perspective, it's still there, still real**.

So the suggestions made by <<Better Neighbors>> LA, what they're called… the letter that came in, I think that those are actually very strong suggestions that I would hear them. And I'm sure you guys are going to look at it, a matrix of options in regards to short term rentals, because you're talking about both the positive parts that are the positive and the negative parts of this and it's both housing and it's impacts to communities. **But then also there's potential and what they're speaking to in this correspondence is for people who live in the house itself and are sharing that is a much less impactful a way to apply this way of doing accommodation in your community.** I'm done lecturing you, I apologize for that.

So I just want to put out that that you're giving it to us in the sort of bite-sized chunk but when it comes back it will be a more of an analysis. This commission and this agency probably has reviewed more short-term rental ordinances than any agency on the planet. Right, really. Yeah, because other jurisdictions, we're just doing our own right one at a time, tink, tink, tink, tink, we're actually analyzing a plethera of these and I don't know any other jurisdiction that does that sort of analysis. And so we're on that journey with

everybody, where we're constantly evaluating that data as it comes in. And so that's why staff has more and more information and more and more input for the staff from the commission on sort of like how this impacts our coast. And so thank you for hearing that.

Yulia Carter: No, thank you so much. It just went to like five seconds over your time. **So this is extremely important, extremely complex subject and we completely understand the complexities that go with this. So this is why it was so important for us to be here in person, to hear your feedback and hear your expertise and the public comments that we received.**

So all of this policy discussions, at the end of the day, we want to be on the same page, we want to create a program that works. **Works for the neighbors, works for community, works for the economy and find this perfect balance**. So I completely hear what you comments and appreciate them.

Commissioner Wilson: **Yeah, and as much as we hear about housing and building more housing, when you talk about 150 units, preservation of existing housing is just as important in that equation**. And I'm going to be hoping that those groups across the state that are pushing very hard for these housing policies are also address issue of print preservation housing. There's currently quite silent on so we'll be there with you. Thanks.

Yulia Carter: Thank you so much.

Chair Hart: Great. Thank you so much. Commissioner Aguirre.

Commissioner Aguirre: Thank you. I want to associate myself with the comments that Commissioner Wilson just made and also with some other recommendations that the letter suggested. Just quickly, **can you just elaborate a little bit further on the rationale** between the permit versus the individual permits that you all decided on, **because I appreciate the openness of having wanting to host forums and receive feedback, but to Commissioner Newsom's point that, you know, that may displace people in between now and when the council adopts a new ordinance based on a**

lot of feedback. We're looking at two, three years, maybe down the line. So can you just explain a little bit the rationale behind the original concept?

Stephanie Cervantes: Thank you. I just want to make sure I understand the question. Are you asking to clarify how we came up with 150 cap instead of the 150 permits versus 150 units.

Commissioner Aguirre: Yes

Stephanie Cervantes: So the city does require that each unit receive an individual permit. So if a property has a duplex, they are required to STR permits one for each unit. So when we say STR permit or STR unit, it's the same.

So it's 150 units through the city, 150 STRs, citywide. That's the cap. And the rationale for that number, as I mentioned during my presentation, during that October 2022 meeting, the City Council did look at a variety of different ways to cap and they considered a different number. They considered 100. They considered 175. And at the end of the day, they kind of decided on this 150 number. That would allow the STRs that were currently on the books as good actors, and it would allow some of the ones that we had seen that were kind of in the application process and the review process to be able to attain that permit.

So we didn't want to cap too much because we did have about 100 permits. that were established during that time. So it was really trying to find that balance between allowing the current operators and allowing operators that were in the process and wanted to come on board, the opportunity to come on board.

Commissioner Aguirre: Not expanding the number two broadly. So just to clarify the 150, if you have one permit, you can't have multiple units under that one permit.

Stephanie Cervantes: That is correct.

Commissioner Aguirre: Okay. Thank you.

Chair Hart: Thanks any other commissioners that have comments? Yes, commissioners.

Commissioner Newsom: I have a question for staff. If you could walk us through **the pros and cons of entertaining the alternate time extension motion**. **Would that not enable the city of Pacifica to go through their phases, develop a policy that is more enforceable? has a little bit more bite and teeth to it, and then be able to come back to us in June 18th, by June 18th, 2025**.

Dan Carl: I suppose that's true, but it's also, I mean, you heard from the city, this is really important for them to get this on the books, to move forward, so they can move forward for the next phase. But yeah, that is something that's available to the commission to move the deadline out.

Chair Hart: But can I just ask a question, fallen out? So what would happen in the meantime if it were delayed? There would be no cap.

Dan Carl: Okay. There would be no cap. Right. So that's the risk.

Commissioner Wilson. Yeah, and **this is why I prefer moratoriums versus caps in the phasing of this because what you don't want to have happen is now there'll be a rush to fill the 150 and people will be displaced. And that is an issue. And that's why many communities just go straight for the moratorium** while they do their policy, as opposed to putting a number that's higher than their current because you will find property owners rushing in to fill that cap because the opportunity is limited. And so it makes me nervous, but it is, a cap is better than no cap? Maybe? So just a policy question.

Chair Hart: Mr. Carl, do you want to respond to the moratorium versus cap?

Dan Carl: Commissioner Wilson is correct. If you have a moratorium you're going to see, you're not going to go up to the number. One would expect that this number will be reached, they're at 144 right now. You would see with the moratorium, to commissionioner Wilson's point, is you'd see attrition. You woydn't go up, you'd go down. You'll go from one forty-four to something

less because as the bad actors are weeded out over the time period that you develop the policies you're going to have less, not more. I think that's a point that Commissioner Wilson's making.

Chair Hart: Okay, can the city just respond to that one more time? on the topic of a moratorium at 144 versus the 150 cap or if you don't want to respond no problem. We're waiting for the city.

Stephanie Cervantes: Thank you. So I'll just say when the city was going through this phase one process, we weren't sure what the timing would be for phase two. And so at that point, it was decided that the cap, and there was the other provisions that were added to the ordinance at that time, was the best way for the cap.

Commissioner Escalante: Question for staff. Um, **I'm going to talk really agree with Commissioner Wilson and Commissioner Newsom's concerns. I mean, I just, you know, I think it's, it's time for us to really be a lot more proactive and making sure that we stop losing bleeding housing units too**, to more STRs.

Can the commission condition a moratorium on this? And I know the city they have to go back to the city and the city has to approve. I get that. But, can the commission condition that on this particular item?

Dan Carl: Yes. But, that they would have to go back to the city council for it to become effective. So if the city council wasn't supportive of that, they wouldn't have to accept that. But yes, the commission has that within your authorities to make changes.

Commissioner Rice: I'm wondering if as an alternative, which doesn't completely address the issues that are being raised, just adjusting the cap down to the 144.

Chair Hart: That would be an option to just which would be essentially.

Commissioner Rice: And would that be something that the city could just agree to here?

Dan Carl: I don't think the city, I won't speak for them, I'll say something and they can speak to it themselves. I think it's pretty clear that the city council is going to have to make those decisions. And the other thing with the 144, as you heard, it's a slightly fluctuating number. So that's where they think it is right now might be slightly different.

Chair Hart: Yeah, I just want to make a comment. My concern about making that kind of decision today from the dias is that I feel like I don't have enough information. For example, I'm also concerned about access to the coast. I don't have information about available hotel rooms. I don't have any information about affordable hotel rooms. I don't know what the... current STRs or charging or who's staying there or how big I mean I just feel like we have so little information to make a decision on this at this time.

Personally, I'm supportive of moving forward with this. I don't think there's a huge difference between 144 and 150. We could potentially ask the city to come back at an earlier date. Is that possible? Give a report on this and where they are.

Dan Carl: We certainly could do that. I think that the process is going to take what the process takes and these are, you know, difficult decisions as well you who are in your own local governments know this is a really tough decision and so it's going to take some time for them to work through that. And then they did work through that to get to this point. And I think staff is acknowledging that process. And so I think that's important to say too. But it's really difficult to say how long it will take. I mean, we can ask the city to come back and or staff could give a little bit about where they're at in the process, if that was what you want me to say.

Chair Hart: Let me just go to Commissioner Cummings, you had a comment or did you? I'm sorry, I couldn't tell if you did or did.

Commissioner Cummings: I do and I was also, going to make some comments , and I was going to make a motion too.

Chair Hart: Okay. So why don't you have a seat for now? I think we're moving forward. Why don't you make your comments and whatever motion you'd like to make?

Commissioner Cummings: Sure, I just want to acknowledge the comments that have been made here today. And, I also just want to express my deep concern with short term rentals and the impacts that it has on affordable housing within our communities. As a renter, I've seen many people and having friends who are renters, have seen many people get displaced from their housing with it being converted to short term rentals. You know from our workshop last year, and there's a lot of new information that we've learned about, you know, the benefits of having hosted rentals and trying to limit the amount of short term rentals.

And I will say that a few weeks ago I did go to have a community meeting with Pacifica. And, you know, folks were concerned about short-term rentals in their community. And I know that the City Council members are concerned about them as well. So I think this is the first step and the fact that we're talking about six potential more permits, it's not a significant increase and in the absence of having some kind of cap, we could see upwards of, you know, more units, because if people hear this conversation and know what's going on, we don't take action today we might see many more units being converted.

So I'm happy to make the motion today, concerns still but moving foward over time. So I'm moving to the Commission reject implementation of amendment number LCP dash two dash PAC dash two three dash zero zero two three dash one , and I'm recommending a no vote.

Chair Hart: Thank you we have a motion and onthis one I'd like a roll call vote.

Commissioners voted to have the cap implemented.

From: Alex Huang [redacted]
Sent: Saturday, September 7, 2024 9:52 PM
To: Public Comment; Bigstyck, Tygarjas
Subject: STR Short Term Rentals

[CAUTION: External Email]

Dear City Council Members

My name is Alex Huang and I live in District 4. I agree with the 6 proposals outlined by ***Pacifica for Responsible Tourism****. I believe that Pacifica should remain accessible to visitors from around California — and around the world — who want to visit with their families and enjoy the peaceful quiet of our Coastal Town.*

Please don't succumb to NIMBY-ism of other groups who are afraid of visitors and don't understand the impact of tourism dollars.

I do not believe we should lose as a city, the projected $10 million dollars annually that goes to small businesses and helps to fund city services.

Sincerely,

Alex Huang

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Tong Zhao [redacted]
Sent: Saturday, September 7, 2024 10:51 PM
To: Public Comment
Subject: STR Short Term Rentals

[CAUTION: External Email]

Dear City Council Members,

My name is Yizhi Xiong, and I am a resident of District 2. I have attended two meetings regarding the STR (Short-Term Rental) study and have reviewed all the materials available at Pacifica for Responsible Tourism. I fully support the six proposals outlined by Pacifica for Responsible Tourism.

It's important to remove the very few bad actors in the STR space while ensuring that Pacifica remains a welcoming destination for visitors from California and around the world. Our town offers families a peaceful, quiet coastal retreat, and tourism plays a significant role in supporting our local economy.

Please resist the NIMBY-ism from groups who oppose visitors and may not understand the positive economic impact tourism brings. Pacifica's tourism industry, which projects an estimated $10 million annually, supports small businesses and funds vital city services.

Thank you for your consideration.

Sincerely,
Yizhi Xiong

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From: Tong Zhao [redacted]
Sent: Saturday, September 7, 2024 10:56 PM
To: Public Comment
Subject: STR Short Term Rentals

[CAUTION: External Email]

Dear City Council Members,

My name is Tong Zhao, and I am a resident of District 3. I have attended two meetings regarding the STR (Short-Term Rental) study and have reviewed all the materials available at Pacifica for Responsible Tourism. I fully support the six proposals outlined by Pacifica for Responsible Tourism.

It's important to prevent bad actors in the STR space while ensuring that Pacifica remains a welcoming destination for visitors from California and around the world. Our town offers families a peaceful, quiet coastal retreat, and tourism plays a significant role in supporting our local economy.

Please resist the NIMBY-ism from groups who oppose visitors and may not understand the positive economic impact tourism brings. Pacifica's tourism industry, which has a potential to contribute an estimated $10 million annually, supports small businesses and funds vital city services.

Thank you for your consideration.

Sincerely,
Tong Zhao

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Pacifica for Responsible Tourism [redacted]
Sent: Monday, September 9, 2024 7:49 AM
To: Vaterlaus, Sue; Boles, Christine; Bier, Mary; Bigstyck, Tygarjas; Beckmeyer, Sue
Cc: Public Comment
Subject: Enforcement Proposals for Short Term Rentals

[CAUTION: External Email]

Dear Members of the Pacifica City Council:

Pacifica's short-term rental program can and should thrive. We believe that home sharing provides a lower-cost way for more people to access the coast and also contribute to the vitality of our local economy. We love Pacifica and enjoy promoting and sharing it with visitors from around the world.

We do not want unchecked growth in short-term rentals. We are looking for approaches that eliminate bad actors, keep the current cap of 150 total units, and allow all the benefits of responsible tourism to our coastal community. Well-managed, short-term rentals — that allow visitors to create lifelong memories here — are good for Pacifica.

Our group, **Pacifica for Responsible Tourism**, have as much empathy and concern for the community members who are faced with nuisance STRs as for the hosts who are now threatened for having done nothing wrong. We are concerned for the financial well-being of our city.

We have drafted 6 Policy Proposals that, if enacted, would immediately eliminate any and all non-compliant, nuisance hosts. It would also resolve every concern outlined by members of **Pacifica Homes Are Not Hotels**.

While many of these concepts were debated at previous council meetings, we have further refined these ideas by listening to all the concerns of our fellow citizens. So please don't just look at the broad strokes; read through these proposals, and you will find we have created enforcement policy that pays for itself — and removes all bad actors from our short term rentals.

6 Policy Proposals for Short-Term Rentals (STRs)

Policy 1: Three Strikes and You're Out

Instead of convoluted ordinances that can unfairly hamper every Pacifican's right to use their property in a fair and equitable way, we propose a simple rule to punish bad hosts while protecting the good ones. Moreover, it leaves the option for citizens to rent their property should they need to. Bad hosts, however, have no place in our town. Founded complaints of nuisances like parties or code violations result in:

1st Offense: written notice of a violation
2nd Offense: written notice of violation and fine of $1,000
3rd Offense: written notice of violation, fine of $1,000, and revocation of STR permit for 24 months

Once the license is suspended or revoked, if they continue to operate, every day results in another **$500 daily fine**.

These violations should be for the host and the property owner (if they are different). This model has a fantastic track record in places where the city and Airbnb work together to delist STRs without a valid permit.

This is powerful, easy enforcement that pays for itself and it is easier than playing whack-a-mole on different platforms or trying to get cooperation from all platforms—including self marketed and managed platforms which large corporations have the resources for.

This was implemented in Las Vegas and has proven very effective. In one instance, an out-of-compliance STR racked up $180,000 in fines. The host had a lawyer take the city to court and lost. So we have proof of enforcement.

Policy 2: More Stringent Noise Restrictions During Quiet Hours (10PM-8AM)

The city already has ordinances that ban noise overnight, but we further propose that hosts are required to install decibel noise sensors on the interior **and** exterior of their properties and make readings available to the city upon its request for compliance verification. Since this agreement will be included in the business license, refusal to turn over noise detector readings can also be a warning or violation.

The city needs to notify the host and the guest of the noise complaint. Violations are mailed to the registered business mailing address.

For example, if the police give a citation to loud partiers. A separate fine is also sent to the registered business mailing address of the host. In the past, we were informed by the city that many hosts don't even know the guests were cited for noise violations. This policy ensures accountability on all sides by citing both the instigators and the host and encourages the host to take a more active part in vetting their guests.

Policy 3: Someone Needs to Be Accountable

Each STR must designate someone who can answer the phone within 30 minutes and be onsite within 60 minutes, 24 hours a day. This policy ensures a property manager is actively involved and neighbors are taken care of. This was discussed in both recent council meetings and we agree with it.

Policy 4: Disallow Hosting Too Many People

We took a unique look at this one, factoring concerns about houses that crammed a lot of guests or built-up rooms to allow for it. The purpose of this is for safety but also to hurt large corporations trying to create party houses. So in that spirit, this policy creates two separate triggers.

Of course, each STR must cap the number of guests it can host to two per bedroom plus one more.

But just as importantly, we advise the city to create a total cap for any short term rental of 8 total individuals. So in other words, no matter how many rooms you have, there cannot be more than 8 guests per booking. This disincentivizes corporations buying properties and instead focuses on the hosts who are trying to accommodate families looking to create memories here.

Concerned neighbors can notify the host/property owner or enforcement contact so policy enforcement personnel can check the posted policy/permit on property for details like the maximum number of guests to create a founded offense.

We also propose no more than 1 car per legal bedroom.

Policy 5: Keep Multi-unit Buildings for Affordable Rentals

To preserve affordable housing, STRs are not allowed to operate in multi-unit buildings. There should be a grandfather clause for those who are good actors that are already operating as those buildings were purchased before the city altered its direction.

Policy 6: Smart City Planning

STRs should continue to be capped at 150 and not be overly concentrated in any one area. City staff can prepare a study to recommend the STR distribution for our town. You could easily identify a cap for a square mile radius and prevent any one neighborhood from bearing the burden of too many units within our 150 cap.

These policy proposals, as you can see, were carefully considered to harm no one who is acting in good faith and protect all those who have been wronged in the past. It is fair to point out that in a short amount of time, our group has demonstrated there are as many Pacificans who want to allow our town to enjoy the benefits of short term rentals as there are those who only want the outcome of eliminating unhosted STRs at all costs — or placing such excessive restrictions as to drive them out willingly.

At this point, **Pacifica for Responsible Tourism** has 40 members. Considering we didn't exist a month ago, that should tell the council has not adequately heard from the majority voice of this city.

We care about all in our community and are asking the council to consider the financial impact on our city as well. We are merely trying to prevent the council from passing an irresponsible ordinance that would deprive our community of a projected $10 million dollars annually that short term rentals bring to Pacifica through taxes and tourism. We are looking for enforcement that eliminates bad actors — and enforcement that pays for itself. These proposals accomplish both.

This is the way forward for our town, and we are hoping enough council members hear our message to benefit our beautiful coastal community. We believe that home sharing provides a lower-cost way for more people to access the coast, and also contributes to the vitality of our local economy.

Sincerely,

Russell Jones
Pacifica for Responsible Tourism
http://www.pacificatourism.org

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From: Jen Hansen [redacted]
Sent: Monday, September 9, 2024 12:46 PM
To: Public Comment; Bigstyck, Tygarjas; Boles, Christine; Bier, Mary; Vaterlaus, Sue; Beckmeyer, Sue
Subject: Re: Public comment about STR Study Session

[CAUTION: External Email]

Apologies I forgot to include this in the earlier comment.

I pulled a CPRA request in October 2023 to see how many police department calls for service had taken place at 1168 Crespi.

Of the 12 calls for service, only 3-4 showed that police actually responded. The rest said "log note only."

I bring this up because I remember at a prior meeting PD had presented statistics on STR nuisance calls and I feel the number may inaccurately be underrepresented because of how calls are categorized.

As I said in public comment at the last study session, just because the problem was not active when officers arrived (or in my case, if the even responded), does not mean that there was not a disturbance when the call was initially placed.

In collaboration,

Jen Hansen
Linda Mar
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From: mark stechbart [redacted]
Sent: Monday, September 9, 2024 1:00 PM
To: Public Comment; _City Council
Subject: str sept 9--- add advisory oversight committee

Importance: High

[CAUTION: External Email]

with public hearings.
Five years with no accountability is too long to wait.

cheers

mark stechbart

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From: Tara Valcarcel [redacted]
Sent: Monday, September 9, 2024 1:13 PM
To: _City Council; Public Comment
Subject: Public Comment: Item 8. Short Term Rental Study Session Continuation

[CAUTION: External Email]

Dear City Council:

I am writing as a Pacifica West Sharp Park resident, Pacifica Families Club member, and mother of a Pacifica School District child to strongly voice my support for the following proposed restrictions on short term rentals. I understand this email is arriving after the noon deadline, however I am sending anyway.

- **Primary residence requirement**
- **Allowing for only one STR permit per "natural person"**
- **Putting a limit on the number of nights an unhosted STR may operate - 60 days is my preference**

In addition, I support the following:

- **Requiring a minimum of 250 lineal feet between any two or more unhosted STRs in any given Pacifica neighborhood.**
- **Requiring all currently operating STRs to abide by these new ordinance regulations, i.e., no "grandfathering in" of existing Pacifica STRs.**
- **Requiring a 30-day notice be sent to neighbors within a 500-foot radius of any property for which the owner has applied for an STR permit.**

As a pediatric nurse practitioner by training, I often consult the research literature to ensure my practice is evidence-based. STRs have had a noticeable impact on neighborhoods globally as evidenced in multiple research articles. Please consider the following:

- **Gurran, N., & Phibbs, P. (2017).** "Should we allow short-term rentals?" *Urban Policy and Research*, 35(2), 176-190.
- **Teubner, T. (2021).** "The impact of short-term rentals on neighborhood cohesion and community ties." *Journal of Urban Affairs*, 43(5), 631-650.
- **Zervas, G., Proserpio, D., & Byers, J. W. (2017).** "The rise of the sharing economy: Estimating the impact of Airbnb on the hotel industry." *Boston University School of Management Working Paper*.
- **Schuetz, J., & Knaap, G. J. (2020).** "Regulating short-term rentals: Policies and practices in American cities." *Urban Affairs Review*, 56(6), 1134-1163.
- **Hsu, J. (2021).** "Short-term rentals and neighborhood livability: Noise and other challenges." *Journal of Urban Policy*, 27(3), 341-358.
- **Johnson, T. (2021).** "Gentrification and the Growth of Short-Term Rentals: A Comparative Study." *Journal of Urban Planning*, 12(3), 89-102.
- **Brown, A. (2019).** "Short-Term Rentals and the Housing Crisis." *Housing Policy Review*, 11(2), 45-58.
- **Davis, L. (2018).** "Neighborhood Effects of Short-Term Rentals: A Social Perspective." *Community Studies Quarterly*, 22(1), 67-84.

I appreciate your careful consideration of this matter in service to Pacifica residents and the community we are striving to protect.

Sincerely,

Tara Valcarcel

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City of Pacifica
City Council Regular Meeting

Name ERROL HUNTER Date 9/9/2024
Please Print

City: Pacifica

No. of Item on Agenda or Subject Calera Creek

City of Pacifica
City Council Regular Meeting

Name DA. WINSOTT Date 9/9/24
Please Print

City:

No. of Item on Agenda or Subject #8 (6)

City of Pacifica
City Council Regular Meeting

Name Holly Smalley Date 9/9/24
Please Print

City:

No. of Item on Agenda or Subject ALPR's

#6

Automatic License Plate Reader

City of Pacifica
City Council Regular Meeting

Name GARY FURLONG Date
Please Print

City:

No. of Item on Agenda or Subject LPR's #6

City of Pacifica
City Council Regular Meeting

Name Chris Redfield Date 9/9/24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #6 LPR / Flock

City of Pacifica
City Council Regular Meeting

Name CLIFF LAWRENCE Date 9/9/24
Please Print

City:

No. of Item on Agenda or Subject #6

Flock Systems

Public Comments

Item 1 – Short-Term Rentals (STR)

Written Comments Received By 12pm on 12/05/2024

December 5, 2024

City Council Meeting

From: Joanne Gold [redacted]
Sent: Sunday, December 1, 2024 6:30 PM
To: _City Council; Public Comment
Subject: Public Comment for 12/05/24 Special Meeting on STRs

[CAUTION: External Email]

Dear Council Members,

I'm writing to urge you to adopt the many restrictions City Council has ***already*** directed city staff to include in a new STR ordinance draft, including; a primary residence requirement, a 90 night limit of operation for unhosted STRs (although 60 would be much better, and in alignment with other cities), limits on number of people and cars tied to number of bedrooms, local contacts to be responsive 24/7, limits on number of visitors/visiting hours, a 2 strikes policy, and mandatory inspections paid for by operator.

Well done, and thank you for listening to our community concerns!

But please be sure to also direct staff to include the following additional key elements in the final ordinance:

1. Require the STR to be the primary residence for any STR owner/operator, and for that owner/operator to be a NATURAL PERSON (not a corporation or LLC);
2. Set a limit of only ONE STR per natural person owner/operator
3. Set a limitation to allow no more than 15% of homes on any block to be operating as STRs.

Additionally, I urge you to:

- **OBJECT** to City Staff's use of Airbnb data as a source to guide their STR ordinance recommendations (Airbnb stats and positioning statements were frequently cited in Staff's previous STR presentations.)

- **REJECT** any claims made by the City Staff that certain elements of the ordinance would be "too hard to enforce," so therefore should not be included. That is just irresponsible and negligent.

Neighboring cities across San Mateo County and the California coast have successfully adopted similar STR ordinances, including the coastal communities of Pacific Grove and Seaside which adopted lineal-foot distance between the parcel boundaries of any two or more unhosted STRs.

These existing policies provide excellent templates for Pacifica to emulate. Resources such as the Pacifica Homes Are Not Hotels website (https://www.pacificahomesarenothotels.org/sample-page/page-2/) offer links to published ordinances that can serve as valuable references.

Thank you for your dedication to this important issue and for your ongoing commitment to make Pacifica a thriving coastal community for residents and visitors alike.

Sincerely,

Joanne Gold
[redacted] (25-year resident home owner)

From: William.Leo Leon [redacted]
Sent: Tuesday, December 3, 2024 12:31 PM
To: _City Council; Public Comment; Coffey, Sarah
Cc: Kris Geiger
Subject: City Council Meeting, STR Ordinance, December 5, 2024

[CAUTION: External Email]

Dear Mayor and City Council,

Good evening, My name is Leo Leon and my wife is Kris Geiger. We live on Olympian way in Pedro Point.

As stated in past meetings, we are seeing an ever-increasing number of hosted and un-hosted STRs in our neighborhood. We are concerned that our neighborhood is at risk of being dominated by STRs. In our opinion, it is urgent that the City Council enact an ordinance with strong restrictions and controls as soon as possible.

You, as our elected City Council, needs to reach a consensus and implement restrictions on all STRs in general and specifically on unhosted STRs. We need real people as neighbors in our community not more unhosted short-term rentals in our neighborhoods.

We, therefore, urge you to consider and incorporate all of the following recommendations into the STR ordinance as restrictions:

1. Set a limit on the total number of permits the City will issue on a City-wide basis. This aggregate number is important so we can limit the total number of units lost to individuals and families who want to live and raise families in Pacifica.

1.

2. Set a total number of permits that the City will issue in each District. This will limit the oversaturation of STR permits in any given district.

1.

3. Set a maximum number of permits that can be issued on any residential street.

1.

4.Set a distance in feet that limits the location of STRs on each street in a District. This will prevent over saturations of STRs on any residential street.

1.

5. Incorporate a requirement that all advertising and listings for STRs must include the City issued STR permit number along with penalties and fines for violations.

1.

6. Primary residence requirement. This is needed to prevent the commercialization of our residential neighborhoods.

1.

7. Allow for only one STR permit per “natural person”. Again, this is needed to prevent the commercialzation of our residential neighborhoods.

8. Establish a limit on the number of nights an unhosted STR may operate. We like Half Moon Bay's cap of 60 nights for any and all unhosted STR's.

9.Require all unhosted STR permit holders to designate a local representative who is on call 24/7 while the property is rented and who can arrive at the property within 20 minutes to abate any problems, up to and including eviction of renters. That local representative must be available for annual and, as needed, inspections by the local Fire Department and Building Inspector.

10. Require yearly inspections by the Fire Department and the City Building Inspector to ensure compliance with Fire Safety and Building Codes. All STR's should be held to the highest standards of Fire Safety and Building Code compliance. STRs shall be responsible for the cost of the inspections. Permits will not be approved or renewed without proof of Fire Safety and Building inspections.

In closing, we appreciate your attention to this urgent matter. Our neighborhoods and community need these changes now. To prolong the implementation only benefits the profiteers at our expense and the expense of our neighborhoods and community.

Best Wishes, Leo Leon and Kris Geiger

[redacted]

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From: robert odonnell [redacted]
Sent: Wednesday, December 4, 2024 8:42 AM
To: _City Council
Cc: Public Comment
Subject: Need For A Strong Revised Short Term Rental Ordinance

[CAUTION: External Email]

Dear Mayor and Council Members,
We are writing to reconfirm our continuing support for a new revised strong Short Term Rental Ordinance that addresses the many issues that these unsupervised businesses have thrust onto our neighborhoods. Concerned citizens have brought these issues to your attention for almost two years and it is now time to act.

The Pacifica Homes Are Not Hotels group has offered strong recommendations for the new ordinance and cities such as Pacific Grove, Seaside, Daly City and Half Moon Bay have good STR ordinances that can act as a model for Pacifica. We need to join these other coastal cities that have acted to protect their neighborhoods and citizens from absentee owners who foist their unhosted and uncontrolled "businesses" right into the midst of our formally quiet streets.

We appreciate your continuing service to the citizens of Pacifica and trust that you will work with and direct City Staff to assure that these troublesome properties will be brought under control with a strong new STR ordinance for the City of Pacifica.
Thank You,
Bob and Jackie O'Donnell
Aspen Dr. Pacifica
JacquelineO'Donnell
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From: Kate Chinca [redacted]
Sent: Wednesday, December 4, 2024 3:51 PM
To: _City Council
Cc: Public Comment
Subject: STRs Once Again

[CAUTION: External Email]

Just like the Medicare commercials, I'm sure you're tired of listening to this as much as I'm tired writing this. But, I don't want you to feel that I have lost interest.

In addition to all of the horror stories sent by citizens to you, it will be interesting to know what the Coastal Commission has stated. So, here I am.

How would the lineal footage work on a court? There are so many courts where I am and would it be 250 feet from one house to the next and then what about across the street? These basically stink.

Italy has just banned those STRs that allow you to check in by yourself since no one is vetting who is walking in the door at night. Although they cite terrorists, I am more inclined to think of other disreputable people.

Once again, I say that our neighborhoods are not up for sale even if homes become available. I was told by one of our council members that other people have businesses in their homes (pizza makers, alterations people, hairdressers and more) that we should be viewing all of this the same. But it's not. For the most part, these are daytime businesses wherein you don't need to park 5 and 6 vehicles at one time and the person doing alterations is still pinning the hems of the wedding party at midnight. If you're not supposed to be having parties, then why does the STR up the street have oodles of people coming in the front door with loads of cars if it's not a party? Loopholes are sloppy.

Please do all within your power to assist your citizens in having neighbors and friends and not motels on our streets. I hope this will be resolved soon. I think Pacifica deserves to be a beautiful city sans notations to any additional funds the city can receive.

With appreciation for your time,

Kate Chinca
Aspen Dr., Pacifica

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From: mark stechbart [redacted]
Sent: Wednesday, December 4, 2024 6:45 PM
To: _City Council; Public Comment
Subject: dec 5 council short term rental testimony

Importance: High

[CAUTION: External Email]

Comments : Dec 5 STR hearing.

STRs have zero neighborhood support. No one clamors for STRs.

Best solution is abolish. City generally incapable of enforcement (only last few months woke up, and no hearings I am aware of. 916 Park Pacifica did not have a hearing even after 50 people and 25 cars at a wedding, amplified music.)

Otherwise make enforcement easy for PD and neighbors. Otherwise council will have push back.

The Dec 5 CCC focus is misdirected. Adopt HMB with comments as below, implement east of Hwy 1 now. Do not wait.

Institute a citizen oversight advisory committee because the neighborhoods are more active and focused on STRs than either Council or staff.

Retain current pretty solid noise ordinance. No noise off perimeter. Sounds carry long distances in most neighborhoods. STR occupants on vacation do not care about neighborhood impact—they are on vacation and having fun= noise and neighborhood insensitivity.

Policy Considerations:

Number of days 60. No more. 90 is an artificial guess for no compelling reason, benefits speculative operators and only prolongs neighborhood annoyance.

Very supportive-- • Primary Residence Requirement: The updated Ordinance should contain a provision to ensure that the STR property is being used by the STR operator as a primary residence. At least two forms of documentation verifying eligibility will be required as an STR permit requirement to obtain an STR permit. Documentation could include proof of homeowner's tax exemption, voter registration card or certificate, proof of vehicle registration, or the most recent utility bill.

Oppose-- • **Occupancy Limits**: The updated Ordinance should contain a provision restricting STR occupancy to a maximum of two occupants per bedroom. The maximum occupancy requirement would not apply to children under the age of twelve.

2 people per bedroom puts 916 Park Pacifica at 8 people when census average is 2.7. Why give away the store to out-of-town speculators?

Don't count kids? How about the several sports teams who have visited 916 Park Pacifica with 10 or more kids?

Is PD going to roll up on house in Jan at 10PM to count occupants and ages? PD can't get into house and cannot force everyone out. On Nextdoor, I will urge all neighbors to complain about occupancy to always call PD and have PD sort it out. Totally unenforceable. Why have occupancy limits with unlimited sleeping bags in the living room?

Oppose-- • **Parking Requirements:** An iron law of neighborhoods is you park in front of your house. No one else. STR parking restricted to garage and two on driveway. No street parking for occupants and no day visitors. This council give away on-street to out-of-town folks? I will have all outraged homeowners call council at 10PM.

No street parking available on Pedro Pt, Beach Bvd and many other areas in town. U allow STRs to park in front of someone's house, you will get calls. I will encourage homes around STRs to park on the street and block STR parking.

STR Density: 1000 ft separation.

No events, no parties, no yoga classes, no board meetings etc. No assembly above house limit. No day visitors taking additional street parking places, and exceed house limits.

Do I have to put a camera on 916 Park Pacifica at my expense to count heads and then make a complaint because this council is tone deaf?

150 too many. Drop to 50. STRs have no vested right to our neighborhoods.

Support-- Review of existing permits, violations, and other items prior to issuance of an STR permit. Of course staff has ignored complaints for years, so unclear if prior bad actors get a staff pass. All repair work needs to be licensed and to code.

City has had no hearings and avoided responsibility Re enabling ordinance. Hearings must be noticed and open to public.

Advisory committee is required.

Management contact: in person within one hour (if in personal resolution is necessary). Operator will always say in person not needed, so make in person mandatory. PD should be first call. If PD not first call, PD must accompany all manager in person visits

to document. Otherwise violations glossed over, not in city administrative file and forgotten. Then permit revocation strikes will be meaningless.

Enforcement Procedures for Unpermitted STRs -- neighbors will develop a hunt program and post on Nextdoor.

CCC approval will take months and remaining 2/3 of town east of Hwy 1 must not be held hostage. Implement east side ordinance now.

Plaque on house identifying property as STR.

Details: max occupancy, max cars, PD phone, manager name and phone, no noise off perimeter.

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From: Caitlin Quinn [redacted]
Sent: Thursday, December 5, 2024 7:48 AM
To: _City Council
Cc: Public Comment
Subject: Special City Council Meeting 12/5/24

[CAUTION: External Email]

Dear Mayor Vaterlaus, City Councilmembers, and City Staff,

THANK YOU all, truly, for your continuing hard work on much-needed revisions to our City's STR ordinance. I recognize that it has been grueling work, but we are almost there! I was heartened—yet not surprised—to read in the staff report how supportive the CCC is of our proposed STR ordinance updates.

Mayor Vaterlaus and City Councilmembers, as you review City and CCC staff recommendations, I ask you to please consider the following:

- Direct staff to adopt CCC staff's recommended provision **requiring one off-street parking space be provided per STR legal bedroom**. We've all heard countless stories of unhosted STR guests arriving in fleets of eight or more cars, taking up resident parking. Let's please put an end to that pain point.

- Direct staff to adopt CCC staff's recommendation of **prohibiting STRs in all multi-unit buildings**. Pacifica has already lost too much "naturally affordable housing" because of the conversion of apartments into STRs, particularly in West Sharp Park.

- Consider **reducing the proposed 90-night cap on unhosted STRs to the 60-night cap that's in place in Half Moon Bay**. The fact that CCC staff requested "clarifications on the City's preference of a 90 day over a 60 day limitation" shows that a 60-night cap is the "best practices" route for rescuing housing stock and protecting neighborhoods from commercialization.

- Direct staff to **limit STR permits to "natural persons."** Allowing STRs to be owned by corporations, LLCs, and trusts only provides the bad actors with loopholes with which to bend the rules in their favor. The designation of "natural person" is used in Marin County's STR ordinance, among others.

- Direct staff to **add a provision to the STR ordinance requiring platform accountability.** Corporate behemoths like Airbnb and VRBO should not be permitted to profit from any STRs operating illegally in Pacifica. Furthermore, **every STR in Pacifica must be required to have their permit number listed on ALL advertisements**. If there's no permit number, the platforms must not facilitate their bookings. Here's language from HMB's ordinance to that effect:

b. Registration Required for Platform Listings. Hosting platforms shall be required to prompt hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is noncompliant, hosting platforms shall cease any short-term vacation rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for any residential property or unit subject to a city notice, until notified by the city that the residential property or unit is in compliance with the local registration requirement. (https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06)

The listing platforms should also **be required to assist Code Enforcement by turning off booking transactions for any unhosted STR that has maxed out its number of permitted nights of operation for the year.**

- Direct staff to **amend the number of violations allowed before STR permit revocation occurs down from three to two**, corresponding to Council's previous instruction. Additionally, have staff add the provision that **fraud on an STR application results in immediate permit revocation.**

- Direct staff to amend the language regarding proof of primary residence from "Documentation **could** include proof of homeowner's tax exemption, voter registration card or certificate, proof of vehicle registration, or the most recent utility bill" to "**Documentation MUST include proof of homeowner's tax exemption, voter registration card or certificate, or proof of vehicle registration" removing the allowance of a utility bill,** which does not verify primary residency, only the address at which utilities are provided.

- Direct staff to add in a provision stating that **STR guests may only have visitors at the property during the hours of 8 a.m. to 10 p.m., and that the number of visitors is limited to one-half the number of allowed STR guests** (i.e., the six STR guests staying in a three-bedroom property can only have a total of three visitors at any one time.) Let 's put an end, please, to all the parties and events held at unhosted STRs.

- Per the "grandfathering" discussion, please direct staff to **NOT allow STRs that become non-compliant once the new ordinance goes into effect to operate as usual until the next October renewal cycle begins.** As soon as the new ordinance goes into effect, the "reset" button should be hit and **ALL STR owners/operators should be required to reapply for permits immediately, adhering to the new provisions**. Please don't make our community suffer any longer than absolutely necessary.

- Reconsider the community's request for **neighbor notification of pending STR permit applications**. City staff is going to need the help of residents to report illegal STR activity, and residents can't report it without knowing that the property is an STR. Furthermore, neighbors are regularly notified of building and other permits that have the potential to change neighborhood character. The conversion of a home into an unhosted STR causes a significant change in neighborhood character, and neighbors deserve to be alerted. For your reference, here is HMB's language regarding notification of neighbors:

f. Notification. The operator shall have notified neighbors within one hundred feet of the short-term vacation rental property, posted a temporary sign for thirty days on the property indicating intent to register as a short-term vacation rental. The notification and signage shall include the contact information of the responsible party designated to respond to a complaint pursuant to subsection (G)(5)(g) of this section. (https://www.codepublishing.com/CA/HalfMoonBay/#!/HalfMoonBay18/HalfMoonBay1806.html#18.06)

Concerning STR density restrictions, I'm surprised by the mention in the staff report that the CCC staff stated they were unaware of any coastal cities with density restrictions on STRs when **both Pacific Grove and Seaside require a 55 lineal-foot distance between the parcel boundaries of any two or more STRs in their respective cities**. Here are the links to their ordinances for your own review:

https://www.cityofpacificgrove.org/our_city/departments/administrative_services/business_taxes,_license___resources/short-term_rental_program/index.php

https://www.ci.seaside.ca.us/662/Short-Term-Rental-Program

With this in mind, I encourage Council to **push for a similar density restriction for Pacifica, but calling instead for a 200-lineal-foot distance between the parcel boundaries of any two STRs**--especially in light of how unfairly burdened certain streets like Beach Blvd. and Talbot are, and how unevenly Pacifica STRs are distributed by neighborhood.

Once again, **thank you** for the terrific work you are all doing to put Pacifica on the right side of history as concerns unhosted short-term rentals—an issue that is of global concern, with cities around the world saying, "No more!" Your hard work is most deeply appreciated!

Best,

Caitlin Quinn
West Sharp Park

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From: Julie Starobin [redacted]
Sent: Thursday, December 5, 2024 9:34 AM
To: _City Council; Public Comment; Woodhouse, Kevin
Subject: Short Term Rentals/Special City Council Meeting 12/6/2024

[CAUTION: External Email]

I am not able to attend tonight's meeting but I am very concerned about having a strong ordinance about short term rentals (STRs) passed by the Council for 2025. I feel that City Staff should have come up with something to present to the Council before now.

One important thing to focus on would be the need to limit the number of STRs on any given block or in any one neighborhood. It is kind of appalling that some blocks have so many. Another is the need for the STR to be the primary residence of the operator, not a corporation who has no stake in keeping Pacifica a livable city. There are other limits that could be included.

As I know you all know, Half Moon Bay has a STR ordinance already in place that has been approved by the Coastal Commission. Pacifica could and should have a similar one..

Thank you for considering this,
Julie Starobin Pacific Manor

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From: Alan Greene [redacted]
Sent: Thursday, December 5, 2024 9:49 AM
To: _City Council; Public Comment
Subject: STR rentals comment

[CAUTION: External Email]

Thank you for addressing the concern STRs pose to our neighborhoods. The only time I have had to call the police in Pacifica was because of the threatening behavior of a guest at an unhosted corporate STR in our community.

I want to optimize both the well-being of our residents and the welcoming of visitors who wish to enjoy the charms of our remarkable coastal community.

Locally-hosted STRs seem like a great way to accomplish both. Local hosts benefit from attracting respectful guests and encouraging positive behavior. They also act as a local point of contact when things get out of hand.

Standardized rules could also be beneficial in encouraging good behavior, such as a limit of two guests per STR bedroom, a limit of one car per bedroom at any STR, and restricting STR guests from inviting over visitors before 8 a.m. or after 10 p.m.

I appreciate your consideration,

_____

Alan Greene, MD FAAP
Crescendo MD
Adjunct Clinical Professor
Stanford University School of Medicine

[redacted]

"We have two lives, and the second begins when we realize we only have one."

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From: Cindy Abbott [redacted]
Sent: Thursday, December 5, 2024 11:07 AM
To: Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary; Boles, Christine; Bigstyck, Tygarjas
Cc: Public Comment
Subject: City Council Special Meeting, Dec 5, 2024 - Short Term Rentals

[CAUTION: External Email]

Dear Mayor Vaterlaus and City Councilmembers,

Thank you for continuing the process to an updated Short Term Rental Ordinance. A journey that has been focused on ensuring our housing stock isn't commoditized for commercial gain and the return of our residential neighborhoods for the long term benefit of community members of all ages and economic backgrounds.

The recent meeting between City staff and Coastal staff supports what the community has been sharing with you over the past two plus years. The proliferation of unhosted short term rentals has impacted the affordability of housing and negatively impacted the character of our residential neighborhoods. It was heartening to read the staff report and I strongly support the recommendations of Coastal staff to:

- A **neighborhood-based density requirement, such as Coastal staff has recommended, is crucial to restoring the residential character of neighborhoods** in Pacifica. No area of Pacifica is far from the beautiful hillsides and coast that surround us. No one neighborhood should bear more of a burden than all of the others. The City of Pacifica has worked through overlays for pot shop and has a distributed safe parking program.

  Just like other municipalities along the coast have done, a sub-allocation of STR permits must be put in place to alleviate the unfair incumbrance created by proliferation of STRs in close proximity. Please ***do NOT take a "wait and see" approach, but direct these actions now.*** (It was the STR densification in West Sharp Park that led me to this now multi- years long activism for an updated Ordinance. A wait and see approach means we will go for many more years with a complete package of necessary regulation that have been successfully implemented in other areas.)

- Require short term rentals to provide **one parking space per STR bedroom**. Pacifica City staff notes that the "built form" of Half Moon Bay and Marin County – municipalities that have recently updated and have approved STR Ordinances that require one parking space per STR bedroom – have more developable areas of unconstrained land. The constrained neighborhoods in Pacifica, particularly in the small historic residential neighborhoods of West Sharp Park, Pedro Point, Rockaway, and Vallemar, in addition to neighborhoods with difficult hillside parking are actually indicative of why the requirement for one parking space per STR bedroom is necessary.

- City documents regularly note the "naturally affordable housing" present in neighborhoods with multi-family apartment buildings. We've heard stories already of displacement and loss of this housing due to the commercialization of apartments as they've been converted into hotel space for tourists versus long-term housing for the community. The Coastal staff recommendation to **prohibit STRs in multi-family properties is appropriate** and will restore properties to the form of housing they were originally built for.

- Primary Residence Requirement is crucial to limit the corporatization of our limited residential housing stock. Documentation of residency must include at least two of the following: Property Tax Bill reflecting homeowner's tax exemption; voter registration card or certificate; or proof of vehicle registration. (Other forms of documentation such as a utility bill do not document primary residency.)

    - The discussion about the limitation on the number of days a year an unhosted STR can be rented out should be revisited by City Council, with consideration given to the **60 day limitation** that exists in Half Moon Bay and has received the approval of the Coastal Commission.

While it's recognized that the staff report for this meeting is limited to only a subset of the regulations that have been discussed and direction provided to staff, an important reminder is to continue to direct staff to ensure a focus on regulation, reducing the timeframe for action, imposing meaningful fines (the City of Seaside imposes fines of $2,500 per day for illegal STRs for example), and revocation of licenses as applicable.

Additionally, platform accountability must be included in the Ordinance as other cities have done. For example, STR permit numbers must be displayed on all platforms, and signage at legally permitted STRs must be posted in a visible location. 24/7 Contact information and timeline for response. Online platforms must also remove all listings that don't comply with the city's updated ordinance and should be required to provide documentation on the number of nights rented per STR on a regular basis to ensure compliance with the law.

We're getting close to a robust new Ordinance, but we are not there yet. Please support the direction provided by Coastal staff. Let's not be daunted by remarks about the "complexity" and possible (though not verifiable) impact on tourism revenue. So many other places – with far more of a tourist industry than Pacifica – have taken action for the good of the community and housing.

Thank you.

Cindy Abbott
West Sharp Park

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From: Stephanie Robbins [redacted]
Sent: Thursday, December 5, 2024 11:34 AM
To: _City Council; Public Comment
Subject: City Council public comment
Attachments: STR council letter 120324.pdf

[CAUTION: External Email]

Hi City Council,

Attached is my letter regarding public comment on Short Term Rentals.

Thank you for your consideration,
Stephanie Robbins
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Stephanie Robbins

[redacted]

December 5, 2024

Pacifica City Council
Pacifica, CA 94044

Dear City Council,

I moved to Pacifica almost 25 years ago and have lived on Santa Rosa Ave. near the pier for more than 18 years. When I moved in there was an empty field across the street and I could see to Pedro Point and Montera Mountain. On my ocean side was a duplex and on my left was a two-bedroom single family home, both of those properties were long term rentals. I became friends with the residents of those homes. Of course, neighborhoods change. The house on my left was purchased by a family and we became friends. The empty field across the street was developed and I now have four families as neighbors there. These changes are part of a living neighborhood. Unfortunately, what kills a neighborhood are the short-term rentals that now occupy the duplex and the single-family home on either side of me. I no longer have friends looking out for me, my child, or my property. I didn't purchase a home in a commercial district, next to a hotel. Yet, I find myself living next to hotels. Let's call these what they are, short term rentals are hotels.

Additionally, having lived here for more than 18 years, I've seen other aspects of my neighborhood change that are quite unpleasant. We have one-way streets, and in the past year I have seen a large increase in people driving the wrong way, quite fast, down these streets. There are more fireworks and explosives being set off near the beach and pier than ever before and throughout the year. There are also people spending time at the pier late at night making noise. I can only surmise that their STR hosts have imposed quiet hours, so they take their drinks and their party outside. Until now, this neighborhood has always been peaceful, it is no longer. These are not activities that we can call the police about and chart directly to STRs or bad hosts.

In previous letters to you I have noted my concerns with people I don't know watching my house from one of the neighboring homes that are now hotels. I have also noted the irony of our "housing crisis" when we see single family homes being used as hotels that should be housing families. I'm also wondering how these unhosted STRs affect our legitimate hotels businesses in town.

Finally, I want to be sure that you are paying attention to what is happening with other coastal communities around California. My family and I rent a house every year in San Luis Obispo county. For some of these very small towns tourism is their main industry and, yet, they have intensive density requirements for their unhosted STRs, and they have placards with 24/7 local contact information posted conspicuously on the house for neighbors to report issues. In Cayucos, no more than 1 in 3 homes, and never next door to each other can be an unhosted STR. In Los Osos, unhosted STRs need to be more than 500 ft away from each other, or no less than 9 lots apart. These towns have found a balance between their tourism desires and maintaining a peaceful quality of life for their citizens. I know you are concerned about the quality of life for those of us who live in Pacifica, and supporting these restrictions will go a long way to bringing back the sanity in our neighborhoods.

I urge you to support the recommendations set forth by Pacifica Homes Are Not Hotels.

Stephanie Robbins

From: Gary Furlong [redacted]
Sent: Thursday, December 5, 2024 11:43 AM
To: Public Comment; Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary; Bigstyck, Tygarjas; Boles, Christine
Subject: Special City Council Meeting 12/5/2024"

[CAUTION: External Email]

Mayor Vaterlaus and Council Members,

I have read through the staff comments regarding STRs that is included in the meeting packet for tonight's (12/5/2024) council meeting. I would like to thank the Mayor and the rest of the City Council members for the amount of time and effort that they have put into this project. I would also like to thank the (overworked) city staff for their efforts in meeting with the CCC and for preparing this report.

As I have noted in other letters to the city council, the California Coastal Commission (CCC) is taking a more proactive stance on STRs, in particular, it would seem that the CCC is recognizing that in many cases unhosted STRs are at odds with allowing Californians access to our coastal areas. Please note that I said "Californians", as it is my understanding of the CCC's purpose is to ensure access for those that actually live in this state. To promote STRs as a means of allowing visitors from the around the world to visit our coastal areas is to fail to recognize that in doing so, unhosted STRs frequently make it difficult, or even impossible, for Californians to do so Particularly in our coastal areas unhosted STRs frequently make it difficult or prohibitively expensive for people to buy or rent houses to live in; the council has heard of (and from!) numerous people have related to them their horror stories concerning this. So, again, I applaud the progress that has been made toward bringing this situation under control.

In reading through the report I do have concerns about the following areas.

* Under "B. Regulatory Compliance" The wording should make it clear that it is one permit per each and every STR and that no one can have more than one permit, as there is a residency requirement. This would also prohibit a couple from having two permits as there is, again, a residency requirement unless the couple can prove that they reside at different addresses. I can see that this might be an area that invites abuse. (packet page 6).

* Under "Enforcement" ,(packet page 7): I recognize that "three strikes" is an attractive sound bite but really, does it make sense to allow someone to have three opportunities to disregard the STR ordinance? Wouldn't it make far more sense to limit it to no more than two violations? Let's fact it, after the first violation any person who is intent on being compliant is going to work hard to ensure that a second violation doesn't occur. Allowing a third violation is just gratuitous. If you're looking for a sound bite, how about, "fool me once, shame on you, fool me twice, shame on me..." I would also encourage that the STR ordinance clearly state that fraud on an STR application results in immediate termination of the STR permit.

* Parking (packet page 7): It may be that the council will have to recognize that not all houses can be operated at STRs. In fact, this is already recognized as we all know that not all homes would conform to city codes that would allow a house to operate as a hosted STR. It needs to be recognized that parking requirements may also prohibit a house from being operated as an STR. Many of our neighborhoods are "dense" and street parking is difficult at best. In my own neighborhood, street parking is already such an issue that in many places it's obvious that emergency vehicles would not be able to thread their way through some of the streets to respond to an emergency situation. Please limit cars at STRs

to one car per conforming bedroom; this is a standard that is already in use elsewhere and the the CCC has already approved elsewhere. To limit congestion on the streets, parking should be "off-street" only.

* STR density (packet pg. 9). Living in a coastal area I am acutely aware of the issues that arise from tourists preferring to rent STRs near the ocean; we need to preserve the character of our coastal neighborhoods, not allow them to be destroyed just because the resolution of the problem would be difficult. Instead of looking at this issue and saying that the appropriate resolution would be difficult, should we looking at the problem, deciding what the resolution should be and then working toward the goal? Imagine that you live in a neighborhood with a lot of character that you dearly love but now, across the street from you, there are three STRs operating. It may be complex to work out all of the details of of regulating STR density but the difficulty of the resolution shouldn't be allowed to determine the resolution. Multiple other cities have density regulations in regards to STRs. Frankly, the least complex solution may be to simply regulate STR density by saying that the lot line of no STR can be within so many feet of another STRs lot line (as an example, 300 feet). In regards to the issue of STRs that are already in operation that would not be compliant, the first issue would be to see how many of these problems exist once the other parts of this ordinance become known. If there are still STRs that wouldn't be compliant then, as other cities have done, it might be necessary to have a lottery to see which STRs continue.

*Minimum rental duration (packet pg. 10). In regards to "events" the easiest solution is to have a strict limit on the number of non-staying guests at the STR, such as saying that the maximum number of non-staying guests is no more than one per rented bedroom (in other words, if two bedrooms are rented out, no more than 2 guests who are not renting at the STR). Non-staying guests should be limited to daytime hours only. As regards the two night minimum requirement, I thought one of the main justifications for STRs was that they were so inexpensive?

*Hosted vs. unhosted (packet pg 10): I would urge the city council to lower this to 60 unhosted nights per year as this still represents the possibility of renting out a house for up to two months per year without a host being present. The neighbors of the STRs will thank you for this.

*Primary residency requirement (packet pg. 10 and pg 5): I would urge that utility bills not be used as a proof of residency at a specific address unless it can be show that no utility bill can be sent to any address other than the service address.

*Not included in the report is any stipulation that all advertisements, of any form, for all STRs include the permit number for the STR. I would encourage this inclusion.

I would also encourage the city to establish a website that clearly shows:
* that an STR is in operation at an address and its permit number
* how to contact the on-call person to report a problem.
* how to contact the city to report any on-going issues and a space for the city to post the resolution of these issues.

Again, I appreciate the tremendous amount of hours that have gone into the project and am greatly appreciative of the progress that has been made.

Regards,
Gary Furlong

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From: Lyla Reinero [redacted]
Sent: Thursday, December 5, 2024 12:00 PM
To: _City Council; Public Comment
Cc: Beckmeyer, Sue; Bryan Reinero; Boles, Christine; Bier, Mary; Vaterlaus, Sue; Bigstyck, Tygarjas; Woodhouse, Kevin; Carter, Yulia; Janusek, Mike; pacificatot@hdlgov.com
Subject: Public Comment: Special City Council Meeting 12/5/2024
Attachments: Final-Proof-of-Residence-within-District-Boundaries-Form (1).pdf

[CAUTION: External Email]

Greetings Mayor Vaterlous, Councilmembers, City Staff & Management, and Whomever Else it May Concern,

I hope you all enjoyed a nice Thanksgiving and are keeping well!

First of all, a huge THANK YOU to everyone who helped with the removal of the STR listing for 400 Belfast (as of November 1st). Thankfully, it has been much quieter in our neighborhood. However, the STR listings for Airbnb and VRBO continue to advertise "Short Term Rental License approved by City of Pacifica." and Marbella Lane's site still advertises the red-tagged "guest house".

Setting the record straight:
The Airbnb-backed pro-STR group in town states on their website "Anti-STR groups collaborated with and received financial and strategic support from outside hotel lobby groups". This is false. Pacifica Homes Are Not Hotels is a group of Pacificans who want to live in neighborhoods with neighbors, not next door to micro-hotels. We have communicated with other like-minded people from organizations similar to ours, however have not been offered nor accepted any outside funding. We are a passionate about our cause and have invested our own time, skills and money towards our mission.

After reviewing the info packet, I'm pleased to see that things are mostly heading in the right direction!

Primary Residence:
When we recently adopted rescue kittens we needed to provide proof of home ownership. When I enroll my kids in school it takes 3 forms to provide proof of residency. It should not be easier to operate an unhosted STR than it is to enroll my kids in school or adopt pets. (attaching the school enrollment form for reference)

3 strikes language has got to go. This is not baseball. There should be automatic reasons to disqualify an STR operator such as lying on an application or listing a property on an STR platform without getting the permits and licensing. There should not be any way a "permit holder" is allowed to have multiple violations and continue to operate.

Density issue: While it may be possible that restricting STRs with primary residence and other requirements will organically help the density problem, it's not guaranteed. There are neighborhoods and certain blocks that are disproportionately affected by the over-saturation of STRs near their homes. We have come so far in terms of progress in fixing our ordinance that we might as well get it done right. It's hard to believe that this would be difficult to enforce. Other cities have this in their ordinances, it's easy to get the data from mapping functions. The city has this info (in the past, when we tried to add an ADU we were denied because there was already an existing one within 300 ft of our property).

60 days max. Not 90.

Platform accountability is a must. It's critical that the STR listing platforms all include the STR permit number. This is not only possible, but also not particularly difficult. SF has this and they require Airbnb and other platforms to provide them with monthly reports. Airbnb and other listing platforms don't have different databases for each city.

A publicly available list of addresses and where they are in the compliance process would be very helpful. There needs to be a map link that is always accurate with all the current STR information. It needs to be available /accessible so that citizens may report inaccurate listings and other issues. This agenda packet had/has a link provided at the very bottom (I assume by HDL) which was accessible and no longer is so.

Thanks for taking the time to read this and for all of your help to bring the updated ordinance this far. We're in the home stretch!

Kind Regards,
Lyla Reinero
[redacted]
Longtime Pacifican (PPCA Member)
Concerned Mom of 3
Cabrillo School PTO Board Member
Pacifica Police CERT Member

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PACIFICA
SCHOOL DISTRICT

PROOF OF RESIDENCE within DISTRICT BOUNDARIES

Student Name: _____

Parent/Guardian Name: _____

_____
Address

_____
City State Zip

To register your child for school in the Pacifica School District, you must provide documentation indicating your place of residence.

Please provide your **Driver's License or ID Card**** with current address along with **two (2)** of the following documents (** If you do not have a driver's license or ID card, please submit an additional document from the list below):

- Mortgage paperwork
- Lease/rental agreement with name and phone number of landlord
- Property tax bill
- Deed
- Rent payment receipt with address (within past 30 days)
- Utility service contract, bill, or payment receipt – PG&E, Water, Garbage (within past 30 days) (no cell phone bills)
- Car, health, or home insurance premium/bill
- Medical or other health insurance statement/bill
- Car registration/title
- Credit Card/Bank account statement
- Current check stub
- Voter registration
- Current correspondence from a government agency
- Declaration of residency executed by the student's parent/guardian

*If you are not a resident in the Pacifica School District boundaries, have you obtained an interdistrict transfer approved by both your District of Residence and the Pacifica School District? ☐ Yes ☐ No

Parent Signature _____ Date: _____

Please be advised: If residency changes from above, parents will notify the school immediately and must provide updated proof of residency within 30 days. If an investigation indicates non-residence in the Pacifica School District without an approved interdistrict transfer on file in the district office, your child/children may be withdrawn from the school and returned to his/her district of residence.

This section must be completed by school or district office employee

1. Documents showing proof of residence at above address: _____
   Attach copies
   _____
2. Current address *if different from address shown above*: _____

   Date moving to above address: _____

File in student cumulative folder

From: Bryan Reinero [redacted]
Sent: Thursday, December 5, 2024 12:06 PM
To: Public Comment
Subject: Special City Council Meeting 12/5/2024

[CAUTION: External Email]

Mayor Vatuerlaus and Pacifica Council Members,

Thank you again for your recent and continuing work to strengthen our STR ordinance and protect our community. I am encouraged with the progress being made. However, I would remind the Council that our ordinance needs to have the following, very important provisions.

Require platform accountability
Platform Accountability is the idea that the rental platforms can list and or rent anything they want, but they can only collect a booking fee on the operations that are legal. Platform accountability is the most effective, and economical form of enforcement because It puts the onus on the rental platform, not the city, to police unregistered and therefore illegal listings. Platforms are penalized for listing STRa without valid permits, or are operating out of compliance with the ordinance.

San Francisco is an example of platform accountability works. Section 41A.5 of the San Francisco Administrative Code requires hosting platforms to provide the data necessary for enforcement. Diego Sánchez, Manager of San Francisco's Office of Short Term Rentals told me that Airbnb presents the Office of STRs with a spreadsheet of hosts and listings every month. The city checks the list to verify compliance with the ordinance. Diego sends Airbnb another spreadsheet which contains the bad actors who need to be taken off the platform, every week. As a result San Francisco is able to stop violations within a week or two.

Our own ordinance must have platform accountability and require that rental platforms include STR's permit number in every listing, that no listing advertises capacity beyond what is permitted in the unit, and does not book rentals beyond 60 day limit.

Limit STR bookings to 60 days a year
I agree with the Coastal Commission's advice that Pacifca follow Half Moon Bay's example and limit the number of days an STR can be booked to 60 days a year. 60 days is an already generous amount of time considering the negative effects STRs have in our neighborhoods. Our standards should not be lower than Half Moon Bay.

Require one off street parking spot per bedroom
The Coastal Commission's recommendation that there be one parking space per bedroom in the STR is correct. The argument to say that the parking requirements be lower because Pacifica's "built form" can't support the vehicle load STRs impose on it is totally illogical. If a property does not have one off street parking space per bedroom, it can not support the vehicle load it imposes on the neighborhood. That property should not be used as an STR. Remember that hotels, restaurants, and retail businesses are not allowed to operate without sufficient parking. It is nonsensical to lower the standard for STRs, which would disproportionately exacerbate the parking problems as these commercial businesses operate in residential areas that are totally unsuited for commercial use. This is the central point citizens of Pacifica have been making against STRs: Residential neighborhoods are for residents, not unregulated hotels.

Enforce density restrictions on STRs
Pacfica already has a precedent for density restrictions in regard to ADUs. I know this from personal experience, as I was prohibited from building an ADU on my property because a neighbor already has one within 300 feet of my property. Density restrictions ensure that no neighborhood or street block is saturated with STRs. A problem that already has occurred in Sharp Park and Pedro Point. I've processed the City Staff's list of 167 STRs (including compliant, non-compliant and in-process) and found that there are 87 STRs that are within 250 feet of another STR. In other words 52% of the STRs in Pacifica are in close proximity to another STR.

regards,
Bryan Reinero
Pedro Point

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City of Pacifica
City Council Regular Meeting

Name Cindy Abbott Date 12-5-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STRs (only item)

City of Pacifica
City Council Regular Meeting

Name Gary Please Print Date 12

City: CHINCA

No. of Item on Agenda or Subject: ASPCA DRIVE

City of Pacifica
City Council Regular Meeting

Name BOB O'DONNELL Date DEC 5, 2024
Please Print

City: 1319 ASPEN PACIFICA

No. of Item on Agenda or Subject: SHORT TERM RENTAL ORDINANCE

City of Pacifica
City Council Regular Meeting

Name Lupe Reinero Date 12-5-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

Name BRYAN REINERO Date 12-5-24
Please Print

City: PACIFICA (PEDRO POINT)

No. of Item on Agenda or Subject: STRs

City of Pacifica

City Council Regular Meeting

Name GARY Furlong Please Print Date 12/5

City:

No. of Item on Agenda or Subject:

City of Pacifica

City Council Regular Meeting

Name Stephanie Robbins Please Print Date 12-5-24

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Caitlin Quinn Please Print Date 12/5/24

City: Pacifica

No. of Item on Agenda or Subject: STR.

City of Pacifica

City Council Regular Meeting

Name Joanne Gold Please Print Date

City:

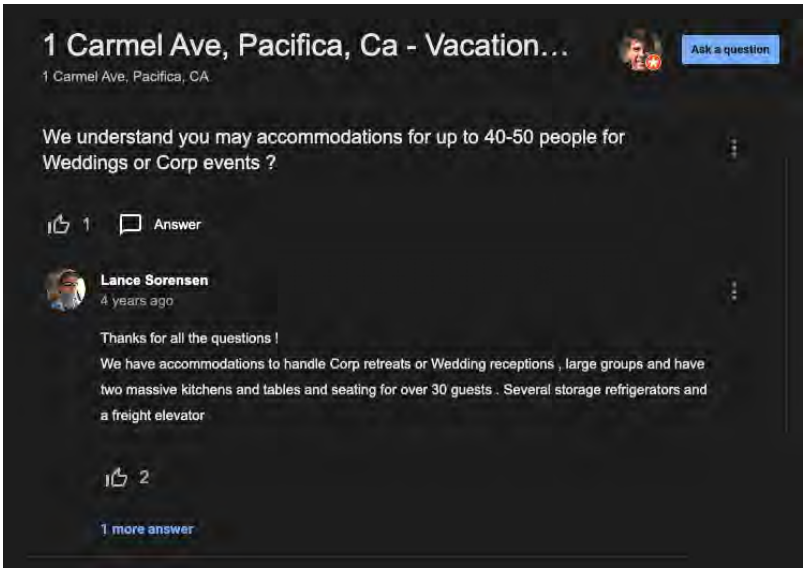
No. of Item on Agenda or Subject:

From:	Patrick Beatty
To:	Public Comment
Subject:	Planning Commission 01-21-25: TA-127-25 "Short-Term Rentals"
Date:	Tuesday, January 21, 2025 12:04:43 PM
Attachments:	Screenshot 2025-01-21 at 11.53.33 AM.png

[CAUTION: External Email]

To The Planning Commission,

I have lived across from 1 Carmel Ave for a year and a half now. It is a very large Airbnb/VRBO such that in the words of the owner, Lance, on his own Google posting he says it can be over 30 guests for receptions and large corporate events:



I have had to call the police multiple times on this property because they have been out late partying and loud, even during the day. Lance does not live there and doesn't care if they are a disturbance to others. It falls to myself and other people that actually live here to do it. We are doing his job. This is basically a hotel that has popped up in the middle of our community. There are over 100 of these in Pacifica. The guests don't add any economic value. An actual resident not only buys food in the area but supports dentists, doctors, schools, etc. These STRs are hollowing out our communities for the benefit of people that don't live here and aren't the citizens of Pacifica. Or even worse some faceless corporations who do not care at all for us.

If you do not feel this pain, then it might be because you don't live in Pacifica. Many other towns (even Colma!) have regulations against STRs or even outright bans. Anyone who has an STR pop up next to them knows how you hate to have them next to you. If the council does not fix this STR issue, the community will see you don't care and get rid of you.

I would reiterate the changes from other community members as follows:

- "Mandates a 24/7 responsible party who must respond to complaints within 30

minutes by phone or in person" (Remove "by phone". A real person needs to be available to deal with many issues that a person in a remote call center won't be able to do)

- "Limits occupancy to two persons per legally permitted bedroom (excluding children under the age of 12)". (Suggest removing or modifying the limit regarding the exclusion of children)
- "Establishes a maximum of 90 rental nights per year and a two-night minimum stay for unhosted rentals (no maximum or minimums apply to hosted rentals)". (maximum of 60 days for unhosted, per the CCC recommendation and HMB ordinance)
- "However, the Draft Ordinance would allow the Operator of a Hosted Short-term Rental to reside in an ADU or Junior ADU and operate the STR in the main residence on the site where the STR is located" (This doesn't make sense. It would still encourage the operation of STRs. Stating that the homeowner can live in the ADU instead of the main house is not increasing affordable housing. It would only add a loophole and create more confusion for enforcement)
- "exterior sign with the STR permit details and a QR code with the operator and responsible party's contact information... The sign would be a maximum size of 6 square feet in area."(Signs do not need to be this big. Just big enough for the pertinent details to be publicly displayed. Anything as large as 6 square feet appears more like an advertisement and would be an eyesore if they were present throughout residential neighborhoods)
- ""Person" means natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity." (Nope. It does not. This provides way too many loopholes for bad actors. Needs to simply be "**Natural Person**")
- "In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not exceed one half of the maximum Short-term Renters allowed" (needs to have a clarification that the extra guests/visitors are not allowed during quiet hours or overnight stays)
- "Required inspections for all unhosted STRs" (we need to have annual inspections for ALL STRs both hosted and unhosted. All STR guests should have a right to safety and there can't be a loophole where unhosted operators claim their accommodations are hosted therefore getting around the safety inspections)
- "the City Council expressed interest in an interactive, web-based map allowing residents to identify legally operating STRs thereby allowing the public to identify those STRs that may be operating without the proper permits" (We 100% need this for transparency and ease for neighbors to report violations)

Sincerely,
Patrick

Patrick Beatty
[redacted] Pacifica, CA

Patrick Beatty

[redacted]

[redacted]

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From:	Cheryl Greene
To:	Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; _City Council; Public Comment
Subject:	STRs Action
Date:	Tuesday, January 21, 2025 11:52:03 AM

[CAUTION: External Email]

Esteemed Members of the Council,

Thank you for the countless hours of work you all provide on our behalf. I have attended many city council meetings and have been so impressed with the difficulty of responding to the needs and desires of our diverse community. Your jobs are even more difficult in this era of business objectives outweighing the needs of community members.

I laud your decisions to limit non-hosted STRs and would like to encourage you to further limit their impact by:

1. Enforcing a 60-day rental limit per year
2. Requiring a local contact person to respond within 30 minutes to resolve community complaints of noise and over-parking
3. Immediately requiring STRs in multi-owner buildings to convert to long-term rentals or sell to a non-STR owner

Best regards,

C~

Cheryl Greene
[redacted]

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From: robert odonnell
To: City Council; Public Comment
Subject: Proposed STR Ordinance
Date: Tuesday, January 21, 2025 11:45:37 AM

[CAUTION: External Email]

Dear Planning Commission Members,
I have watched closely the community concerns and urgent call for an effective new STR ordinance as a 51 year resident of Pacifica. Our family has been affected by a nearby unsupervised STR.

While the proposed ordinance makes good progress, I think we need to have a 60 day maximum as other cities have implemented.
Also, implementation in Oct. 2025 for non non coastal properties and Oct. 2026 for coastal properties seems very slow given the problems we encounter in our neighborhoods. Also , these are commercial properties! They should be inspected as such for health and safety concerns and not given a pass because they are hosted.
I plan on attending tonight's meeting. Thank you for considering my comments.
Robert O'Donnell
Sent from my iPhone
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From:	Victoria Sanchez De Alba
To:	Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc:	_City Council; Public Comment; Rick De Alba
Subject:	Urgent: NEW STR Ordinance on Jan 21 Planning Commission Agenda – Take Action!
Date:	Tuesday, January 21, 2025 11:45:23 AM

[CAUTION: External Email]

Dear Planning Commission Chair Samantha Hauser, Vice Chair Alex Ferguson and Commissioners:

I am writing to express my deep concern about the City Staff's apparent disregard for the safety and well-being of Pacifica residents. The decision to delay implementing meaningful restrictions on unhosted short-term rentals (STRs) until their renewal in October 2025 for non-coastal areas and October 2026 for coastal areas is alarming and unacceptable. This delay undermines the recommendations of City Council Members and the community, who called for immediate action to stop issuing permits in a “business-as-usual” manner last October, knowing a new ordinance was forthcoming.

Instead, City Staff appears to prioritize the interests of investors who are buying homes and converting them into unhosted STRs, effectively turning our cherished neighborhoods into commercial districts. This is a direct threat to the unique character of Pacifica and the well-being of its long-term residents.

As homeowners who have invested significantly in our properties and contribute thousands of dollars annually in property taxes, we have the right to live peacefully in our own community. The proliferation of unhosted STRs brings transient visitors who often disregard the peace, safety and quiet that long-term residents value.

The impact of these STRs on our daily lives is profound. For example:

- A large two-story house at 520 San Pablo Terrace operates as an unhosted STR and has caused repeated disturbances. Late-night parties required multiple police interventions, and a memorial event at this property brought nine cars, with additional vehicles blocking our driveway. Overflowing trash bins have left garbage scattered across the street.
- Another unhosted Airbnb at 549 San Pablo Terrace and a property at 451 Talbot Street also generate excessive noise, disrupting the tranquility and safety of our neighborhood.

These incidents are not isolated. They reflect a pattern of negligence that erodes the safety and quality of life for Pacifica residents. How would City Staff or the owners of these STRs feel if their own neighborhoods—or their mothers' neighborhoods—were subjected to such disruptions?

Many of these investors live far from the consequences of their actions, in places like Millbrae and Burlingame, while we, the residents of Pacifica, bear the brunt of their commercial ventures.

I urge you to please take immediate action to enforce stricter regulations on unhosted STRs. The integrity of our neighborhoods and the safety of our community depend on your leadership. Pacifica should remain a place where residents can enjoy the peace and security they deserve.

Thank you for your attention to this urgent matter.

Sincerely,

-Victoria and Rick De Alba

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From:	DrGreene
To:	Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc:	_City Council; Public Comment
Subject:	Re: Public Comment Pacfica STRs
Date:	Tuesday, January 21, 2025 11:38:06 AM

[CAUTION: External Email]

Autocorrect Amendment: Council, not Counsel

Best regards,
Alan Greene, MD

On Tue, Jan 21, 2025 at 11:30 AM DrGreene <drgreene.com@gmail.com> wrote:

> Dear Members of the City Counsel,
>
> First, I would like to thank the city council for its work in protecting and enhancing the lives of Pacificans and welcoming visitors to enjoy our beautiful coast.
>
> I have two requests:
>
> First, please do not delay implementing your new regulations for non-hosted STRs located in multi-unit buildings. We don't want our neighbors and neighborhoods to suffer.
>
> Second, for all non-hosted STRs, a local contact person should be available in 30 minutes to address the problems that arise. As a pediatrician, I understand the burden of complying with this. I am available to respond within 30 minutes to my patients and am local to be able to solve problems as they arise. While this is a burden, I consider it an important part of my job.
>
> Thank you for your consideration.
> Alan Greene, MD

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From:	JUDY MASON
To:	Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; Hauser, Samantha; Ferguson, Alex
Cc:	_City Council; Public Comment
Subject:	Recommended revised STR ordinance for Pacifica
Date:	Tuesday, January 21, 2025 11:35:45 AM

[CAUTION: External Email]

Dear Planning Commissioners,

I have lived at the corner of Carmel & Beach for 15 years, and I am fully aware of the extraordinary place it is. And, of course, visitors and tourists should see what an ocean-side town has to offer. And, of course, they should be able to stay and enjoy what the town and area have to offer. However, our homes and flats and apartments are not hotels. Our neighborhood is not for late night partying, fireworks being set off from upper decks, and cars bearing people for weddings and corporate retreats taking up all the street parking. We are rapidly losing our neighbors.

The large house across from me at 1 Carmel used to be 1 large apartment upstairs with two small apartments for the owners' two daughters downstairs. We knew each other; we chatted in the street; we were neighbors. Now it is listed on Airbnb and VRBO as a house that can sleep 27 people!! That is not a home. That is an hotel. During the holidays, I texted the owner to tell him that Recology had holiday pickups and told him what they were. (God forbid the owner, who lives in Foster City, would check about anything local--Fog Fest, garbage pickup,...) He did nothing except leave overflowing bins sitting outside.

I know that Pacifica needs money but you are collecting it at the expense of the people who live here. STRs must be brought under control with new regulations that are followed and punished if they are not. I sincerely hope you will do that.

Thank you.
Judy Mason

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From: Kate Chinca
To: Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc: _City Council; Public Comment
Subject: STRs in Pacifica
Date: Tuesday, January 21, 2025 11:13:02 AM

[CAUTION: External Email]

Dear Chair, Vice-Chair and Commissioners,
I must begin by stating that I have found that many of the decisions you have made that involve all of the citizens of Pacifica have been admirable and appreciated.
At this time, I come to you in regards to the new ordinance for STRs that has been in the works for 2 years. As soon as the one up the street first came into being, I looked up the Pacifica ordinance regarding these places and was shocked that they were so poorly governed.
I know that I have seen at least one commissioner attending the City Council Meetings (and I am sure that there have been more) hearing why we need an ordinance that truly addresses our neighborhood issues. Rather than repeat what I am sure you already know and certainly City Council has heard, I would like to list the questions for me:
1) I don't understand why we have mini motels as businesses in our neighborhoods (long term renters are not the issue)
2) I don't understand why anyone would need to own more than one STR if they are trying to better utilize the home they own
3) I don't understand why these homes would not be inspected considering the City permits their use
4) I don't understand how a rep of the owner is just 30 minutes away when he lives in the Castro in SF...I worked there...not true
5) I don't understand why a 90 day limit should be considered when a 60 day is working in Half Moon Bay nicely
6) I don't understand why anyone would think that there should not be a cap on the number of guests per room
7) I don't understand why quiet hours would not be initiated
Issues:
1) 8 or 9 or more cars in a neighborhood when the neighbors need to park, as well
2) People partying with the windows open until 2 a.m....yelling and hooting out the windows
3) Sunday morning for those in the community that are awakened at 6:45 while the renters are leaving and loudly yelling goodbyes
4) Trouble connecting with the owners' rep when garbage cans fly down the street with no one to pick them up except neighbors
5) Strangers in and out of our neighborhoods at all times of the week and day
6) Large vehicles backing into the driveway and blocking the sidewalk
7) Hosted businesses would alleviate the need for neighbors to patrol what is happening at any given STR
And, this STR is 5 doors away. I truly feel that the neighbors on either side (renters

urinating on the next door house, etc.) Strangers being able to peer over the fence when neighbors are in their gardens.
What is being said:
Well, at the very first meeting regarding STRs, the City Manager and City Attorney said that they were really already too busy to take this one on. They'd have to drop some of their other assignments to work on the STR situation. Ever since, it has been a very slow go.
The taxes and revenues for Pacifica came into view from them early on. How do STRs generate more taxes than people staying at one of our local hotels? It seems that 3 families staying in a hotel for 2 nights would bring more TOT (3 rooms rather than 2 nights for all of those people at one STR. Our restaurants, wait staff and other employees will not be serving as many people when renters can bring their own food to cook in the STR. Tourists will still visit Rockaway Beach, Palmetto District, Pedro Point, Sharp Park and Pacific Manor Whether they are staying one block away or 1 mile away.
I can't help but think that this could very likely produce a new position through our Police Department for a Code Enforcement Officer dedicated to following up on all of the STRS. This should be a full time job judging from the amount of STRs already working here. It would require a service fee by the owners that would cover their position. It would also allow them to be able to research those STRs that are currently running illegally.
These are my thoughts and I really never thought I would still be pursuing the City's help over this one issue. Thank you for your time and hearing my concerns.
Best wishes,
Kate Chinca
Aspen Dr., Pacifica

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From:	Lyla Reinero
To:	Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc:	Beckmeyer, Sue; Bier, Mary; Boles, Christine; Espinosa, Mayra; Wright, Greg; Public Comment
Subject:	Planning Commission 01-21-25 Agenda - Item 1, TA-127-25 - Repeal and replace Article 49, "Short-Term Rentals"
Date:	Tuesday, January 21, 2025 10:56:01 AM

[CAUTION: External Email]

Dear Commission Chair Hauser, Vice Chair Ferguson, and Planning Commissioners,

Thank you for meeting and reviewing the draft STR ordinance put together by city staff at the direction of our City Council. This is a significant step in the right direction!

I've read the staff report and have some serious concerns about a few issues. I have copied and pasted from the draft ordinance in quotes, my suggestions and comments are in blue:

- "Mandates a 24/7 responsible party who must respond to complaints within 30 minutes by phone or in person" (Remove "by phone". A real person needs to be available to deal with many issues that a person in a remote call center won't be able to do)
- "Limits occupancy to two persons per legally permitted bedroom (excluding children under the age of 12)". (Suggest removing or modifying the limit regarding the exclusion of children)
- "Establishes a maximum of 90 rental nights per year and a two-night minimum stay for unhosted rentals (no maximum or minimums apply to hosted rentals)". (maximum of 60 days for unhosted, per the CCC recommendation and HMB ordinance)
- "However, the Draft Ordinance would allow the Operator of a Hosted Short-term Rental to reside in an ADU or Junior ADU and operate the STR in the main residence on the site where the STR is located" (This doesn't make sense. It would still encourage the operation of STRs. Stating that the homeowner can live in the ADU instead of the main house is not increasing affordable housing. It would only add a loophole and create more confusion for enforcement)
- "exterior sign with the STR permit details and a QR code with the operator and responsible party's contact information... The sign would be a maximum size of 6 square feet in area."(Signs do not need to be this big. Just big enough for the pertinent details to be publicly displayed. Anything as large as 6 square feet appears more like an advertisement and would be an eyesore if they were present throughout residential neighborhoods)
- ""Person" means natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity." (Nope. It does not. This provides way too many loopholes for bad actors. Needs to simply be "**Natural Person**")
- "In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not

exceed one half of the maximum Short-term Renters allowed" (needs to have a clarification that the extra guests/visitors are not allowed during quiet hours or overnight stays)

- "Required inspections for all unhosted STRs" (we need to have annual inspections for ALL STRs both hosted and unhosted. All STR guests should have a right to safety and there can't be a loophole where unhosted operators claim their accommodations are hosted therefore getting around the safety inspections)
- "the City Council expressed interest in an interactive, web-based map allowing residents to identify legally operating STRs thereby allowing the public to identify those STRs that may be operating without the proper permits" (We 100% need this for transparency and ease for neighbors to report violations)

Finally, we need to have platform accountability and REAL enforcement and penalties for the bad operators. My family and I moved to Pacifica because we loved the neighborhood and its family-friendly vibe. We have been living in a nightmare with the home across the street from us at 400 Belfast since 2019, when the property was purchased by a corporation that turned it into a full-time STR. Since that time, we have had to deal with every nuisance imaginable including loud noise, illegal parking blocking access needed for emergency responders, eyesores of overflowing garbage and property neglect, entitled guests throwing debris towards our house, the list goes on… The owners even hired a lawyer who has sent us letters threatening legal action for having called the police. The property has had a red tag violation posted to the outside of of the illegal ADU conversion since August 2024 yet they have continued to allow access for guests. The city did not renew the STR permit as of November 1st, 2024, yet Marbella Lane has continued to allow short-term stays. Operators need to be fined for violations and the STR platforms need to be accountable and remove listings that are in violation of the ordinance rules.

While we are so eager to have an amended STR ordinance, we can't rush through and sign off on the Draft Resolution in its current form. It needs corrections and we need to make sure we get it done right.

Thank you for your time to read this and for all that you do for our wonderful city of Pacifica where we have the privilege to reside!

Sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Pedro Point Resident and PPCA Member
Co-VP ASEP, Cabrillo School PTO
Pacifica Police CERT Member

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From: Cindy Abbott
To: Hauser, Samantha; Berman, Lauren; Ferguson, Alex; Devine, Daniella; Godwin, James; Redfield, Chris
Cc: Public Comment; _City Council; Coffey, Sarah; Woodhouse, Kevin
Subject: Planning Commission Meeting: Jan 21, 2025, Public Hearing Item 1, Short Term Rental Ordinance
Date: Tuesday, January 21, 2025 10:16:39 AM

[CAUTION: External Email]

Dear Chair Hauser and members of the Pacifica Planning Commission,

Two years ago, in January 2023, you provided recommendations to the City Council regarding the need for stronger regulations regarding Short Term Rentals, including feedback about the 150 STR cap. Since that time, the community-at-large has been coming together with increasing concern. It's now time to complete a robust update to the Short Term Rental Ordinance that addresses how the concept of home sharing has morphed from one that gave local residents a little extra income while offering travelers affordable accommodation, to a scheme for commercial profit.

We've lost community members to displacement and neighborly connection has been replaced by a revolving door of strangers who don't volunteer, go to our schools, or support local stores and services on an ongoing basis. Please recognize the continuing disruption to our neighborhoods and community.

Please consider the following in your recommendations:

1. **Reduce the number of days rentable for unhosted STRs to 60**, in line with Half Moon Bay and other jurisdictions versus the proposed 90 day limitation.
2. Definitions of owners and operators has been added to the Ordinance. To ensure that corporate profiteering is negated, **require the OPERATOR of an STR to be a "natural person"** as has been included in other ordinances, including those approved by the California Coastal Commission.
3. Recommend applying the **1% cap on STRs <u>by neighborhood</u>** to ensure the burden of STRs is equally distributed across ALL of Pacifica. No location is Pacifica is that far from the beach, hiking or other visitor serving businesses. The current unlimited number has impacted some of the smallest neighborhoods in Pacifica such as Sharp Park. (Data below from City provided STR permits as of June 2024).

City of Pacifica, Short Term Rentals, by Neighborhood		
West Sharp Park	48	28%
East Sharp Park	12	7%
WSP Shoreview	3	2%
Sharp Park/Shoreview	63	37%
Manor	38	22%
Fairmont/Manor	5	3%
	43	25%
Linda Mar	16	9%

Park Pacifica	14	8%
	30	18%
Pedro Point	20	12%
Vallemar	7	4%
East Rockaway	6	4%
Fairway	2	1%
	171	

4. Require additional **platform accountability** to be added to the Ordinance. The inclusion of these provisions has been upheld in courts and the City of Pacifica should accept no less.
5. Enhance the language, considering that in the Half Moon Bay Ordinance, regarding **response time** (Sec 9-4.4905 c) where currently the language only indicates that answering a phone call in 30 minutes is all that is required to comply with complaints from the neighborhood.
6. Strengthen language regarding the application (Sec 9-4.4904 a) that **falsifying any information provided in the application is grounds for denial and/or (permanent) revocation of the permit**. (Paragraph xi provides for the owner being required to sign an affidavit that the information is correct and if they don't sign it the permit won't be processed. What about after the fact documentation that information in the application is false? They are liable for perjury but not clearly permit revocation.)
7. **Inspections** should be required for both hosted AND unhosted STRs.
8. **Inspections** should include verification of on-site parking availability.
9. **Exterior signage language** (Sec 9-4,4904 d) should ensure that this is informative signage only as to the STR being legally permitted and contact information, not a commercial advertisement re the availability of the property.
10. Ensure that during the annual renewal process that a **reinspection** of the property is required. (Sec 9-4, 4907 b)
11. Change the Permit Suspension and Revocation timing (Sec 9-4. 4908) Permit Suspension and Revocation time period from **two strikes in 24 months (versus 12).** AND, add clarifying language that community reporting is considered in the suspension/revocation review.

12. **ADD language that City regulations regarding waste disposal** includes COMPOSTING in addition to recycling and other waste removal and that all regulations regarding visibility of bins and time bins can be out on the street are adhered to.
13. Review and consider **eliminating the unreasonable clause regarding an "unlimited" number of children under 12 years of age** being permissible during rental.

Throughout the current process, in response to concerns by the community that staff wouldn't put forward a moratorium and continued with the October renewal period of permits, city staff has indicated that the Ordinance would become effective (outside of the Coastal Zone) 30 days after the Ordinance is approved by City Council. The recommendation now is hold off on sections of the new

ordnance until the renewal period. This surprising change in direction needs to be discussed and vetted, with consideration given to all provisions (including Sections 9-4.4903 (cc through F and 9-4-4905 (i-t) going into effect within the 30 day period.

Please don't be swayed on the need for stronger regulations, based on the staff focus on the fiscal impact. The City of Pacifica hasn't "historically" received income from STRS, as the build up in the commercialization of our neighborhoods only began in 2018 and took a few years to reach i's current level. The increase in TOT tax rate offsets some of the city projected loss in revenue and should never have been counted on as a "plus".

Staff analysis continues to be lacking in recognizing the overall cost to the community of Short Term Rentals. Though they note the high costs of enforcement and staff time, it's not recognized in the overall cost of the program. Additionally, the PLUS of full time residency with residents being part of the community on an ongoing basis, continues to not be reflected in figures. NO amount of TOT taxes can suffice for the current disharmony and anxiety that has been created by unhosted short term rentals**.** Gain the "economic balance" staff has indicated is needed by supporting our local hotels and their expert role as lodging providers, while also providing the ability for residents to offer hosted (and/or limited unhosted) affordable accommodation.

Thank you for continuing this work and being available to receive the public comment. As a note, the staff report states that no public comment had been received at the time of the publishing of the report. No one was aware that you would be hearing this item on a Tuesday following a holiday. Extensive public comment though has been shared during City Council study sessions and meetings on the draft Ordinance that was just published last week.

You can read public comments on the City Council Agenda page as follows:

June 24, 2024
https://www.cityofpacifica.org/home/showpublisheddocument/18294/638560594444000000

August 26,
2024 https://www.cityofpacifica.org/home/showpublisheddocument/18800/638602742191730000

December 5,
2024 https://www.cityofpacifica.org/home/showpublisheddocument/19367/638689998963900000

Thank you,

Cindy Abbott
West Sharp Park

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From:	Maura O"Neill
To:	Public Comment
Subject:	Public Comment for January 21, 2025
Date:	Tuesday, January 21, 2025 9:31:43 AM
Attachments:	Better Neighbors Comment Letter - Pacifica City Council Meeting January 17, 2025 4929-0929-7168 v.1.pdf

[CAUTION: External Email]

Good Afternoon,

Attached please find Better Neighbor LA's comment letter on the File No. 2025-001 – Text Amendment TA-127-25.

Thank you,

Maura O'Neill
Policy Analyst and Advocate
Better Neighbors LA
[redacted]
maura@betterneighborsla.org

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January 17, 2025

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: Text Amendment TA-127-25 Regarding Short-Term Rentals

Dear Honorable Mayor Vaterlaus and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities.[1] Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and coastal public access.

The updated ordinance is a good step towards safeguarding existing housing stock; however, without further amendments to the ordinance, the proliferation of short-term rental ("STRs") will continue to leave long-term residents at risk of displacement. BNLA urges the Pacifica City Council to amend current STR regulations to a true home-sharing model composed of hosted-only rentals. A hosted-only policy that includes a primary residency requirement will help prevent displacement and ensure that communities are protected from the negative effects of STRs. Hosted STRs necessarily function as housing for their host, whereas unhosted STRs do not. Unhosted STRs are more likely to be owned by corporations and have no full-time, taxpaying resident associated with them. This is a significant issue in a city like Pacifica whose population is already shrinking.

Should the Council decide not to move forward with a true home-sharing model, we encourage the City to adopt common-sense policies present in many jurisdictions throughout the California coast, **including establishing a 60-night cap on the number of nights an unhosted short-term rental can operated annually, setting STR density limits, ensuring there is accountability for STR platforms, subjecting existing STRs immediately to ordinance requirements, disallowing properties with ADUs to have an STR, and tightening inspection and good neighbor policies.**

[1] https://www.betterneighborsla.org/

Based on our data analysis and research, we suggest that the City Council move forward with the following ordinance amendments:

1. ***60-Night Cap on Unhosted STRs Annually****:* We suggest limiting the rental of unhosted STRs to 60 days per calendar year, rather than 90 to prevent continued commercialization of housing in the City. This cap is similar to the one adopted by the City of Half Moon Bay.[2]
2. ***STR Density Limits****:* We support the recommendation from Pacifica Homes Are Not Hotels (PHANH) to update the ordinance to include a 250-foot lineal distance between STRs and to set a limitation of no more than 15% of homes on any block operating as STRs. Such a limitation would help distribute the impact of the negative effects of short-term rentals, as well as preserve the existing neighborhood character per the Local Coastal Plan. Currently, some streets in Pacifica contain up to 8 STRs in total, which alters the neighborhood and causes significant nuisance issues for residents. Density limits are needed to prevent the continued corporatization of housing, as they provide a significant roadblock to corporate speculators intending to buy up swathes of properties to turn into tourist accommodations. Both Seaside and Pacific Grove have successfully implemented density requirements for STRs based on lineal-foot distance from parcel boundaries.[3]
3. ***Accountability for Platforms****:* Requiring the registration number in each STR advertisement is a good step towards compliance with the STR ordinance. However, more needs to be done to ensure that platforms crack down on non-compliant listings and comply with regulatory requirements. **The Council should hold platforms accountable for allowing listings that violate the City's ordinance by establishing a fine that could be issued to platforms that facilitate bookings and payments for non-compliant listings.**
4. ***No Exemptions for Existing Permits***: STR permits granted before the issuance of this ordinance **should not be exempt** from Sections 9-4.4903(c) through (f) and 9-4.4905(l) through (t) until those permits expire. Pacifica residents need the changes made in this ordinance to take effect now to protect their community from continued loss of housing stock. The City needs to institute the primary residency requirement and cap on unhosted STRs immediately to reverse some of the damage STRs have caused in Pacifica.
5. ***Restrict STRs on Properties with ADUs***: Allowing STR owners or operators to live in their ADU while they rent out their actual home as an STR may impact the availability of ADUs as affordable housing. In addition, it is extremely difficult to prove that an ADU is being used as primary residency which can make enforcement against noncompliant STRs more difficult.

---

[2] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf

[3] Seaside: https://www.ci.seaside.ca.us/662/Short-Term-Rental-Program#:~:text=The%20property%20must%20comply%20with,verify%20compliance%20with%20this%20requirement. Pacific Grove: https://www.cityofpacificgrove.org/our_city/departments/administrative_services/business_taxes,_license___resources/short-term_rental_program/index.php

6. ***Inspections of hosted STRs:*** According to STR listing data from AirDNA, as of March 2023, there were approximately 198 short-term rentals operating in Pacifica, 173 of which were unhosted.[4] The City should require inspections of all STRs to ensure no unhosted STR is fraudulently claiming to be a hosted STR.
7. ***Responsible party:*** The ordinance should require that the 24/7 responsible party must be able to respond in-person, if needed. The mandate to answer either by phone or in-person does not ensure that there is a local responsible party who can respond in-person if the situation warrants it.

We urge the Council to adopt the recommendations above at the January 21, 2025 hearing, which would strengthen regulations to adequately protect long-term residents while allowing hosted STRs to exist. Should you have any questions, please contact Maura O'Neill at maura@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

[4] Data on file with BNLA. AirDNA combines data from STR websites to put together a picture of the STR market in a particular area: https://www.airdna.co/

From:	Pam Raymond
To:	Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; hausers@ci.pacific; fergusona@ci.pacifica
Cc:	Public Comment
Subject:	Recommended revised STR for Pacifica
Date:	Tuesday, January 21, 2025 9:29:45 AM

[CAUTION: External Email]

Dear Planning Commissioners & officers:
I am a Beach Blvd. resident and homeowner since 1988. I am glad that the city council has taken seriously the need for a strong STR ordinance that does not allow the entire street to be bought up by the greedy folks that want to turn all the houses into a hotel zone. I have lived next to many iterations on 1 Carmel Ave., the last which has been the worst because it is 100% unhosted STR 365 days a year. Strangers coming and going all year long, some more disrespectful and loud than others, parking shortages on the street, garbage blocking parking and messes spilling out over the top are just a few of the inconveniences we have had to endure for the sake of the city making more revenue with TOTs.

I side with the Coastal Commission's recommendation for a 60-day night limit on unhosted STRS. 90 days will allow this operator to still operate most weekends of a calendar year.

I also ask that under operation requirements Section 9-4.4905 (n) that you add outdoor firepits to "use of outdoor pools, spas & hot tubs prohibited hours between 10pm- 7 am. There are 2 firepits at this property one on upper deck and one on lower deck and when there are revelers out there enjoying between quiet hours it can get quite loud and rowdy, i.e., no sleep.

Thank you,

Pam Raymond

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From:	Updegrave, Samantha
To:	Public Comment
Subject:	FW: Letter Letter Opposing Short-term Rental Program Amendment (article 49 replacement)
Date:	Tuesday, January 21, 2025 7:46:53 AM

From: Zhang Albert <albertzxj@gmail.com>
Sent: Monday, January 20, 2025 9:24 PM
To: Hauser, Samantha <hausers@ci.pacifica.ca.us>; Ferguson, Alex <fergusona@ci.pacifica.ca.us>; Redfield, Chris <CRedfield@ci.pacifica.ca.us>; Devine, Daniella <ddevine@ci.pacifica.ca.us>; Godwin, James <godwinj@ci.pacifica.ca.us>; Berman, Lauren <bermanl@ci.pacifica.ca.us>; Updegrave, Samantha <supdegrave@pacifica.gov>
Subject: Letter Letter Opposing Short-term Rental Program Amendment (article 49 replacement)

[CAUTION: External Email]

Dear Pacifica City Planning Commissioners:

My name is Albert Zhang. My husband and I live in Pacifica, and sometime use our home as an unhosted Airbnb when we're traveling. I read the ordinance drafted by the city staff, and would like to take some time to provide my opinion, regarding how restrictive, harmful (to the city) and illogical it is.

As a responsible Airbnb operator, I deeply value our neighbors and community. Most of our guests are families who come to enjoy easy access to the beach or visit loved ones in Pacifica while staying together under one roof at an affordable cost. In all the time we've operated, we've never received a single complaint from our neighbors.

The proposed ordinance includes a 90-day cap on rentals and requires operators to maintain the property as their "primary residence," clearly tailoring to individuals who live in their homes and occasionally rent them out. However, for the majority of unhosted short-term rental (STR) operators, this would effectively mean shutting down their operations, converting to long-term rentals, or selling their properties. While this may be the goal of the ordinance, it would wreak havoc on many levels.

Currently, the city has a cap of 150 permits, with about 80% likely being unhosted STRs. While there are undoubtedly a few bad actors, data from the city and police shows that issues stem from only four operators. Instead of penalizing all STR operators, the city could implement targeted regulations to address specific problems and ensure compliance without disrupting the lives of more than 120 responsible, hardworking operators.

Many of us rely on STR income because we've left the city for work, experienced life changes, or invested our life savings into creating welcoming spaces for visitors. We pay property taxes, contribute to the local economy, and collectively generate over $2 million in transient occupancy taxes (ToT) annually.

If this ordinance takes effect, the real-life consequences would be dire. The 90-day cap spreads bookings across the year, leaving operators with irregular, unused days that make mid-term or long-term rentals impractical.

Requiring operators to live in the house for at least 180 days a year is equally unfeasible. Faced with these restrictions, many operators will have no choice but to sell their properties, adding to an already declining housing market—home values in Pacifica are already down more than 10% since 2022. An influx of new inventory would push prices even lower, harming homeowners and the city.

The ordinance would hurt the city financially in at least three ways:

1. The majority of the $2 million in ToT revenue would disappear. The city estimate of losing $900K underestimates the true impact, as it assumes operators would continue at the 90-day limit without converting to long-term rentals or selling properties.
2. Falling property values would reduce property tax revenue.
3. Local businesses would lose revenue from tourists who would otherwise stay in STRs, as the city lacks the hotel infrastructure to accommodate families affordably.

Ironically, the ordinance itself acknowledges that enforcement will increase costs by $100K annually. In essence, the city would voluntarily forgo millions in revenue, spend more on enforcement, and likely lose application and permit renewal fees ($1,700 per permit).

This is neither rational nor sustainable governance. Let alone, some parts of the ordinance border on violating personal privacy—such as the requirement for each operator to post an outdoor sign with a QR code displaying their personal contact information.

This exposes operators to potential harassment and safety risks, creating an unnecessary burden on responsible individuals who are already complying with the law.

As STR operators, we welcome reasonable regulations to manage operations effectively and maintain harmony with the community. In fact, some of the ordinance's measures—such as noise monitoring, fines for violations, and limits on rooms and parking—originate from proposals we made to the city.

However, the 90-day cap and primary residence requirement clearly signal an intent to eliminate unhosted STRs, driving out existing operators who have done no wrong.

To the commissioners, I pose these question: Does this ordinance truly serve the best interests of the city? Can the city afford this ordinance?

I appreciate your time reading through this and considering my perspective.

Best Regards,
Albert

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From:	HD
To:	Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; _City Council; Public Comment
Subject:	Urgent Concerns Regarding Short Term Rentals (STR) Ordinance and Its Implications
Date:	Tuesday, January 21, 2025 12:00:44 AM

[CAUTION: External Email]

Dear Planning Commission,

I am writing to express my serious concerns about the new Short Term Rental (STR) ordinance and to share my personal experiences living near an unhosted STR. The current ordinance contains several significant shortcomings that could adversely affect our community and its economic stability. Below, I outline these issues and provide supporting evidence to emphasize the need for stricter regulations.

1. **Excessively Lenient 90-Night Limit on Unhosted STR Operations** The proposed 90-night limit is far too lenient compared to Half Moon Bay's 60-night limit. Allowing 90 nights of operation enables unhosted STRs to profitably operate throughout the year by renting out 87% of the weekends with higher fees. This generous limit not only incentivizes short-term rentals over long-term housing but also prevents these properties from being available to families and long-term tenants who contribute to our community's fabric. Reducing the limit to 60 nights would better discourage corporate and investor-driven STR operations and help restore neighborhood stability by attracting families back to Pacifica and supporting our schools.

2. **Inadequate Inspection Requirements for Hosted STRs** The lack of mandatory inspections for hosted STRs is a glaring oversight. This policy allows unhosted STR owners to falsely claim their properties are hosted, thereby undermining the ordinance's credibility. Regular inspections are essential to ensure compliance and confirm that hosted STRs genuinely have the owner residing on-site.

3. **Insufficient Local Representation for STR Management** The ordinance does not mandate that the designated "representative" be local. Simply answering a phone within 30 minutes does not ensure that the representative is physically near the property or even within the country. To ensure prompt and effective responses to issues, it is crucial that representatives be local and readily accessible.

4. **Improper Use of Accessory Dwelling Units (ADUs) for STRs** While operating an ADU as an STR is illegal, the ordinance allows owners to reside in their ADU while renting out the main house as an STR. This practice contradicts the goal of preserving ADUs for affordable housing. ADUs should be reserved for long-term housing to promote community stability and affordability.

5. **Lack of Robust Platform Accountability** The ordinance's requirement for including an STR permit number in advertisements is insufficient for ensuring compliance. Stronger measures, such as regular audits and penalties for platforms that list unpermitted properties, are necessary to enforce adherence to the regulations.

6. **Delayed Implementation of Critical Ordinance Provisions** Allowing current STR owners/operators to defer compliance with key aspects of the ordinance until their permits expire in October significantly undermines its effectiveness. Essential provisions, including primary residence requirements, night limits for unhosted STRs, and off-street parking, should be enforced immediately to prevent ongoing disruptions and neighborhood commercialization.

7. **Implementation of Severe Penalties for Violations** I recommend imposing substantial financial penalties for false applications and violations. For properties purchased in or after 2020, the penalty should be three times the annual property tax, and for properties purchased before 2020, five times the annual property tax.

8. **Clear Reporting Process and Public Awareness** The reporting process and penalty fees should be transparent and accessible to the public and neighbors of all STRs. For instance, neighbors of registered STRs should receive an annual instruction letter detailing how to report violations and outlining expected STR guidelines.

Personal Experience Living near an unhosted STR has subjected my family to numerous disturbances, including late-night noise, increased wrong-way traffic, and a constant influx of strangers in our neighborhood. These issues have not only disrupted our quality of life but also heightened our concerns about allowing our young children to play outside alone. A report by the Urban Institute underscores how STRs contribute to housing shortages and rising rental prices, exacerbating affordability challenges in communities (Urban Institute, 2020).

I strongly urge the Planning Commission to address these critical issues and adopt stricter regulations to protect our community’s character and financial health. Thank you for considering my concerns.

Sincerely, Haroldo

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From:	Stephanie Robbins
To:	Hauser, Samantha; Ferguson, Alex; Redfield, Chris; Berman, Lauren; Godwin, James; Devine, Daniella
Cc:	_City Council; Public Comment
Subject:	Planning Commission meeting, public comment, January 21, 2025
Date:	Monday, January 20, 2025 10:11:04 PM

[CAUTION: External Email]

Pacifica Planning Commission,

This has been a long process and we are so close to finalizing the STR ordinance and proving that those who run our city do actually care about our quality of life. I want to thank you and the city council for continuing down this long path. However, there are some issues that still need addressing.

In reviewing the proposed ordinance, I'm confused why the CCC recommendation for a 60-night limit, which also aligns with our neighbors such as Half Moon Bay, has not been included. The 90-night limit currently proposed is simply problematic. We've heard neighbor after neighbor plead for a 60-night limit, and, as already mentioned, the CCC also suggested this. So why isn't this being implemented?

Additionally, why is this ordinance being held up for implementation through October 2026 in some cases? As a resident of the coastal area, and to be clear that is where the majority of the unhosted STRs are located, this simply extends the current problems for another two years.

It really makes me wonder why staff, specifically Mr. Woodhouse, is pushing this out as far as it can go. We've seen the evidence that he is not in favor of this progress with his responses, and that he does not support what we the residents, who pay his salary, are requesting. He has been resistant and, at times, unprofessional in his responses. It is disheartening to me as a 25 year resident of Pacifica to see such a cavalier attitude toward the citizens. He was hired to represent, support and help us to maintain our quality of life in Pacifica. His lack of support, and obvious disdain for the proposed restrictions have caused greater work and time in moving this forward. Now we see wrangling by his staff on all levels to reduce the efficacy of this ordinance.

We need this to take place, to be upheld and to be thorough so that it is truly useful. We citizens of Pacifica are not asking for some kind of gain, we are asking for our own sanity, our quality of life, to simply regain the neighborhoods we have lived in and loved for many years. It is imperative that the last few issues are pushed forward. Please enforce a 60-night limit, make the change more immediate, and truly be accountable for the permitting, and follow through on ensuring that these random businesses in these areas zoned for homes, are following the rules.

Thank you,
Stephanie Robbins
West Sharp Park

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From:	Bryan Reinero
To:	Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc:	Beckmeyer, Sue; Bier, Mary; Boles, Christine; Espinosa, Mayra; Wright, Greg; Public Comment
Subject:	Planning Commission 01-21-25 Agenda - Item 1, TA-127-25 - Repeal and replace Article 49, "Short-Term Rentals"
Date:	Monday, January 20, 2025 8:11:49 PM

[CAUTION: External Email]

Commission Chair Hauser, Vice Chair Ferguson, and Commissioners Berman, Devine, Godwin, and Redfield,

Having worked for years in support of strengthening Pacifica's short term rental ordinance, I am encouraged by our City Council's leadership on this issue and grateful to see that the draft ordinance is now in review by the Planning Commision. However, having read the draft ordinance prepared by City Staff, I see that it does not properly represent the heavy toll that unhosted STRs take from our community and economy, and the proposed ordinance lacks critical elements needed to ensure it is potent.

ECONOMIC HARM Unhosted STRs harm local economies. Customers of unhosted STR simply do not spend money in Pacifica as residents do. STR customers do not buy groceries weekly, take their pets to the local veterinarian, go to the local dentist, or shop at the local hardware store. Furthermore, they are not supporting our local non-profits.

- 2015 study by San Francisco's Office of Economic Analysis shows that San Francisco city lost $250,000-$300,000 per year for every unhosted STR in operation.

- Using the same model for Pacifica, STRs cost Pacifica an annual loss of $37.5 million. ($49.77 million adjusted for inflation). That's just counting the 150 allowed STRs. The actual number is likely much higher as the number of STRs operating in Pacifica is greater than what City Staff is aware of.

TRUE LOSS of TOT City Staff inflates the amount of Transient Occupancy Tax (TOT) generated by STRs. City Staff has already admitted that STRs are very hard for them to regulate. As a consequence, many STRs are operating without a permit, and without paying the TOT. Staff's ability to enforce and collect TOT won't improve, as they recommend that it's best that we hope STRs comply and pay TOT voluntarily[page 103]. On top of this, the loss of TOT is compounded by the fact that STRs draw business away from hotels, which are a reliable source of TOT revenue.

LOSS OF SCHOOL FUNDING The economic damage is not limited to lost TOT revenue.

STRs have a very serious, very detrimental effect on the community's economy as a whole. Consider the harm to our schools caused by STRs. If just half the unhosted STRs in Pacifica were home to even one child, our schools would have received $2.3 million this year, and well over $1.5 million in each prior year. Cumulatively our schools lost $7.56 over the last 4 years[ref]. In just the past year our schools lost 1.35 times more money than the projected yearly ToT revenue from STRs. Consider how this loss has contributed to this month's announcement by the Pacifica School District that it is planning to close Ocean Shore Elementary[ref].

WEALTH TRANSFER 73% of unhosted STRs in Pacifica run by out-of-town operators, and are at least 2 bedroom homes, suitable for a resident family[ref]. Every out-of-town operation displaces a resident family, taking with them $151,849 median household income each[ref]. In just this past year, the combined loss of these residents have drained $28.5 million in annual combined household income from our local economy. This money, in addition to the rental profits made by out-of-town operators, instead flows into the economies of the towns where STR operators live.

LOST HOUSING STOCK Unhosted STRs deplete our housing stock, and jack up rental rates in real, quantifiable ways. A study by Professor David Wachsmuth, a leading researcher on how Unhosted STRs affect on housing, found

- Long term rents go up not only because the available rental stock is depleted, but also because it incentivizes aggressive landlords to jack up rents who have the option to convert the property if the tenant can't accept the rent increase.

- A 1% increase in Airbnb listings leads to an 0.018% increase in rents and 0.026% increase in house price

LOST ACCESSIBILITY TO THE COAST It's a total fallacy to claim that the draft ordinance promotes a diverse range of accommodation options for different budgets. A recent report from analytics company AirDNA found that in suburban U.S. markets, the average daily rate for short-term rentals surpassed that of hotels this year[1]. Families need housing, NOT travel accommodations. Getting affordable travel accommodations isn't even a top problem facing economically disadvantaged persons. Travel accounts for just 1% of overall household expenditures. Long term Housing is the key need, but Unhosted STRs work against that by locking people out of the housing market.

Further, multitudes of unhosted STRs are not ADA compliant, and are by their nature exclusionary. If unhosted STRs are successful in putting hotels out of business, it will eliminate access for disabled persons to safe accommodations in the coastal zone, as well as in any area STRs operate without constraint.

The Key to a Strong Ordinance

Given the problems Unhosted STRs cause to our community, Pacifica needs a robust ordinance with no loopholes. Unfortunately, the draft ordinance has some gaping holes. An example of such a hole is on packet page 131; "*However, the Draft Ordinance would allow the Operator of a Hosted Short-term Rental to reside in an ADU or Junior ADU and operate the STR in the main residence on the site where the STR is located*". ADU have been allowed in Pacifica for the explicit purpose of increasing the availability of long term housing. Allowing ADUs to be used as the residence of an STR operator while the main residence is rented totally negates that purpose, and is wholly illogical. ADU must not be used in any way that supports or permits the operation of STRs.

Operators of an STR must be a natural person. City staff have argued that it is difficult to make a distinction between a natural person and a corporate entity, but this is not the case. Consider the following definition, *"A natural person (also sometimes referred to as a physical person) is a title used to identify an individual human being. This is different from a* ***legal person****, which can be an individual or a company."* [ref] The use of the term "human being" is key. An article from the Penn State Journal of Law explores the theory behind what is a natural person. The theories define two types of person, natural persons and juridical persons, where *"The first group refers to a human being, who is an individual being capable of assuming obligations and capable of holding rights."* The term natural person also has precedent. The California Consumer Privacy Act (CCPA) defines a "natural person" as a California resident who is not a corporation or other business entity[ref] Given the clarity that a natural person is one who is a physical human being, there is no reason that STR permits can't be restricted to one per natural person.

Building inspections must be required to qualify for any STR permit or renewal. Sec. 9-4.4904 (d) of the ordinance requires inspection of unhosted STRs, which should instead be a requirement for all STRs. It's important that the Commission beware that an operator renting out unpermitted and unsafe STRs isn't some hypothetical possibility. There have already been operators, such as 400 Belfast[ref], which rent unpermitted dwelling spaces that are uninspected, and not compliant with Chapter 12 of the building code. If the city demanded inspections prior as a prerequisite to getting or renewing a STR permit, this operator would not have been able to rent this dangerous STR for years.

Platform Accountability. This is the most effective enforcement of STR ordinances. Platform accountability is also the most efficient form of enforcement because It puts the onus on the rental platform to police illegal listings. Platforms are penalized for listing properties without the proper licensing. The policy makes it difficult for bad actors to list their homes illegally, and makes it easy for the city to double-check that listings are appropriately registered and legally operating.

San Francisco is an excellent example of platform accountability. Section 41A.5 of the San Francisco Administrative Code requires hosting platforms to provide the data necessary for enforcement

- The name of the Owner or Business Entity who offered a Residential Unit
- The address of the Residential Unit,
- The dates for which the tourist or transient user procured use of the Residential Unit
- The registration number for the Residential Unit

The ordinance has teeth *"..any Hosting Platform that provides a Booking Service for a Residential Unit to be used for Tourist or Transient Use in violation of the Hosting Platform's obligations under this Chapter 41A, shall be guilty of a misdemeanor. … punishable by a fine of not more than $1,000"* San Francisco's ordinance is also ***effective***. Every month, Airbnb provides a spreadsheet detailing the rental activity of every STR to the SF Office of Short Term Rentals. The City goes through the list and identifies violations and has Airbnb remove them within a week.

I ask that the Commision remember that a strong ordinance requires these key elements

- **Primary Residence Requirement -** prevents out-of-town investors from buying Pacifica homes and leach wealth to communities where they choose to live instead
- **One STR Permit per Natural Person -** prevents corporations and speculators from systematically buying up out homes and flipping them into unhosted STRs
- **Limit on unhosted STRs to 60 rental nights per year -** Limits the profitability of financial viability of STRs, which discourages investors from flipping a house into a dedicated unhosted STR, and limits the damage that STR can do to our economy
- **All unhosted STRs must have a local representative who will be at the property within 20 minutes.** STR operators have to be responsible for stopping disturbances and cleaning up trash immediately. Not the Police. Not the neighbors.
- **Building inspections are required to qualify for any and all STR permits -** This assure all STRs built to code, properly permitted, and safe

- **Platform Accountability -** rental platforms can only collect a booking fee on listings that are legal. This is the most effective form of enforcement because It puts the onus on the rental platform, not the city, to police their listings.

Regards,
Bryan Reinero
Board Member, Pedro Point Community Association
Founding Member, Pacifica Homes are Not Hotels

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From:	Caitlin Quinn
To:	Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc:	Beckmeyer, Sue; Bier, Mary; Boles, Christine; Espinosa, Mayra; Wright, Greg; Public Comment
Subject:	Planning Commission 01-21-25 Agenda - Item 1, TA-127-25 - Repeal and replace Article 49, "Short-Term Rentals"
Date:	Monday, January 20, 2025 4:47:10 PM
Attachments:	clip_image001.png

[CAUTION: External Email]

Dear Planning Commission Chair Hauser, Vice Chair Ferguson, and Commissioners Berman, Devine, Godwin, and Redfield,

Thank you for reviewing the new STR ordinance city staff has prepared at the direction of City Council. As many of you know, the negative impacts of the large number of unhosted STRs in Pacifica has degraded residents' quality of life and quiet enjoyment of their homes, commercialized our neighborhoods at the expense of community, taken much-needed housing away from families (many with children who could shore up our depleted schools), and caused myriad nuisances in terms of parties, noise, trash, trespassing, reduced residential parking, and a whole host of other issues that regularly tax our city's enforcement resources. A new STR ordinance to protect our neighborhoods and housing stock from corporations and out-of-town investors—and that includes restrictions already in place in many other cities in San Mateo County and along our state's coast—has been long overdue.

While the new ordinance drafted by city staff repealing and replacing Article 49 (Short-term Rentals) of Chapter 4 of Title 9 of the Pacifica Municipal Code is a good start, it has serious flaws that I hope you will recommend be redressed, as follows:

I.STR Operators Must Be "Natural Persons"

Sec. 9-4.4901 Definitions

<!--[if !supportLists]-->*(j)* <!--[endif]-->*"Person" means natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity.*

and

Sec. 9-4.9403 Standards Applicable to Short-term Rental Sites

<!--[if !supportLists]-->*(c)* <!--[endif]-->*Each Person Operating a Short-term Rental shall have their Primary Residence at the Site of the Short-term Rental. If the Person is a corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity, the managing member of the limited liability company, officer of the corporation, or trustee of the business trust or estate or a partner must have their Primary Residency on the Site. To prove Primary Residency, the Person must provide at least three forms of documentation to the Administrator evidencing that the Site of the Short-term Rental is their Primary Residence for more than six months of the year. Documentation can include, but is not limited to, proof of homeowner's tax exemption, voter registration card or certificate, or proof of vehicle registration.*

While a corporation may own a home, an STR operator must be a "natural person," as a corporation

or LLC cannot have a "primary residence," i.e., a property at which they do normal human functions like eat, shower, and sleep. This is because corporations are not human and, thus, do not do things like eat, shower, and sleep.

I have researched dozens of STR ordinances throughout California, and I have yet to come across one that allows an STR operator to be anything other than a "natural person," i.e., a human being. I fail to understand then why **we are opening up a bevy of loopholes for corporations and other entities to exploit by the language employed in the above sections, and hereby urge the Planning Committee to request a detailed explanation of this from city staff.**

Additionally, in the language above regarding documentation to prove primary residency, **please request that "Documentation can include, but is not limited to, proof of homeowner's tax exemption, voter registration card or certificate, or proof of vehicle registration" be changed to read that at least two of the forms of documentation listed (homeowner's tax exemption, voter registration card or certificate, or proof of vehicle registration) are required and that utility bills are not not valid.**

II."Hosted" Must Mean the STR Operator is Present During the Rental

Sec. 9-4.4091 Definitions
i. "Hosted Short-term Rental" means a Short-term Rental use where a resident, who is the operator and acting as a host, occupies one or more bedrooms in a dwelling unit ***or an accessory dwelling unit*** *on the same Site as the Short-term Rental while other areas of the dwelling unit* ***or main residence*** *on the Site are rented for the purpose of transient overnight lodging.*

Nowhere in the above does it state that the operator of a hosted STR must be onsite for the duration of the rental. If a hosted STR operator is not sleeping in a bed at the property while it's being rented, then it's a de facto unhosted rental.

Please recommend that language be added stating that operators of hosted STRs be on site during the rental, emphasizing that operators of hosted STRs must especially be onsite during the quiet hours of 10 p.m. and 7 a.m.

Please also recommend that the language placed in bold in Sec. 9-4.9091 (i) above re: ADUs be stricken, per my point III. below.

III.ADUs Must be Protected as Affordable Housing

Sec. 9-4.4093 Standards Applicable to Short-term Rental Sites

> <!--[if !supportLists]--> ***(a)*** <!--[endif]--> *In accordance with Section 9-4.453(a)(6) and 9-4.454(a)(6), no Person may operate a Short-term Rental in any accessory dwelling unit or junior accessory dwelling unit.* ***However, the Operator of a Hosted Short-term Rental may reside in an accessory dwelling unit or junior accessory dwelling unit on the Site and Operate the Hosted Short-term Rental in the primary residence on the Site;***

To allow STR operators to move into an ADU while renting out their primary residence (and thereby treating such as a hosted rental) is a misuse of an ADU, as well as a gift-wrapped loophole to avoid unhosted STR restrictions. Allowing an ADU to be used in such a fashion doesn't provide a net increase in Pacifica's affordable housing supply. It simply provides one more crack in the new STR ordinance that will be ripe for exploitation.
<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

Please recommend that STR operators not be permitted to exploit ADUs in this fashion.

IV.“Hosted” STRs Must be Subject to Inspection Alongside “Unhosted” STRs

Sec. 9-4.4904 Short-term Rental Permit Required

> <!--[if !supportLists]-->*(d)* <!--[endif]-->*Inspection of Unhosted Short-term Rentals. For Unhosted Short-term Rentals, the City shall conduct a health and safety inspection of the proposed Short-term Rental unit prior to issuing a Short-term Rental Permit. A health and safety inspection shall include verification of the number of Legally Permitted Bedrooms, the presence and operation of working smoke detector(s), carbon monoxide detector(s), and fire extinguishers. The City shall also verify that no space has been converted into a bedroom or living space without permits required by the California Building Code, International Property Maintenance Code and Residential Code, as adopted by the City in Title 8, or any other provision of this Code.*

If the goal is to ensure STRs are up to code in terms of health and safety requirements, then I fail to understand why the City wouldn’t also want to inspect those STRs whose operators claim they will be hosted. Is the health and safety of guests who stay at hosted STRs any less important than those who rent unhosted ones? Given city staff’s past truthful assertions that such a small percentage of Pacifica STRs are hosted, it doesn’t seem as this would add much extra work.

Furthermore, how will the City know for certain if an STR is, indeed, a hosted variant, if they do not inspect the property? We already know of STR owners/operators in Pacifica who have applied for permits to run hosted STRs in other cities (i.e., Brisbane) and who were subsequently caught out not actually residing at what was claimed to be their primary residence via an on-site inspection. Once Pacifica’s new ordinance goes into effect, requiring an STR operator’s rental property to be their primary residence, what is the likelihood that many operators of currently unhosted STRs will suddenly claim those properties are now, magically, their primary residences and so are, in effect, hosted STRs? I fear it’s a pretty high likelihood and propose that Pacifica guard itself against such fraudulence by requiring annual on-site inspections—to be paid for by the STR owner/operator--of both unhosted AND hosted STRs.

Please recommend that the language to this section require annual inspections of both hosted and unhosted STRs.

V.Operators Whose STR Permit Has Been Revoked Should Have to Wait 24 Months—Not 12—Before Reapplying

Sec. 9-4.4904 Short-term Rental Permit Required

> <!--[if !supportLists]-->*(f)* <!--[endif]-->*Compliance with Operation Requirements. No Short-term Rental Permit shall be issued if the Site has had two or more violations of this article within twelve months prior to application submittal. No Short-term Rental Permit shall be issued if the Operator has had a Short-term Rental Permit revoked within twelve months of the application date by the City of Pacifica.*

and

Sec. 9-4.4908 Permit Suspension and Revocation

> <!--[if !supportLists]-->*(e)* <!--[endif]-->*Reapplication. No application for a Short-term Rental Permit will be accepted within one year after a Short-term Rental Permit is revoked.*

If an STR operator has behaved so poorly as to have had their permit revoked, why would we want to invite them back to do business again in our city in as quick a period as 12 months—especially given the time and money the revocation process will take? Operating an STR in Pacifica should be seen as a privilege and respected as such. **Please recommend that staff amend the language above to indicate a waiting time of 24 months to reapply after permit revocation**.

VI.Two Strikes Within a 24-Month Period--Not a 12-Month One--Triggers Permit Revocation

Sec. 9-4-4908

> <!--[if !supportLists]-->*(b)* <!--[endif]-->*iii. That two violations of this article have occurred on the Site within the preceding twelve months;*

Are we honestly prepared to allow any STR operator who has had two ordinance violations within a one-year period to merely hit the "reset button" when January 1st rolls around and perhaps start the malfeasance over again, with no real consequences? By this accounting, an STR operator could ostensibly commit four (4) ordinance violations within a 24-month period with only a proverbial slap on the wrist. How many of us would keep on staff an employee who committed four (4) illegal acts within a 24-month period? Not many, I'm betting.

Please recommend that staff amend the above to read, "That two violations of this article have occurred on the Site with the preceding twenty-four months."

Additionally, please ask staff to address and codify what role residents will be permitted to play in the STR permit revocation process. Will city staff accept videographic and photographic evidence of ordinance violations from neighbors of STR properties? Will affected residents be able to attend permit revocation hearings and present evidence there? Currently, Pacifica's permit revocation process is a murky one, where neighbors of problematic STR properties often feel their complaints to the city do not result in any real or sustained penalties to the STR owner/operator.

Code Enforcement and our Police officers cannot be everywhere at all times. With this new, more restrictive ordinance in place, the city will need the help of residents to monitor and report on STR ordinance violations more than ever. I hope that we will be afforded the respect and attention we deserve.

VII.An STR's Responsible Party Must Be "Local"

Sec. 9-4.4905 Operation Requirements

(c) The Operator shall, at all times while the Site is being used as a Short-term Rental, maintain a Responsible Party that can be reached via telephone twenty- four (24) hours a day, seven (7) days a week, to respond to complaints regarding the use of the Short-term Rental. The Responsible Party

shall respond, either in person, or by return telephone call, within thirty (30) minutes of a complaint. The Operator can be identified as the Responsible Party if they can satisfy these requirements;

Allowing an STR Responsible Party to limit their accountability to returning a telephone call within thirty (30) minutes dilutes significantly the purpose of said Responsible Party. For instance, the corporate-owned and -operated unhosted STR next to me has an 855-number that is claimed to be manned 24/7. When I have called it in the past and someone has actually answered the phone (in my experience, late at night no one answers it), I have more often than not ended up speaking to someone in an overseas calling center.

Please compare Pacifica's proposed language to the following language in Half Moon Bay's ordinance:

5. Operation Requirements

g. Responsible Party. For hosted short-term vacation rentals, the operator shall be the

host and the responsible party. For unhosted short-term vacation rentals, the responsible

party may be the property owner, operator, or the operator's agent. In all cases, the

responsible party ***shall be a local contact person*** *who shall meet all of the following*

minimum qualifications:

//UBF8T346G9.ms/WebArchiveCopyPasteTempFiles/com.microsoft.Word/page4image6904112"/> <!--[if !vml]--> <!--[endif]-->

i. Be available twenty-four hours per day and seven days per week when the short-term vacation rental is in operation; and

ii. ***Be accessible and able to respond in person at the short-term vacation rental***

within a reasonable time (approximately twenty minutes) *to any complaint regarding*

the condition, operation, or conduct of occupants of the dwelling; and

iii. ***Be responsive to take remedial action*** *necessary to resolve any violations of the requirements of this section.*

Please recommend that Pacifica's new STR ordinance include language requiring that a Responsible Party: 1) be "local"; 2) be able to arrive at the property within 30 minutes of being alerted to an issue requiring an in-person intervention; and 3) be able to take all remedial action necessary, up to and including the eviction of renters.

VIII.Visitors of STR Renters Must Be Prohibited During Quiet Hours

Sec. 9-4.4905 Operation Requirements

(m) <!--[endif]--*>In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not exceed one half of the maximum Short-term Renters allowed;*

This is requirement is good, but it doesn't protect against STR renters having visitors arrive at all hours of the day and night, thereby leaving neighborhoods prey to STR "party houses." Should STR renters be allowed to have visitors arrive at midnight or 3 a.m.? (NB: I have experienced this very thing courtesy of the unhosted STR next to me.)

Please recommend that city staff amend the above to include language stating that **visitors and guests of STR renters are not permitted between the quiet hours of 10 p.m. and 7 a.m.**

IX.Reduce the Number of Nights of Operation for Unhosted STRs from 90 to 60

Sec. 9-4.4905 Operation Requirements

(t) <!--[endif]--*>Unhosted Short-Term Rentals. The following additional operation requirements shall apply only to Unhosted Short-term Rentals:*

i. *An Unhosted Short-term Rental shall be Operated no more than ninety (90) nights per calendar year, commencing on January 1st of each year.*

As you are likely aware, Half Moon Bay's STR ordinance restricts unhosted STRs to a total of 60 nights of operation per year. This was done to protect housing stock and to mitigate the negative effects of unhosted STRs on neighbors and community. (In fact, in a surprising turn of events when HMB's STR ordinance was presented to the CCC in 2022, the Commissioners sided with the city against their own staff by granting HMB the 60-night limitation even when the city was willing compromise with Commission staff on a limit of 120 nights.)

If City Council's goals are truly to protect housing stock and mitigate the negative effects of unhosted STRs on neighborhoods and community, then our ordinance must restrict unhosted STR operations to 60 nights.

Please take the following into consideration: 90 nights of operation means a whole-house, unhosted STR in Pacifica is in business **45 out of 52 weekends a year**. Or, when factoring in major holidays, **35 weekends, plus a two-night stay for every major holiday**. Of course, the property isn't going to lie fallow the other 275 nights of the year. The owner/operator will likely rent it out on a 31-night, mid-term-rental basis as often as possible. All that results in significant rental profit that will NOT de-incentivize corporations and out-of-town investors from purchasing or hanging onto property to operate as unhosted STRs in Pacifica.

Furthermore, in city staff's December 5, 2024 report (Packet Page 10), which recounts the November 2024 meeting with CCC staff, it was stated that CCC staff "requested clarifications on the City's preference of a 90 day over a 60 day limitation." This implies that even the CCC staff is perplexed as to why Pacifica is not seeking the same 60-night unhosted limit as HMB.

Please recommend that the number of nights an unhosted STR may operate in Pacifica be reduced from 90 to 60.

X. Add "Nuisance" to Description of STR Operations that Trigger Permit Revocation

Sec. 9-4.4908 Permit Suspension and Revocation

1. *(b) Permit revocation. The Administrator may revoke a Short-term Rental Permit, at the Administrator's sole discretion, after making a determination that the Operator has violated any of the provisions of this article or is operating the Short-term Rental in a manner that is detrimental to the public health, welfare or safety* ***or constitutes a nuisance****. A Short-term Rental Permit may also be revoked for the following reasons:*

<!--[if !supportLists]--> ***iv.*** <!--[endif]--> ***That the Short-term Rental is being operated in a manner that is detrimental to the public health, welfare or safety;***

City staff have long been unwilling to cite STRs for being neighborhood nuisances and defining "compliance" almost exclusively in terms of the payment of TOT and permit and business license fees. Poorly run unhosted STRs with out-of-town owners/operators account for myriad complaints to our police force and Code Enforcement, and many of them are bona fide public nuisances. **Therefore, I am concerned about the omission of the word "nuisance" in iv. above and respectfully ask that you please recommend "or constitutes a nuisance" be added to this provision.**

XI. No Waiting Until October Permit Renewal Date for New STR Ordinance Provisions to Take Effect

Sec. 9-4.4911 Application of Ordinance to Issued Short-term Rental Permits

(a) Areas outside the Coastal Zone. Upon the Effective Date of this Ordinance, the following provisions of this Ordinance shall be immediately applicable to all Short-term Rentals in areas outside the Coastal Zone: Sections 9-4.4900, 9-4.4901, 9-4.4902, 9-4.4903(a) and (b), 9-4.4904, 9-4.4905(a) through (k), 9-4.4906, 9-4.4907, 9-4.4908, 9-4.4909 and 9-4.4910. ***All other provisions of this Ordinance (Sections 9-4.4903(c) through (f) and 9-4.4905(l) through (t)) shall not apply to Short-term Rentals that have been issued a Short-term Rental Permit prior to the Effective Date of this Ordinance until that Short-term Rental Permit is renewed, terminated, or revoked.***

(b) Areas within the Coastal Zone: Upon certification by the California Coastal Commission of an amendment to the City's local coastal program relating to the adoption of this Ordinance, the following provisions of this Ordinance shall be immediately applicable to all Short- term Rentals in areas within the Coastal Zone: Sections 9-4.4900, 9-4.4901, 9-4.4902, 9- 4.4903(a) and (b), 9-4.4904, 9-4.4905(a) through (k), 9-4.4906, 9-4.4907, 9-4.4908, 9-4.4909, and 9-4.4910. ***All other provisions of this Ordinance (Sections 9-4.4903(c) through (f), 9-4.4905(l) through (t)) shall not apply to Short-term Rentals that have been issued a Short-term Rental Permit prior to the date of Coastal Commission Certification until the Short-term Rental Permit is renewed, terminated or revoked; or two years from the date of adoption of the Ordinance, whichever is earlier.***

According to the bolded sections above, none of new STR operating requirements that will provide relief to the community and protect Pacifica's housing stock (e.g., primary residence requirement, limit of nights for unhosted, one STR per owner, maximum guests per bedroom, off-street parking requirements—even

requiring quiet hours for pools and spas) **will take effect, for all intents and purposes, until the current STR permits expire in either October 2025 or October 2026.** While I understand the idea of some amnesty period for a portion of the new restrictions, I find it unconscionable to ask residents suffering from disruptive unhosted STR activity to be forced to wait until October 31, 2025 for those living in the non-coastal zone and, ostensibly, until October 31, 2026 for those living in the coastal zone, to be afforded the relief for which they have been clamoring for years.

Please ask city staff to clarify why these delays are being proposed—especially in light of how the community and City Council had been calling out for most of last year the fact that city staff was moving forward with permit approvals last October in a "business-as- usual" fashion instead of delaying the permit renewal process while the new ordinance was being drafted.

In closing, I'd like to point out how disappointing it is to read in city staff's January 21, 2025 report and resolution prepared for the Planning Commission the repeated overstatement of, in a number of fact-free assertions, the benefits of short-term rental tourists on the local economy. Further, staff ignores work from other cities, such as San Francisco, that demonstrate **unhosted STRs have a net negative financial impact because tourists don't spend money or support local businesses and communities the way permanent residents do** (please see the study done by the San Francisco Office of Economic Analysis https://sfcontroller.org/sites/default/files/FileCenter/Documents/6458-150295_economic_impact_final.pdf?documentid=6457).

To this point, city staff has been heard to say at Council meetings, "Pacifica's not San Francisco." True, it's not; but Pacifica is also not the Moon. It doesn't exist in some strange, inverted time/space vacuum where the normal rules of commerce and economics don't apply. **Tourists visiting Pacifica simply don't spend money in the same way OR at the same volume or level of consistency that Pacifica's full-time residents do.** In fact, a study done by the Economic Policy Institute (https://files.epi.org/pdf/157766.pdf) concluded that "the economic costs Airbnb imposes [upon a community] likely outweigh the benefits."

And while the staff report states correctly that "STRs provide supplemental income opportunities for Pacifica residents," it fails to note that the large majority (**87%** per the last count done by Pacifica Homes Are Not Hotels https://www.pacificahomesarenothotels.org) **of STR owners/operators in Pacifica are NOT residents.**

Further, staff's bemoaning the potential loss of compliant hosts while not acknowledging the cost-savings of purging non-compliant hosts is troubling. How much money will the city save through no longer having to chase non-compliant operators for their TOT and/or whose bad behavior expends Police and Code Enforcement resources? Isn't there a significant cost-saving benefit from having fewer of these?

These **decidedly biased sentiments and fact-free assertions** about STR impact on our local economy are **regurgitated in Sections 3b. i-vi and 3c. i-iv of the Resolution** created for the Planning Commissioners' signatures. **I hope that the Commission will ask for those sections to be struck from the Resolution or, at the very least, require staff to provide a report created by an outside, objective consulting firm to verify staff's grandiose claims before signing.**

Finally, it's frustrating to see nowhere, in either the staff report or draft ordinance, language **requiring accountability from STR platforms** like Airbnb, VRBO, Booking.com, and even from smaller ones like Marbella Lane Vacation Rentals (https://www.marbellalane.com). I understand it's daunting to imagine taking a Goliath such as Airbnb to court, but shouldn't Pacifica at least maintain the option to do so—or to at least grant a private right of action to its citizens to do so—especially if Airbnb and other platforms continue making a profit on unpermitted STRs, i.e., illegal activity?

If you have read this far, **THANK YOU!** I am grateful for your time and service to our community.

Sincerely,

Caitlin Quinn
West Sharp Park

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: mark stechbart
To: Public Comment
Subject: Jan 21 planning STR testimony
Date: Monday, January 20, 2025 3:50:00 PM
Importance: High

[CAUTION: External Email]

STRs have zero neighborhood support. No one clamors for STRs. In fact, I defy anyone of find a municipality anywhere in US that is expanding its STR program.

Best solution is abolish. City generally incapable of enforcement (only late 2024 did city wake up, and no hearings I am aware of. 916 Park Pacifica did not have a hearing even after 50 people and 25 cars at a wedding, amplified music you could hear for 500 yards..)

Otherwise make enforcement easy for PD and neighbors.

The resolution in the 1/21 commission report reads glowingly about arguably false and certainly unproven "attributes" of STRs. **Reads like an ad for AirBNB**. Never know Council has been bombarded for over a year with a severe litany of neighborhood complains. Neighborhood complaints were casually glossed over by staff.

Res sections 3B and C. Strike. This ramp-up of STR unearned positives probably will tie council hands in the future when more restrictions will be needed. STR operators will say, look city loves us, what right or reason does council have to finally wake up and restrict? This language is untrue and a trap.

Staff complaint: city addicted to tot revenue. Admin costs high. Too bad. Neighborhoods come first. Make program self sustaining: increase tot and fees to cover.

ADU use shift. Strike. ADUs are designed to increase affordability. Staff wants ADUs to morph into a haven for operators and not affordable renters. Vacated operator primary dwelling at same address becomes a STR? Is this "new" str" unhosted? Worst of all worlds: lose a rental ADU, convert a single family home into an unwanted STR for transients. Is the ADU vacated when "owner" "operator" moves back

into the primary residence when STR period expires? What a mess. A single family home moves to STR and not available even for a rental family. A ADU is moved off the rental market to a contrived STR operator residence.

Institute a citizen oversight advisory committee because the neighborhoods are more active and focused on STRs than either Council or staff.

Retain current pretty solid noise ordinance Chapter 10, Title 5. No noise off perimeter. Sounds carry long distances in most neighborhoods. STR occupants on vacation do not care about neighborhood impact—they are on vacation and having fun= noise and neighborhood insensitivity.

Staff has this fixation with 10PM to 7AM time periods. That does not work in my neighborhood.

Chapter 10, Title 5 prohibits any noise that is annoying. Strike all noise and outside use references to 10PM to 7 AM. Zero noise outside property perimeter 24/7. No outside use at all 7PM to 9AM.

Policy Considerations:

Number of days 60. No more. 90 is an artificial guess for no compelling reason, benefits speculative operators and only prolongs neighborhood annoyance.

Parking: appears no on-street parking permitted for occupants. But visitors totally unregulated.

Very supportive-- • Primary Residence Requirement.

Oppose-- • Weak Occupancy Limits: not counting kids a fool's errand.

The updated Ordinance should contain a provision restricting STR occupancy to a maximum of two occupants per bedroom. The maximum occupancy requirement would not apply to children under the age of twelve.

2 people per bedroom puts 916 Park Pacifica at 8 people when census

average is 2.7. Why give away the store to out-of-town speculators?

Don't count kids? How about the several sports teams who have visited 916 Park Pacifica with 10 or more kids? What exactly does a 12 year old look like? Who is going to demand id?

Is PD going to roll up on house in Jan at 10PM to count occupants and ages? PD can't get into house and cannot force everyone out. On Nextdoor, I will urge all neighbors to complain about occupancy to always call PD and have PD sort it out. Totally unenforceable. Why have occupancy limits with unlimited sleeping bags in the living room?

Under new improved Pac ordinance, 916 will contain 8 adults and unlimited kids. 20-30 total??

STR Density: 1000 ft separation.

No day visitors taking additional street parking places, and exceeding house limits.

Why have 2 per bedroom, unlimited kids plus visitors? So 916 could have 8 adults, 20 kids plus 14 visitors (visitors half of legal occupancy with unlimited cars on street) = 42! Who is going to count??

Identify and inspection of hosted and unhosted-- -- . All repair work needs to be licensed and to code. Safety equipment applies to both. Hosted need an identification plaque, biz license, proof host actually owns house and is in it, etc.

Hearings, documents and locator map: City has had no public hearings and avoided responsibility for years Re 2018 enabling ordinance assurances. Hearings must be noticed and open to public. **All permit apps and docs on city website, with locator map.**

No provision for public to learn about a violation hearing or testify at violation hearing. No provision for public to appeal a weak hearing officer decision.

Locator map: https://www.arcgis.com/apps/instant/basic/index.html?appid=a8c0865543ba41feb95ba23dba899a5e

Advisory oversight committee is required. Hearings public.

Management contact, responsible party (RP) : in person within 30 minutes. Operator/ RP will always say in person not needed, so make in person mandatory. PD should be first call. If PD not first call, PD must accompany all RP in person visits to document. Otherwise violations glossed over, not in city administrative file and forgotten. Then permit revocation strikes will be meaningless.

Enforcement Procedures for Unpermitted STRs – reveal city enforcement plan, otherwise neighbors will develop a hunt program and post on Nextdoor.

Plaque on house identifying property as STR or hosted.

Details: max occupancy, max cars, PD phone, manager name and phone, no noise off perimeter. **A QR code is useless after dark or in the rain in January.**

See new ord 9-4.4905

Sections l, m,n o

Maximum overnight occupancy for all Short-term Rentals shall not exceed two (2) Short-term Renters per Legally Permitted Bedroom. Children under the age of twelve (12) shall not count towards these occupancy limits;

--not counting kids weak, discussed above

In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not exceed one half of the maximum Short-term Renters allowed;

With unlimited kids, sky is limit for visitors with massive on-street parking problems looming. Discussed above

Use of all outdoor pools, spas and hot tubs shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.;

Strike: conflicts with Chapter 10 and certainly hijacks current neighbor practices.

Any machine, device or equipment that amplifies music inside any Short-term Rental shall not be heard beyond the property line of the Short-term Rental at all times;

This works and must be applied to all noise and activities inside or out.

publication: no one in Pacifica reads san mateo daily journal. No one reads Pac tribune either. For legal publication, Daily Journal is required. But for proper public disclosure, use Nextdoor. City publishes all sorts of chatty communications on ND. Staff knows how to use ND, just doesn't want to.

mark stechbart
mstechbart@msn.com
[redacted]

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From: Gary Furlong
To: Hauser, Samantha; Ferguson, Alex; Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris
Cc: _City Council; Public Comment; Beckmeyer, Sue; Bier, Mary; Boles, Christine; Espinosa, Mayra; Wright, Greg
Subject: Item 1: Repeal and Replace Article 49, Short Term Rentals
Date: Monday, January 20, 2025 10:08:26 AM

[CAUTION: External Email]

Planning Commission Chair Samantha Hauser, Vice Chair Alex Ferguson and Commissioners,

It is my understanding that on Tuesday evening, January 21, you will be reviewing the draft of the new city ordinance in regards to Short Term Rentals (STRs) in Pacifica. It is past time that we officially recognize that neighborhoods are for neighbors and not for hotels; the blight of unhosted STRs has had a significant impact on the quality of life in our neighborhoods and has also robbed the city of Pacifica of much needed housing during a housing shortage. I encourage you to review this new ordinance with an eye toward ensuring the quality of life in our neighborhoods and encouraging that our houses are used for homes, not for hotels.

In reading through the staff report there are some things that I feel the need to highlight.

* On packet page 127 there is a reference to, "....STRs have *historically* been a major contributor to the City's revenue..." (emphasis mine) Balderdash. To refer to anything dealing with the modern version of STRs as "historical" is just odd as they have only been around in their current, unhosted, full-time form for a few years. Yes, the city has collected TOT from STRs for the last few years but at the expense of our neighborhoods and, overall, at the expense of the city itself. The AirBnB data that was shared in a letter in the agenda packet for the August 26, 2024 City Council meeting noted that "A typical Host on Airbnb in Pacifica has guests for a little over three months a year...". Which financially benefits the city more: an STR that is rented out for an average of a little more than 3 months a year or a house that is occupied by a family 12 months of the year? We hear that tourists support our businesses and that's true when they're here; a house that's used for a family does the same thing (and more!) twelve months out of the year. Not only do they visit the coffee shops they also visit the vet offices, the dentist office, the dry cleaners, the hardware stores, and so on and so on. Plus when a house is occupied full time there's a chance that will mean more children in our beleaguered school system. Right now the local school system is debating closing one of their facilities due to declining enrollment, something that unhosted STRs have made worse by displacing families with children. I would point out that numerous other cities have already passed similar ordinances and have emerged stronger for it; Pacifica is not "breaking new ground", instead we're bringing up the rear of the line.

* On packet page 130, under "Neighborhood Impacts" it says: *To address community concerns and ensure STRs operate in a compatible manner with existing residential uses, the Draft Ordinance significantly expands STR operation requirements, including differentiating operational requirements for hosted and unhosted rentals." (emphasis mine).* Elsewhere in this document reference is again made to the difference between hosted and unhosted. This has me confused. This draft specifies that an STR must be a primary residence and that it can only be an unhosted STR for three months per year (90 days); is that what is being referenced in the above citation? As I understand it, going forward there will be no full time unhosted

STRs. So what is the operational difference that is being referenced?

* On packet page 131 it is stated, "*However, the Draft Ordinance would allow the Operator of a Hosted Short-term Rental to reside in an ADU or Junior ADU and operate the STR in the main residence on the site where the STR is located...*" Very serious thought needs to be given to allowing this to happen (the owner of an ADU to move into the ADU and then use their main residence as an STR). Pacifica's ordinance authorizing ADUs is clear that the specific purpose of ADUs is to increase the availability of affordable housing (Section 9-4.451(c) PURPOSE). The city ordinance plainly envisions an ADU as providing the city with an additional, and affordable, housing unit. The city ordinance specifically prohibits using an ADU as an STR (Section 9-4.453 (6) Development Standards,"If any accessory dwelling unit is rented, terms of rental shall not be less than thirty (30) consecutive days..."). Allowing this switch around is just a way to get around this, which will reduce our housing stock during a time when we're in need of more housing stock, particularly affordable housing stock. (This issue is also addressed on packet page 145, Sec. 9-4.4903, item "a").

* In regards to the financial cost to the city of administering this program it is important to remember that the STR program is a for-profit enterprise. As such the STR permit holders should bear the full cost of the program. It may well be that the city would want to consider a graduated scale for permit cost, perhaps based on how many bedrooms are being rented, but the entire cost should be allocated to the program itself.

* Packet page 149, item (c) Mandates a 24/7 responsible party who must respond to complaints within 30 minutes by phone or in person. I have read through a great many city ordinances dealing with STRs. Our version of the "person on call" is extremely odd in that it doesn't state that someone must be available IN PERSON within a set period of time, usually within 30 to 60 minutes. A phone call will not always get the job done, sometimes someone must go there in person and deal with the situation. Please check a variety of other STR ordinances and you'll see that while many allow for a phone call first, almost all then require someone to show up in person within no more than 60 minutes (and some require within 30 minutes). If there is a problem with a temporarily unhosted STR at 3am the neighbors have the right to know that someone is going to quickly resolve the issue instead of letting it drag on the rest of the night while phone calls go back and forth. The way the ordinance is currently written just begs for STR owners to forward their phone to their vacation rental in some foreign country; good luck with getting anything resolved by someone 4,000 miles away.

* There must be an inspection of all STRs to ensure compliance with the ordinance, this is just common sense.

* While it is essential that the ordinance require the posting of permit numbers on all forms of advertising, the city also needs to work out the details of platform accountability. Other cities (such as San Francisco) have been done this, has defended it in court and it has worked. If Pacifica modeled their platform accountability on what has already been proven legal in court, such as San Francisco's, then it would ensure its success.

* I would encourage the Commission to consider recommending that the City change its proposed ordinance to only allow 60 unhosted days per year instead of 90. 90 unhosted days is essentially 3 months per year that a house can be an unhosted STR (for example, all of June, all of July and most of August), or, to look at it another way, 45 out of 52 weekends per year.

That's just too much time. The emphasis has got to be on preserving our neighborhoods and their quality of life. Neighborhoods are built on the continuity of everyday life, something impossible to achieve when some of the houses are rented out to strangers for up to 3 months a year with no host onsite.

* Packet page 150, item (m): *In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not exceed one half of the maximum Short-term Renters allowed.* This needs to be amended to say, "No guests are allowed between the hours of 9pm and 8am." Without a time restriction on visitors then "visitors" can spend the night and it not count toward the total number of people allowed in the STR overnight, after all they're just "visiting", right? If a house has two STR bedrooms then there can be a total of four adult "renters" plus two visitors for a total of six that can spend the night, if there isn't a time restriction on visitors.

* Packet page 144, item (j) under definitions. "*"Person" means natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity*." So the ordinance is defining basically anything as a person? How does this reconcile with the operational requirement listed on packet page 130, "*Requires STRs to be primary residences*."?

* Packet page 138: (starting on packet page 137 under the heading, "The Planning Commission hereby finds..."), under item "b", numbers "ii" and "iv" cannot be determined without the city authorizing a comprehensive cost analysis of the impact of STRs on the city's finances and thus these should be stricken from this document. While unhosted STRs do bring in some TOT, they do so at the cost of displacing people who want to own, or rent long-term, houses to live in; people who would be shopping here, paying taxes here, sending children to our schools, etc. In addition, there is also good reason to believe that hotels have limited their presence here due the competition of largely unregulated, unhosted STRs. Based on the work that has been done elsewhere there is actually good reason to believe that unhosted STRs actually cost the city more than they produce (in terms of revenue) when the total picture is considered. Again, without a comprehensive cost analysis it is fallacious to make the above listed claims. Just stating that something is true doesn't actually make it so.

I would also ask the commissioners to do all within their power to encourage the city to begin looking at bringing additional hotels into our city. Now that we'll be able to offer the hotels some assurance that they won't be having unregulated competition from unhosted STRs I would think that the chances of developing new hotels would increase significantly.

Thank you for your consideration in this matter.

Regards,
Gary Furlong

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From:	Remi Tan
To:	City Council; Public Comment
Subject:	Comment Pacifica Citty Council Meeting agenda - Mayor
Date:	Monday, January 20, 2025 12:18:57 AM

[CAUTION: External Email]

Dear City Council: I would like to comment on the upcoming agenda item on the mayor pro tem appointment.

I heard that the city council meeting on 12/09/24 that Councilmember Boles was passed up for mayor pro tem for this year in favor of Councilmember Bier. This does not make any sense and does not follow typical and historical protocol of the rotating mayor and mayor protem. I am happy to see the city council has decided to revisit the appointment for mayor pro tem on the next council meeting.

Councilmember Bier have previously served as Mayor in her previous term and was re-elected in 2022 with the term ending in 2026. Councilmember Boles was elected in 2022 with term ending in 2026 and never has served as Mayor. Council member Wright and Espinosa were just newly elected in 2024 with term ending in 2028. (Councilmember Beckmeyer was the previous mayor pro tem last year and now is mayor, following protocol.)

As Councilmember Boles is the most senior councilmember that has not served as mayor, it is logical and following typical historical protocol that she should be appointed mayor pro tem.

There was conversation at the last meeting where some of the councilmembers thought Councilmember Boles was" not ready" to be Mayor. This is farthest from the truth. Councilmember Boles is probably the **most qualified** to be Mayor and lead our city though hard times. Over the last two years, she has carefully read and analyzed all agenda packet items and, she has asked staff, engineers, project applicants the hardest, most detailed questions on issues, projects that come before council and thus she has done the most out of all the councilmembers to protect our city and make sure we get the best resolutions on issues and the best projects for the city and our citizens and businesses.

Plus her constituent newsletters are detailed and informative and keeps us constituents well informed of all local issues affecting the city and our district. We never gotten newsletters from our previous councilmembers, so this was very refreshing.

I urge the council to vote and appoint Councilmember Boles as our mayor pro tem this year. This would allow her to be mayor in 2026 in the last year of her current term.

Thank you and Best Regards,

Remi Tan, AIA, LEED AP BD+C
Architecture, Green/Sustainability Consulting, and Real Estate Investment
[redacted]

District 2 Pacific Manor/Edgemar

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From:	Updegrave, Samantha
To:	Public Comment
Subject:	FW: Letter Opposing Short-term Rental Program Amendment (article 49 replacement)
Date:	Sunday, January 19, 2025 4:00:51 PM
Attachments:	Letter Opposing STR Program Ammendment.pdf

From: Pacifica for Responsible Tourism <russellj@pacificatourism.org>
Sent: Friday, January 17, 2025 5:35 PM
To: Hauser, Samantha <hausers@ci.pacifica.ca.us>; Ferguson, Alex <fergusona@ci.pacifica.ca.us>; Redfield, Chris <CRedfield@ci.pacifica.ca.us>; Devine, Daniella <ddevine@ci.pacifica.ca.us>; Godwin, James <godwinj@ci.pacifica.ca.us>; Berman, Lauren <bermanl@ci.pacifica.ca.us>; Updegrave, Samantha <supdegrave@pacifica.gov>
Cc: Woodhouse, Kevin <kwoodhouse@pacifica.gov>
Subject: Letter Opposing Short-term Rental Program Amendment (article 49 replacement)

[CAUTION: External Email]

Dear City Planning Commission Members,

Please see our letter outlining concerns with the STR Program Amendment (attached below). We are urging all members of the Planning Commission to "vote no" on this amendment and have outlined, in the attached letter, our concerns and requests before voting on the matter this Tuesday, January 21, 2025.

We understand the time constraints of your role, but please realize our group represents over 100 STR operators and local businesses — therefore we ask that these concerns, before the vote, be given consideration.

We do appreciate your time.

Sincerely,

Russell Jones
Pacifica for Responsible Tourism
http://www.pacificatourism.org

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Friday, January 17, 2025

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Pacifica for Responsible Tourism
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To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit. We believe this ordinance was hastily drafted based on erroneous assumptions.

We urge the Planning Commission to vote against this ordinance. By returning it to the City Council for a thorough review, we propose that the STR ordinance can accommodate the concerns of residents adversely affected by irresponsible operators while simultaneously allowing responsible actors to contribute essential revenue to our city's budget.

We are a group that represents STR operators. We have collaborated with small business owners and residents in crafting this email, urging you to vote "no" on this ordinance.

In this letter, we will provide detailed analysis of our concerns, including 1) why we feel the ordinance was drafted irresponsibly 2) what we believe the negative outcomes of this ordinance will be and 3) possible compromises to address our concerns.

I. Irresponsible Ordinance

The vast majority of short-term rental operators are good, honest operators who bring a lot of value to Pacifica. In fact, complaints against the roughly 150 tax paying operators center around just 4 of those operators in the city and founded complaints about STR operators make up less than 0.2% of all police complaints in our city.

Furthermore, the revenue generated by responsible operators is substantial. During the Study Session on August 24, a Council Member asserted that the city's short-term rental program was costly and therefore unprofitable. Since the ordinance was passed partially based on this false claim, it would be relevant for the Planning Commission to reject this ordinance on this fact alone.

So let's look at this claim made by the Council Member. The claim that the cost of running the STR programs generates a $40,000 deficit for the city is found on page 76 of the FY23-24 city budget book. Essentially, the permit fees short-term rentals paid amounted to $243,300, while the cost of the STR program was $285,300 — leaving a shortfall of $42,000.

However, the permit fees are just a small portion of what our Airbnb operators contribute. Including the TOT, we generated over $2M, while the city's cost is only $285K. And of course, in addition to ToT there is revenue from tourism dollars that goes directly to small businesses. Any corporation or business would be thrilled to have an operating cost to profit spread like this. Why is Pacifica thumbing its nose to such clear revenue, especially when the city already runs a structural deficit?

As a Planning Commission it is imperative that you pause and consider the irresponsible actions of the City Council in drafting this harmful ordinance. I say this not only as a Short-term Operator, but as a resident and tax payer living and working in Pacifica.

During the Study Session held on August 24, our City Manager, Kevin Woodhouse, said: 'If the City Council passes this ordinance, then next year I will come back to you with an outline of city services that need to be cut.' In essence, the City Council's actions are tantamount to someone discovering they have a minor cockroach problem — so they decide to burn down their house.

Furthermore, the short-term operators who engaged in public speaking and correspondence with the Council were largely disregarded in the final decision-making process. This issue clearly creates a rift within our community, as outlined in the SF Standard article referenced below:

https://sfstandard.com/2024/09/06/pacifica-airbnbs-regulations/

It is important to note that an equal number of residents attended those meetings asking that the Council not create an environment hostile to responsible operators. And yet, in the private words of a Council Member, the regulations drafted 'are designed to make it so onerous to operate an STR that most un-hosted operators will voluntarily withdraw and stop operating in our city.' In other words, there was an implicit bias against all operators whether they had done anything wrong or not.

It is important to clarify that our objective is not to promote unchecked growth in short-term rentals.

- We believe the current cap of 150 total STR licenses per year is good for the city.
- We believe reasonable ordinance updates, like requiring noise meters on the outside grounds and allowing city employees to view meter readings whenever there is a complaint are good for the city.
- We also believe that requiring the host or representative to answer the phone or be on-site within 30 minutes upon receiving a complaint is a reasonable update to our city requirements.

The problem with the 90-day cap on un-hosted operators is that it will drive many good operators out of business — when they have done nothing wrong. The vast majority of these operators only own one property that they operate. It is a lifetime investment. They have acted responsibly and the council carelessly passed a law that will stifle their business and make it impossible to operate at a profit — and this was done intentionally.

In addition to harming a large cross-section of responsible entrepreneurs, this ordinance will impact Pacifica's small businesses. If you review the number of letters from small business owners in Pacifica sent to the Council during their review, they all tell the same story: these businesses regularly have visitors who come into their shops and restaurants who are staying at a local STR.

The group Pacifica Homes Are Not Hotels has repeatedly made the claim that guests at STRs do not spend money in Pacifica. They make this claim with zero evidence. However, attached to this letter, I have included countless reviews from STR guests who outline the many ways they have frequented our small businesses and have come here to enjoy the peaceful quite and beauty of Pacifica (see attached Addendum I).

Of course, there is a common sense approach to this question: of course responsible tourism is good for Pacifica. Of course, $2 million dollars in extra revenue is good for our budget. Of course, it is good to support local entrepreneurs and small businesses who are struggling to survive and have done nothing wrong.

For these reasons, we make the case that this ordinance was drafted and passed irresponsibly:

- The majority of operators are responsible
- The revenue from STR is essential to the economic health of our city

- The needs and concerns of responsible STR operators were ignored during the drafting of this ordinance
- The ordinance was intentionally drafted to force un-hosted operators out of business
- The ordinance will harm the many small businesses who benefit from tourists staying at an STR

II. Potential Outcomes of this Ordinance

We have already outlined some potential negative impacts of this ordinance. First, it was intentionally designed to drive un-hosted operators out of Pacifica. Many of these fellow operators sank their life savings into buying property here to create valuable tourism revenue in our community. It is true, there are a small number of bad actors, however this ordinance does nothing to target unwanted behavior and instead paints all operators with the same illegitimate brush.

Currently our city operates in a structural deficit, to further reduce revenue by driving out good operators who currently generate nearly 5% of our city budget is short-sighted at best. As a Planning Commission, we beg you to consider these implications and place a pause on the former City Council's actions.

In addition, we know several small businesses already submitted written pleas to the City Council, emphasizing the essential role of tourism in their livelihoods. Many of these businesses, particularly those located in District 2, do not have hotels to attract tourists in these areas. They solely rely on local residents, guests from short-term rentals (STRs) and other day-trippers to generate demand, revenue and foot traffic. We ask again that you review Addendum I, which presents numerous, clear written examples of the positive impact these visitors have on our community.

Ignoring these requests will have adverse effects on business. However, there are additional outcomes that are more difficult to quantify but are logically inevitable.

Currently, the housing market in Pacifica is experiencing a shift characterized by extended listing periods. A notable example is a duplex on Beach Boulevard, which remained unsold for an unusually long time, prompting its removal from the market. Several factors contribute to this change, some of which are within our control, while others are beyond it.

One factor that cannot be controlled is the high-interest rates currently affecting the market. However, if the majority of the current 150 Short-Term Rental (STR) operators are compelled to sell due to the inability to generate a profit (as this

ordinance aims to achieve), it will result in an influx of additional inventory into the market at a time when demand is already experiencing a decline.

Furthermore, many of these properties were acquired during periods of high demand and record valuations. If they are purchased in the near future at lower costs in the current cooling market, they will generate lower annual property taxes for the city.

Just as importantly, the current STR operators create affordable access to our coastline. If you read the guest comments we have provided (see Addendum I), you will see many refer to living in the Bay Area and being able to spend the weekend on the coast, visit family nearby, or a desire to get away from the heat in the East Bay. Not only does Pacifica not have hotel inventory to meet this demand, this customer base prefers a whole house option, where they can gather, play board games, watch movies together, go on hikes together, browse local shops and eat at nearby restaurants. The group Pacifica Homes Are Not Hotels are fixated on a few isolated instances where this is not the case. We are providing countless data points to prove the contrary.

It would be difficult to talk about consequences of this ordinance without quoting from the city's own assessment:

> The 90-day rental cap for un-hosted STRs alone is projected to reduce TOT revenue by $850,000–$900,000, assuming all currently permitted STRs continue operating under these conditions — a scenario unlikely given the expected attrition of operators due to these restrictions. Revenue losses in the future could range from $950,000 to $1.2 million annually.
>
> This estimate excludes the broader economic implications of this ordinance on Pacifica's local economy, such as sales tax impacts to visitor-serving businesses, including restaurants, cafes, and retail establishments, who rely heavily on the hospitality sector.
>
> The implementation and enforcement of the revised STR ordinance will likely result in substantial increases in administrative costs. New operational requirements, such as permit cap management, monitoring STR activities, and ensuring compliance, will require additional staff time and resources. The added complexities of the new regulations, such as tracking rental activities, identifying violations, bringing non-compliant accounts into compliance, initiating permit revocation processes, and compiling evidentiary packets for hearings are expected to significantly increase third-party administrative expenses. Preliminary estimates suggest these third-party costs could increase by $50,000–

> $100,000 annually, not counting additional staff capacity that may be required to manage the increased complexities of the program.

In other words, this hastily crafted ordinance, based largely on hyperbolic accusations and demonizing of a majority of highly engaged citizens, will financially be devastating to our struggling economy and housing market. The Planning Commission should vote “no.”

However, there is another less direct negative outcome by allowing this ordinance to pass as is. It is harder to define, but no less real. There is a small group of highly organized, vocal residents. They wield a lot of political power. They show up to every key council meeting, they have organized talking points and they often rely on false information and accusations to move forward agendas that harm Pacifica and are largely designed to keep Pacifica solely for long-term Pacifica residents — and exclude outsiders or newcomers.

I certainly have experienced the impact of this group. They speak about me as if I am less than human because I operate an STR. They are hostile in social media chats, they throw accusations but refuse to provide proof. The council gave them a lot of power when they ignored our concerns and passed an ordinance designed to give them everything they asked for: basically drive out short-term rental operators.

Pacifica already had a good foundation for its short-term rental operations. Revenue was good, we had a reasonable cap of 150 operators. We only had to refine our policy to eliminate bad actors and possibly distribute the STR operations more equitably in neighborhoods. But this vocal group weren’t willing to listen to compromise. They didn’t care who their ordinance affected.

If you allow this ordinance to move forward as is, you give credence to the tactics they utilize. This possibly could be the greatest negative impact.

Pacifica has important issues ahead of us. We have the quarry development, we have a seawall we need to consider, we have tensions on the council around the selection of mayor — with accusations that are outlandish.

This group has learned that spreading misinformation is the way to succeed. It would hopefully reframe future conversations if the Planning Commission were to stop this absurd ordinance and demand that Pacifica take a second look – one that factors in real problems with real solutions. One that eliminates bad actors, but allows responsible hosts to thrive.

III. Possible Compromises

Prior to the enactment of this sweeping and potentially detrimental government overreach, our group meticulously developed several straightforward alternatives. We crafted our proposals after carefully listening to the concerns expressed by frustrated citizens who participated in the Study Sessions. We care about our fellow citizens and want to ensure that no one lives next to an irresponsible, careless STR operator.

We created 6 proposal ideas. All of them, if enacted, would have easily allowed Pacifica to continue enjoying the benefits of short-term rentals, without suffering from any of the outlined grievances of some citizens.

While it may seem irrelevant now that the ordinance has passed the Council, we have included our original 6 Proposals in Addendum II for your review.

We are proud to find that many of these ideas wound up in the new ordinance and we take issue with none of them. The main points in the new ordinance that we take issue with are:

- 90-day cap on un-hosted operations: this makes operating an STR in Pacifica impractical and honestly impossible for almost all current operators
- Primary residence requirement: this requirement should be stricken from the ordinance and is unnecessary
- Sign posted with personal contact information is unnecessary and excessive considering a good host willingly shares this with their neighbors and knows their neighbors personally
- 3 year record keeping requirement for any host seems excessively onerous

As we outlined, these provisions were intentionally designed to drive good operators out of business — and it will. There are a couple of reasonable compromises that we feel will address the concerns of our group concerning the un-hosted requirement:

1. Redefine hosted listing as “owner or representative can be on the premisses within 45 minutes of any and all complaints.”

2. Remove the 90-day cap on un-hosted listings and rely on licensing and penalties to restrict bad operators and thereby leave responsible hosts alone.

Either of these changes to the ordinance will leave us feeling like we have been heard — and the needs of small businesses, city revenues and our hard working STR entrepreneurs in good standing are being acknowledged.

As far as the excessive administrative aspects of this ordinance, they should be removed simply for the benefit of the city, it's tax strains and revenue realities. Few of them offer any real advantage and simply add costs to a city budget already under duress. We have no objection to most of them other than as a tax payer, government corpulence is never a good thing. If the City Planning Commission or Council would like an itemized list of the excessive administrative aspects of this ordinance, I'd be happy to offer a line item assessment upon request.

IV. Summary

In short, tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue. It is an ordinance created in haste, contrary to overwhelming evidence and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city. Please vote "no."

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Addendum I: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some

great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had

all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from

the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural

light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

Addendum II: Our original 6 Policy Proposals

If enacted instead of a 90-day cap, these proposals would have solved any and all concerns residents have with bad actors and would not interfere with revenue generating operators.

Policy 1: Three Strikes and You're Out

Instead of convoluted ordinances that can unfairly hamper every Pacifican's right to use their property in a fair and equitable way, we propose a simple rule to punish bad hosts while protecting the good ones. 3 violations within a 12 month period would result in revocation of a license for 24 months.

Irresponsible hosts have no place in our town. Founded complaints of nuisances like parties or code violations result in:

1st Offense: written notice of a violation

2nd Offense: written notice of violation and fine of $1,000

3rd Offense: notice of violation, fine of $1,500, and revocation of STR permit for 24 months

Once the license is suspended or revoked, if they continue to operate, every day results in another $500 daily fine.

These violations should be applied to the guests, the host, and the property owner. This model has a fantastic track record in places where the city and AirBnB work together to delist STRs without a valid permit.

Policy 2: More Stringent Noise Restrictions

The city already has ordinances that ban noise overnight, but we further propose that hosts are required to install decibel noise sensors on the interior and exterior of their properties and make readings available to the city upon its request for compliance verification. Since this agreement will be included in the business license, refusal to turn over noise detector readings can also be a warning or violation.

The city needs to notify the host and the guest of the noise complaint. Violations are

mailed to the registered business mailing address.

For example, if the police give a citation to loud partiers. A separate fine is also sent to the registered business mailing address of the host. In the past, we were informed by the city that many hosts don't even know the guests were cited for noise violations. This policy ensures accountability on all sides by citing both the instigators and the host and encourages the host to take a more active part in vetting their guests.

Policy 3: Someone Needs to Be Accountable

Each STR must designate someone who can answer the phone within 20 minutes and be onsite within 60 minutes, 24 hours a day, should something come up. This can also become a standard definition for "hosted."

Policy 4: Disallow Hosting Too Many People

We took a unique look at this one, factoring concerns about houses that crammed a lot of guests or built-up rooms to allow for it. The purpose of this is for safety but also to hurt large corporations trying to create party houses. So in that spirit, this policy creates two separate triggers.

Of course, each STR must cap the number of guests it can host to two per bedroom plus one more.

But just as importantly, we advise the city to create a total cap for any short-term rental of 8 total individuals. So in other words, no matter how many rooms you have, there cannot be more than 8 guests per booking. This disincentivizes corporations buying properties and instead focuses on the hosts who are trying to accommodate families looking to create memories here.

We also propose no more than 1 car per legal bedroom with a maximum number of 2 cars per booking.

Policy 5: Keep Multi-unit Buildings For Affordable Rentals

STRs should not be allowed in buildings with four or more units outside of the grandfathering of the 10 STRs currently doing this, so long as they are in good standing, without complaints.

Policy 6: Smart City Planning

STRs should continue to be capped at 150 and not be overly concentrated in any one area. City staff should prepare a study to recommend the STR distribution for our town.

Beyond ordinances, Pacifica needs to push for more housing to be built. Its housing stock has grown by a mere 1% over the past eight years. Developers simply do not want to build in our town, and we believe it results from its lackluster economic growth. For such a beautiful town by the sea, we find this a tragedy. A responsible injection of tourism can change this by bringing in fresh energy and stimulating local businesses. Tourists spend significantly more than permanent residents (think about how you budget for your own daily spending while on vacation versus a more routine day at home). Further, lively towns are diverse towns, with a sprinkle of visitors from other places!The same thoughtful consideration of our concerns were certainly never factored into this ordinance or weighed by Pacifica Homes Are Not Hotels.

City of Pacifica

City Council Regular Meeting

Name BRYAN REINERD Date 1-21-25
Please Print

City: PACIFICA PEDRO POINT

No. of Item on Agenda or Subject: STL ORDINANCE

City of Pacifica

City Council Regular Meeting

Name MARK STECHBART Date 1-21-25
Please Print

City: PAC.

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Caitlin Quinn Date 1/21/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject:

City of Pacifica

City Council Regular Meeting

Name BOB O'DONNELL Date 1/21/25

Please Print

City: 1319 ASPEN DR PACIFICA

No. of Item on Agenda or Subject: SHORT TERM RENTAL ORDINANCE

City of Pacifica

City Council Regular Meeting

Name Cindy Abbott Date 1-21-25

Please Print

City:

No. of Item on Agenda or Subject: HEARING #1 STR's.

City of Pacifica

City Council Regular Meeting

Name Cathy Abel Date 1/21/25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR ordinance

City of Pacifica

City Council Regular Meeting

(2)

Name Russell Jones Date 01/21/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR Ammendment

City of Pacifica

City Council Regular Meeting

Name GARY FURLONG Date 1/21/25
Please Print

City:

No. of Item on Agenda or Subject: STR ordinance

City of Pacifica

City Council Regular Meeting

Name Patricia Beatty Date 03/21/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: TA-127-25 support changes to the regulation against STRs.

City of Pacifica
City Council Regular Meeting

Name Elda Kang Date 1/21/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Lyla Reinero Date 1-21-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: ~~draft~~ STR ordinance

City of Pacifica
City Council Regular Meeting

(1)

Name Arlene Zhao Date 1/21/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Short Term Rental

City of Pacifica

City Council Regular Meeting

Name Alex Vardakostas Date _____
Please Print

City: SF

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Anna Tong Date _____
Please Print

City: ~~Pacifica~~ SF

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Wayne Thai Date 1/21
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR #1

City of Pacifica

City Council Regular Meeting

Name Catherine Burton Date

Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Albert Zhang Date 11/21/25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name Jeff Jones Date 11/21/25

Please Print

City: Pacifica

No. of Item on Agenda or Subject:

A.R 5+6

Public Comments

on Consent Calendar

Written Comments Received By 12pm on 02/24/2025

February 24, 2025

City Council Meeting

From: Sue Digre [redacted]
Sent: Monday, February 24, 2025 6:52 AM
To: Public Comment
Subject: Feb 24 2025. # 3 and Public Hearing

[CAUTION: External Email]

First on agenda.5PM: .....Climate Action Plan
Establish as a top.priority
Traffic Congestion Mitigation.
Attention: We already had/ have Caltrans responsible for providing
Intelligent Traffic Management 21C Systems
(otherwise we were going to hire InSync)
We should insist on the best ITS system asap.
We should encourage working with the Mid Council south of the Tunnel and HMB to also have ITS Traffic controls through to Higway 92.
This is State of the Art Traffic Control Management ITS throughout the world including in California elsewhere too.

Attention: InSync is now hired by CalTrans and we do have an InSync Reb ready to assist.

....Second item: .#3 Consent calendar Measure K funds for transportation issues.
This must include the opportunities for continuing and also enhancing Intelligent Traffic Management Systems .21C technology already procured in Pacifica.TA Funding

Third item...Public Hearing
I support all the Community input from the
Reineros & their outreach.

I would like to add that the Plarform Accountability part consider adding a requirement . That the platform accountability must annually provide an updated data report to the Community and City Council at a City Council.meeting to ensure that the Community Choices voted on this evening are being maintained yearly.
Otherwise like the ITS we voted on and got years ago will be an elusive requirement .We must know the status of progress orr not at a all times.

Sue Digre

Public Comments

on Items Not on Posted Agenda

Written Comments Received By 12pm on 02/24/2025

February 24, 2025

City Council Meeting

From: Frank Vella [redacted]
Sent: Monday, February 24, 2025 9:05 AM
To: Public Comment; _City Council
Subject: Mandated Programs

[CAUTION: External Email]

Mayor Beckmeyer and City council members,

Certainly, we all want to be environmentally conscious, and it is an important aspect to implement programs to do so, please be aware of the cost of the programs that are being suggested to be implemented on property owners, tenants and businesses. We need to be understanding of the financial ability of our citizens and make reasonable suggestions for implementing any programs that we come up with. I do understand that there is a Joint Study Session today regarding Climate Action and Adaptation Tas force. https://www.cityofpacifica.org/Home/Components/Calendar/Event/1636/18

Please refer to the following;
www.sccaor.com/electrification

This is a review of what the Bay Area Air Quality Management District is looking to adopt regarding gas water heaters and gas furnaces. These programs may be what should be encouraged by cities but not mandated. Mandating these programs may entice many property owners and tenants to make these changes without permits to avoid the time and cost to make these changes. Please note that the percentage of carbon monoxide in the atmosphere is 0.00042% according to the annual report from NOAA's global monitoring lab.

A cost review by the Santa Clara Association of Realtors showed that the cost of replacing a water heater could cost from $1,000 to $7,000. A heating system could cost from $4,500 to $40,000. Rewiring can run from $3,650 to $22,000. Electrical panel upgrade can run from $3,000 to $15,000. These estimates were done in 2022, certainly these costs are much higher now. PG&E is notoriously known for taking extremely long in facilitating upgrades when these things happen. This is based on taking the time to upgrade. Think of what may be needed or the cost if one had to do an upgrade immediately. The mandate is wrong to put on homeowners who are not prepared for unexpected repairs.

Sincerely,

Frank Vella

Frank Vella

Senior Sales & Leasing Associate

[redacted]

CA DRE# 01104977

Starboard
CRE
49 Powell Street, 4th Floor
San Francisco, CA 94102

starboardcre.com

SF HomeLife, Inc
1005 Terra Nova Blvd, Suite A
Pacifica CA 94044
SFHomelife.com

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Public Comments

Item 5 - Short-Term Rentals (STR)

Written Comments Received By 12pm on 02/24/2025

February 24, 2025

City Council Meeting

From: Pete Shoemaker [redacted]
Sent: Friday, February 14, 2025 3:43 PM
To: Public Comment
Subject: Short Term Rental ordinance

[CAUTION: External Email]

Council,

I urge you to amend the STR law to include the following:

- * Limit 60 nights of rental per year.
- * Limit one STR per operator, who must be a natural person.
- * The STR must be the primary residence of the operator.
- * Require one off street parking space per room.
- * Platform accountability.

Pete Shoemaker
Vallemar

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RECEIVED
FEB 19 2025
CITY CLERK

Dear Pacifica City Council,

We kindly request that the city council take up the issue allowing non-primary-residence STR rentals without day caps in Pacifica's commercial-residential zones.

This is not something that is controversial: commercial STRs are allowed in otherwise STR-restricting cities that are most similar to Pacifica such as Half Moon Bay, Oceanside, and Laguna Beach.[1][2][3]

These cities chose this path because STRs in commercial districts have many benefits with fewer downsides: they are much less likely to disturb neighbors yet are more likely to stimulate commercial corridors. Not only do they generate ToT income, they increase sales tax and make businesses in these residential-commercial zones more viable. Meanwhile, the area is less desirous to residents seeking a quiet neighborhood.

Our STRs are next to a marijuana dispensary and a Recology garbage truck depot, and because of that, it is not a quiet and family-friendly area. However, we generate wonderful experiences for tourists and make them fall in love with our town.

Moreover, one of the STRs generates $13,000 annually in direct taxes for Pacifica per year in transient occupancy tax (and more soon now that ToT is higher). Other STRs in commercial-residential zones generate a similar amount of tax revenue as ours. That's compared with about $227/household in sales tax for a non-STR, long-term rental.

We ask that the council take-up the wisdom of these three towns that are similar to Pacifica and allow non-primary residents to host STRs without day caps so long as the buildings are zoned as commercial-residential.

Sincerely,
Anna Tong and Alexandros Vardakostas [redacted]

---

[1] Half Moon Bay allows non-primary residence STRs in their commercial zones: "Primary Residence. No dwelling unit shall be operated for short-term vacation rental use unless the dwelling is the primary residence of the operator. Short-term vacation rentals permitted to operate in the commercial-downtown, commercial-general, or commercial-visitor serving zoning district pursuant to subsection (G)(5)(a)(i) or (iii) of this section are exempt from this primary residence requirement."

[2] Oceanside only banned STRs in residential districts: "Non-hosted short-term rentals located in any residential zoning district outside of the Coastal Zone are prohibited." The same applies to within the Coastal Zone with the exception of their R-1 zone.

[3] Same with Laguna Beach: "STL is no longer allowed in the residential districts (R-1, R-2, and R-3). Existing permitted STL units in the residential districts are legal nonconforming and may continue to operate. STL is allowed in the LB/P, C-N, C-1, and CH-M zoning districts and within the CBD-1, CBD-2, CBD Central Bluffs, CBD Office, and CBD Visitor Commercial Districts of the Downtown Specific Plan subject to the approval of an Administrative Use Permit and SLV zoning district subject to the approval of a Conditional Use Permit."

From: Gary Furlong [redacted]
Sent: Friday, February 21, 2025 10:08 PM
To: Public Comment
Cc: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Feb 24th meeting regarding Short Term Rental Ordinance revision, item #5

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

Mayor Beckmeyer and Council Members:

After many, many months of discussion a tremendous amount of progress has been made toward passing a revised Short Term Rental (STR) ordinance that will help reign in the issues that so many people in this town have experienced with unhosted STRs. We have the opportunity to return houses to being homes instead of hotels and re-establishing that neighborhoods are for neighbors. With this revision in place we will still have the opportunity to have up to 150 STRs operating in this city and each of these will have the right to be rented out unhosted up to the number of days that this new ordinance will set. If tourists insist on an unhosted house to rent, that possibility will remain in abundance through this option. But STRs will be held to be responsible for their impact on neighborhoods and on neighbors and hotels will be restricted to those areas that are zoned for hotels (and hotels will be held to the standards that are required of hotels!) . Houses operating as boutique hotels (with no manager on-site!) in the middle of neighborhoods will come to an end. Long term renters/owners won't be competing with people who want to make a house into a hotel.

In reading through the draft ordinance I have some specific concerns:

* it allows 90 unhosted nights per year. 90 nights is essentially 3 months per year. It's 45 weekends per year. This means a house can be an unhosted STR almost every weekend of the year. This is too much. Please follow the lead of Half Moon Bay and many other cities and change this to 60 days. 90 days a year would mean in some cases it would still be profitable to keep a house empty except for those 90 days it's used as an STR; does this make sense during a housing shortage? There's an STR in my neighborhood that goes for more than $500/night, that's **$45,000 per year** just renting it out 90 days/year.

* it requires that a responsible party must respond by phone or in person 24 hours a day, 7 days a week, within 30 minutes of a complaint. Our ordinance should be brought in line with Half Moon Bay's (and so many other cities) and require that a responsible person may first respond by phone but also **must be able to show up in person** within half an hour of a complaint; This person must have the authority to resolve the complaint up to and including evicting the renters. In some cities they even require that this responsible person actually be within so many miles of the STR the entire time it is rented out as unhosted. The last thing anyone wants to do in the middle of the night is be trading phone calls back and forth trying to get a problem resolved; it's only right that if there's a disturbance in the neighborhood there

will be someone there in person to resolve the issue within half an hour (that's still a long time at 3am!). This is a common stipulation in the STR ordinances of other cities.

* in regards to visitors the limit is one half the number of renters. This section needs to include the restriction that no guests are allowed between 10pm and 8am, otherwise two adults can rent out a bedroom and then have a "guest" spend the night for a total of three adults. If three rooms are rented out then the total can go from 6 adults (2 per bedroom) to 9 adults if "guests" spend the night.

* "hosted short term rental" should be refined to include the expectation that the operator will be on-site regularly but in particular is expected to be present every night that the STR is rented out (with the exception of specified unhosted days) between the hours of 10pm and 8am, at a minimum.

* the current proposed ordinance allows the host of a hosted STR to reside in a ADU or JADU. As stated in Pacifica's ordinance regarding ADUs and JADUs, ADUs and JADUs were authorized to increase the availability of affordable housing, not to facilitate using a house as an STR. If the owner of a hosted STR is allowed to rent out the main residence and then live in the ADU Pacifica will have just lost some of its crucial, and scarce, affordable housing. This section needs to be changed to show that no house may be rented out as an STR if the operator is living in an ADU or JADU on the property. ADUs must continue as being affordable housing stock.

* there is a requirement that unhosted STRs must be inspected. Why is this not also required of hosted STRs? I fail to see why an unhosted STR must be independently certified as meeting the set criteria but a hosted STR is not required to be independently certified.

* it is proposed that if an STR has two violations within a 12 month period no permit will be issued, nor will a permit be issued if a permit has been revoked within 12 months of the application date. So an STR can be run in such a fashion as to have two violations in a 12 month period and they're sidelined for a year. Then they can go back at it again. This seems pretty light; I feel it would be more appropriate to have an STR operator sit out for two years if they've had two violations within a two year period.

* it allows an unlimited number of children under the age of 12 at an STR. How many people can safely be in one bedroom? How many people can use one bathroom? There must be an upper limit on the number of people allowed in a room. My suggestion would be that an STR can have a maximum of 3 children under the age of 12 for every 2 adults. If there is one adult then two children under the age of 12. This would still allow up to five people per bedroom!

* in regards to when this ordinance will go into effect in the coastal zone; essentially it will be a long time. This section should specify that at the permit renewal in October of this year all STR operators will be advised that once the California Coastal Commission approves the new ordinance it will go into effect in the coastal zone sixty days later, or, at the latest, two years after the adoption of this ordinance by the city, whichever is earliest.

* platform accountability. Follow the example of San Francisco and other cities and include language that holds the rental platforms responsible for ensuring that each Pacifica listing includes a valid permit number. This ordinance avoids requiring platform accountability yet San Francisco had a settlement with Airbnb over just this issue (SF requires platform accountability). New York City won a lawsuit over just this issue. I'm sure that those that defended these cities would be happy to talk with our city attorney about how they handled these situations.

There's still a lot of talk about all the money that Pacifica is going to lose because of STR reform. I have read through this information and find that some of it is disingenuous and the rest is largely misleading, "*Half Moon Bay is going broke because of STR reform!!!!*" Baloney. HMB has openly talked about their financial issue and it has nothing to do with STR reform (council person Boles also discussed this in a meeting last year).

Others say, "*the tourist will all leave and take with their money with them!!!*". Again, baloney but this baloney is usually based on highly speculative arguments not particularly grounded in fact; please note this quote from "The Economic Costs and Benefits of Airbnb" by Josh Bivens of the Economic Policy Institute, January 30, 2019:
The lower prices and greater range of options made available by the introduction and expansion of Airbnb could, in theory, induce a large increase in travel and spark economic growth in destination cities. This is precisely the claim made in a report by NERA Economic Consulting (NERA 2017), which says that Airbnb "supported" 730,000 jobs and $61 billion in output globally, with roughly a quarter of this economic gain occurring in the United States. To be blunt about these claims, they are flatly implausible. (pg 10). "...What is by far the most important weakness of the NERA analysis is its reliance on the assumption that all spending done by travelers staying at Airbnb properties is spending that would not have been done had Airbnb not existed. The possibility that Airbnb visitors would still have visited a city even if Airbnb units were unavailable - by securing alternative accommodations-. is completely ruled out by the NERA analysis. <u>This is obviously an incorrect assumption</u>." (pg. 11) (emphasis added - GF).

Continuing on about the concern that the tourists will all leave and take their money with them, in the same article cited above, the author goes on to reference a survey of Airbnb users where this question was asked, *""Thinking about your most recent Airbnb stay - if Airbnb and other similar person-to-person paid accommodations services (e.g. VRBO) did not exist, what type of accommodation would you have most likely used?" <u>Only 2 percent of Airbnb users responded to this question with the assertion that they would not have taken the trip.</u> The remaining 98 percent identified other lodging possibilities that they would have used." (pg 12).* (emphasis added: GF) *The author later raises this interesting question: "Why is Airbnb allowed to offer short-term rentals in residential neighborhoods that are not zoned for these uses, while traditional hotels are not allowed in these same neighborhoods?"* (pg 20).

Over the years the fears of economic repercussions been have used as the excuse to avoid doing what is right, whether we're talking about children working in factories or women having pay parity with men. Yet in every case doing what is right has turned out to be the best course of action. Once we put a stop to hotels being in our neighborhoods we will still have 150 permits for fully functioning STRs and every single one of those STRs will have the possibility of being rented out in its entirety 60 days per year. But we will no longer be taking houses off of the housing market to use as hotels; renters and buyers will no longer be competing with people and corporations that want to buy a house to use as a hotel. It is essential that houses be used for homes.

The repercussions of continuing the current STR situation are many, among them: a loss of neighborhood character, increasing in the rental price of long term rentals, buyers competing for houses against those that want to make them into hotels and the loss of children in our school system.

In closing I'd like to quote from two articles that are cited on the website "Pacifica For Responsible Tourism":

Calder-Wang, S., Farronato, C., & Fradkin, A. (2024, February 15). **What does banning short-term rentals really accomplish?** Harvard Business Review; this article mainly deals with hosted STRs but does include a section devoted to unhosted STRs, which reads thus:
" *Residences that are operated exclusively as short-term rentals have become increasingly common. This form of supply is most concerning for the rental market, because it has the potential to remove a large share of the housing stock devoted to long-term rentals. It can also reshape the composition of a local neighborhood, creating negative effects such as the replacement of nurseries by restaurants and the erosion of the historical neighborhood feel. (*emphasis mine*: GF)* The article then goes on to suggest that a cap on the number of nights an STR can be unhosted is a good idea. *By striking a balance, so that travelers and hosts gain without short-term rentals overwhelming entire neighborhoods or significantly reducing the housing units allocated to long-term renters. This can be accomplished with limits — rather than outright bans — on when and where housing units can be rented out to travelers. Limits on when units can be rented out on a short-term basis can take the form of caps on the number of nights for which a property can be rented. For example, in London short-term rentals are capped at 90 days per year; in Amsterdam the cap is 30 days. Because travelers mostly benefit from Airbnb in periods of peak demand, allowing them to book short-term rentals in those periods seems especially valuable (*emphasis added: GF*).*

Garcia-López, M.-À., Jofre-Monseny, J., Martínez-Mazza, R., & Segú, M. (2020). **Do short-term rental platforms affect housing markets? Evidence from Airbnb in Barcelona**. Journal of Urban Economics, 119, 103278. Here's a quote from the concluding remarks of that article: *We apply several regression-based approaches that exploit the timing and geography of the entry of Airbnb in the city to estimate the effects of this platform on the city's housing markets. The results show that Airbnb activity in Barcelona has led to an increase both in rents and housing prices, with larger effects for prices than for rents.* (emphasis mine: GF) I would add that Barcelona has announced that by 2029 all full time unhosted STRs will be banned.

It's not that there are "just a few bad actors" when it comes to full time, unhosted STRs, it's that the act of having full time, unhosted STRs is in and of itself a process that is ruining our neighborhoods. As I have mentioned in other comments, Pacifica is not breaking new ground here, we're not doing something radical or revolutionary. Instead, we're bringing up the end of the line of cities drafting an ordinance that recognizes that we have a housing shortage, that neighborhoods are for neighbors and houses are for homes. Please, let's get this done and move on.

Regards,
Gary Furlong

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From: Danny Estrella [redacted]
Sent: Saturday, February 22, 2025 4:10 PM
To: Public Comment
Subject: February 24, 2025 Council Meeting Public Comment: Item 5. Short Term Rentals

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

22 February 2025

Pacifica City Council

Subject: February 24, 2025, Council Meeting Public Comment: Item 5. Short Term Rentals

Dear City Councilmembers,

I am writing to you as a resident of Pacifica of over 30 years who is concerned about the number of unhosted short-term rentals (STRs) that are operating in our City and the lack of sensible restrictions placed upon them. I have written several letters to the Pacifica City Council on this issue. I oppose allowing any unhosted STRs in Pacifica. A residential neighborhood is zoned for residents, not businesses. STRs are businesses and conflict with the nature of a community neighborhood. Too often the guests at unhosted STRs are disruptive and inconsiderate to the long-term residents of a community. Sometimes businesses fail due to bad business decisions. Residents should not have to suffer and pay the price of a failed business.

I strongly urge the City Council to approve the current STR proposal at a minimum and reject any unhosted STRs in Pacifica. Pacifica's residents, schools and its neighborhoods are counting on you.

Thank you,

Danny Estrella
[redacted]

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From: Patricia Kephart [redacted]
Sent: Saturday, February 22, 2025 8:19 PM
To: _City Council
Cc: Public Comment
Subject: New STR Ordinance 2/24/25 City Council Agenda

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

Dear City Council Members, (especially our two new members Greg Wright and Mayra Espinsosa)

Thank you for giving your attention to finalizing the new STR ordinance at Monday night's meeting. We need to act to preserve housing for families.

My personal experience living across the street from an
un-hosted STR stirred me to tell my story. I bought my home in 1986. Until the latest sale two years ago 1159 Barcelona was home to vibrant families. They sent their kids to Cabrillo and Terra Nova. They owned small businesses. They volunteered and raised money for schools and scouts. Teens were babysitters for the neighborhood kids. They were reliable neighbors who checked in with me and adjacent neighbors. These are the families we want to attract to our community.

Now the property is used as a hotel. Guest turnover is often two and three times a week. Cars that line the narrow street (sometimes 10 at a time) worry the senior citizens who might need fire truck access in an emergency. We are less safe.

Lately there have been large groups. Garbage from a children's party spilled out of the cans with plastic bags piled next to bins. No one took the cans to the curb and the next guests had no room for their own bags. The "super host" was called. He sent for a private garbage pick up. But this pickup was on the weekend leaving the overflowing cans out all week. This is just one example of what can happen with un-hosted STRs.

The new ordinance gives un-hosted STRs 90 days to rent per year. That's nearly every weekend. I hope the ordinance will align with the Coastal Commission recommendation of 60 days. It works for Half Moon Bay. LImiting the rental days should make un-hosted STRs less attractive to those who would buy up Pacifica's family residences.

Here are some other ways to strengthen the final ordinance that would address the problems on Barcelona:
Require STRs to have one parking place for each bedroom. Limit the number of children so they don't cram in as many kids as possible per bedroom. Allow neighbors to attend suspension hearings and submit evidence and testimony of nuisance activity.

Finally, we all have worked hard to create this ordinance in order to solve immediate problems in our neighborhoods. Let it go into effect right away for areas away from the coast, and as soon as the Coastal Commission approves for the rest of the town.

Thank you for taking the time to refresh your thinking before the vote.

Sincerely,

Patricia Kephart
[redacted]

--
Patricia Kephart
[redacted]

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From: Andrew Meiman [redacted]
Sent: Sunday, February 23, 2025 1:02 PM
To: _City Council; Public Comment
Subject: Comments for Feb 24, Agenda Item 5, Short Term Rental Ordinance
Attachments: STR Ordinance Letter 02-23-25.pdf

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

Dear Mayor Beckmeyer and City Council Members:

I've reviewed the Council Agenda Summary Report for Short Term Rental Ordinance. There has been a lot of progress on the ordinance, however the staff report still materially misrepresents the Fiscal Impact, presenting only a single-year, worst-case scenario. Don't be tricked into making weak long-term policy by a one-sided, short-term argument.

The report does acknowledge that the "estimate excludes the broader economic implications of the Draft Ordinance on Pacifica's local economy" and that a "comprehensive economic impact study" was not requested by the City Council. Fair enough, but that is not a justification to use single-year, back-of-envelope, worst-case only analysis in its place.

To illustrate the point, I did a few simple calculations using the report's own data and one of its assertions about TOT loss. The report hypothesizes that 73 STR units will be lost and not replaced due to inability to permit - an extreme, short-term assumption for which there is no real basis. We may not see permits max out at 150 the next year, but the market will react. Markets like certainty, and clear regulation provides it. The report goes on to say that if only those 66 STRs remaining operate under a 90-night cap, TOT would be further reduced by $370,000. In order for that to be true, the implicit assumption is that all remaining STRs only rent their units for the 90 unhosted nights, and never rent a single night beyond that. Even today, Pacifica has *hosted* rentals which would not be affected by the new cap on unhosted nights, and this worst-case assumption doesn't reflect current reality for them. After the ordinance is passed, and it's clear that *hosted* rental days are *unlimited*, there will be even more hosted nights. The staff report financial analysis incorrectly applies the 90-night cap regardless of type of rental and again makes no attempt to provide a range of possible market responses.

My point is not to provide a better number. It is to caution you on making long-term decisions based on short-term, worst-case thinking and biased presentation in the staff report. Without a balanced economic analysis, even a high-level one, Council should be extremely wary of those making policy recommendations justified by negative economic consequences.

Finally, I agree with my other neighbors and Pacifica residents calling for a 60-night cap on unhosted rental and for you to incorporate Platform Accountability into the ordinance to lessen the burden on the City to enforce it.

Sincerely,

Andrew Meiman

Pedro Point

Attachment - PDF version of letter

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Sincerely,

Andrew Meiman

Pedro Point

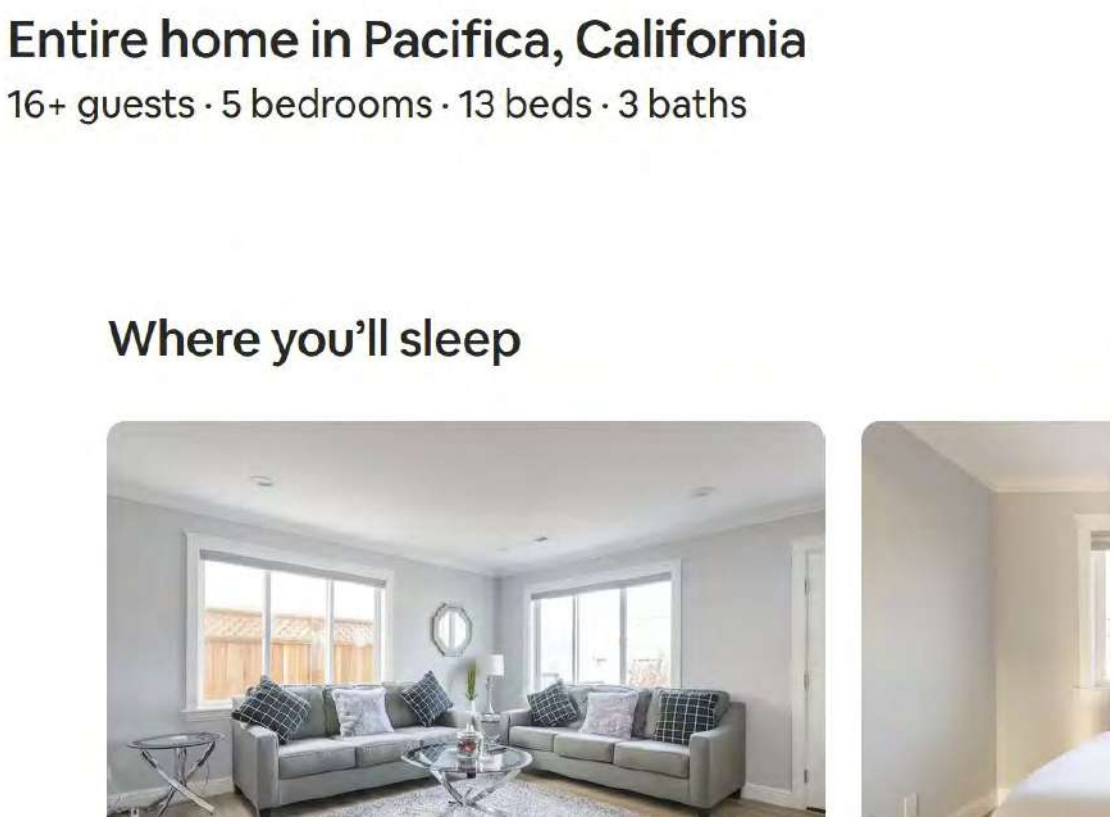
From: Gary Furlong [redacted]
Sent: Sunday, February 23, 2025 1:16 PM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Caitlin Quinn; Armetta Parker
Subject: Fwd: Planning department approved an Airbnb that sleeps 16+...

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

Mayor Beckmeyer and Council Members,

If collecting TOT is the primary criteria for deciding what the composition of our neighborhoods should be, then these certainly must warm some hearts. I've attached screen shots taken today (Feb. 23, 2025).
Houses not hotels.
1. Entire home. 16+ guests. $1,737. 5 bedrooms; 6 sofa beds and 3 air mattresses.
2. Entire home 16+ guests, $860. 5 bedrooms, 1 couch and 3 floor mats.



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Entire home in Pacifica, California

16+ guests · 5 bedrooms · 6 beds · 2.5 baths

★ 4.71 · 31 reviews

Where you'll sleep

****
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From: Connie [redacted]
Sent: Sunday, February 23, 2025 1:23 PM
To: _City Council
Cc: Public Comment
Subject: 2/24/2025 CC Mtg. RE: STR Ordinance

Follow Up Flag: Follow up
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[CAUTION: External Email]

Dear Madame Mayor and City Council members,

Hopefully I will be able to deliver this astute public comment in person tomorrow evening, but in case I get felled by the gruesome germs going around, here is my comment re: Item 5 on the 2/24/2025 Public Hearing Agenda (STR Ordinance):

Almost all of the houses on my small cul-de-sac prominently display PACIFICA HOMES ARE NOT HOTELS signs, angled so as to face the UNHOSTED STR which has disrupted the once quiet enjoyment of our close knit neighborhood for almost three years.

The owner/investor at 1 Sequoia Way (negligently "managed" by Marbella Lane) is essentially an absentee landlord who doesn't give a rat's ass about anything but his profit margin. Meanwhile, we endure the multiple vehicles, the 24/7 strangers, the noise, the unsightly neglect of the property.

STRENGTHEN THIS STR ORDINANCE per the recommendations of Pacifica Homes are Not Hotels—AND THEN ENFORCE IT. Increase the permit fees and the violation & inspection fees to make the program self-funding.

By the way: BUILD SOME MORE HOTELS IN THIS TOWN! At their meeting last month, the Planning Commissioners acknowledged the BIG DEMAND for more hotels in Pacifica and the need to correct the imbalance between TOT generated from hotels versus STRs. This would go a long way towards addressing the lost revenue concern.

I'll conclude with my favorite Quote from a June 2024 City Council Study Session where Council Member Bigstyck declared: "If you want to operate a hotel, then BUY A HOTEL!!"

Respectfully submitted,
Connie Menefee
Park Pacifica

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From: Kate Chinca [redacted]
Sent: Sunday, February 23, 2025 2:06 PM
To: Public Comment
Cc: _City Council
Subject: More on STRs

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: External Email]

Dear Mayor and City Council Members,

Please know that I am hoping that this is the last letter regarding STRs in Pacifica that I send to you. I am certain you would like to move on to other topics and I would like to not bother you with more of these.

Being that I think we may be coming down to an ordinance addressing the needs of Pacifica's citizens, I would like very much to underline the following items that I feel are very important to our updated ordinance and hope you are in agreement:

1) I believe that the hosted rental should say that a host needs to be present on the property from 10pm to 8am when most issues occur
2) Anyone that needs to show up responsibly when needed on the property should be able to arrive within 30 minutes
3) Children should be considered guests and counted in the total...after all, they were the guests running up and down our street at 2 a.m
4) Please make it 60 nights for unhosted properties...seems the Coastal Commission and even HMB are acknowledging that number
5) Permit revocations really need to be revisited as a 12 month period
6) When it comes to parking...things are already tight in many neighborhoods...1 car per bedroom would only seem right and parking in the garages would be a plus instead of turning them into additional rumpus rooms
7) Definitely the City should decide on the noise levels for monitors...otherwise the fox is running the hen house
8) Definitely, real people and not LLCs, corporations, etc. should prove primary residency
9) All STRs (hosted or not) should be inspected just like all other motels and hotels are required in the city to do and they need to pay for those
10) Please make this new ordinance go into effect ASAP and not wait until later

If you have not seen a recent commercial for AirBnb, they show a family outgrowing a hotel space and they want more. So, the family goes to an STR and at that time, the parents get to go where they want, one child brings out an electric guitar and is rocking away, kids are going a bit crazy and the dog is howling to the music. This is what they are promoting in the commercial. How did we get here?

Thank you for your time, your efforts and the ears you are given to our situation.

Many thanks,

Kate Chinca
[redacted]
Pacifica

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From: Julie Starobin [redacted]
Sent: Sunday, February 23, 2025 2:40 PM
To: _City Council
Cc: Public Comment; Woodhouse, Kevin
Subject: Hearing on STR Ordinance 5860/City Council Mtg. 2/24/2025

[CAUTION: External Email]

To the City Council: I'm very glad that the Ordinance regarding Short Term Rentals (STRs) is on the Agenda for Monday's Council meeting. I'm hoping that soon we will have a comprehensive ordinance that will protect all Pacificans. I would like to see the Council make some changes that would certainly strengthen the current ordinance. Here are a few:
1.Half Moon Bay has an unhosted STR restriction of 60 nights. I would like Pacifica to have the same, not 90.
2. Having a 'Responsible Party' be local, meaning they can respond to a problem within 30 minutes.
3. Make sure that the definition for "hosted rental" means that the host is actually there especially at night.and that 'hosted rentals' are inspected just like 'unhosted'.
4. Change the amount of time allowed for violations, currently 2 in 24 months. 2 in 12 months would be more effective.
5. Have the vacation rental companies post and enforce the Pacifica Ordinance so that City staff won't have to use their time as enforcers.
6. Have all the provisions of the Ordinance go into effect as soon as they are approved by the Council.

As has been shown in other Coastal cities, having strong STR restrictions will not harm Pacifica, either financially or culturally. We will always be a desirable place to visit and spend money. Passing this Ordinance with the changes suggested by me and many other Pacificans will only make this a better place to live and grow.

Thank you, Julie Starobin Pacific Manor.

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From: Caitlin Quinn [redacted]
Sent: Sunday, February 23, 2025 3:18 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Wright, Greg; Espinosa, Mayra
Cc: Public Comment
Subject: February 24, 2025 City Council Meeting - Agenda Item 5: Public Hearing on a proposed ordinance repealing and replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals")
Attachments: Delightful Airbnb Neighbor.pdf

[CAUTION: External Email]

Dear Mayor Beckmeyer and City Councilmembers…with a special "hello" and "welcome" to new Councilmembers Greg Wright and Mayra Espinosa,

I cannot thank you enough for the tremendously difficult work City Council has done over the past two years to bring our city to the place where we are ready to pass a new STR ordinance. Mayor Beckmeyer, Mayor pro Tempore Boles, and esteemed Councilmember Bier, you have truly done yeoman's duty here, and I applaud you all. I know you are tired and want to get this new ordinance business done and dusted. Trust me: I do, too. However, there are some very real deficiencies and oversights in the document as it now stands, and I hope Council will be willing to amend them, as follows:

- **Reduce the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights** (this is in line with what Half Moon Bay has in place and is also what the Coastal Commission has been expecting us to request; providing a Pacifica resident with the opportunity to rent out their home up to 60 nights per year when they are on vacation, etc., provides them with ample opportunity to leverage their property for income, especially as they can also do true home-sharing by renting out a room in their home as a "hosted" rental 365 nights per year)

- **Require that STR operators, who must all prove primary residency, be "Natural Persons"** and **NOT corporations, trusts, LLCs, estates, partnerships**, etc.

- Ensure that the definition for a **"hosted rental" includes language stating that the host must be present for the duration of the rental--ESPECIALLY during the hours of 10 p.m. and 8 a.m.**

- Require that ALL provisions of the new ordinance go into effect as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. ***NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.***

- Require that **"hosted" STRs be inspected** just the same as "unhosted" rentals

- Add the word **"local" to the definition of "Responsible Party,"** and require said **Responsible Party to be able to respond IN PERSON at the rental property within 30 minutes**

- Mandate that, along with limiting the number of visitors STR guests can invite onto the property, **said visitors are NOT permitted on the rental property between the hours of 10 p.m. and 8 a.m.**

- Remove the language that allows for an **unlimited number of children to be packed into each STR bedroom**

- Remove the language that allows an **STR operator to move into the ADU on their property and rent out their entire home as a "hosted" renta**l (the number of loopholes that will be exploited by this are legion)

- Require STR operators who have had their **permit revoked to wait 24 months (and NOT 12 months) before reapplying for a new permit**

In order to ease City staff resources and reduce expenses around enforcement of non-compliant STRs, please add language to the ordinance that **requires platforms such as Airbnb, VRBO, and smaller vacation rental companies (Marbella Lane, etc.), be accountable for listing and subsequently removing any STR units not in compliance with Pacifica's STR ordinance.** For reference—and as a model—please see the below language taken from HMB's ordinance ("Hosting Platform Regulations" 7.b.):

Hosting platforms shall be required to prompt hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is noncompliant, hosting platforms shall cease any short-term vacation rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for any residential property or unit subject to a city notice, until notified by the city that the residential property or unit is in compliance with the local registration requirement.

I also ask Council to please **not include** in the ordinance the **Planning Commission's suggestion to require only two off-street parking spots--instead of one off-street parking spot for each legal bedroom--for STRs operating outside of the coastal zone**. I regularly hear countless complaints from neighbors living east of Highway 1 about their narrow streets being congested with multitudes of cars from unhosted STRs. Let's please fix that pain point and **not complicate things by having two different provisions around STR off-street parking.**

Additionally, please consider an ordinance **provision prohibiting STRs in the coastal zone from bringing renters into the area during times when streets are closed to all but residents due to dangerous storm and wave activities**.

Please know that no one wants this new ordinance in place more quickly than I, given all my family and I have suffered because of living next door to the unhosted STR at 1987 Beach Blvd. owned and operated by the Marbella Lane Corporation. But we need to do this right, making the new ordinance the strongest and most effective we can, based on the data points currently available. Will we need to address it again at some point down the line when those data points change? Likely. But it is always better to do something as correctly as possible the first time.

And for the benefit of new Councilmembers Wright and Espinosa, let me please explain as briefly as possible what I mean when I say that my family and I have "suffered" because of this unhosted STR next door. In the nearly three years since the Marbella Lane Corporation purchased our neighbor's home at 1987 Beach, we have been exposed to myriad noise disturbances (we've clocked being woken up over 30 times between the hours of midnight and 5 a.m. by guests "checking in" and "checking out" and making other types of noise), trespassing (with some guests even helping themselves to our property's water hose and using our front stoop as an exercise platform), guests coming onto our property to dump their trash in our bins, light pollution from backyard lights that I imagine NASA might have seen from space, guests lining up outside our door and filling our home with cigarette smoke, and abuse by a Marbella Lane property manager, who told me that the problem of the noise their guests were making would be solved if I would "go to a doctor and be put on medication." Oh, and there was the Christmas when a Pacifica police officer came to our door and enquired if we had seen "any activity involving children and drugs at the Airbnb next door." Oy!

We and our other neighbors have also been harassed by guests at 1987 Beach, with one particularly menacing guest over New Year's in 2024 who allowed his dog to roam off leash among our properties (*see still images below of the guest allowing the dog to roam our property off leash and also one of the dog on our front stoop*). This same guest verbally harassed both my doctor neighbor and myself, and a different neighbor, who shares the wall with 1987 Beach, ended up calling the police on New Year's Day to report that this guest had throw a cup of coffee at her granddaughter when she asked him to stop trespassing on their property.

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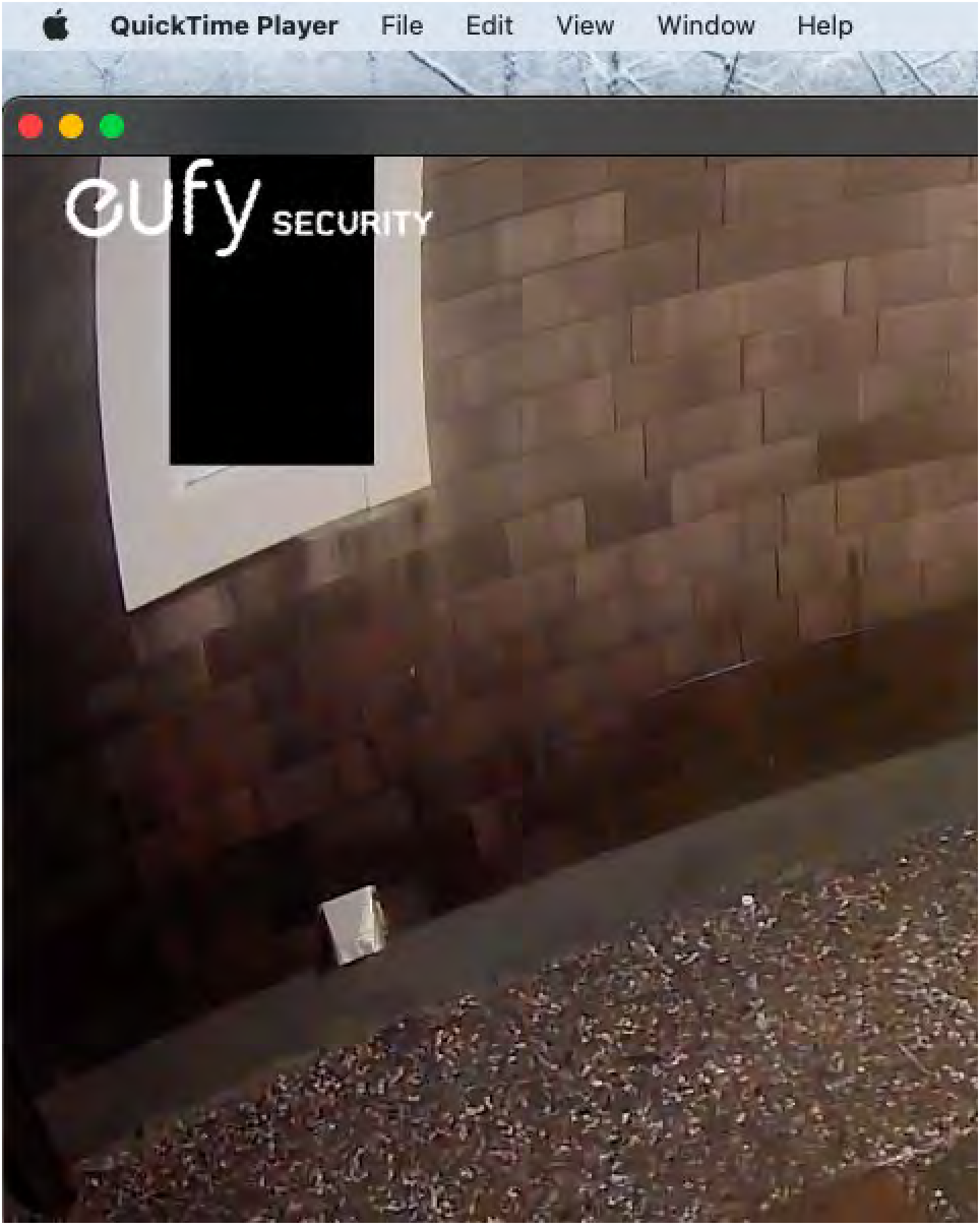
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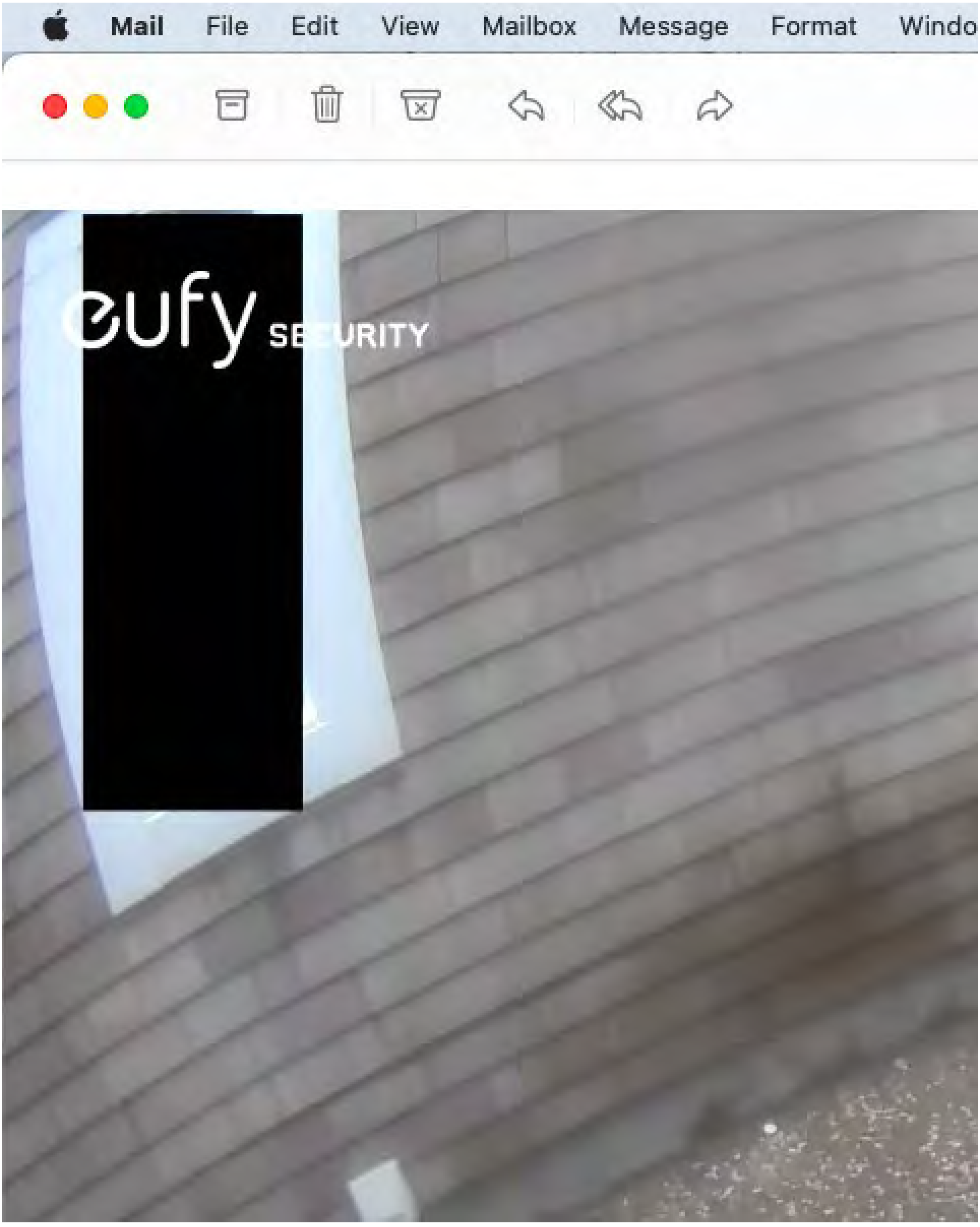
(To be clear, we LOVE dogs. We just don't love having strangers allow their unleashed dogs to be on our property, especially when our (leashed) dogs are on their way home from their walk at any minute.)

We've also been abused by other guests: being yelled at and flipped off, like this guest in the photo below, who became angry when asked that he and his group not smoke in front of our property's door:

Oh, and then there was THIS guest, who flung a handful of weird kibble across our property: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You better believe we swept it all up before our dogs could get out there and eat it!

(By the way, we have videos of all these incidents—and hundreds more. Come over some night and we'll play them for you. We'll make popcorn!)

Pacifica's current ordinance says that an STR cannot operate in "a manner that is detrimental to the public health, welfare or safety or constitutes a nuisance." Marbella Lane's 1987 Beach has done all with impunity. My medical records have documented the ways my health has been impacted from the constant stress of living next door to such a nuisance STR in both manifested illnesses and medications prescribed. (In fact, one of the first questions my GP asks when I come in for an appointment is, "Are things any better with the Airbnb next door?") As to safety, we frequently feel unsafe in our own home because of the negligent STR operations at 1987 Beach. In fact, we felt so menaced by that guest during New Year's 2024 that we abandoned our home for a hotel room for four nights, only returning once he and his group had checked out.

Sadly, we're not alone. Many other Pacifica residents have similarly harrowing stories to share about life next to an unhosted STR.

All this is a (very) long-winded way to say, "THANK YOU," Council, for being willing to fix this awful problem, and allowing us to claw our community back from the corporations and out-of-town investors who have commercialized and destabilized our neighborhoods, robbing Pacifica of much-needed homes and of the presence of families who actually want to live here.

"I want to buy a house in Pacifica and end up living next door to a No-tell Motel," said no one. EVER.

Let's work together to find ways other than rampant and harmful unhosted STRs to bring in TOT for our city. Let's build *actual* hotels (you know, those things that were invented hundreds of years ago specifically to house and support visitors?) and do away with unregulated hotels masquerading as homes. Let's find an alternate revenue source that isn't **hurting the people who live and vote here.** In the meantime, I've no doubt our very experienced City Manager can be trusted to solve any budgetary problems.

Finally, to the specious and unsupported argument that transient STR visitors are somehow wholly keeping Pacifica's restaurants and other small businesses alive, here's a case in point:

The guests who have been staying at 1987 Beach for the past four weeks leave each day in the morning and do not return until the evening. Every night when they get home, they cook their dinner in their property's kitchen. (I know this because our home's kitchen window looks directly into theirs.) These STR guests are most definitely NOT frequenting Pacifica's many restaurants.

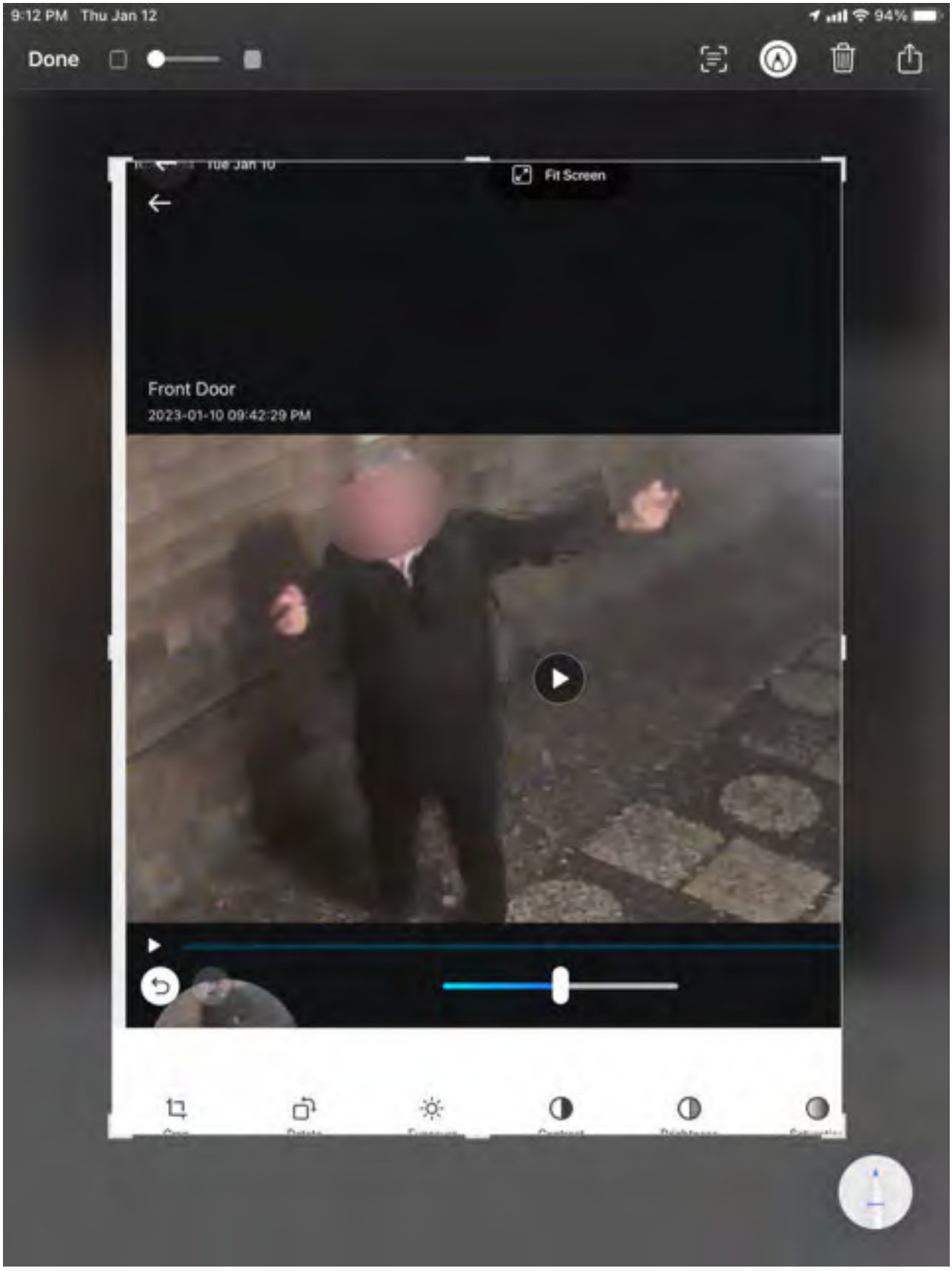
But guess who is? My family and I.

In fact, in the past four weeks, we have ordered takeaway meals from Tam's, Raymond's, Pacifica Thai, Vallemar Station, and Columbo's Deli. We've also spent $50 on a cake from Mazzetti's, more than $600 in groceries at both Oceana Market and the Manor Safeway, close to $300 on gas for two cars at the Milagra Drive Chevron, $1,100 at the Juvo Veterinary Clinic and another $600 at the Well Adjusted Pet Clinic in Eureka Square, $150 at Ele Ela nail salon, and $80 in greeting cards and health care items at the Manor Walgreens. And those are just the purchases I can think of at present.

It's time to put an end to the ludicrous argument that Pacifica depends upon money from unhosted STRs to keep the very lights on. Good grief…however was Pacifica managing for the six decades of its existence before the swarm of unhosted STRs descended upon it during the pandemic?

Submitted with great gratitude and respect,

Caitlin Quinn
West Sharp Park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From: Cindy Abbott [redacted]
Sent: Sunday, February 23, 2025 5:39 PM
To: Beckmeyer, Sue; Bier, Mary; Boles, Christine; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: Public Comment re Short Term Rental Ordinance, Feb 24, 2025 City Council Meeting, Public Hearing, Agenda Item #5

[CAUTION: External Email]

Dear Mayor Beckmeyer, Vice Mayor Boles, and Coucilmembers,

Thank you for the time and thought that has gone into updating the Short Term Rental Ordinance for the City of Pacifica. As the community has been sharing with you since June 2022, we've lost community members to displacement and neighborly connection has been replaced by a revolving door of strangers who don't volunteer, go to our schools, or support local stores and services on an ongoing basis.

As we near three years into these discussions, you've heard from neighborhoods throughout Pacifica. While the impact is greatest in the coastal zone (West Sharp Park and Pedro Point in particular) all residential neighborhoods have been impacted by the disruption to the peaceful enjoyment of our homes, impact on neighborhood character, loss of housing and affordable rental opportunities. You've worked hard listening to the community, finding the balance between unlimited unhosted rentals where no one lives any more, and preservation of ability for local homeowners to supplement their income, as was the original intention of the sharing economy, by offering space that they host in their own primary residences.

The approach that the City of Pacifica is taking is in alignment with the thoughts of the California Coastal Commission. At their first meeting of 2025, held in February, the incoming Chair, Justin Cummings, noted:

> *This year as Chair, and I just want to acknowledge the Chair and Vice Chair over the past year, they helped us work through how to move forward - for stepping up at the time of difficult and challenging projects ...*
>
> *For this year I hope as chair to continue to prioritize some of what our previous chair and vice chair brought forward especially as it relates to ensuring that low cost accommodations are produced in new hotel developments. In the first year we saw a lot of in lieu fees and last year we made a commitment to try to see low cost accommodations be built and we saw developers come forward and actually produce that, and we need to continue on this path creating affordable options .*

In addition to that, preserving housing in the coastal zone. In 2023 it was really shocking to see how in the past we really emphasized non hosted vacation rentals, but in our housing workshop many people who came forward and professionals who have worked on this have really said how the impact can be detrimental to local communities. And we're really trying to move away from those types of non hosted rentals to preserve housing stock and to hosted rentals that were the intent of a lot of these platforms in the first place, so we preserve housing in the coastal zone." (Link to meeting HERE, with remarks beginning at 1:34:xx))

While there is more I'd like to see in the proposed Ordinance revision (i.e., a cap on 1% by neighborhood!) I recognize the value of moving forward at this time, halting the commercialization and commodification of our residential housing stock, and restoring the quality of life throughout Pacifica. Please provide direction to staff to update the proposed Ordinance as follows:

1. **ADD Platform Accountability Requirements** that stipulate:
   a. **ALL approved platforms shall provide a required data entry space to list the City of Pacifica STR Permit number.**
   b. **All approved platforms shall share data at least quarterly, and as needed in between quarters, that will be used to verify operational compliance with the City of Pacifica's operational requirements.** Data shared to include but not be limited to, records indicating the history of all short-term vacation rental reservations on the subject property from the hosting platform, the payment of any and all transient occupancy taxes (including via a hosting platform on behalf of a host), the length of stay per reservation, and the number of persons per reservation.

   The staff reports indicate that at the December 5, 2024 meeting there was a "lack of consensus" about platform accountability and the imposition of penalties and fines. The discussion though hasn't been returned to, and more important is that these items of what is requested to be included in the Ordinance if platforms want to continue to list properties in Pacifica – along with an approved platform list (see #2 below) hasn't really taken place.

   These are reasonable and appropriate requests that will ease staff concerns regarding compliance and additional contractual expense that would otherwise be needed by a third party (currently HdL) to pull this data. Online platforms are data companies, this information should be easy to generate and automatically provide. Backed by the inclusion of platform accountability in the proposed Ordinance – a critical tool in the toolbox that Councilmembers have been

speaking about are necessary -- and with the good relations that staff has reported they have gained with hosting platforms, this should be a simple request/negotiation.

2. **ADD a requirement that STR Operators list their rentals only on City approved platforms.** All City approved platforms will agree to participate in platform accountability steps that include: a required field to enter the City approved permit number; data sharing; and TOT collection/compliance at minimum. Listing by an STR operator on an unapproved platform will be considered a violation of the STR regulations. This addition of approved platforms, will also reduce staff time and regulatory compliance searches/expense.

3. **Reduce the number of days rentable for unhosted STRs to 60**, in line with Half Moon Bay and other jurisdictions versus the proposed 90 day limitation.

4. Sec. 9-4.4901 (i) (j) A definition of an "operator" and a "person" has been added to the Ordinance. To ensure that profiteering that has turned residential neighborhoods into quasi hotel districts is negated, while recognizing that real estate may be *owned* by a corporation, trust, partnership, etc.,

a. **REVISE** the definition of the ***OPERATOR*** *to mean* *a natural person (human being) who has primary residency and who has applied for a Short-term Rental Permit or has been issued a Short-term Rental Permit by the City.* This language has been included in other ordinances, including those approved by the California Coastal Commission.

b. **ADD** a definition of *"**OWNER**" to mean: a person, meaning natural person, corporation, business trust, estate, trust, partnership, limited liability company, corporation, association or other entity, who if not the operator, has provided written consent for the property to be operated as an STR".* (A corporation, LLC, Trust, Estate, cannot have primary residency.)

5. Sec. 9-4.4901(n) **REVISE** the definition of **Responsible Party** to align with Half Moon Bay's more detailed definition that includes the individual being LOCAL AND that what their responsibilities are:

a. (HALF MOON BAY Ordinance Definition) Responsible Party. For hosted short-term vacation rentals, the operator shall be the host and the responsible party. For unhosted short-term vacation rentals, the responsible party may be the property owner, operator, or the operator's agent. In all cases, the responsible party shall be a **local** contact person who shall meet all of the following minimum qualifications:

i. Be available twenty-four hours per day and seven days per week when the short-term vacation rental is in operation; and

ii. Be accessible and able to respond in person at the short-term vacation rental within a reasonable time ***(approximately twenty minutes)*** to any complaint regarding the condition, operation, or conduct of occupants of the dwelling; and

iii. Be responsive to take remedial action necessary to resolve any violations of the requirements of this section.

6. **Remove the allowance of an Operator of an STR to reside in a ADU or JADU and operate the STR in the main residence on the site.** This addition by staff, that was never requested by City Council, flies in the face of long-standing policy that ADUs/ADUs are a mechanism to *ADD to long-term housing stock.*

7. Sec. 9-4.4905 (l**) REMOVE the allowance for unlimited children under the age of 12 from the Maximum Overnight Occupancy** operational requirement.

a. Maximum overnight occupancy for all Short-term Rentals shall not exceed two (2) short-term renters per legally permitted bedroom. ~~Children under the age of twelve (12) shall not count towards those occupancy limits.~~

(Note: This item evolved from discussion of one city's (Palm Springs) policy whose regulations say no more than two people per bedroom, no more than eight total up to two children under the age of 12. Eight total, and up two (2) children under the age of 12 that would not count towards the eight.) Most ordinances, including Half Moon Bay do not provide an additional allowance for children, maintaining two people per bedroom, period.)

b.

8. Sec. 9-4.4905 (q**) REMOVE the Planning Commissions recommended change to have different parking rules within the Coastal Zone and outside the coastal zone.** Residential neighborhoods where larger homes are located (i.e., Park Pacifica, canyons and hillside neighborhoods) should not suffer the impact of a caravan of vehicles to accommodate STR operations. ALL STR operations should follow a consistent policy of at least ONE ONSITE PARKING SPACE PER EACH BEDROOM – this makes compliance and communication easier and minimizes impact to residential neighbors.

9. Sec. 9-4.4905 (s**) ADD** that Short-term rental use shall comply with trash, recycling **AND composting** requirements**.** This is in sync with other city policies and goals regarding environmental sustainability and climate action and adaptation.

10.**Require inspections for all** STRs, both hosted AND unhosted.

11. **Revise the two strikes policy for permit revocation to be for a <u>24 month period</u> versus 12 months.**

12. Make it clear that two ordinance violations **SHALL** result in permit revocation (the current wording is "may").

While recognizing the need to incorporate the impact of the loss of potential Short Term Rental TOT in the City's budget, it's important to note that the city's current projections are very preliminary – at times even noting that the impact might not be understood for two years. While certainly there will be attrition for STRs that no longer will be in compliance (and hopefully if you institute platform accountability there will be REDUCED compliance expense!), what isn't recognized is the potential for increased TOT from HOSTED rentals and increase in HOTEL OCCUPANCY.

Additionally, staff has never reflected the **benefit of long term residents** on the local economy. We purchase from our local stores, get gas here, enjoy our restaurants, and support services such as doctors, dentists, veterinarians, accountants, vehicle services and so much much more.

And, the compliance and violation structure can include **STR Operator paid fees (i.e., for inspections), and violation fines**.

I'm also concerned and ask that you request staff return soon with a detailed plan for the **timing of implementation for each section of the Ordinance**, AND what the new application/renewal form and process will look like. At early meetings it was noted the effective date would be immediate (after approval and second reading of the Ordinance and understanding the requirement for CCC approval in the coastal zone – but the CCC in June of 2024 was advised that an ordinance would be back very soon, hence the City staff's recommendation against a moratorium that coastal commissioners asked about). After re-reading the minutes of the September and December 2024 meetings, there now seems to be waivering on that commitment for quick action.

Finally, while it may seem unnecessary, the "Wheras" statements leading into the Ordinance don't fully justify the many problems and agony that so many throughout the community have been experiencing and sharing with you. A review of Council's own remarks and public comments can be used to strength these comments to reflect:

- The impact ***throughout the city*** of unhosted short term rentals, that exceeds a few "bad actors".
- Expense to the city due to the limitations of the current Ordinance that doesn't have enough regulation and operator responsibility.

- Loss of neighbors and community
- Dramatic change from the original intention of “home-sharing” to a commercial enterprise and commoditization of residential housing stock.
- Impact on affordable housing, both for purchase and rental
- Impact to schools.
- Environmental impacts of trash blowing around the streets
- Risk to visitors during big storms and other emergencies (lack of familiarity with evacuation procedures, hazard zones).
- Impact of parking on neighborhoods and for day visitors to the coastal zone.
- Impact to local businesses, particularly services, due to fewer full time residents.
- Loss of quietude and peaceful enjoyment of the place one lives
- Etc. etc. etc.

Thank you for your time. I look forward to the updates as requested above being incorporated into the final Ordinance. AND, and to this continuing to be on future City Council agendas, along with more transparency in reporting of STRS – BY NEIGHBORHOOD! -- and compliance.

Cindy Abbott
West Sharp Park

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From: robert odonnell [redacted]
Sent: Sunday, February 23, 2025 8:56 PM
To: _City Council; Public Comment
Subject: Pending Short Term Rental Ordinance

[CAUTION: External Email]

Dear Honorable Mayor and City Council Members,
I am writing to address the pending short term rental ordinance. Many of your citizens have been living with the negative unintended consequences of the current STR ordinance for years. It has proven to be weak and ineffective and has been abused by some owners for profit while leaving neighborhood reeling with their problems.

Your citizens have worked with you and the Planning Commission to create a new strong and effective ordinance. While the current proposed ordinance addresses many issues and we are grateful for that, some topics are still an area of concern.

Specifically, I recommend that the unhosted 60 day maximum number of nights be approved be enacted rather than the 90 day provision. Other cities have done this and it is a reasonable number considering that these commercial enterprises are imposed in our neighborhoods.

I would hope we can achieve a faster compliance after the implementation of the ordinance. The October 2025 non coastal area and October Coastal area 2026 dates are way down the road while we need relief now, not a year and a half from passage of the ordinance.

I also suggest that both hosted and unhosted STR properties should be subject to inspections by the City. These are “for profit properties” and life safety issues are a paramount concern in rental properties and they all need the protection of compliance with all fire and life safety codes.

I know much effort has gone into the process and am grateful to the City Council and Planning Commission for your efforts to address this serious problem in our neighborhoods. I trust that the new STR ordinance will go a long way toward restoring order to our neighborhoods while still providing a reasonable revenue to the City and hospitality to visitors.

Thank you,
Bob and Jackie O’Donnell Aspen Dr. Pacifica

,and Planning
JacquelineO’Donnell
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From: T Neilands [redacted]
Sent: Sunday, February 23, 2025 10:05 PM
To: _City Council
Cc: Public Comment
Subject: Comments regarding proposed STRs ordinance to be discussed at the 02/24/2025 Council meeting

[CAUTION: External Email]

Dear Pacifica City Council,

We are writing in support of the proposed ordinance to impose reasonable operating regulations on short-term rentals (STRs) located in Pacifica. We have lived on Grand Avenue in Pedro Point for the past 18 years and have experienced a deterioration in the quality of life in our neighborhood due to the presence of STRs located on Grand Avenue. Negative impacts have included trespassers seeking to access the Pedro Point Headlands through our property, excessive vehicular traffic (including additional wear and tear on our streets), and noise. These have been particularly problematic from STRs that are investor-owned without full-time on-site oversight. Today we write not only in support of ourselves, but also in support of our neighbors and fellow Pacificans who have also been negatively, and at a times, highly significantly impacted by unregulated STRs.

Therefore, we enthusiastically support the proposed ordinance while additionally calling for the Council to please also include the additions proposed by Pacifica Homes Are Not Hotels. These include:

- Ensuring that the definition of a "hosted rental" includes language stating that the host must be present for the duration of the rental--ESPECIALLY during the hours of 10 p.m. and 8 a.m.
- Adding the word "local" to the definition of "Responsible Party," and requiring said Responsible Party to be able to respond in person at the rental property within 30 minutes
- Removing the language that allows for an unlimited number of children to stay in each STR bedroom
- Reducing the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights (this is in line with what Half Moon Bay has in place and is also what the Coastal Commission has been expecting us to request)
- Removing the language that allows an STR operator to move into the ADU on their property and rent out their entire home as a "hosted" rental. Allowing this could create a huge loophole allowing unscrupulous STR operators to violate the intent of the proposed ordinance.
- Making it two violations within a 24-month period (and NOT a 12-month period) that trigger STR permit revocation
- Requiring STR operators who have had their permit revoked to wait 24 months (and NOT 12 months) before reapplying for a new permit
- Please do not follow the Planning Commission's suggestion to require only two off-street parking spots. Instead, please require one off-street parking spot for each legal bedroom for STRs operating outside of the coastal zone (so, if the STR has three legal bedrooms, it must supply three off-street parking spots, regardless of whether the STR is located in the coastal or non-coastal zone)
- Requiring that the decibel levels of noise monitors to be installed outside STRs are established by the City and NOT by the STR operator
- Requiring that STR operators, who must all prove primary residency, be "Natural Persons" and NOT corporations, trusts, LLCs, estates, partnerships, or other non-physical entities.
- Requiring that "hosted" STRs be inspected just the same as "unhosted" rentals

- Mandating that, along with limiting the number of visitors STR guests can invite onto the property, said visitors are NOT permitted on the rental property between the hours of 10 p.m. and 8 a.m.
- Requiring that STRs in the coastal zone be prohibited from bringing renters into the area during times when streets are closed to all but residents due to dangerous storm and wave activities
- Requiring that ALL provisions of the new ordinance go into effect as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. In other words, we request that there be NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.
- In order to ease City staff resources and reduce expenses around enforcement of non-compliant STRs, adding in language that requires platforms such as Airbnb, VRBO, and smaller vacation rental companies (Marbella Lane, etc.), be accountable for listing and subsequently removing any STR units not in compliance with Pacifica's STR ordinance, as follows (language taken from HMB's ordinance, "Hosting Platform Regulations" 7.b.)

"Hosting platforms shall be required to prompt hosts to include the city-issued registration number in their listing(s), in a format designated by the city. Upon notice from the city that a listing is noncompliant, hosting platforms shall cease any short-term vacation rental booking transactions for said listing(s) within five business days. A hosting platform shall not complete any booking transaction for any residential property or unit subject to a city notice, until notified by the city that the residential property or unit is in compliance with the local registration requirement."

Thank you very much for your consideration of our support for this important ordinance, as well as your ongoing service as members of the Council to benefit our community.

Sincerely,
Tor Neilands
Dianne Seaborg
[redacted]
Pacifica, CA 94044
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From: Anna Tong [redacted]
Sent: Sunday, February 23, 2025 10:47 PM
To: Public Comment
Cc: Woodhouse, Kevin; Carter, Yulia
Subject: Public Comment for 2-24-25 City Council Meeting Agenda Item #5
Attachments: Pacifica Commercial-Residntial Zones.pdf

[CAUTION: External Email]

Hello,

My name is Anna Tong and I am a short term rental owner in Pacifica.

I was hoping you would take up the issue of allowing non-primary-residence STR rentals without day caps in Pacifica's commercial-residential zones. There are only 3 areas that have commercial-residential zoning: along Palmetto Avenue by the Safeway on Manor, along Palmetto in Sharp Park, and near Rockridge (maps attached of the specific lots).

This is not something that is controversial: commercial STRs are allowed in otherwise STR-restricting cities that are most similar to Pacifica such as Half Moon Bay, Oceanside, and Laguna Beach. (See below for laws).

These cities chose this path because STRs in commercial districts have many benefits with fewer downsides: they are much less likely to disturb neighbors yet are more likely to stimulate commercial corridors. Not only do they generate ToT income, they increase sales tax and make businesses in these residential-commercial zones more viable. Meanwhile, the area is less desirous to residents seeking a quiet neighborhood.

Our STR is next to a marijuana dispensary and a Recology garbage truck depot, and because of that, it is not a quiet and family-friendly area. However, we generate wonderful experiences for tourists and make them fall in love with our town.

Moreover, the STR generates $13,000 annually in direct taxes for Pacifica per year in transient occupancy tax (and more soon now that ToT is higher). Other STRs in commercial-residential zones generate a similar amount of tax revenue as ours. That's compared with about $227/household in sales tax for a non-STR, long-term rental.

Laws allowing unrestricted short term rentals in commercial zones

Half Moon Bay allows non-primary residence STRs in their commercial zones: "Primary Residence. No dwelling unit shall be operated for short-term vacation rental use unless the dwelling is the primary residence of the operator. Short-term vacation rentals permitted to operate in the commercial-downtown, commercial-general, or commercial-visitor serving zoning district pursuant to subsection (G)(5)(a)(i) or (iii) of this section are exempt from this primary residence requirement."

Oceanside only banned STRs in residential districts: "Non-hosted short-term rentals located in any residential zoning district outside of the Coastal Zone are prohibited." The same applies to within the Coastal Zone with the exception of their R-1 zone.

Same with Laguna Beach: "STL is no longer allowed in the residential districts (R-1, R-2, and R-3). Existing permitted STL units in the residential districts are legal nonconforming and may continue to operate. STL is allowed in the LB/P, C-N, C-1, and CH-M zoning districts and within the CBD-1, CBD-2, CBD Central Bluffs, CBD Office, and CBD Visitor Commercial Districts of the Downtown Specific Plan subject to the approval of an Administrative Use Permit and SLV zoning district subject to the approval of a Conditional Use Permit.

Thank you for your consideration.

Sincerely,
Anna Tong

--
Anna Tong

[redacted]

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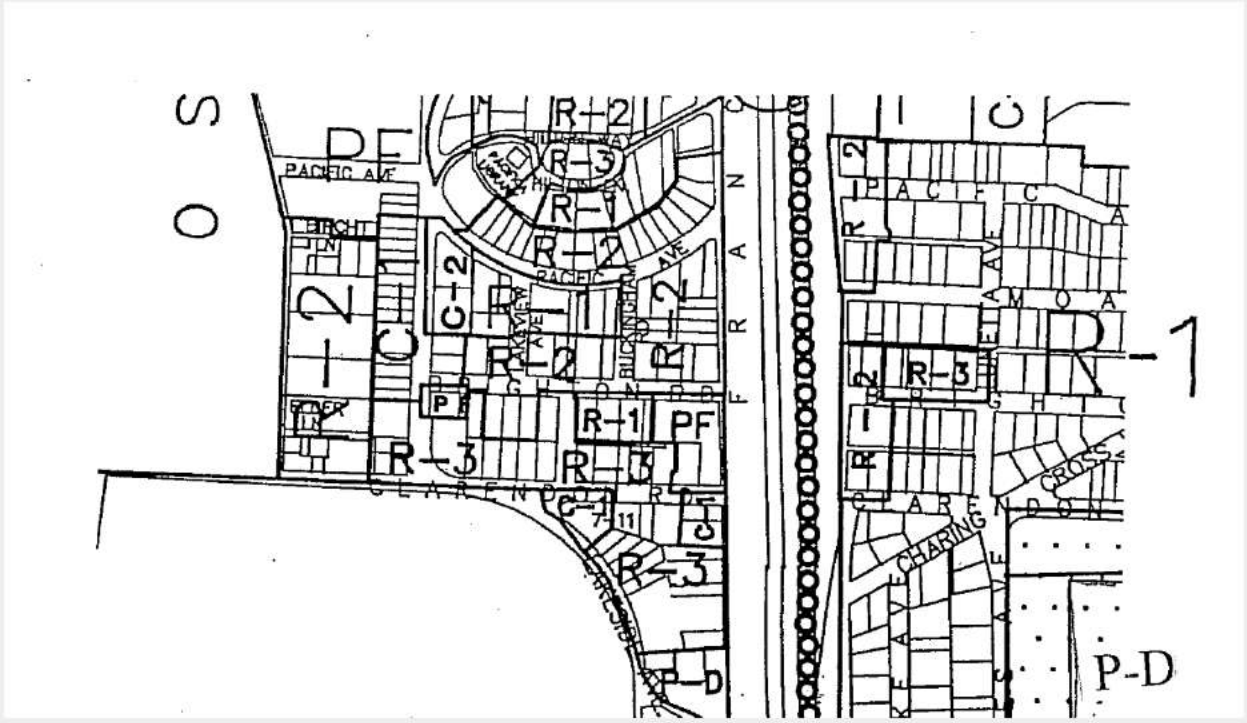
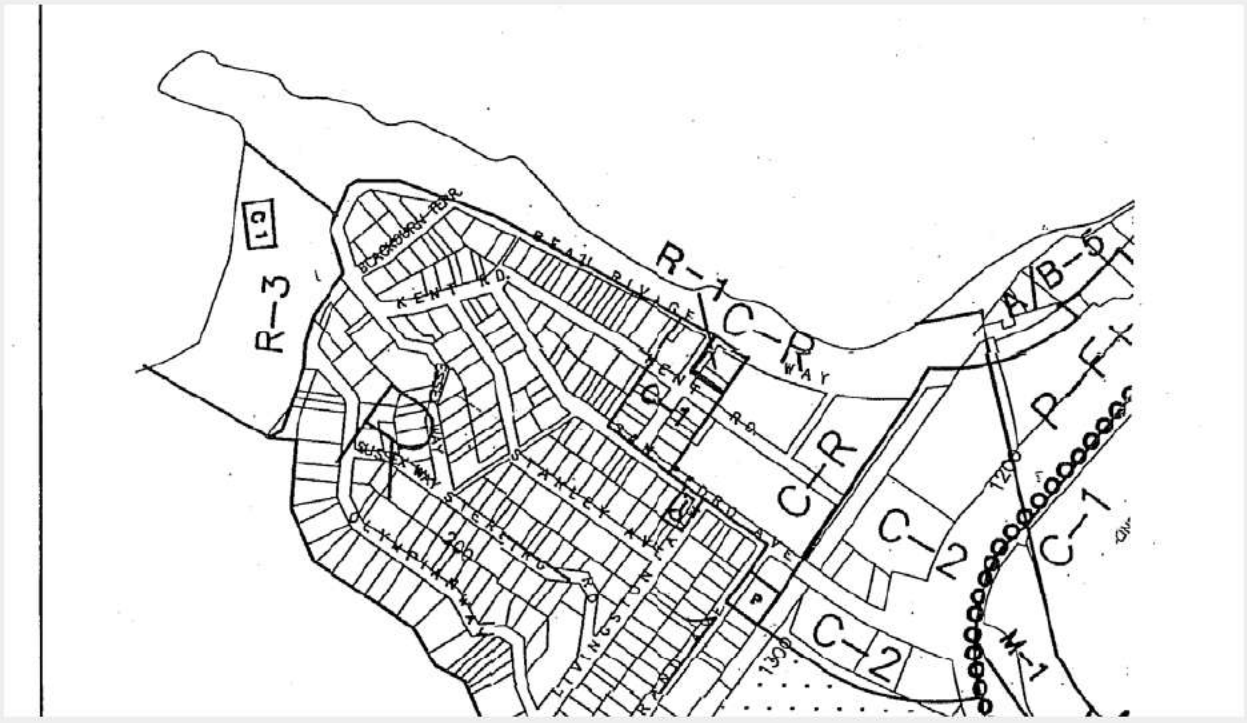
MONTEREY RD
AURA VISTA
ESPLANADE
PALMETTO AVE
R-3
R-1
C-R
R-3.1
C-1
P
W MANOR DR
W MANOR POST OFF
DOLPHIN DR
AVALON DR
C2
R-2
C-2
C-1
FIRE STA
EDGEMAR
JOHNSON
500
DE MAR
EFREMONT
PERRY
ARROYO DR
MILAGRA
PACIFIC MANOR ELEM. SCHOOL
LANCROFT


O S
PACIFIC AVE
R-2
R-3
R-1
C-2
C-1
PF
P
P-D
CHARING
CROSS


R-3
R-1
C-R
C-2
C-1
M-1
P-F
A/B-5
KENT RD.
BEACH RIVAGE
LIVINGSTON AVE
SERPENTINE DR
QUEENSWAY
CLAREMONT
BLACKBURN DR

From: Cherie Chan [redacted]
Sent: Sunday, February 23, 2025 11:49 PM
To: Public Comment
Subject: Agenda Item 5: Short Term Rental Ordinance

[CAUTION: External Email]

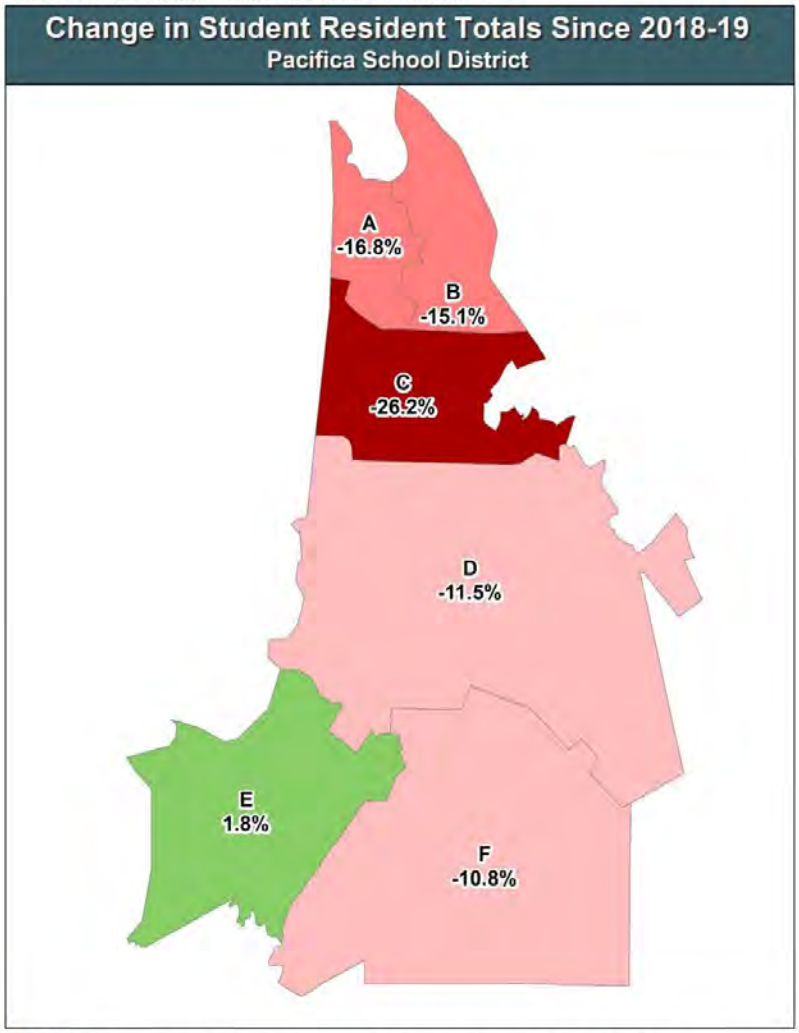
Dear City Councilmembers and Planing Staff,

Thank you for the exceptional work you have done so far to create ordinances which will help stop the hollowing-out of our community. In general, the draft ordinances before present a clear improvement over the prior lax standards over this quickly-growingproblem, but there is more that can be done.

I lived in Oakland, a city with notoriously strict rent control laws including a ban on short-term rentals prior to moving to Pacifica. As a landlord there, I have had no problem renting out my home to permanent renters, who contribute to their community. Since moving to Pacifica, we have made so many friends, particularly through Mothers Club, preschool, and elementary school. Over the past few years, many families have moved out, to be replaced by faceless, nameless short-term renters, rather than the families who enrich the vitality of our community.

Full-time unhosted STRs displace families that would otherwise live in the home being rented out and thereby reduce student enrollment that our local schools depend upon for adequate funding. As shown by a demographic study commissioned by the Pacifica School District, our schools are already facing dire funding shortfalls due to declining enrollment. STR laws and weak enforcement further incentivize owners to rent their properties for short-term gain without paying their fair share.

Figure 26. Change in Student Resident Totals, 2018-19 through 2024-25



To ensure a sustainable, Strong Pacifica for its residents and its visitors, please modify your STR rentals to require **Platform Accountability** so rental platforms can only collect a booking fee on units that are properly registered and legal, and they are penalized for listing illegal properties. Lots stop Pacificans from fighting each other, and put the responsibility back where it belongs, on the multi-billion dollar corporation profiting off Pacifica.

Thank you.

Cherie Chan
San Pedro Avenue

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From: HD [redacted]
Sent: Monday, February 24, 2025 12:07 AM
To: _City Council; Public Comment
Subject: Enhancing STR Ordinances for the Benefit of Pacifica
Attachments: STR_2.PNG; STR_3.png

[CAUTION: External Email]

Dear City Council Members,

Thank you for your efforts and consideration regarding short-term rentals (STRs) in Pacifica. As a resident and father of two children (ages 7 and 2) who attend local schools, I want to highlight critical areas I believe are essential for the success of the new ordinances. These recommendations should be added or modified in the current draft.

I will provide research-based evidence and explanations to support my top priority issue. My list below is organized in order of importance, with the most critical item first. This email is divided into two sections:

1. **Proposed Enhancements to the Ordinance**
2. **A Comparison of STRs vs. Hotels Under California Regulations**

Section 1: Proposed Enhancements to the Ordinance

1. Limiting STRs to a Maximum of 60 Days Instead of 90 Days

Allowing 90 days for unhosted short-term rentals (STRs) can significantly harm local communities by increasing housing instability, encouraging commercial STR conversions, and disrupting residential neighborhoods. Properties could be rented for up to **45 weekends per year (out of 52),** creating continuous turnover and instability. Below is the evidence supporting a 60-day limit:

1A. A 90-Day Limit Makes STRs More Profitable Than Long-Term Rentals

STRs become more financially attractive than year-long leases, incentivizing property owners to prioritize STRs over long-term tenants.

- **Market Data:** Inside Airbnb and AirDNA data show that STR revenue often exceeds long-term rental income in high-demand California areas like San Francisco and Los Angeles.
- **McGill University Study (2017):** Found that STR hosts in major cities can earn up to **twice as much** annually compared to renting to long-term tenants.
- **Example 1:**
    - A typical long-term rental in Pacifica rents for **$3,900/month ($46,800/year).**

    - As an STR at **$650/night for 90 days**, the same property would generate **$58,500 in just three months.**
- **Example 2: Property at 2310 Palmetto Avenue** (previously shared in my email to the City Council on 9/15/2024). See attached photos for STR pricing and rental estimate for this property.
    - STR Rate: **$837/night (based on high-demand December pricing).**
    - **Annual STR Income (90-Day Limit):** $837 × 90 days = **$75,330**
    - **Monthly STR Income:** $75,330 ÷ 12 months = **$6,277.50**
    - **Zillow Long-Term Rental Estimate:** $4,273/month
    - **STR Premium Over Long-Term Rental: +46.9%** higher revenue
    - STR investors can operate at just **24.6% occupancy (90 days/year)** while still out-earning a full-time tenant.

Why a 60-Day Cap Is Necessary

A 60-day cap aligns STR income with long-term rental estimates:

- **Monthly STR Income (60-Day Limit):** $837 × 60 days ÷ 12 months = **$4,185**, closely matching the long-term rental estimate of $4,273.
- STR investors already receive **substantial tax benefits**, further increasing their profitability at the expense of affordable housing.

1B. STRs Operating for 90 Days Function as "Mini Hotels"

A 90-day limit allows up to **45 weekends** of new guests annually, disrupting neighborhoods.

- **Increased Noise, Traffic, and Safety Issues**
    - A **NYU School of Law (2020)** study found that STRs **increase noise complaints** and neighborhood disturbances, particularly on weekends.
    - A single STR could introduce **180+ different visitors per year**, creating a revolving door of strangers.
- **Loss of Community Stability**
    - **University of Massachusetts Amherst (2021)**: STR-heavy areas experience **higher crime rates** due to transient guests unfamiliar with community norms.

Better Alternative: 60-Day Cap

- Reduces transient visitor turnover.
- Helps preserve neighborhood stability and safety.

1C. 90-Day STRs Drive Gentrification & Displacement

- **UCLA Study (2019):** Found that a **10% increase in Airbnb listings raises rent prices by 0.4%.**
- Neighborhoods with a **high density of STRs** push out local residents in favor of high-paying short-term tourists.
- Cities like **Barcelona, New York, and Amsterdam** have cracked down on STRs due to their negative effects on affordability and displacement.

Better Alternative: 60-Day Cap

- Reduces the incentive to convert long-term rentals into STRs.
- Helps maintain more housing for full-time residents.

Conclusion & Policy Recommendation

- A 90-day STR limit makes STRs **more profitable** than long-term rentals, worsening housing shortages.
- Up to **45 weekends** of STR guests annually disrupt neighborhood stability.
- STR-driven **gentrification and rising rents** push out local residents, affecting school enrollments and funding.

Solution: Reduce the STR cap to 60 days per year

✓ Maintains income potential for homeowners **while discouraging commercial STR operations.**

✓ Helps balance **economic benefits with community stability and housing affordability.**

Additional Policy Recommendations

2. Defining a "Hosted Rental" More Clearly

- Hosted STRs should only be allowed in **a primary residence owned by a natural person (not corporations, LLCs, or trusts).**
- The host (property owner) must **sleep in the main house (not an ADU) between 10 p.m. and 8 a.m.**

3. Stronger Inspection & Compliance Measures

- **Equal Inspections for Hosted & Unhosted STRs** under the same process and guidelines.
- STR platforms must **report the number of rented days per property** directly to the City.
- Local residents should have the right to report violations.
- **Severe penalties** should be imposed on platforms and property owners for non-compliance.

4. STR Permit Revocation After Two Violations in 24 Months (Not 12 Months)

5. Immediate Implementation of Ordinance Provisions

- **All provisions must take effect immediately** upon the ordinance's enactment for non-coastal STRs and upon Coastal Commission certification for coastal STRs.
- **No waiting until STR permit renewals in October 2025 or 2026.**

Section 2: STRs vs. Hotels Under California Regulations

1. Zoning Violations

- STRs **violate residential zoning laws** by operating as unregulated lodging businesses.

- **Harris v. City of Santa Monica:** Court upheld STR bans due to their impact on residential zoning.

2. ADA Violations

- Unlike hotels, STRs **are not required to provide accessible accommodations** for disabled guests, violating **ADA Title III.**

3. Federal Fair Housing Act (FHA) Violations

- STR hosts can **discriminate** in guest selection, while hotels must follow **strict non-discrimination policies.**

4. Economic & Social Harm

- STRs worsen **housing shortages and affordability.**
- STRs contribute to **neighborhood disruptions and tax revenue loss.**
- **Pacifica homes are NOT hotels.**

Final Request

I urge the City Council to:

1. **Reduce the unhosted STR cap from 90 days to 60 days.**
2. Implement **stronger regulations** to maintain housing affordability and neighborhood stability.

Without these changes, the new ordinance will fail to achieve its intended goals. Thank you for your time and consideration.

Sincerely,

Haroldo

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7:08

$837

Hot tub! Beach 1 block away, Peloton, near SF and SFO airport

5.0 ★★★★★ (5)

SHARE

SAVE

VISIT WEBSITE

Overview | Prices | Reviews | Location | Photos

Entire house

Sleeps 11

3 bedrooms

3 bathrooms

7 beds

$837

Dec 25 – 27

Visit site

AA

google.com

Zillow

Edit Save Share

3 bd | -- ba | 4,541 sqft

2310 Palmetto Ave, Pacifica, CA 94044

Off market

Zestimate®: None ? Rent Zestimate®: **$4,273**

Est. refi payment: $ -- Refinance your loan

Home value Owner tools Home details Neighborhood details

From: Sue Digre [redacted]
Sent: Monday, February 24, 2025 6:52 AM
To: Public Comment
Subject: Feb 24 2025. # 3 and Public Hearing

[CAUTION: External Email]

First on agenda.5PM: .....Climate Action Plan
Establish as a top.priority
Traffic Congestion Mitigation.
Attention: We already had/ have Caltrans responsible for providing
Intelligent Traffic Management 21C Systems
(otherwise we were going to hire InSync)
We should insist on the best ITS system asap.
We should encourage working with the Mid Council south of the Tunnel and HMB to also have ITS Traffic controls through to Higway 92.
This is State of the Art Traffic Control Management ITS throughout the world including in California elsewhere too.

Attention: InSync is now hired by CalTrans and we do have an InSync Reb ready to assist.

....Second item: .#3 Consent calendar Measure K funds for transportation issues.
This must include the opportunities for continuing and also enhancing Intelligent Traffic Management Systems .21C technology already procured in Pacifica.TA Funding

Third item...Public Hearing
I support all the Community input from the
Reineros & their outreach.

I would like to add that the Plarform Accountability part consider adding a requirement . That the platform accountability must annually provide an updated data report to the Community and City Council at a City Council.meeting to ensure that the Community Choices voted on this evening are being maintained yearly.
Otherwise like the ITS we voted on and got years ago will be an elusive requirement .We must know the status of progress orr not at a all times.

Sue Digre

From: Cheryl Greene [redacted]
Sent: Monday, February 24, 2025 7:59 AM
To: Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; _City Council; Public Comment
Subject: Public Comment - Pacifica STRs

[CAUTION: External Email]

Dear Members of the Pacifica City Council,

Thank you for the countless hours of work you all provide on our behalf.

Please consider the following:

1. Pacifica residents should have the right to host short-term rentals in their homes but s*hould be required to be* present during the rental stay.
2. Non-hosted STRs should *require a local contact person to respond within 30 minutes* to resolve community complaints of noise and over-parking.
3. I would like you to i*mmediately require STRs in multi-owner buildings to convert to long-term rentals or sell to a non-STR owner*. STRs in mulit-owner buildings are too disruptive.

Best regards,
C~

Cheryl Greene
[redacted]

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From: Alan Greene [redacted]
Sent: Monday, February 24, 2025 8:05 AM
To: Berman, Lauren; Devine, Daniella; Godwin, James; Redfield, Chris; _City Council; Public Comment
Subject: Public comment

[CAUTION: External Email]

Dear Members of the City Council,

I appreciate the City Council's dedication to protecting and enhancing the quality of life for Pacifica residents while also welcoming visitors to enjoy our beautiful coastline. Your efforts in balancing community well-being with tourism are truly commendable.

I am writing to express my strong support for the timely implementation of your new regulations regarding non-hosted short-term rentals (STRs) in multi-unit buildings. Delaying these measures could have unintended consequences for our neighborhoods and the well-being of residents. I urge you to move forward without delay to ensure that our community remains a safe and livable place for all.

Additionally, I encourage the Council to require that all non-hosted STRs have a designated local contact who can respond within 30 minutes to address any issues that arise. As a pediatrician, I understand the challenges of being available on short notice, but I also recognize the importance of prompt responsiveness in maintaining safety and accountability. I personally make myself available to my patients within 30 minutes because I consider it a vital responsibility. I believe the same standard should apply to those operating non-hosted STRs to ensure minimal disruption to our community.

Thank you for your time and consideration. I appreciate your ongoing efforts to support the well-being of Pacifica's residents and visitors alike.

Sincerely,
Alan Greene, MD

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From: Pam Raymond [redacted]
Sent: Monday, February 24, 2025 8:31 AM
To: _City Council
Cc: Public Comment
Subject: STR ordinance

[CAUTION: External Email]

Dear Pacifica Mayor & City Council Members:

Some of the responsible short-term rental operators
will tell you they have worked with their neighbors and have good relations. They will read you all their rave reviews left on their platforms, and make the point that they are providing the gift of access to the coast, etc. etc. I would like to believe there are some good operators out there. However, I'd like to paint you another scenario, and sadly this is one that has played out over and over again across our Pacifica communities.

There are two STRs on the immediate block surrounding me, both are ocean front along the Beach Blvd. promenade. The operators purchased these properties and lied to us in neighboring homes that they would "maybe try renting the place for a while but their plan was to move in as permanent residents." They never spent one night there as far as I can tell, and they are completely 100% unhosted. One lives over the hill

on the peninsula, not sure where the other one lives. The one directly next to me used to be a 6-unit affordable long-term rental apartment complex, then was bought and converted into a triplex with an upper/larger unit as the owners primary residence, and the two lower units were rented out either as STRs or space for their visiting family members. This in my opinion is the ideal set-up for short term rentals. This configuration worked out well for him, the operator, and all us neighbors, because it was a hosted STR.

When the current owner bought the building (the one who lied to us and said he was going to live there full-time) it became a giant construction and renovation zone for an entire year, jack hammering for weeks on end, reconfiguring it into a high-end 2 or 2 1/2-unit residence (not entirely sure what's in there). He charges upwards of $3000 a night. It's operated like a hotel or a convention center for large gatherings and corporate retreats.

There are always too many cars parking on the street on both Paloma & Carmel Avenues when these 2 rentals are occupied, taking away parking spots for the visitors who want to walk along the beach promenade. I don't think the California Coastal Commission would agree that $3000 a night is "accessible" to the average general public, nor would it be considered accessible if all the existing parking spaces were taken up by the many visitors, etc. coming

and going into the short-term rentals. Speaking of the coastal commission, let's cap the number of unhosted nights at 60 per year, as they have recommended.

The nuisance complaints and other common headaches of noise and late night parties, garbage spilling out onto the street because the host doesn't follow the recology garbage pick up schedule closely enough, the shortage or non-existence of parking spaces for neighbors, residents that live in the community, and visitors who want to walk in this beautiful coastal zone, has been our reality for far too long, and we urge you to adopt the new ordinance with:

-60 (not 90) maximum unhosted nights a year;
-primary residency requirement by a natural person
-make listing platforms accountable for non-compliance with Pacifica's STR ordinance
also:
-add "outdoor firepit" in Section 9-4.4905 (n) where it says "prohibit use of outdoor pools, spas & hot tubs between hours of 10 pm - 7am", as they have 2 firepits, one upper level, one lower level deck, which directly impacts neighbors on all sides.

Please adopt and make effective immediately this proposed ordinance.

Sincerely,

Pam Raymond
longtime West Sharp Park resident

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From: Stephanie Robbins [redacted]
Sent: Monday, February 24, 2025 9:23 AM
To: _City Council
Cc: Public Comment
Subject: Short Term Rentals in Pacifica

[CAUTION: External Email]

Hi City Council,

First, I want to thank you for listening to the citizens of Pacifica regarding the problems associated with our homes being used as hotels. I purchased my home almost 20 years ago, and in that time I have lost a large amount of neighbors. Instead of being able to feel safe that my friends next door are looking out for me and my son, I now worry that the people next door could be throwing a party, casing my house or one of my other neighbor's homes, setting off fireworks, driving the wrong way down our one-way streets, and many other concerns that are eroding our quality of life in this very expensive place to live.

I find it upsetting that I am writing yet another letter asking for the same basic guardrails that our neighboring small coastal towns have successfully implemented, or that the California Coastal Commission has suggested. Yet, here we are. I guess it's just the process, although in the small town in which I grew up and the one I went to college in, these processes were much simpler.

Why are these simple requests falling on deaf ears?
Why are we only going part of the way to the finish line to protect the quality of life for those that live in Pacifica?
We have come so far, but the last few items are the items that will make a difference between success and failure of this program. It does seem that there are people in the city management that want this to fail, and by blocking some of these basic requests, minor adjustments, they are going to destroy our quality of life for some perceived increase in TOT while ignoring the actual economic value of a family living in these homes.

Please make these last final adjustments:

- **Reducing the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights (this is in line with what Half Moon Bay has in place and is also what the Coastal Commission has been expecting us to request)**
- ALL provisions of the new ordinance need to go into effect as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. ***NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.***
- We really need to ensure that the definition for a “hosted rental” includes language stating that the host must be present for the duration of the rental
- Any “Responsible Party” needs to be local, in Pacifica, so that they can respond in person at the rental property within 30 minutes. This has the potential to reduce burdening the police as well.

- Removing the language that allows an STR operator to move into the ADU on their property and rent out their entire home as a “hosted” rental. This opens us up to a massive amount of additional loopholes that will wreak havoc on Pacifica.
- Please continue to require one off-street parking spot for each legal bedroom for STRs operating outside of the coastal zone. We should have one ordinance throughout Pacifica. If it's a problem in the coastal zone, it's a problem east of highway 1.
- Decibel levels of noise monitors that need to be installed outside STRs are established by the City, NOT by the STR operator. This inspection can be a profit center for the city.
- All STR operators, must all prove primary residency, be “Natural Persons” and NOT corporations, trusts, LLCs, estates, partnerships, etc. This is a neighborhood first and foremost. We need to know these neighbors.
- Requiring that STRs in the coastal zone be prohibited from bringing renters into the area during times when streets are closed to all but residents due to dangerous storm and wave activities. This has caused safety problems.
- In order to ease City staff resources and reduce expenses around enforcement of non-compliant STRs, adding in language that requires platforms such as Airbnb, VRBO, and smaller vacation rental companies (Marbella Lane, etc.), be accountable for listing and subsequently removing any STR units not in compliance with Pacifica’s STR ordinance, as follows (language taken from HMB’s ordinance, “Hosting Platform Regulations” 7.b.)

It might look like a long list, but it's actually mostly small tweaks to what has already been put into the ordinance.

Please make these last final changes and support our quality of life.

Thank you for your consideration.

Stephanie Robbins

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From: George P. Surmaitis [redacted]
Sent: Monday, February 24, 2025 9:54 AM
To: _City Council; Public Comment
Subject: SRT Ordinances and public comment by resident

[CAUTION: External Email]

We appreciate the progress which has been made in addressing the SRT issues in Pacifica, a non-commercial community with a unique quality of life for its residents. After experiencing first-hand the effects of SRT's on our street, including cars taking up the available street parking and driving/turning in the cul-de-sac at all hours; noise; and groups of persons which could not possibly fit in the bedrooms or normal space of the SRT, our view on SRT's changed. As we learned more, that large numbers of properties in Pacifica were being purchases by entities as SRT's, displacing potential resident homeowners, and depleting certain neighborhoods of the normal "community" feel that is essential, our concern grew even more deeply that this would be a trend that would continue unabated, without regard for the actual residents. We attended several meetings in which SRT owners extolled their love of Pacifica, despite not residing here, and the needed income in owning an SRT, despite owning additional homes and/or properties outside of Pacifica in addition to the SRT's, a luxury not had by many residents. Meanwhile, residents in opposition were labeled as NIMBY's and entitled, while simply trying to preserve their right to peaceful enjoyment of property. A fear we still have is that while the proposed ordinance is a big step, that there will be numerous loopholes, and that it will be negated by various concessions. If so, nothing will have changed. Among the most important aspects of an ordinance to affect change is to limit parking to the driveway only of an SRT or if no driveway, one car per bedroom. This serves a few purposes, including allowing residents reasonable parking in their own neighborhoods, reducing the amount of traffic, and keeping space open for emergencies. In addition, SRT's should not be owned by corporations or entities. To allow otherwise actually works against persons who simply want to make extra income and result in faceless hosts. An owner should be required to verify that ownership is not by means of a corporation or legal entity. Violations should be strictly enforced. Violations such as loud noise, large parties, illegal parking, spawned part of this movement. If there are no teeth to enforcement, then it is a disservice to the residents. There should be a limit of two violations within a 12 month period, this will have the effect of causing owners to enforce their own rules carefully. Owners should be entitled to a hearing process before revocation to satisfy due process requirements, but if there is revocation, reapplication should not be permitted for a period of 24 months along with submission of a remediation plan. We thank the City Council for what has been a prolonged and very time intensive process, with a lot of commentary to absorb and conflicting demands.

George and Judy Surmaitis
Park Pacifica

George P. Surmaitis
Attorney at Law

Certified Specialist In Workers' Compensation Law
State Bar Board of Legal Specialization

Certificate in Artificial Intelligence For The Legal Profession, U.C. Berkeley
Phone: (650) 994-1148
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355 Gellert Boulevard, Suite 202
Daly City, CA 94015
GPSPLC.COM

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From: Rebecca Ayala <rebecca@betterneighborsla.org>
Sent: Monday, February 24, 2025 9:54 AM
To: Public Comment
Cc: Noah Suarez-Sikes
Subject: Better Neighbors Comment Letter - Agenda Item #5: Short-Term Rentals - February 24, 2025 Meeting
Attachments: Better Neighbors Comment Letter - Pacifica City Council Meeting February 24 2025 - Agenda Item #5.pdf

[CAUTION: External Email]

Hello,

Please see attached correspondence regarding Agenda Item #5: Public Hearing on a proposed ordinance repealing and replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals") from Better Neighbors LA.

Thank you,

Rebecca "Becca" Ayala
Policy and Advocacy Director
Better Neighbors LA
(213) 355-7600
rebecca@betterneighborsla.org

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February 24, 2025

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: February 24, 2025 City Council Meeting Agenda Item #5: Public Hearing on a proposed ordinance repealing and replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals")

Dear Honorable Mayor Beckmeyer and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities.[1] Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and affordable coastal public access.

The updated ordinance is a good step towards safeguarding existing housing stock; however, without further amendments to the ordinance, short-term rentals ("STRs") will continue to proliferate, leaving long-term residents at risk of displacement. BNLA urges the Pacifica City Council to amend current STR regulations to a true home-sharing model, which means allowing hosted-only rentals. A hosted-only policy that includes a primary residency requirement will help prevent displacement and ensure that communities are protected from the negative effects of STRs. Hosted STRs necessarily function as housing for their host. Unhosted STRs are more likely to be owned by corporations. While the primary residency requirement included in the proposed ordinance will provide some protection, enforcement of these provisions are notoriously difficult. Strong enforcement language will be vital to prevent violations.

Should the Council decide not to move forward with a true home-sharing model, we encourage the City to adopt common-sense policies present in many jurisdictions throughout the California coast, **including a 60-night cap on the number of nights an unhosted short-term rental can be operated annually, limit registrants to only natural persons, hold STR**

[1] https://www.betterneighborsla.org/

platforms accountable, and include a private right of action for those impacted by illegal operations.

Based on our data analysis and research, we suggest that the City Council move forward with the following ordinance amendments:

1. ***60-Night Cap on Unhosted STRs Annually****:* We suggest limiting the rental of unhosted STRs to 60 days per calendar year, rather than 90 to prevent continued commercialization of housing in the City. This cap is similar to the one adopted by the City of Half Moon Bay and approved by the Coastal Commission in March 2023.[2] The City of Mountain View also has a 60 night cap, and the Town of Los Gatos approved an even lower cap at 30 nights per year.[3]
2. ***Limit Registrants to Natural Persons:*** Without limiting registrants to only natural persons, corporate hosts can commercialize neighborhoods. By their very nature, corporate hosts may not necessarily use their properties as long-term housing and instead operate these homes as de facto hotels. The Coastal Commission most recently approved this policy in Marin County in April 2024.[4] The staff report suggests a policy premised on limiting any entity to owning a single STR. Such a regulation would be most effective paired with an amendment to the definition of "person" to only include natural persons. The City of West Hollywood defines hosts as only natural persons.[5]
3. ***Accountability for Platforms****:* Requiring the registration number in each STR advertisement is a good step towards ensuring platforms comply with the STR ordinance. The Council should include an electronic verification system that requires platforms to verify a listing is compliant prior to the completion of a booking transaction. An electronic verification system would place more of the onus on the platforms, rather than City staff, to verify compliance. New York City implemented this enforcement tool, and the City of Los Angeles is taking steps to move forward with this proposal as well.[6]
4. ***Private Right of Action:*** Amending the ordinance to include a private right of action would provide residents with the ability to pursue legal action against hosts and platforms that violate the regulations. This takes some of the enforcement burden off of the City. Cities like Santa Monica, West Hollywood, and San Francisco have already adopted this enforcement mechanism.[7]

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[2] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[3] City of Mountain View: https://www.mountainview.gov/our-city/departments/finance-and-administrative-services/billing/short-term-rentals ; Town of Los Gatos: https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH14LIMIBURE_ARTXIVSHRMRE
[4] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[5] City of West Hollywood: https://ecode360.com/43904377
[6] New York City: https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-137273 ; City of Los Angeles, See Item #6: https://clkrep.lacity.org/onlinedocs/2014/14-1635-S10_misc_HH_12-4-24.pdf
[7] City of Santa Monica: https://ecode360.com/42735174 ; City of West Hollywood: https://ecode360.com/43917308 ; City of San Francisco: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-27937

We urge the Council to adopt the recommendations above at the February 24, 2025 hearing, which would strengthen regulations to adequately protect long-term residents while allowing hosted STRs to exist. Should you have any questions, please contact Rebecca Ayala at rebecca@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

From: Armetta Parker [redacted]
Sent: Monday, February 24, 2025 10:00 AM
To: _City Council; Public Comment
Subject: Item #5, Short Term Rental Ordinance Feb. 24, 2025

[CAUTION: External Email]

Dear Mayor Beckmeyer and City Council Members,

I strongly urge you to clearly define "hosted STR" and to eliminate the loopholes that allow platforms to list a home as hosted when in fact there is no local human being at the property or within 30 minutes; e.g. out-of-town renter operating a property as an STR with the permission of an out-of-town property owner (Not a hypothetical.)

Additionally, place and enforce the responsibility of tracking down non-permitted STRs on better-funded and resourced platforms, not costly outside consultants and understaffed departments. I support the ability of Pacificans to remain in their homes and to contribute to the community with their time and talent as well as their treasure.

A city is more than the revenues it collects, it's a **community** of neighbors and neighborhoods.

Respectively,

Armetta Parker
13-year Pacifica resident.

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From: Jeff Jones [redacted]
Sent: Monday, February 24, 2025 10:07 AM
To: Public Comment
Subject: STR ordinaince; Agend Item #5

[CAUTION: External Email]

From: Jeff Jones [redacted]

Date: 2—24—2025

Subject: Public Comment re Short Term Rental Ordinance, Agenda Item #5
To: Beckmeyer, Sue <sbeckmeyer@pacifica.gov>, Bier, Mary <mbier@pacifica.gov>, Boles, Christine <cboles@pacifica.gov>, <mespinosa@pacifica.gov>, <gwright@pacifica.gov>
Cc: <publiccomment@pacifica.gov>

Dear Mayor Beckmeyer and Pacifica Councilmembers:

I am writing to thank you for the time and effort you have spent seeking solutions to the issue of Short Term Rentals in Pacifica and to urge you to shorten the number of nights un-hosted STRs may operate.

At the center of this issue is whether the City wants to incentivize additional Pacifica residents to convert their properties into mini hotels or do you want to encourage them to rent their properties to full-time tenants?

The 90 day-limit will increase the operators' profits, & will financially incentivize the proliferation of additional unhosted STRs.

The 90-day limit will convert approximately 150 affordable housing units into tourist vacation spots, reducing the availability of housing units that families might rent.

The 90-day limit will significantly increase nuisance factors such as loud parties, garbage, parking, police complaints etc.

The 90-day limit will reduce the number of children enrolled in the public schools, negatively impacting the school-district's budget;

Finally, the 90-day limit will prioritize tourists, who spend the vast majority of their time and money in San Francisco, over the interests of full-time residents who contribute year-round to Pacifica's economic well-being by patronizing local businesses.

On the other hand, the 60-day option will financially incentivize property owners to seek full-time renters instead of weekend guests and it will incentivize the City to abandon its financial reliance on un-hosted STRs and replace it with an economic development strategy that does not undermine the quality of life in Pacifica's neighborhoods.

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From: Bryan Reinero [redacted]
Sent: Monday, February 24, 2025 10:38 AM
To: Public Comment; Beckmeyer, Sue; cboles@pacifica.govm; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Public comment on February 24th 2025 Council Meeting, agenda item No. 5, Short Term Rental Ordinance

[CAUTION: External Email]

Mayor Beckmeyer and Councilmembers Boles, Bier, Espinosa, and Wright,

The Council has made great strides towards strengthening the short term rental ordinance. I greatly appreciate all the effort that the prior, returning, and new Council members have put toward this ordinance. Given the negative impact that unhosted short term rentals have on our community, it's important to get the ordinance done soon, and done right.

Implementing an effective and complete ordinance is within our reach, and we can get it done quickly. I've heard some talk that we should first partially implement a watered-down version of an ordinance, with the hope that we might revisit it later. This kind of strategy never works. Implementing a complete and effective STR ordinance, and implementing it quickly, are not two, mutually exclusive things. Remember that we are already currently dealing with the existing, ineffective ordinance, and we are now doing the unfinished business that was left for us by the folks who suggested we "fix it next time". This is the next time. To stop short of doing the job completely is to throw away the work that Council has done since it was set as a priority in last year's goal setting meeting. It's also an enticement to forever kick the can down the road, superficially treating symptoms rather than the causes of the community's pain.

Doing the job right, right now, is made all the more easy because it is well known, well proven, and time tested what the complete components of an effective ordinance are. Pacifica's ordinance requires all, not some, of the following critical elements:

Platform Accountability
Platform Accountability is the most economical and most effective way to enforce STR ordinances. It puts the onus on the rental platforms, not the city, to police illegal listings. Rental platforms can only collect a booking fee on units that are properly registered and legal, and are subject to criminal penalties if they arrange bookings of properties that flout the city's registration system.

Platform accountability saves the City money because it reduces the cost for outside consultants like HdL doing the work of tracking down illegal STRs. The policy makes it easy for the City to double-check that listings are appropriately registered and legally operating.

Platform accountability is also the most legally robust form of STR enforcement. In city after city, platform accountability has defeated attacks from platforms like Airbnb and HomeAway. On November 18th or 2016, Judge James Donato of the U.S. District Court for the Northern District of California

rejected Airbnb and HomeAway's arguments, and upheld the city's law. The San Francisco City Attorney put succinctly, "just because Airbnb and HomeAway conduct their business online, they are not exempt from any regulation of their commercial transactions… Online businesses don't get a free pass from the types of regulations that apply to other businesses"

Limit unhosted STR operations to 60 nights (not 90)
The majority of unhosted STRs are run by out of town operators, sucking money out of our economy, ripping apart neighborhoods, and capitalizing off the work residents do everyday to maintain a beautiful community. 90 nights of unhosted operations = 45 weekends out of 52. This is far too much destabilization and economic damage to ask the community to absorb. Renting out a home 60 nights per year while the resident takes vacations, etc., gives residents plenty of opportunity to leverage their home for income while also preserving community and neighborhood character.

Close the Loopholes!

- Clearly state that two ordinance violations within a 12- month period WILL result in permit revocation (not "may")
- Clearly state that a "hosted rental" is one in which the host is residing on the property for the duration of the rental, and is onsite during the hours of 10 p.m. to 8 a.m.
- Remove the provision allowing STR owners to live in their ADU unit and rent out their whole house as a "hosted rental." This is a massive loophole (added by staff, and not requested by Council) that operators will unrelentingly exploit. It allows them to run unhosted, whole home STRs, under the title of a hosted STR, circumventing the limits around maximum nights of operation.

The Responsible Party needs to be able to be onsite within 30 minutes (i.e., they are LOCAL)
The proposed ordinance requires only that a responsible party respond to complaints within 30 minutes by phone. This a loophole through which operators need only call back to acknowledge there is an issue at the property, rather than actually dealing with the situation themselves. If this loophole remains, our police and neighbors will have to deal with the irresponsible operator's mess.

Inspections Must be Required for ALL STRs
Inspection of ALL proposed STR properties must be mandatory before a permit is issued–both unhosted AND hosted. So many STRs are operating in violation of the building code, right now, that the City can't continue to rely on "the honor system." The cost for inspections should be paid for by the person seeking the STR permit.

The operator of the STR must be a natural person only.
This prevents parent corporations from systematically running multiple STRs via separate legal entities. It's easy to make a clear distinction between a natural person and a legal person. A natural person (also sometimes referred to as a physical person) is a title used to identify an individual human being. This is different from a legal person, which can be an individual or a company. The use of the term "human being" is key.

thanks and regards,
Bryan Reinero
Proud resident of Pacifica, in District 5

From: Cathy Abel [redacted]
Sent: Monday, February 24, 2025 10:54 AM
To: Public Comment
Subject: Re: STR ordinance

To City Council and City Administrators

I am a happy and fully compliant STR homeowner, and we have real ties and very good relationships to our neighbors and in our neighborhood.
I appreciate your efforts toward limiting issues arising from certain STR rentals. Most of the issues at heart at the beginning of this process were aimed to address issues of noise, unruly guests bothering neighbors, and parking. None of these issues are addressed in the proposed changes to the ordinance.

For one, parking is not addressed because the new ordinance may or may not pertain to all-day or overnight or temporary parking even if limited to the number of rooms and parking on property.

More at issue, however, is the invasion of privacy and unproven future in the proposal to demand signage to be posted on all STR properties. Making personal information available to anyone on the street is an invasion of privacy to the homeowner. It is akin to marking a big 'x' on a neighbor. Anyone with an issue pertaining to an address should follow normal protocol as instituted by the City, namely that they contact the City Ordinance office with the complaint and then the City follows up on the complaint. The City is already holding STR address data. Making this public is against our rights as private citizens and tax-payers to the City. It is my understanding that the proposed changes to the ordinance regarding signage and public access will present a serious legal issue to the City.

Further, regarding the installation of noise monitors. The City seems to think this is low-cost but I am not sure that they have considered the cost of follow-up. If the noise occurs after 10pm, could it be the sounds of the ocean or a storm? or before 10am, could it be my neighbor cutting down a tree or landscaping? Noise monitoring should be applied to all business and operation or not at all.

Finally, regarding the 90 day limit on STR rental. I still contend that this is unfair to compliant STR : we are simply a small business owner with a retirement in mind.

Thank you for your reconsideration of these proposed ordinance changes.

Cathy Abel
[redacted]

From: Gail Benjamin [redacted]
Sent: Monday, February 24, 2025 11:01 AM
To: _City Council
Cc: Public Comment
Subject: STRs

[CAUTION: External Email]

STRs- Our city council has an obligation to the citizens of this town who either own their home or rent and who reside here FULL time. You owe it to us to pass strict, enforceable, obligatory rules on these short term rentals. You can always back away from strict rules but you can't go forward from lax ones. AND it has been shown in HMB that strict rules stop NO ONE from renting the STRs. They have just as many STRs as they did before enacting their strict rules.
Please be as tough as you can.

Gail Benjamin

Sent from my iPhone

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From: Cathy Abel [redacted]
Sent: Monday, February 24, 2025 11:02 AM
To: Public Comment
Subject: Re: public comment/PUBLIC HEARINGS item 5. ("Short-Term Rentals"); making certain amendments to Article 29 of Title 9, Chapter 4, Section 9-4.2904

Regarding Public Hearing, Item 5. STR.amendments

To City Council and City Administrators

I am a happy and fully compliant STR homeowner, and we have real ties and very good relationships to our neighbors and in our neighborhood.
I appreciate your efforts toward limiting issues arising from certain STR rentals. Most of the issues at heart at the beginning of this process were aimed to address issues of noise, unruly guests bothering neighbors, and parking. None of these issues are addressed in the proposed changes to the ordinance.

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Finally, regarding the 90 day limit on STR rental. I still contend that this is unfair to compliant STR : we are simply a small business owner with a retirement in mind.

Thank you for your reconsideration of these proposed ordinance changes.

Cathy Abel
[redacted]
Cathy Abel
[redacted]

From: Elda Kong [redacted]
Sent: Monday, February 24, 2025 11:19 AM
To: Public Comment
Subject: Agenda Item #5: STR

[CAUTION: External Email]

Dear Pacifica City Council Members,

My name is Elda Kong, and I am a former resident of Pacifica. I lived in Pacifica for four years before moving and currently operate one property as an unhosted short-term rental (STR) host. My husband and I take great pride in being responsible and dedicated hosts. We are reachable by phone within 10 minutes and can be on-site within 30–60 minutes, depending on traffic. Over the past two years, during which we've operated this property, we've had zero complaints.

We take proactive measures to ensure our STR operates smoothly. Every reservation is carefully screened to prevent parties, security cameras and noise detectors are in place, and we've provided our neighbors with direct contact information in case of concerns.

According to the City's report, four properties generated the majority of STR complaints. This means that out of 150 STR operators, 146 are compliant and operating responsibly. Importantly, the majority of these compliant operators, or "good actors," are unhosted STRs.

I propose we redefine what it means to be a "hosted" Airbnb operator. A hosted Airbnb operator should meet clear, enforceable standards, such as:

1.
2.
3. Being reachable by phone within 10 minutes.
4.
5.
6.
7. Being available on-site within 30–60 minutes.
8.
9.
10.
11. Providing contact information to neighbors and the City.
12.

While I agree that STR operators' contact information should be accessible to the City and neighbors, requiring personal contact information to be publicly displayed on the exterior of homes raises significant privacy and safety concerns. Publicizing such information could expose operators to harassment or defamation, as we've seen in heated discussions on platforms like Nextdoor. If issues arise with an STR, the City should serve as the intermediary to provide contact details when necessary.

The proposed primary residency requirement, however, threatens to dismantle Pacifica's STR program entirely. According to the City's study session reports, STRs generate $2 million annually in TOT revenue for the city. Is it worth sacrificing this vital funding due to the actions of just four problematic properties?

Rather than creating an overly restrictive ordinance, I urge you to vote *no* and work toward a balanced, well-regulated program that empowers responsible operators—like the 146 who follow the rules—and ensures compliance without stifling Pacifica's STR program.

Thank you for your time and consideration.

Best,
Elda Kong

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From: William.Leo Leon [redacted]
Sent: Monday, February 24, 2025 11:25 AM
To: _City Council; Public Comment; Coffey, Sarah
Cc: Kris Geiger
Subject: STR Ordinance_City Council Agenda item_February 24, 2025

[CAUTION: External Email]

Dear Mayor and City Council members, Thanks for making proposed revisions and taking steps to update Pacifica's Short-Term Rentals (STR) Ordinance.

Many residents are being directly impacted by the proliferation of STRs in their neighborhoods. We live on Olympian way in Pedro Point and enjoy our neighborhood and community. That said we have noticed ongoing changes to our Pedro Point Community and neighborhoods.

We see the changes when we no longer have permanent residents in our neighboring houses. Instead, we see the coming and going of unfamiliar cars and people. This creates a hotel-like environment for us in the midst of residential homes.

We have listed a number of elements that we would like incorporated into the new STR Ordinance

1. Ensuring that the definition for a "hosted rental" includes language stating that the host must be present for the duration of the rental--ESPECIALLY during the hours of 10 p.m. and 8 a.m.
2.
3. Adding the word "local" to the definition of "Responsible Party," and requiring said Responsible Party to be able to respond in person at the rental property within 30 minutesRemoving the language that allows for an unlimited number of children to be packed into each STR bedroom
4. Reducing the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights (this is in line with what Half Moon Bay has)
5.
6. Removing the language that allows an STR operator to move into the ADU on their property and rent out their entire home as a "hosted" rental (ADU's are intended to add housing not to enable short term rentals)
7. Making it two violations within a 24-month period (and NOT a 12-month period) that trigger STR permit revocation
8. Requiring STR operators who have had their permit revoked to wait 24 months NOT 12 months before reapplying for a new permit
9. Require one off-street parking spot for each legal bedroom for STRs operating outside of the coastal zone (so, if the STR has three legal bedrooms, it must supply three off-street parking spots, regardless of whether the STR is located in the coastal or non-coastal zone)

10. Requiring that the decibel levels of noise monitors to be installed outside STRs are established by the City and NOT by the STR operator
11. Requiring that STR operators, who must all prove primary residency, be “Natural Persons” and NOT corporations, trusts, LLCs, estates, partnerships. We need real people in our neighborhoods.
12. Requiring that “hosted” STRs be inspected just the same as “unhosted” rentals
13. Mandating that, along with limiting the number of visitors STR guests can invite onto the property, said visitors are NOT permitted on the rental property between the hours of 10 p.m. and 8 a.m.
14. Requiring that STRs in the coastal zone be prohibited from bringing renters into the area during times when streets are closed to all but residents due to dangerous storm and wave activities
15. Requiring that ALL provisions of the new ordinance go into effect as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. *NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026*.
16. In order to ease City staff resources and reduce expenses around enforcement of non-compliant STRs, adding in language that requires platforms such as Airbnb, VRBO, and smaller vacation rental companies (Marbella Lane, etc.), be accountable for listing and subsequently removing any STR units not in compliance with Pacifica’s STR ordinance, as follows (language taken from HMB’s ordinance, “Hosting Platform Regulations” 7.b.)

It's one thing when your neighbor throws an occasional party, it's another thing when the house next door to you becomes an event space, a micro hotel or who knows what.

Thank you for addressing our concerns,

Best Regards, Leo & Kris

William "Leo" Leon & Anne "Kris" Geiger
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Patrick Beatty [redacted]
Sent: Monday, February 24, 2025 11:50 AM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: February 24th 2025 Council Meeting Public Comment Regarding STRs (agenda item 5)

[CAUTION: External Email]

Dear Mayor and City Council Members,

After reviewing the Council Agenda Summary Report for Short Term Rental (STR) Ordinance, I appreciate the work so far on the ordinance. However, as someone who has worked in academia and industry in finance, economics, and real estate, the city staff present a very weak analysis that is woefully skewed towards an exaggerated negative impact. First, a one year worst case scenario is being presented as the likely impact. There is no simple sensitivity or scenario analysis at all. They also leave out many key factors such as the increase in TOT from existing hotels with increased demand, possible development of a new hotel to meet demand, hosted rentals being unaffected at all, hosted rental existing as well as possibly increasing if unhosted was limited, the housing crisis that unhosted STRs exacerbate, lower enforcement costs if they worked with the platforms as other towns have, spending by full-time residents all year, spending with local businesses that rely on a permanent population (auto shops, dentists, and more), etc. There is so much obvious low hanging fruit for a basic analysis. However, the city staff do not seem to have the expertise or interest in doing it, which only benefits these companies or non-residents hollowing out our communities.

So, I urge you to pass and include the following modifications to the ordinance to make sure it is effective and beneficial to the residents of Pacifica:

- **Limit Unhosted STR operations to 60 nights:** 90 nights would be 45 weekends out of the total 52 weekends in a year. That does almost nothing to address the issue. A much more comparable city to Pacifica is Half Moon Bay and their ordinance is 60 nights.
- **Remove ADU Unit Allowance:** The ADU exemption was added by staff and it is a way to circumvent the spirit of a hosted STR.
- **Inspection for STRs:** The airbnb across the street could in theory try to claim being hosted even though they have multiple illegal bedrooms setup (shown to my neighbors). If hosted and unhosted STRs aren't inspected then it will make this ordinance toothless. Hotels have inspections. Unhosted STRs are a hotel in all but name and should be treated as such.
- **Platform Accountability:** The staff has not even tried to use the platform to enforce any ordinance for STRs. There are many examples of cities keeping the platforms accountable. When platforms have tried to sue, they have uniformly lost. So there is precedent. Plus if you aren't advocating for the citizens and bowing to corporations at their expense, then who is the local government actually serving?
- **Responsible Party Onsite <= 30 minutes:** A phone service does not ensure issues of noise, fire, or other serious issues are taken care of. You would not go to a hotel where in the middle of the

night, there was no staff at all. At least at a hotel, serious issues only affect the visiting patrons. STRs put the burden on the community that actually resides nearby as unpaid enforcement.

- **Violations:** Violations will be enforced for two strikes. There should not be discretion here with the word “may”.
- **List of Unhosted STRs:** Please add a simple list of unhosted STRs on the city website so that any neighbors would know who to contact if there was an emergency (noise, fire, etc). It would be simple to implement and help the community. I have heard this might be "too difficult" for the staff, which is ridiculous.

Please do the right thing and pass this ordinance with the recommended changes. I will be at the meeting to voice my opinion. Given how this ordinance has been handled by city staff has made me realize that I need to personally be more involved in everything the city council and commissions do. Council and commission members have full-time jobs and would reasonably rely on counsel from staff. However, after being at other city sessions in-person, they seem to be getting bad advice from their staff that is not in line with the interests of their citizens.

Cheers,
Patrick Beatty
Resident of Sharp Park, Pacifica

Patrick Beatty
[redacted]

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From: Nancy Tierney [redacted]
Sent: Monday, February 24, 2025 11:55 AM
To: Public Comment
Subject: City Council agenda item Short Term Rental ordinance

[CAUTION: External Email]

Mayor, Council Members and Staff,

I wish to reiterate previous recommendations from the community to establish restrictions on short term rentals in Pacifica.

In particular, I urge you to adopt these revisions to the draft ordinance:

- Unhosted STR operations be limited to 60 nights (not 90).
- The Responsible Person is "local" and able to report in person to the property within 30 minutes if a problem occurs.
- Close loopholes around the definition of "hosted STR" and ADU use.
- Require inspections for all unhosted AND hosted STRs alike.
- Enforce with platform accountability.

The argument of lost revenue used against these restrictions is shaky at best and overlooks the primary reason for regulation of STRs, that is, what's in the best interest of residents in our community.

thank you.
Nancy Tierney

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From: Robert Georges [redacted]
Sent: Monday, February 24, 2025 11:57 AM
To: Public Comment
Cc: _City Council
Subject: Council Meeting; Monday, February 24th, 2025; Item No. 5; Public Hearing on STRs

[CAUTION: External Email]

Good morning, Pacifica City Council Members,

Thank you for continuing the discussion on the STR restrictions our city is hoping to implement and for all of your efforts and considerations.

I would like to start out by saying we are currently in the middle of a move where we're moving from a 2-bedroom home on Pacific Ave into a 3-bedroom home with a den on Canyon Dr. We had been looking for a 3-4 bedroom home to move into (and we were really hoping to stay in Pacifica) since June of last year and finally found one suitable for our needs at the end of January because there are so few options of 3-4 bedroom rental homes in Pacifica. We looked at a total of 6 homes before finding this one and getting our application in and approved first of the other potential applicants. Also, I'll add that the reason for the move is because we are expecting our first child and our moving in with may in-laws to help with in home child care and support and to also save money on rent. My wife's parents are moving here from Burlingame to live with us.

However, we were surrounded by unhosted STRs on Pacific Ave and in the Sharp Park neighborhood that are mainly occupying 3-4 bedroom homes that could be used for families, instead of sitting vacant most of the year and used as a business instead of a home. People coming and going on weekends and holidays, instead of neighbors to get to know and families to enjoy spending time with each other and kids playing with each other. Parties and gatherings coming and going instead of families with kids enrolling in our local school system. This also made it harder for us to find a suitable sized home for us to move into and stay in the Sharp Park area as proximity to a walkable area was important to us, but we were looking all over Pacifica because there is so little housing stock that comes available, for purchase or rental. Homes are meant to be homes, not businesses for people to make money as a hotel or B&B. Rant over.

Who knows when we'll actually get more home development in Pacifica, which is severely needed. Until then, please strongly consider the following restrictions so we can bring some new long-term life to our neighborhoods.

1. 60-night/year Maximum rental for unhosted STRs, but definitely no more than 90 nights/year. 90 nights already covers almost a full year of weekend guests.

2. Limit STRs to being the primary residence of an individual or family and some checks and balances to ensure that it's being enforced. There are too many hosts with 3+ homes in Pacifica alone (some with more than 10!) just using our city and neighborhoods as a place of business.

3. Strong inspection and compliance standards with stiff penalties for violators and a quick cancellation of their permit for multiple time violators. (However, I'll add that at the Planning Commission meeting from 1/21, they mentioned that only 4 STRs were responsible for all the complaints and violations, but that seems so far fetched to me. I'll also add that I've never sent in a formal complaint despite EVERY SINGLE TENANT that stays at the STR across the street from me drives the wrong way on our one way street to an angled intersection that is partly blind. We've seen 20-30 close calls by

drivers staying at the STR going the wrong way and almost hitting someone head on in just the last year. We also have issues with the landscapers and the trash cans being overstuffed and blown around by our frequent windy days here in Pacifica).

Thank you for your time and please do what you can to get these new restrictions implements as soon as possible. This is something that has been an ongoing discussion for too long without any real action. Let's implement something and see what happens and then it can be modified in the future if it isn't working for our city, but we can't continue to sit on our hands and just talk in circles. Thank you!

Best regards,
Robert Georges

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From:	Lyla Reinero [redacted]
Sent:	Monday, February 24, 2025 11:54 AM
To:	_City Council; Public Comment
Cc:	Bryan Reinero; Boles, Christine; Bier, Mary; Beckmeyer, Sue; Wright, Greg; Espinosa, Mayra; Woodhouse, Kevin; Carter, Yulia
Subject:	Public Comment: STR Ordinance, Feb 24, 2025 City Council Meeting, Public Hearing, Agenda Item #5
Attachments:	Screenshot 2025-02-23 at 6.57.4 PM.png

[CAUTION: External Email]

Greetings Mayor Beckmeyer, Mayor Pro Tem Boles, and Councilmembers (welcome Mayra Espinosa and Greg Wright!),

I hope you all are keeping well.

Thank you for the ongoing work you have provided thus far in putting forth a revised, more robust STR ordinance. We are getting so close!

After reviewing the draft ordinance 5860, I'm pleased to see that things are heading in the right direction.

I won't go too far in the weeds with the policy, however, here are a few critical updates/clarifications that I urge City Staff to make:

- "“Person” means natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, or other entity.” (”Needs distinct clarification that the “Operator” must only be a “natural person” (AKA "human being"). We need to make sure that there are no loopholes for the current "Bad Actors", LLCs, and the like to exploit)

- "The Operator shall, at all times while the Site is being used as a Short-term Rental, maintain a Responsible Party that can be reached via telephone twenty-four (24) hours a day, seven (7) days a week, to respond to complaints regarding the use of the Short-term Rental. The Responsible Party shall respond, either in person, or by return telephone call, within thirty (30) minutes of a complaint” (Remove “or by return telephone call”. A real person needs to be available to deal with many issues that a person in a remote call center won't be able to do)

- "An Unhosted Short-term Rental shall be Operated no more than ninety (90) nights per year, commencing on October 31st of each year and ending October 30th of each year.” (maximum of **60** days for unhosted, per the CCC recommendation and HMB ordinance)

•"Permit suspension/revocation. The Administrator may suspend a Short-term Rental Permit,..." (Change "May" to "Will" or "Shall" in multiple places of the ordinance)

•"Maximum overnight occupancy for all Short-term Rentals shall not exceed two (2) Short-term Renters per Legally Permitted Bedroom. Children under the age of twelve (12) shall not count towards these occupancy limits;" (Please remove or modify the limit regarding the exclusion of children.)

•"In addition to the maximum number of Short-term Renters allowed, the number of guests and visitors allowed at any time in a Short-term Rental shall not exceed one half of the maximum Short-term Renters allowed" (needs to have a clarification that the extra guests/visitors are not allowed during quiet hours or overnight stays)

also, **Platform accountability is a must**. It's critical that the STR listing platforms include the STR permit number and be accurate in all details. Platforms must be held accountable and fined for false advertising. Marbella Lane (on their own platform) still falsely advertises the "Guest House" at 400 Belfast (which is a city-condemned, red-tagged structure) as well as "Short Term Rental License Approved By City Of Pacifica."

A publicly available list of addresses and where they are in the compliance process is much needed. There needs to be a map link that is always accurate with all the current STR information. The planning/building department has a search site function in place for permit lookups and "New Code Enforcement Requests" which could be leveraged for STR permits.

Pacificans have been suffering from the negative impacts of having unregulated hotels in our neighborhoods for far too long now. In my family's personal experience, we have had to deal with "ordinary" nuisance issues like excessive noise, cigarette smoke, overflowing garbage, parking issues blocking access for emergency vehicles, etc. But worse than all of that is the constant fear of turnover of strangers staying next to our home and what that might bring. Literally hundreds of strangers per year. I don't feel safe allowing my kids to run around freely in our yard and I need to keep the blinds for their bedrooms closed all the time. We moved here to reside in a family-friendly, safe neighborhood. Instead, we feel afraid every time a new guest is set to arrive. I would rather live across the street from an actual hotel where guests need to present their ID in order to check in in-person. It's only a matter of time before something horrific happens at an unhosted STR house party like this or this.

Other issues my family and I have been subject to:
•entitled guests from Marbella Lane/400 Belfast who have thrown debris toward our property
•guests arriving in our driveway who try to enter our home because GPS prematurely tells them they have arrived at their destination
•multiple threatening letters from a lawyer hired by Marbella Lane and the property owner, Christopher Chang, of 400 Belfast (other Pacifica

residents with the misfortune of living adjacent to Marbella Lane properties have received similar lawyer letters).

Every time a house goes on the market near us, our hearts are full of dread that it will become another STR. Pacificans are not being unreasonable by asking for these changes. On the contrary, we are actually quite generous in tolerating having unhosted STRs at all. I would be perfectly happy with banning them entirely.

While we are so eager to have an amended STR ordinance, we can't rush through and sign off on the Draft Resolution in its current form. It needs corrections and we need to make sure we get it done right.

Thank you for your time to read this and for all that you do for our wonderful city of Pacifica where we have the privilege to reside!

Most Sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Proud Pedro Point Resident and PPCA Member

Draft Ordinance:
https://pacificacityca.iqm2.com//Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1674&MediaPosition=&ID=5860&CssClass=

Pacifica Planning/Building Permit Lookup:
https://greenvue.csgengr.com/pacifica2/public/frmApnSearch.aspx

400 Belfast Marbella Lane listing:
https://www.marbellalane.com/vacation-rentals/pacifica-pacificabelfast-2br/?checkin=&checkout=&guests=

NorCal teen killed in shooting at Los Angeles mansion party, 6 injured:
https://www.sfgate.com/la/article/norcal-teen-killed-los-angeles-mansion-party-20163416.php
https://www.booking.com/hotel/us/new-construction-la-mega-mansion.html#availability?aid=898409&label=affnetawin-index_pub-78888_site-1594033_pname-Skimlinks_plc-_ts-sfgate.com_clkid-6776_1739926387_c3240c866f1e677cacba7ae27aa46d0f&sv1=affiliate&sv_campaign_id=78888&sv_campaign_id=78888&sv_tax1=affiliate&sv_tax2=677089%7C921483&sv_tax3=Skimlinks&sv_tax4=sfgate.com&sv_affiliateId=78888&awc=6776_1739926387_c3240c866f1e677cacba7ae27aa46d0f&utm_source=affnetawin&utm_medium=&utm_term=index&utm_content=78888

Long Beach STR shooting:
https://lbpost.com/news/shooting-college-estates-nuisance-short-term-rental/

Pacifica Homes Are Not Hotels:
https://www.pacificahomesarenothotels.org/

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Managed By | Marbella Lane | Full-Service Vacation Rental Property Management | Top 1% Performer By AirDNA
3 Bedrooms • 1 Baths • 1 Kitchen

• Main House And Guest House Are Separate (Disconnected). Through The Deck Stairs You Can Access The Guest House From The Main House
• 1,750sqft - 4 Bedrooms, And 2 Bath, Ocean View From One Of The Bedrooms, With A Large Deck Overlooking Expansive Ocean Views
• Main House (1,250sqft) 3 Bedrooms, And 1 Bath
• A Guest House (500sqft) 1 Bedroom With 1 Bath
• The Shared Space Has 1 Twin Bed And 1 Double Sofa Bed
• Lovely Home Located In Prestigious Pedro Point With Amazing Ocean Views From The Living Room, And Bedrooms
• Spacious, Open Eat-In Kitchen With 2 Skylights And Vaulted Ceiling
• No Garage, But A Long Drive Way And A Car Port For Parking
• Avoid Using Hot Tub When It's Windy

Short Term Rental License Approved By City Of Pacifica.

From: Ketty Seymour [redacted]
Sent: Monday, February 24, 2025 12:15 PM
To: Public Comment
Subject: Fwd: STR ordinance

[CAUTION: External Email]

Sent from my iPhone

Begin forwarded message:

> **From:** Ketty Seymour [redacted]
> **Date:** February 24, 2025 at 12:12:52 PM PST
> **To:** citycouncil@pacifica.gov
> **Subject: Re: STR ordinance**
>
> Sent from my iPhone
>
> > On Feb 24, 2025, at 11:32 AM, Ketty Seymour [redacted] wrote:
> >
> > To Whom It May Concern:
> >
> > Please restore my street (Olympian Way) back to a neighborhood instead of house after house of STR's and a street lined with cars like a parking lot, overflowing with garbage and wandering strangers. After 31 years, this is the reality I live. Please protect our beautiful city and neighborhoods and adopt an ordinance that reverts motel businesses back to family homes.
> >
> > I'm in full agreement the ordinance should:
> >
> > **• Reduce the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights**
> >
> > **• Ensure that the definition for a "hosted rental" includes language stating that the host must be present for the duration of the rental--ESPECIALLY during the hours of 10 p.m. and 8 a.m.**

• Requires that ALL provisions of the new ordinance go into effect as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. *NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.*

• Remove the language that allows an STR operator to move into the ADU on their property and rent out their entire home as a "hosted" rental

• Add that the use of fire pits and outdoor grills be restricted between the hours of 10 p.m. and 8 a.m., along with pools and hot tubs.

Thank you for your consideration,

Ketty Seymour
[redacted]

Sent from my iPhone

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From: James Kremer [redacted]
Sent: Monday, February 24, 2025 12:33 PM
To: Public Comment
Subject: STR ordinance

[CAUTION: External Email]

I know this is a bit late for tonights deliberations. I wasn't going to comment, until I heard that there are still "headwinds" against such an ordinance for our city.

This shocked me, so I'm submitting this even if it doesn't reach the council before the meeting.

The need for an ordinance is obvious and important. The abuses have mounted be a major concern. The lack compromises the wellbeing, even the basic safety, of citizens in our community. Other neighboring cities have clearly seen this need, and have acted before us, but that makes it even easier for us to finally get it done.

There is so much more, but I'm limiting myself to these few key generalities.

Please be sure such an ordinance is in place for our city ASAP!

-- Jim Kremer
Sharp Park

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City of Pacifica

City Council Regular Meeting

(1)

Name Gail Benton Shoemaker Date
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Study Session CAAP

Public Comment

City of Pacifica

City Council Regular Meeting

(2)

Name Suzanne Moore Date 2/24/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject:

Special Session public comments

City of Pacifica

City Council Regular Meeting

(3)

Name Sam Casillas Date 2/24/25
Please Print

City: Pacifica / Pacifica Land Trust

No. of Item on Agenda or Subject: CAAP

City of Pacifica

City Council Regular Meeting

(4)

Name Sue Digre Date 2-24-2025
Please Print

City:

No. of Item on Agenda or Subject:

Climate Action Plan

City of Pacifica

City Council Regular Meeting

(5)

Name Calvin Chan Date 2/24/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: CAAP Review-

Youth implementation

City of Pacifica

City Council Regular Meeting

1

Name Aren Clark (Please Print) Date 2-24-25

City: Pacifica

No. of Item on Agenda or Subject: Public Comment

City of Pacifica

City Council Regular Meeting

2

Name DAN SEGINIS (Please Print) Date

City: PAC

No. of Item on Agenda or Subject: PUBLIC COMMENT

City of Pacifica

City Council Regular Meeting

(3)

Name Amanda S. Kraft (Please Print) Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: non-agenda (Seacliff Arts)

City of Pacifica

City Council Regular Meeting

4

Name Frankie Burton (Please Print) Date 2/24/25

City: San Francisco

No. of Item on Agenda or Subject: non-agendation

City of Pacifica

City Council Regular Meeting

5

Name Natalie Hopner (Please Print) Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: Non-agenda Seacliff Apartments

City of Pacifica

City Council Regular Meeting

7 B

Name Ken Miles (Please Print) Date 2/24/25

City: PACIFICA

No. of Item on Agenda or Subject: Oral Communications

WILD FIRES !!!

City of Pacifica

City Council Regular Meeting

8

Name Joaquin Jimenez Date 2/24/25
Please Print

City:

No. of Item on Agenda or Subject:

Measure A

City of Pacifica

City Council Regular Meeting

9 ~~10~~

Name Andromeda Garcelon Date 2.24.25
Please Print

City: San Mateo County Resident

No. of Item on Agenda or Subject: Non-Agenda Item

City of Pacifica

City Council Regular Meeting

10

Name Jon Hansen Date 2/24/25
Please Print

City: Linda Mar, Pacifica

No. of Item on Agenda or Subject: Non-agenda public comment

City of Pacifica

City Council Regular Meeting

10

Name Amanda Nordquist Date 2/24/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Not here

Non-Agenda public comment

Thank You to John Mullins Re: trash issue

City of Pacifica

City Council Regular Meeting

1

Name Suzanne Moore Please Print Date 2/24/25

City:

No. of Item on Agenda or Subject: Item #5 Short term Rentals

City of Pacifica

City Council Regular Meeting

2

Name SOPHIA CHANG Please Print Date 2/24/25

City: PACIFICA

No. of Item on Agenda or Subject: Airbnb #5 STR

City of Pacifica

City Council Regular Meeting

3

Name Stephanie Robbins Please Print Date 2-24-25

City:

No. of Item on Agenda or Subject: STRs

City of Pacifica

City Council Regular Meeting

4

Name Patrick Beatty Please Print Date 02/24/25

City: Pacifica

No. of Item on Agenda or Subject: STR No. 5

City of Pacifica

City Council Regular Meeting

7

Name Don Creasman Please Print Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: Parking Hosted ~~#~~ STR

City of Pacifica

City Council Regular Meeting

8

Name Margaret Coles Please Print Date 2/24/25

City: for Seaside Merchant's Assoc

No. of Item on Agenda or Subject: re Sharp Park Short Term Rentals

City of Pacifica

City Council Regular Meeting

9

Name Jen Hansen (Please Print) Date 2/24

City: Linda Mar, Pacifica

No. of Item on Agenda or Subject: STR ordinance (5)

City of Pacifica

City Council Regular Meeting

9b

Name Andy Meiman (Please Print) Date 2/24/2025

City: Pacifica

No. of Item on Agenda or Subject: #5 STR ordinance

City of Pacifica

City Council Regular Meeting

10

Name Dian Ericson (Please Print) Date

City: Pacifica

No. of Item on Agenda or Subject:

STR

City of Pacifica

City Council Regular Meeting

11

Name BRYAN REINERO (Please Print) Date 2025/02/24

City: PACIFICA (PEDRO POINT)

No. of Item on Agenda or Subject: STR ordinance item #5

City of Pacifica

City Council Regular Meeting

12

Name GARY FURLONG (Please Print) Date

City:

No. of Item on Agenda or Subject: STR #5

City of Pacifica

City Council Regular Meeting

13

Name Gary Chin (Please Print) Date 2

City: 49 pem OR.

No. of Item on Agenda or Subject:

#5

City of Pacifica

City Council Regular Meeting

14

Name Rebecca Smith-Coggins Date 2.24.25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 5

Short term rentals

City of Pacifica

City Council Regular Meeting

15

Name Danny ESTRELLA Date 24 Feb 2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #5

City of Pacifica

City Council Regular Meeting

16

Name Bob O'Donnell Date Feb 24, '25
Please Print

City: 1319 Aspen Dr Pacifica

No. of Item on Agenda or Subject: STR ORDINANCE

City of Pacifica

City Council Regular Meeting

17

Name Leo Leon Date 2/24/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

18

Name Lyla Reinero Date 2-24-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #5 STR ordinance

City of Pacifica

City Council Regular Meeting

20

Name Kathy Moresco Date 2-24
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Item 5

City of Pacifica

City Council Regular Meeting

21

Name Joanne Gold (Please Print) Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: public comment on short term Rental ordinance

City of Pacifica

City Council Regular Meeting

22

Name Albert Zhang (Please Print) Date 2/24

City: Pacifica

No. of Item on Agenda or Subject: STRs #5

City of Pacifica

City Council Regular Meeting

23

Name Connie Menefee (Please Print) Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: #5 Public Hearing → STR Ordinance

City of Pacifica

City Council Regular Meeting

24

Name Alan Hyland (Please Print) Date 2-24-2025

City: Pacifica

No. of Item on Agenda or Subject: STR rental.

City of Pacifica

City Council Regular Meeting

25

Name ABSENT (Please Print) Date 2/24/25

City: PACIFICA

No. of Item on Agenda or Subject: ITEM 5

City of Pacifica

City Council Regular Meeting

26

Name Russell Jones (Please Print) Date 2/24/25

City: Pacifica

No. of Item on Agenda or Subject: #5 STR

City of Pacifica

27

City Council Regular Meeting

Name Mark Stechbart Date 2-24

Please Print

City:

No. of Item on Agenda or Subject: STR

City of Pacifica

28

City Council Regular Meeting

Name Kimberly Linabe Date 2.24.25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: #5

City of Pacifica

19

City Council Regular Meeting

Name Sherri Wyatt Date 2/24/25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: Pro STR

Not here

City of Pacifica

6

City Council Regular Meeting

Name Anna Tong Date 2-24-25

Please Print

City: SF

No. of Item on Agenda or Subject: STR

Not here

City of Pacifica

5

City Council Regular Meeting

Name Alex Vardakostas Date 2-24-25

Please Print

City: SF

No. of Item on Agenda or Subject: STR

2, spoke by zoom call, thumb

Public Comments

on Items Not on Posted Agenda

Written Comments Received By 12pm on 04/14/2025

April 14, 2025

City Council Meeting

From: Lavonda Williams [redacted]
Sent: Friday, April 4, 2025 10:03 AM
To: _City Council; Public Comment
Cc: Mullins, John; Coffey, Sarah
Subject: Terra Nova Homeowners Association Grievance letter 4-4-2025
Attachments: Pacifica City Council Grievance Letter re 1323 Terra Nova -4-3-2025.pdf

[CAUTION: External Email]

Subject: Re: 1323 Tree Removal Denial by the Beach, Parks & Recreation Commission

Dear Pacifica City Council,

Please find attached a letter from the Terra Nova Homeowners Association Board of Directors on behalf of the residents of Terra Nova HOA. The letter outlines our concerns regarding the recent denial of our request for tree removal at 1323, as decided by the Beach, Parks & Recreation Commission.

We appreciate your attention to this matter and look forward to your response.

Thank you for your time and consideration.

Thank you,
Lavonda Williams
Association Manager
Prestige Management Services (PMS)
PO Box 69
San Mateo, CA 94401
Office: 650-995-7377

***Please note office hours are Monday to Friday 9am - 4pm
All non-emergency calls and emails will be responded to within 2-4 business days.
If unable to reach someone in the office emergencies only please call 1-800- 228-9103
We are available for emergencies 24/7

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Terra Nova Homeowners Association
c/o Prestige Management Services, LLC
PO Box 69, San Mateo CA 94401
650-995-7377 email: [redacted]

April 3, 2025

To: The Pacifica City Council
From: The Board and Management of Terra Nova Homeowners Association
Re: Request for Appeal of Tree Removal Decision

Dear Council Members,

We are writing to express our concern regarding the recent denial of our request for the removal of the pine tree located behind 1323 Terra Nova Blvd. Our Homeowners Association (HOA) oversees 258 homes across 30 buildings, with a significant number of trees on our property, both on the hillsides and in individual yards. Over the years, we have been cautious and considerate in our approach to tree removal, requesting removals only when we believe the tree poses a risk to people or property.

Unfortunately, our request for the removal of this particular tree was denied. While the arborist opposing the removal noted that the tree is "next to a fence," this overlooks its proximity to the building. The tree is already causing damage to the patio concrete of two townhomes, which is a pressing concern for the HOA.

In our rebuttal, we explained that trees which have fallen on our grounds during storms have demonstrated shallow root systems, due to our shallow topsoil resting on granite substrata. Over the years, arborists working with us have confirmed that the roots grow outward rather than downward. We believe this factor, along with the tree's position—directly adjacent to the homes at 1323 Terra Nova Blvd. was not fully taken into account by the committee. We fear that continued root expansion may threaten the structural integrity of our foundations, lead to drainage issues, and further damage the buildings.

Moreover, our property has previously suffered significant fire damage, notably on the corner of Lerida, where a tree we had intended to remove quickly spread flames to nearby homes. Given that the tree in question is at the end of its life and is showing signs of damage from pitch canker, we are concerned that its potential to spread fire could jeopardize the safety of our residents.

As part of our compromise, we offered to plant four heritage trees to replace the pine. There is ample space on both sides of the building to accommodate these replacements. However, we were surprised to hear that planning staff suggested otherwise. We stand by our commitment to replace the tree with appropriate, well-positioned heritage trees to enhance our community.

The committee's recent meeting also raised procedural concerns. The Chairwoman made a premature motion to deny our appeal, which stifled further discussion. When a committee member attempted to offer remarks on our behalf, explaining that we are long-term residents of

the property who have lived with the tree and understood its risks, they were told their comments were out of order due to the motion being on the floor. This prevented a potentially impactful remark from being considered, ultimately leading to the denial of our appeal. We feel that this limits our ability to present our case fully.

We are disappointed that the decision seems to prioritize the preservation of a diseased and aging tree over the well-being of our homes and the safety of our residents. The proximity of this tree to our homes, its poor health, and its potential to cause structural and fire-related damage should not be disregarded. It is our duty as property managers and homeowners to prioritize the safety and security of our community.

We respectfully request that the Pacifica City Council review our appeal and consider the safety risks posed by this tree. We hope for a favorable resolution that will allow us to remove this tree and replace it with new, healthy trees that will better serve the community.

Thank you for your attention to this matter.

Sincerely,
The Board and Management of Terra Nova Homeowners Association
Stephen Meder, Linda Prisajni, Scott Hill, Dawn Brewer, Andre Stasevich, Lavonda Williams

From: michael [redacted]
Sent: Friday, April 4, 2025 3:18 PM
To: Public Comment
Subject: CITY COUNCIL

[CAUTION: External Email]

To whom is the City Council committed?
Your mission statement seems to amount to nothing more than being nice, first to each other, and secondly to the citizens of Pacifica.
I have tried to contact members of the Council many times.
In spite of the fact that your phone numbers and email addresses are posted on line, they lead nowhere.
It might seem to the inexperienced,
That the city council is a part time job requiring a few hours once a month.
I have written to three of our State and Federal representatives, Inviting them to come to Pacifica for a downhill meeting.
I got a response from one of them asking for further particulars, e..g. location, capacity, date etc I had to respond that I was not in a position to supply such information, And perhaps the City Council would be able to help.
I now realize the degree of my naivete.
The city council emblem should be
Turttle sunning himself on a lily pad
poised to jump at the slightest provocation.
Sincerely,
Michael Kranzke
[redacted]

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Public Comments

Item 6 – Continuation of Public Hearing on Short-Term Rentals (STRs)

Written Comments Received By 12pm on 04/14/2025

April 14, 2025

City Council Meeting

From: Pacifica for Responsible Tourism <russellj@pacificatourism.org>
Sent: Saturday, April 5, 2025 6:06 PM
To: _City Council; Woodhouse, Kevin; Public Comment
Subject: Additional Benefits of Short-Term Rentals
Attachments: Additional Benefits of Short-Term Rentals.pdf

[CAUTION: External Email]

Dear Members of the Pacifica City Council,

As local residents and operators within the Pacifica community, we want to reiterate our position, which we have shared in the past, that it is so important that as a city we not ignore all the positive impacts of short-term rentals to Pacifica and its taxpayers. Our goal is to ensure that regulatory discussions are informed by facts rather than anecdotes.

Home sharing has been a vital economic support for many of us—especially in navigating the challenges of the pandemic and rising living costs. We are proud to share some key data points highlighting our contribution to Pacifica on the Airbnb platform:

- **Tax Revenue:** We are proud that Airbnb alone (not including VRBO or other platforms) contributed **$1.1 million** in Transient Occupancy Tax to the city in 2024.

- **Financial Impact:** The typical host earns **$32,000** annually, providing significant financial support to local families.

- **Occupancy and Usage: 8 in 10** hosts share just one home, indicating that this is a way for residents to supplement their income, not a large-scale commercial operation.

- **Community Demographics:** Approximately **20%** of our hosts are over the age of 60, and **56%** identify as women, demonstrating the diverse demographic that benefits from home sharing.

- **Limited Impact on Housing Stock:** Only about **0.9%** of the total housing stock in Pacifica is used as a dedicated Airbnb listing, highlighting that we are not significantly impacting the availability of long-term housing.

We understand that concerns have been raised about the impact of short-term rentals on the local housing market. However, it is important to note that typical host earnings are below what would be earned from long-term rentals in Pacifica. Furthermore, there are more than four times as many vacant homes in Pacifica than there are dedicated short-term rentals. This indicates that other factors are contributing to housing availability, not short-term rentals.

We urge the council to work with us to solve the problems facing our community and not to ignore the many contributions we offer. We appreciate the consideration of our perspective and look forward to a productive dialogue.

Sincerely,

Pacifica for Responsible Tourism
Anna Tong, Alexandros Vardakostas, Elda Kong, Wayne Thai, Russell Jones and Albert Zhang

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

To: Pacifica City Council

From: Pacifica for Responsible Tourism

Subject: The Positive Impact of Short Term Rentals in Pacifica

Dear Members of the Pacifica City Council,

As local residents and operators within the Pacifica community, we want to reiterate our position, which we have shared in the past, that it is so important that as a city we not ignore all the positive impacts of short-term rentals to Pacifica and its taxpayers. Our goal is to ensure that regulatory discussions are informed by facts rather than anecdotes.

Home sharing has been a vital economic support for many of us—especially in navigating the challenges of the pandemic and rising living costs. We are proud to share some key data points highlighting our contribution to Pacifica on the Airbnb platform:

- **Tax Revenue:** We are proud that Airbnb alone (not including VRBO or other platforms) contributed **$1.1 million** in Transient Occupancy Tax to the city in 2024.
- **Financial Impact:** The typical host earns **$32,000** annually, providing significant financial support to local families.
- **Occupancy and Usage: 8 in 10** hosts share just one home, indicating that this is a way for residents to supplement their income, not a large-scale commercial operation.
- **Community Demographics:** Approximately **20%** of our hosts are over the age of 60, and **56%** identify as women, demonstrating the diverse demographic that benefits from home sharing.
- **Limited Impact on Housing Stock:** Only about **0.9%** of the total housing stock in Pacifica is used as a dedicated Airbnb listing, highlighting that we are not significantly impacting the availability of long-term housing.

We understand that concerns have been raised about the impact of short-term rentals on the local housing market. However, it is important to note that typical host earnings are below what would be earned from long-term rentals in Pacifica. Furthermore, there are more than four times as many vacant homes in Pacifica than there are dedicated short-term rentals. This indicates that other factors are contributing to housing availability, not short-term rentals.

We urge the council to work with us to solve the problems facing our community and not to ignore the many contributions we offer. We appreciate the consideration of our perspective and look forward to a productive dialogue.

Sincerely,

Pacifica for Responsible Tourism

Anna Tong, Alexandros Vardakostas, Elda Kong, Wayne Thai, Russell Jones and Albert Zhang

From: Lake McManus <lmcmanus@angellaw.com>
Sent: Monday, April 7, 2025 12:59 PM
To: _City Council; Coffey, Sarah; Woodhouse, Kevin; Public Comment
Cc: Woodhouse, Kevin; City Manager; Michelle Kenyon [BWS Law]; Updegrave, Samantha; Community Development Department; Dan.Carl@coastal.ca.gov; Stephanie.Rexing@coastal.ca.gov; Frank Angel
Subject: Letter Re: Updates to Pacifica's Short-Term Rental Regulations
Attachments: 2025-04-07 Angel Law Ltr to City Council et al.pdf

[CAUTION: External Email]

Please see the attached letter from Frank P. Angel.

Lake McManus | Practice Manager | (310) 314-6433
2601 Ocean Park Blvd., Suite 205, Santa Monica, CA 90405
Angel Law

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ANGEL LAW law offices of Frank P. Angel
2601 Ocean Park Blvd. • Suite 205 • Santa Monica, CA 90405
(310) 314-6433 • www.angellaw.com • fangel@angellaw.com

April 7, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

Re: Updates to Pacifica's Short-Term Rental Regulations

Dear Mayor Beckmeyer, Mayor Pro Tem Boles, and Honorable Members of the City Council:

We submit this letter on behalf of Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in the city of Pacifica (hereafter **City** or **Pacifica**).[1] They own and operate STRs within the City. We write regarding the City Council's consideration of a draft STR ordinance that would repeal and replace the City's existing STR regulations (**Draft STR Ordinance**).[2] We expand on points raised in Pacifica for Responsible Tourism's previous letter to the Planning Commission and its members' testimony at Planning Commission and City Council meetings, and detail new concerns given recent actions and statements by the Planning Commission and City Council.[3]

[1] Pacifica for Responsible Tourism is a grassroots organization of vacation and hosted-rental small business individuals in the coastal town of Pacifica, California. They are hospitality entrepreneurs that strive to make every hosting experience a positive one, for both neighbors and guests. It advocates for the protection of property and home-sharing rights and believes that home-sharing provides a lower-cost way for more people to access the coast and contributes to the vitality of Pacifica's local economy. (See http://www.pacificatourism.org/index.html.)

[2] Our comments pertain to the draft as of the February 24, 2025, City Council meeting during which it was discussed, as well as potential changes to the draft that Councilmembers deliberated during that meeting.

[3] We have attached Pacifica for Responsible Tourism's previous letter to the Planning Commission, dated January 17, 2025, as Exhibit 1.

Overview

As detailed below, the Draft STR Ordinance would (a) violate the California Coastal Act of 1976, (b) violate other important laws and constitutional protections, and (c) result in significant environmental impacts as defined in the California Environmental Quality Act (**CEQA**) that the City has not evaluated under CEQA.[4] The Draft STR Ordinance would also impede tourism in the City and cause substantial economic harms to hosts, guests, small businesses, and the City itself.

We understand the City Council continued its consideration of the Draft STR Ordinance during its February 24, 2025, meeting to spend more time weighing competing concerns at a future meeting. We strongly urge the City to revise the Draft STR Ordinance to address the points we raise here.

History and Importance of STRs in Pacifica

STRs have always been lawful, residential uses of property in Pacifica. Hosts have opened their homes to renters for many decades, providing important visitor-serving accommodations and offering guests authentic experiences in all corners of the City. STRs also ensure that the City complies with its coastal access obligations under the Coastal Act by providing affordable visitor-serving accommodations in the City.

In 2018, the City adopted STR regulations for the first time with Ordinance No. 835, which memorialized that STRs are a permitted use in residential districts under the City's zoning code.[5] Ordinance No. 835 required hosts to obtain a permit and business license to operate their STR and included certain measures designed to ensure guest and host safety, payment of transient occupancy tax (**TOT**), and enforcement measures to ensure compliance with the regulations. In 2023, the City adopted Ordinance No. 888, amending the City's STR regulations to impose a cap limiting active STR permits issued in the City at any given time to 150.[6] At the time, there were less than 150 STRs operating in the City, so while this did not eliminate any existing STRs, it left little room for any new STRs to enter the market.[7] In June 2024, the California Coastal Commission approved the City's Local Coastal Program (**LCP**) amendment. The 150-

[4] CEQA defines the concept of "significant environmental impact" "as 'a substantial, *or potentially substantial*, adverse change in the environment." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 448, fn. 17, original italics.)
[5] See Ordinance No. 835, codified in Pacifica Municipal Code (PMC) Article 49.
[6] PMC, § 9-4.4902.
[7] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4

cap remained unchanged.[8] At that time, the City estimated that 44 STRs were operating in the City's coastal zone, with approximately 100 STRs operating inland.[9]

When it approved the City's restrictions, the Coastal Commission noted this 150 permit limit pushed the boundaries of reasonableness and balance under the Coastal Act, but ultimately agreed with staff that, since the permit cap "would allow all permitted STRs in good standing to continue operating," it was an "appropriate balance [that] . . . help[ed] round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[10]

The Draft STR Ordinance Will Significantly Reduce STRs Available in the City

As noted in Pacifica for Responsible Tourism's January 17, 2025, letter to the Planning Commission, its members support certain proposed updates to the existing STR regulations.[11] However, there are several problematic provisions in the Draft STR Ordinance that, taken both individually and collectively, would severely limit (and even potentially eliminate) the stock of STRs in the City's coastal zone in direct violation of the Coastal Act's mandate for affordable overnight accommodations. Specifically:

- 90-Day Annual Cap on Unhosted STRs. The Draft STR Ordinance includes a cap of 90 calendar days per year for an unhosted STR to operate.[12] During the February 24, 2025, meeting, Councilmembers indicated interest in capping unhosted STRs to operating only 60 calendar days per year. This would severely limit unhosted STR nights in the City, taking affordable overnight accommodations out of reach of many visitors.

- Primary Residence Requirement. The Draft STR Ordinance would limit host eligibility by imposing a primary residence requirement, defined as where the host resides more than six months per year.[13] This would eliminate many existing STRs in the City.

- Off-street Parking Requirement. The Draft STR Ordinance provides that all STRs outside the coastal zone must include two off street parking spaces, and all STRs in the coastal zone must include one off street parking space.[14] Staff estimated that this requirement alone would result in 36 existing STRs (9 in the coastal zone and 27 in non-coastal areas) being ineligible for renewal

[8] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.
[9] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.
[10] *Id.*, p. 8.
[11] January 17, 2025, letter from Pacifica for Responsible Tourism to Pacifica Planning Commission, p. 3.
[12] *Id.*, § 9-4.4905(t)(i).
[13] *Id.*, § 9-4.4901(l).
[14] *Id.*, § 9-4.4905.

of their STR permit, also noting this number may increase upon completion of onsite inspections.[15]

- Density Limitations. The Draft STR Ordinance would allow only 10% of units in multifamily buildings to operate as a hosted STR and only one hosted STR in 2-to-4-unit complexes, and would completely prohibit unhosted STRs in multifamily buildings.[16] As staff notes, these limitations on STRs in multi-family buildings will result in 37 existing STR units (29 in the coastal zone and 8 in non-coastal areas) being ineligible for renewal of their STR permit.[17]

The Draft STR Ordinance Violates the Coastal Act

The Draft STR Ordinance raises conspicuous red flags under the Coastal Act. Any elimination of existing STRs in the coastal zone will conflict with the coastal access and recreation policies of the Coastal Act, under which the Coastal Commission must maintain and support affordable overnight accommodations in the coastal zone. The Coastal Act mandates "maximum access" along the coast for "all the people," and "[a] lack of affordable accommodations [is considered] a barrier to coastal access."[18]

Pursuant to these Coastal Act mandates, the City's LCP includes policies to enhance coastal access and visitor serving accommodations, stating that "[l]ower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided . . . ."[19] *The Draft STR Ordinance, which will remove a significant number of lower cost visitor accommodations (including 75% of the available nights and 29 existing STR units in multi-family buildings within the coastal zone), directly conflicts with the LCP and the Coastal Act*. As the court of appeal invalidating STR restrictions in the city of Santa Barbara made clear: "Although the Coastal Act does not displace a local government's ability to regulate land use in the coastal zone, it does preempt conflicting local regulations."[20]

[15] February 24, 2025, City Council staff report, p. 11.
[16] *Id*., §§ 9-4.4901(f), 9-4.4905(t).
[17] February 24, 2025, City Council staff report, p. 11.
[18] Public Resources Code, § 31411, subd. (d).
[19] Coastal Act Policy No. 5, Pacifica Local Coastal Land Use Plan, March 1980 as amended. See also *Greenfield v. Mandalay Shores Community Assn.* (2018) 21 Cal.App.5th 896, 898 (STR restrictions found to erect "a monetary barrier to the beach").
[20] *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1095; see Pub. Resources Code, § 30005, subd. (a).

A. STRs Play a Critical Role in Providing Affordable Overnight Accommodations in Pacifica's Coastal Zone Given the Low Stock of Hotel and Motel Rooms

Unlike other nearby coastal communities with more significant supplies of these overnight accommodations (e.g., Half Moon Bay has 613 hotel/motel rooms,[21] Carmel-by-the-Sea has approximately 1,541 hotel/motel rooms, Pismo Beach has approximately 2,102 hotel/motel rooms, Santa Barbara has approximately 3,646 hotel/motel rooms[22]), Pacifica has a very low stock of overnight accommodations, with just 330 hotel and motel rooms. Due to Pacifica's dearth of hotel and motel rooms, STRs in Pacifica fill a critical gap in overnight accommodations. They meet the coastal access needs of thousands of people each year. Reducing the supply and diversity of STRs in the City therefore poses a real problem, not only because of obvious inconsistency with the Coastal Act and LCP requirements, but also because removal of any STRs from the Pacifica market will hurt families who rely on these accommodations to make vacations on the City's coast feasible.

B. The City's Existing 150 Permit Cap Already Pushes the Boundaries of Reasonableness and Balance

In 2023, the City already restricted STRs severely when it adopted a 150 STR permit cap. In evaluating the City's LCP amendment, Coastal Commission staff recognized the aggressiveness of this cap and indicated that if the City went any further in its restrictions such an action may not pass muster with the Coastal Commission.[23] At that time, the City estimated 44 STRs were operating in the Pacifica coastal zone.[24] In recommending approval, Coastal Commission staff noted that the City "estimates that there are 100 registered and compliant STR permits in the City, with 44 in the coastal zone. Thus, *the proposed cap would allow all permitted STRs in good standing to continue operating* but would limit future STRs."[25] The Coastal Commission staff report explained that the City chose the 150-permit cap "because it equates to roughly 1% of Citywide housing stock, and would accommodate all 100 existing STRs (44 in the coastal zone) in good standing. Given the popularity of Pacifica as a visitor destination, *such outcome appears to be an appropriate balance*, and can help round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[26] The staff report

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[21] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 21, note 31, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[22] Room data for Carmel-by-the-Sea, Pismo Beach, and Santa Barbara compiled by CBRE from Smith Travel Research, 2022.

[23] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.

[24] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.

[25] *Ibid*., italics added.

[26] *Id*., p. 8, italics added.

further explained: “Finding that balance can be an incredibly difficult process . . . [that] demands some acknowledgment and deference given to what can be truly competing objectives at times. The Commission here agrees with the City’s proposal in that regard and finds that the proposed LCP amendment conforms with and is adequate to carry out the LCP LUP as submitted.”[27]

The Coastal Commission thus clearly recognized the 150 STR permit cap was aggressive but found it nevertheless struck an appropriate balance between providing affordable overnight accommodations and meeting the City’s other stated goals because, among other reasons, *it allowed for continued operation of all existing STRs in the City*. However, the Coastal Commission staff signaled that any further restriction (as the City is considering now) would be unreasonable and inconsistent with the City’s LCP and the Coastal Act. In other words, the 150 STR permit cap was the outer bound of reasonable limitation consistent with the Coastal Act.

C. The Draft STR Ordinance Goes Too Far and Would Violate the Coastal Act

Unlike the 2023 ordinance, which preserved all existing STRs in the City’s coastal zone, your staff estimates the Draft STR Ordinance would eliminate at least 29 of the 44 existing STRs in the coastal zone and likely more.[28] This, combined with the fact that the Draft STR Ordinance would also substantially cut the nights available in remaining STRs and not require a minimum number of permits to be issued in the coastal zone, would dramatically decrease overnight room supply in the coastal zone, all with a disproportionate adverse impact on more affordable STRs such as those in multi-family buildings. The victims will be families from inland areas, prevented from enjoying a few days of vacation by the beach and share with the City’s residents public access to a coastal environment featuring breathtaking recreational and scenic resources, such as Pacific State Beach, a popular surfing and surf camp spot, Sharp Park Beach with its walking promenade, nature trails and 1,140 feet long pier, or Milagra Ridge, 239 acres of open space part of the Golden Gate National Recreation Area, rightly described on a City Parks, Beaches and Recreation webpage as “a place of breathtaking views and diverse resources.”

Specifically, the Draft STR Ordinance will eliminate any of the 44 existing, permitted STRs in the coastal zone that are not a primary residence, are unhosted in multifamily buildings, or do not otherwise meet the eligibility requirements. Other burdensome requirements under consideration would also drive up the prices of any remaining STRs in the coastal zone. The 90-day cap for unhosted STRs will reduce supply and may also lead to hotel and motel price increases, and we understand the City Council considers the option of an even more prohibitive 60-night cap. The 90-day cap taken alone would effectively reduce availability of any remaining unhosted STRs by 75%.

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[27] *Id.*, p. 10.
[28] February 24, 2025, City Council staff report, p. 11.

Recent Coastal Commission approvals of LCP amendments for STR regulations in nearby coastal jurisdictions demonstrate how unreasonable the Draft STR Ordinance really is. For example, in 2023 the Commission approved an LCP amendment for the City of Half Moon Bay's STR regulations with modifications, and staff noted the proposal was among the more restrictive STR regulations it had reviewed and would significantly limit STRs in the City.[29] Many public commenters in Pacifica have raised Half Moon Bay's 60-day cap as one that Pacifica should follow, but Coastal staff were highly critical of this cap, noting that this number was "a somewhat randomly developed number and a fairly restrictive restriction as LCP STR provisions go . . . it is a restriction that limited unhosted STR use in any particular STR to about 16% of the nights each year. Such restrictions have the potential to severely affect current and future STR operators, making it less economically desirable to operate an STR, as well as limiting overall capacity and creating the potential for adverse impacts on visitor-serving accommodation availability in the City."[30] Staff also noted that Half Moon Bay only had 46 registered STRs and 613 hotel/motel rooms, so STRs did not make up a large portion of the City's overnight accommodations and the 60-day cap would therefore not significantly impact availability and affordability of these accommodations.[31]

In stark contrast to Half Moon Bay, Pacifica has nearly 150 STRs and only 330 hotel/motel rooms. The Commission staff report for Half Moon Bay also noted that a night cap was not a common approach at all, and is "atypical," having only been adopted in three other jurisdictions (San Diego, Del Mar, and San Mateo County) where there were much larger STR markets, such that the effect of the cap was less extreme.[32] The Commission's decision to ultimately adopt Half Moon Bay's LCP amendment with the 60-day cap has no bearing here given the dramatic differences in the role STRs play in overnight accommodation in each city: STRs make up over 30% of Pacifica's overnight accommodations stock compared to only 7% in Half Moon Bay. This context is critical and the Coastal Commission staff have cautioned that "there is no one size fits all" STR solution in coastal California and each jurisdiction should be considered on a case-by-case basis, among other things, based on its stock of visitor serving accommodations.[33] A 90-day, let alone a 60-day cap, for Pacifica, is indefensible under the Coastal Act and LCP.

Further, in contrast to the tailored approach of other coastal cities in California, the Draft STR Ordinance does not include any minimum number of permits that must be issued

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[29] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 23, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[30] *Id.*, p. 21.

[31] *Id.*, pp. 2, 21.

[32] *Id.*, p. 21.

[33] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 10.

in the coastal zone. This means that all 150 STR permits could be issued to properties outside of the coastal zone, thereby eliminating all STRs in the coastal zone. The Coastal Commission has made clear that this type of omission is unacceptable. In litigation involving STR regulations in the City of Del Mar, the Commission noted that Del Mar's proposed LCP amendment for their STR regulations "makes no distinction between inland parts of the City and the shoreline areas, and the City's blanket restrictions are overly broad and restrictive . . . . Residences in prime, visitor-serving, beach-adjacent areas are not given any priority for use as a STR, which hinders the public's ability to access and recreate in these nearshore areas."[34] In contrast, in August 2018 the Commission approved the City of Pismo Beach's proposed LCP amendment allowing only primary residents to offer homes as unhosted STRs, but exempting the City's beachfront downtown core and non-residential zones from this requirement.[35]

The California Attorney General has recognized that an STR regulation that "cause[s] a sharp decline in visitor serving accommodations in the coastal zone . . . objectively hinders visitor access to the coast" in conflict with the Coastal Act.[36] The Draft STR Ordinance would "cause a sharp decline" in the availability and diversity of overnight accommodations and limit coastal access in Pacifica. "With the high cost of coastal land, it is not profitable to build low cost hotels or similar lodging. High fixed and startup costs not only restrict the construction of new hotels but also influence the price of hotel rooms at peak times. Hotels cannot increase supply, due to high fixed costs, so they increase rates."[37]

In summary, the Draft STR Ordinance (1) fails to protect "[c]oastal recreational and visitor serving uses and opportunities" and (2) fails to protect "to the maximum feasible extent" "existing lower cost visitor-serving and recreation facilities, including overnight accommodations . . . ." It cannot be found consistent with the LCP and Coastal Act.[38]

The Draft STR Ordinance Violates Other State and Federal Laws

The Draft STR Ordinance violates other laws as well.[39] Specifically:

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[34] California Coastal Commission Brief in Opposition to Writ, p. 18, filed in *City of Del Mar v. California Coastal Com.* (Super. Ct. San Diego County, Nov. 15, 2019, No. 37-2018-00039254).

[35] California Coastal Commission, Staff Report on City of Pismo Beach LCP Amendment Number LCP-3-PSB-18-0051-1 (Short-Term Rentals), adopted August 10, 2018.

[36] Amicus Curiae Brief of the California Coastal Commission, pp. 19-20, filed in *Kracke v. City of Santa Barbara*, *supra*, 63 Cal.App.5th 1089.

[37] "Unequal Access – Protecting Affordable Accommodations Along the California Coast," p. 35 (citing Zervas 2016, 22).

[38] See Public Resources Code, §§ 30001.5, subd. (c), 30210, 30213, 30223; Pacifica LCP, Land Use Plan, Chapter 2, Implementing Policy LD-I-6.

[39] In addition to the laws noted below, given its proposed primary residency requirements, the Draft STR Ordinance clearly violates the Dormant Commerce Clause of the United States Constitution. (U.S. Const., art. I, § 8, cl. 3.) State laws that discriminate against interstate commerce "face 'a virtually *per se* rule of

A. The Draft STR Ordinance Would Unlawfully Terminate Existing, Lawful Nonconforming Uses in Violation of Fundamental Rights Protected by California Law and the Pacifica Municipal Code

A lawful nonconforming use is "one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter."[40] "The *use of the land*, not its ownership, at the time the use becomes nonconforming determines the right to continue the use."[41] California courts have long held that a party may continue to use their property even though such use is nonconforming. "The rights of users of property as those rights existed at the time of the adoption of a zoning ordinance are well recognized and have always been protected."[42] The reason is simple: termination of previously lawful (and now non-conforming) uses would be of doubtful constitutionality.[43] This follows from "vested rights" principles, which provide that when a zoning ordinance changes, a property owner may have a "vested right" to continue the existing use, notwithstanding the newer zoning restriction.[44] The California Supreme Court's decision in *Avco Community Developers, Inc. v. South Coast Regional Com*. is one example of this constitutional principle.[45] There, the California Supreme Court recognized that a property owner that has incurred substantial liabilities establishing a lawful use of property has a right to continue that use despite a subsequent change in zoning law.[46]

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invalidity.' " (*South Dakota v. Wayfair, Inc.* (2018) 585 U.S. 162, 173 [201 L. Ed. 2d 403, 416-417].) State laws violate the Commerce Clause if they mandate "differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter." (*Oregan Waste Systems, Inc. v. Department of Environmental Quality* (1994) 511 U.S. 93, 99 [128 L. Ed. 2d 13, 21].) A state law that discriminates against interstate commerce must be declared unconstitutional "unless the state can justify the discrimination by showing that it 'advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.' " (*Id*., 511 U.S. at pp. 100-101.)

The California Court of Appeal has applied these principles to a local government's primary residency requirement for STRs in residential neighborhoods. (See *South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (2023) 92 Cal.App.5th 735, 759-767.) The showing that a primary residency requirement advances a legitimate local purpose that can't be served by reasonable nondiscriminatory alternatives is difficult to make -- a heavy burden that South Lake Tahoe ultimately failed to carry, which led to the invalidation of the entire STR regulatory scheme established by the voter initiative challenged in that case. (*South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (Super. Ct. El Dorado County, 2025, No. SC20180243).)

[40] *Hansen Bros. Enters. v. Bd. of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1, and cases cited.
[41] *Ibid*., italics added.
[42] *Edmonds v. County of Los Angeles* (1953) 40 Cal.2d 642, 651; see *Hill v. City of Manhattan Beach* (1971) 6 Cal.3d 279, 285-286; *Livingston Rock & Gravel Co. v. County of Los Angeles* (1954) 43 Cal.2d 121, 127; *Jones v. City of Los Angeles* (1939) 211 Cal.304, 310-311; see also *301 Ocean Ave. Corp. v. Santa Monica Rent Control Bd.* (1991) 228 Cal.App.3d 1548, 1558 (rent control board's decision to restrict a property owner's preexisting right to lease parking spaces in an apartment building to persons other than the building tenants interfered with the owner's "fundamental vested right to control property").
[43] *Livingston Rock & Gravel Co.*, *supra*, 43 Cal. 2d at p. 127; *Edmonds*, *supra*, 40 Cal. 2d at p. 651.
[44] *City of Ukiah v. County of Mendocino* (1987) 196 Cal.App.3d 47, 56-57.
[45] *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785.
[46] *Id*. at p. 791.

The Draft STR Ordinance flies in the face of these vested rights principles because it ignores protections for existing STRs that have operated since 2018 when the City's existing STR regulations were adopted, but which now would need to reduce their offerings by 75% or stop hosting entirely because they do not meet the stringent eligibility requirements of Draft STR Ordinance. Such termination would also violate section 9-4.3002 of the PMC, which protects lawful nonconforming uses. We urge the City to revise the Draft STR Ordinance to provide that all STRs that have been operating since before the 2018 STR regulations went into effect can continue to operate as lawful nonconforming uses with valid STR permits, renewed annually.

B. The Draft STR Ordinance Violates Important Constitutional Rights

1. The Draft Ordinance Would Infringe on Freedom of Assembly and Association

The Draft STR Ordinance's limitations on how many guests or visitors of STR renters are permitted on the property at any time of day, and on "non-commercial Events" interfere with constitutional rights to freedom of assembly under Article I, section 3, of the California Constitution, including family relationships.

The Draft STR Ordinance proposes to ban any visitors and guests of STR renters to no more than half the maximum overnight occupancy limit (no more than two STR renters per bedroom, excluding children under 12).[47] To illustrate the effect of this ban, if a couple was staying in an STR in Pacifica to visit parents/in-laws and was renting a one-bedroom STR, they would be unable to have both parents come over to their STR for dinner or a cup of coffee. They would instead be forced to invite just one person or otherwise not use their STR to visit with family at all, at any time of day. This limitation on guests is overly restrictive and infringes on constitutional rights to freedom of assembly. In addition, its effects are inequitable, falling most heavily on individuals renting more affordable, smaller STRs.

The STR Ordinance also prohibits all "non-commercial Events," a category of events that, as currently defined, is so vague as to prohibit essentially any private gathering. The Draft STR Ordinance defines "Events" as "weddings, conferences, retreats, commercial events, *loud or disruptive gatherings of any kind, parties* or *any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood*."[48] The Draft STR Ordinance relatedly provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[49] These highly subjective and vague definitions are ripe for arbitrary and

[47] Draft STR Ordinance, § 9-4.4905.

[48] *Id.*, § 9-4.4901(d), italics added.

[49] *Id.*, § 9-4.4905(r).

discriminatory enforcement by the City and could, for example, result in the revocation of an STR permit if STR guests invited three guests of theirs over to dinner on their back patio if that caused any "noise, or other impacts to the neighborhood" that neighbors and the City deem excessive. This is an absurd result. The City already has in place generally applicable noise and nuisance provisions in its Municipal Code that it can use to address loud or disruptive events, and so it cannot meet the burden required to show that this intrusion on constitutional rights is justified.

2. The Draft STR Ordinance Is Likely to Effect Unlawful Takings

Eliminating existing STRs appropriates hosts' right to lease their property, a fundamental property interest. It would constitute a taking of private property without just compensation in violation of the California and United States constitutions.

Traditionally viewed as a "bundle of sticks," property rights and individual liberty go hand in hand. The framers emphasized that private property ownership serves as a bulwark against unlawful exercises of state power. Since our nation's founding, the right to lease property to guests of the property owner's choice, and for the duration of their choice, has been a fundamental component of property ownership protected by the Takings Clause of the United States Constitution, which requires just compensation for property taken for public use, and the Takings Clause of the California Constitution, which requires just compensation for property "taken or damaged for public use."[50] Further, the United States Supreme Court recently clarified that temporary and intermittent physical invasions analogous to deprivations of the right to lease are *per se* takings. In *Cedar Point Nursery v. Hassid* (2021) 594 U.S. 139 [210 L.Ed.2d 369], the Court held that a regulation requiring agricultural employers to allow union organizers to have periodic and temporary access to farm workers on the employers' property constituted a *per se* physical (not a regulatory) taking.[51] The regulation appropriated the owners' "right to exclude," " 'one of the most treasured' rights of property ownership."[52] Prohibiting STR use for many existing STR owners who will be ineligible under the Draft STR Ordinance takes property owners' right to exclude by forcing them to host rentals for longer durations than they wish. A longer term of a lease than they wish effectively amounts a physical incursion on hosts' right to exclude, in violation of *Cedar Point*

[50] U.S. Const., 5th Amend.; Cal. Const., art. I, § 19, subd. (a); *Terrace v. Thompson* (1923) 263 U.S. 197, 215 [68 L.Ed. 255, 274] (right to lease considered protected among "essential attributes of property"); *United States v. Stanley* (1883) 109 U.S. 3, 22 [27 L.Ed. 835, 843] (right to lease described as one of "those fundamental rights which are the essence of civil freedom"). Although the Takings Clause of the California Constitution protects a "somewhat broader range of property values than does the Fifth Amendment" of the United States Constitution, state and federal takings claims are typically made and analyzed together. (*Hensler v. City of Glendale* (1994) 8 Cal.4th 1, 9, fn. 4; see also *California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 456, fn.10; *Santa Monica Beach, Ltd. v. Superior Court* (1999) 19 Cal.4th 952, 988, fn.5 (1999) (dis. opn. of Baxter, J.).

[51] 594 U.S. at p. 162 [210 L.Ed. 2d at p. 390].

[52] 594 U.S. at p. 149 [210 L.Ed.2d at p. 382].

Nursery. Conversely, the Draft STR Ordinance also violates the right to include by forbidding STR owners from allowing guests of their choice on their property for a duration of less than 30 days. This appropriation of an essential attribute of their property entitles the owners to an award of just compensation under the United States and the California constitutions.[53]

3. The Draft STR Ordinance Would Intrude on Inalienable Rights to Privacy

The Draft STR Ordinance furthermore implicates the "inalienable" right to privacy under the California Constitution.[54] It takes away homeowners' ability to choose to invite renters or guests to stay in their homes for a few days or a couple of weeks.

Constitutional privacy protections protect a property owner's right to host STRs and invite guests into their home. In *Coalition Advocating Legal Housing Options v. City of Santa Monica* (2001) 88 Cal.App.4th 451, the court invalidated a local ordinance that limited occupants of ADUs in residential zones to the property owner, the property owner's dependent, or their caregiver. The court reasoned that the privacy right "to choose with whom to live in the main residence . . . must apply to the right to decide who may live in the second unit [which] . . . is still part of the home."[55] Many hosts invite guests into their homes while they are present during the stay, and the City's severe restrictions on occupancy would infringe on hosts' constitutional right to privacy, which includes the right to choose who can stay in homes.

The City fails to offer the justification necessary to pass the heightened scrutiny courts apply to laws and regulations that infringe on the right to privacy. It cannot do so because short-term renters have no demonstrable negative impact on the City or its coastal environment compared to visitors staying in a motel or a hotel or renters who stay for, say, two or three months.

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[53] 594 U.S. at p. 158 [210 L.Ed.2d at p. 388] ("We cannot agree that the right to exclude is an empty formality, subject to modification at the government's pleasure. On the contrary, it is a 'fundamental element of the property right' that cannot be balanced away.").

[54] Cal. Const., art. I, § 1 ("All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy"); see *Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, 20; *City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 130 (invalidating local zoning ordinance prohibiting groups of more than 5 unrelated individuals from residing together in residential zones; held that an individual generally has a protected "right to live with whomever one wishes" and noting that "zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the user."); *Park Redlands Covenant Control Comm. v. Simon* (1986) 181 Cal.App.3d 87, 96 (refusing to enforce HOA covenant fixing maximum number of occupants per residence at three).

[55] *Id*. at p. 459 (the "right to privacy" includes "the right to be left alone in our homes.")

4. The Draft STR Ordinance is Unconstitutionally Vague

Many provisions of the Draft STR Ordinance are so vague that they are ripe for arbitrary and discriminatory enforcement, in violation of the United States and the California constitutions. The void for vagueness doctrine requires that legislative enactments: (1) give ordinary people fair notice of punishable conduct and (2) provide explicit standards to prevent arbitrary and discriminatory enforcement.[56]

For example, as noted before, the Draft STR Ordinance prohibits all "non-commercial Events" which as currently defined are so vague as to prohibit essentially any gathering. "Events" are defined as "weddings, conferences, retreats, commercial events, loud or disruptive gatherings of any kind, parties or any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood."[57] The Draft STR Ordinance provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[58] The breadth of these definitions affords City officials unbridled discretion to find that simply having dinner at an outdoor space in an STR is a "disruptive gathering."[59] Consider the consequences of this: Under the Draft STR Ordinance, the City may revoke a STR permit after just one violation and impose hefty fines per day for a violation.[60]

5. The Draft STR Ordinance Would Deprive Hosts of their Substantive Due Process Rights

Finally, terminating a lawful nonconforming use effects a deprivation of property without due process of law, as does prohibiting homeowners from renting their homes based on nothing more than the number of days that makes some place an "illegal" rental. Such arbitrary deprivations violate substantive due process protections of the Fourteenth Amendment to the United States Constitution and article I, section 7, subdivision (a) of the California Constitution, inter alia, by infringing on homeowners' property rights and the right to lease, one of the many rights within the bundle of sticks of property rights.[61]

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[56] *Johnson v. United States* (2015) 576 U.S. 591, 595 [192 L.Ed.2d 569, 577]; *Hoffman Estates v. Flipside*, *Hoffman Estates* (1982) 455 U.S. 489, 498 [71 L.Ed.2d 362, 371].

[57] *Id*., § 9-4.4901(d).

[58] *Id*., § 9-4.4905(r).

[59] *Briggs v. Lincoln County*, No. 22CV38244 (Lincoln County, Oregon, Circuit Court, Jan. 26, 2024, General Judgment) (STR ordinance provision prohibiting "Events, such as weddings, rehearsal dinners, and similar activities" was impermissibly vague in violation of the Oregon Constitution and enjoining enforcement of that prohibition).

[60] Draft STR Ordinance, § 9-4.4908(b).

[61] See *Washington ex rel. Seattle Title Trust Co. v. Roberge* (1928) 278 U.S. 116, 121 [73 L.Ed. 210, 213] ("Legislatures may not, under the guise of the police power, impose restrictions that are unnecessary and unreasonable upon the use of private property or the pursuit of useful activities."); accord, *State Board of Dry Cleaners v. Thrift-D-Lux Cleaners, Inc.* (1953) 40 Cal.2d 436, 441.

The Draft STR Ordinance May Cause Significant Environmental Impacts; These Must be Disclosed and Evaluated Under the California Environmental Quality Act

The Draft STR Ordinance may cause significant environmental impacts which the City must evaluate under CEQA. The Draft STR Ordinance includes a finding that the Ordinance is exempt from CEQA, supposedly because "it can be seen with certainty that there is no possibility that adoption of this Ordinance may have a significant effect on the environment."[62] Not so.

The restrictions on STRs proposed in the Draft STR Ordinance, which would eliminate many existing STRs in the City, will have adverse impacts on the physical environment. These include, without limitation, reasonably foreseeable direct increases in vehicle miles travelled as visitors who would have stayed at STRs in the City seek comparable accommodations farther away; increased emissions of air pollutants (with adverse health consequences), such as nitrogen oxide, sulfur dioxide, benzene, particulates, carbon monoxide, as well as carbon dioxide and other greenhouse gases; and increased energy use.

In addition, STRs provide numerous environmental benefits to the City, by being less resource-intensive than traditional overnight accommodations like hotels and motels. In fact, a 2018 analysis using a "Cleantech" model found that when guests stay at an STR, significantly less energy and water is used, greenhouse gas (GHG) emissions are lower, and waste is reduced compared to hotel stays.[63] Any shift of visitors from STRs to hotels may, therefore, result in a wide variety of potentially substantial environmental impacts due to increased demand for water, electricity, and natural gas, and increased generation of GHG emissions, wastewater and solid waste, and increased traffic.[64]

Clearly, contrary to the proposed CEQA exemption, it cannot be seen with certainty that there is no possibility that adoption of the Draft STR Ordinance may have a significant effect on the environment and this ordinance is not exempt from CEQA. Before it takes action to adopt the Draft STR Ordinance, the City must conduct an Initial Study under CEQA and determine whether an EIR must be prepared to evaluate the environmental impacts of the Draft STR Ordinance.

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[62] Draft STR Ordinance, § 4.
[63] Airbnb, *How the Airbnb Community Supports Environmentally-Friendly Travel Worldwide* (Apr. 2018), available at https://news.airbnb.com/how-the-airbnb-community-supports-environmentally-friendly-travel-worldwide.
[64] See fn. 4, *ante*.

Other Draft STR Ordinance Vulnerabilities

A. There is No Evidence STRs Adversely Impact Housing Availability

There is no evidence that STRs in the City adversely impact housing availability. The City's Housing Element states that the City has analyzed the issue of STRs and their "impacts on the housing stock in Pacifica" and found STRs comprise "less than 1 percent of the housing stock."[65] Given the minuscule percentage of the housing stock used for STRs, this is not a real contributor to long-term housing availability issues.

As discussed in a recent study conducted by the Milken Institute on STRs in California, "the notion that decreasing STR supply will mitigate California's extreme housing shortage is not supported by the evidence. The only solution to California's housing crisis is to provide more housing: specifically denser, more affordable multifamily housing units."[66] California's decades-long housing shortage is primarily caused by failure to build enough housing due to factors such as rising construction costs, restrictive zoning, permitting delays and, in some neighborhoods, community opposition -- factors disincentivizing construction of affordable housing.[67] As Professor Betsy Stevenson, the former Chief Economist at the U.S. Department of Labor and member of President Obama's Council of Economic Advisers, has written, banning STRs in fact undermines efforts to "make [housing] more affordable."[68] That is because "[a]llowing residents to rent out their homes can help them recoup some of their investment and make city living more affordable."[69] When considering the LCP amendment for the 150 STR permit cap, Coastal Commission staff also noted that there was no data to show that the "STR cap would actually create additional longer term housing opportunities, especially in terms of affordable housing" and that there was no way for the City to assure property owners would rent or sell their properties if STRs were not permitted.[70]

B. The Draft Ordinance Will Cause Significant Economic Harm

The February 24, 2025, staff report discusses the real economic benefits to the City from STRs in dollar values and the resulting dramatic loss in revenue that will result from adoption of the Draft STR Ordinance, and recognizes that STRs provide benefits

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[65] Pacifica Housing Element 2023-2031 adopted January 22, 2024, p. A-15, available at https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.

[66] Dubetz et al, *Staying Power: The Effects on Short-Term Rentals on California's Tourism Economy and Housing Affordability*, Milken Institute, p. 1 (2022).

[67] *Id*., p. 4.

[68] Betsey Stevenson, *Banning Airbnb Won't Solve the Housing* Crisis, Bloomberg News (July 8, 2024), https://www.bloomberg.com/opinion/articles/2024-07-08/banning-airbnb-will-not-make-housing-more-affordable.

[69] *Ibid*.

[70] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at pp. 8-9.

through "economical options for transient lodging as well as income generating opportunities for property owners in Pacifica[.]"[71]

The City's own assessment found that the 90-day cap for unhosted STRs alone is projected to reduce the City's TOT revenue by $800,000 to $950,000 assuming all currently permitted STRs continue operating (which is unlikely given expected attrition of operators due to these new restrictions). Revenue losses in the future could range from $950,000 to $1.2 million annually.[72] Staff also found that the total fiscal impact from revenue losses and increased administrative cost was projected to range between $1.4 and $1.5 million, and that this did not even account for "broader economic implications to the local economy such as sales tax revenues and impacts on visitor-serving businesses such as restaurants, cafes, and retail establishments that rely heavily on the hospitality sector."[73] As discussed in our client's January 17, 2025, letter to the Planning Commission, and raised by several commenters during the recent City Council meeting, severely restricting STRs in the City as now proposed will harm small businesses badly.[74] Small businesses in Pacifica regularly have visitors who come into their shops and restaurants who are staying at a local STR, particularly in District 2 where there are no hotels or motels to attract tourists to their businesses.

Staff noted that a comprehensive economic impact study by a third-party consulting firm would be necessary to comprehensively assess potential shifts in spending patterns, the impact of STR renters versus long-term renters on local businesses, and whether tourists would opt (or be able) to use Pacifica's limited hotel inventory or utilize STRs outside the city. Such a study was never requested by City Council.[75]

The City Council's recent decision during its March 11, 2025, meeting, to initiate the process of creating a "Pacifica Tourism Marketing District" which would charge guests at any hotel, motel, and STR in the City $1 to go toward advertising Pacifica as a tourist, meeting, and event destination is evidence that the City is not carefully thinking through the implications of the Draft STR Ordinance which would eliminate many STRs in the City and reduce revenue going toward this new district. Creation of this district to encourage an influx of tourists, events, and meetings is totally at odds with the message sent by the Draft STR Ordinance, which is that the City does not welcome overnight visitors. While the City anticipates $125,000 from this new district each year, this fails to account for the reduction in revenue from the Draft STR Ordinance's restrictions.[76]

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[71] *Id.*, pp. 11, 13.

[72] February 24, 2025, City Council Agenda packet, p. 73.

[73] February 24, 2025, City Council staff report, p. 11.

[74] See February 24, 2025, meeting, at 3:16-3:19, https://www.youtube.com/watch?v=AZO-0RomNH8 (small business owner discussing potential impacts during public comments).

[75] *Id.*, p. 12.

[76] K. Wheeler, *Pacifica plans new approach to attract tourism*, Coastside News (March 12, 2025), available at https://www.coastsidenews.com/review/news/pacifica-plans-new-approach-to-attract-tourism/article_eaf18288-ff4f-11ef-b398-73fa067f2cbe.html.

Given the potentially significant threats to the economic health of the City, its STR-dependent businesses, and many of its residents posed by the Draft STR Ordinance, and this ordinance's effect on the new Tourism Marketing District, we respectfully request that the Council commission a third-party economic impacts study before taking any additional action on the Draft STR Ordinance.

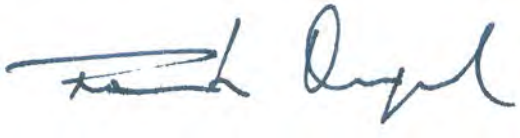
Conclusion

We strongly urge the City Council to direct staff to work with stakeholders to develop a new ordinance that strikes an appropriate balance and does not eliminate existing STR nights or impose restrictions so burdensome as to push STR hosts out of the City, and then bring that ordinance back to the Planning Commission.

As discussed in our client's January 17, 2025, letter to the Planning Commission, there are several straightforward alternatives to the Draft STR Ordinance which ought to fully alleviate the concerns of citizens frustrated with bad actor STR hosts while protecting existing, responsible and compliant STRs and maintaining compliance with federal and state law.

Pacifica for Responsible Tourism is committed to continuing to work with the City on the STR regulation revisions.

Sincerely,



Frank P. Angel

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Friday, January 17, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit. We believe this ordinance was hastily drafted based on erroneous assumptions.

We urge the Planning Commission to vote against this ordinance. By returning it to the City Council for a thorough review, we propose that the STR ordinance can accommodate the concerns of residents adversely affected by irresponsible operators while simultaneously allowing responsible actors to contribute essential revenue to our city's budget.

We are a group that represents STR operators. We have collaborated with small business owners and residents in crafting this email, urging you to vote "no" on this ordinance.

In this letter, we will provide detailed analysis of our concerns, including 1) why we feel the ordinance was drafted irresponsibly 2) what we believe the negative outcomes of this ordinance will be and 3) possible compromises to address our concerns.

I. Irresponsible Ordinance

The vast majority of short-term rental operators are good, honest operators who bring a lot of value to Pacifica. In fact, complaints against the roughly 150 tax paying operators center around just 4 of those operators in the city and founded complaints about STR operators make up less than 0.2% of all police complaints in our city.

Furthermore, the revenue generated by responsible operators is substantial. During the Study Session on August 24, a Council Member asserted that the city's short-term rental program was costly and therefore unprofitable. Since the ordinance was passed partially based on this false claim, it would be relevant for the Planning Commission to reject this ordinance on this fact alone.

So let's look at this claim made by the Council Member. The claim that the cost of running the STR programs generates a $40,000 deficit for the city is found on page 76 of the FY23-24 city budget book. Essentially, the permit fees short-term rentals paid amounted to $243,300, while the cost of the STR program was $285,300 — leaving a shortfall of $42,000.

However, the permit fees are just a small portion of what our Airbnb operators contribute. Including the TOT, we generated over $2M, while the city's cost is only $285K. And of course, in addition to ToT there is revenue from tourism dollars that goes directly to small businesses. Any corporation or business would be thrilled to have an operating cost to profit spread like this. Why is Pacifica thumbing its nose to such clear revenue, especially when the city already runs a structural deficit?

As a Planning Commission it is imperative that you pause and consider the irresponsible actions of the City Council in drafting this harmful ordinance. I say this not only as a Short-term Operator, but as a resident and tax payer living and working in Pacifica.

During the Study Session held on August 24, our City Manager, Kevin Woodhouse, said: 'If the City Council passes this ordinance, then next year I will come back to you with an outline of city services that need to be cut.' In essence, the City Council's actions are tantamount to someone discovering they have a minor cockroach problem — so they decide to burn down their house.

Furthermore, the short-term operators who engaged in public speaking and correspondence with the Council were largely disregarded in the final decision-making process. This issue clearly creates a rift within our community, as outlined in the SF Standard article referenced below:

https://sfstandard.com/2024/09/06/pacifica-airbnbs-regulations/

It is important to note that an equal number of residents attended those meetings asking that the Council not create an environment hostile to responsible operators. And yet, in the private words of a Council Member, the regulations drafted 'are designed to make it so onerous to operate an STR that most un-hosted operators will voluntarily withdraw and stop operating in our city.' In other words, there was an implicit bias against all operators whether they had done anything wrong or not.

It is important to clarify that our objective is not to promote unchecked growth in short-term rentals.

- We believe the current cap of 150 total STR licenses per year is good for the city.
- We believe reasonable ordinance updates, like requiring noise meters on the outside grounds and allowing city employees to view meter readings whenever there is a complaint are good for the city.
- We also believe that requiring the host or representative to answer the phone or be on-site within 30 minutes upon receiving a complaint is a reasonable update to our city requirements.

The problem with the 90-day cap on un-hosted operators is that it will drive many good operators out of business — when they have done nothing wrong. The vast majority of these operators only own one property that they operate. It is a lifetime investment. They have acted responsibly and the council carelessly passed a law that will stifle their business and make it impossible to operate at a profit — and this was done intentionally.

In addition to harming a large cross-section of responsible entrepreneurs, this ordinance will impact Pacifica's small businesses. If you review the number of letters from small business owners in Pacifica sent to the Council during their review, they all tell the same story: these businesses regularly have visitors who come into their shops and restaurants who are staying at a local STR.

The group Pacifica Homes Are Not Hotels has repeatedly made the claim that guests at STRs do not spend money in Pacifica. They make this claim with zero evidence. However, attached to this letter, I have included countless reviews from STR guests who outline the many ways they have frequented our small businesses and have come here to enjoy the peaceful quite and beauty of Pacifica (see attached Addendum I).

Of course, there is a common sense approach to this question: of course responsible tourism is good for Pacifica. Of course, $2 million dollars in extra revenue is good for our budget. Of course, it is good to support local entrepreneurs and small businesses who are struggling to survive and have done nothing wrong.

For these reasons, we make the case that this ordinance was drafted and passed irresponsibly:

- The majority of operators are responsible
- The revenue from STR is essential to the economic health of our city

- The needs and concerns of responsible STR operators were ignored during the drafting of this ordinance
- The ordinance was intentionally drafted to force un-hosted operators out of business
- The ordinance will harm the many small businesses who benefit from tourists staying at an STR

II. Potential Outcomes of this Ordinance

We have already outlined some potential negative impacts of this ordinance. First, it was intentionally designed to drive un-hosted operators out of Pacifica. Many of these fellow operators sank their life savings into buying property here to create valuable tourism revenue in our community. It is true, there are a small number of bad actors, however this ordinance does nothing to target unwanted behavior and instead paints all operators with the same illegitimate brush.

Currently our city operates in a structural deficit, to further reduce revenue by driving out good operators who currently generate nearly 5% of our city budget is short-sighted at best. As a Planning Commission, we beg you to consider these implications and place a pause on the former City Council's actions.

In addition, we know several small businesses already submitted written pleas to the City Council, emphasizing the essential role of tourism in their livelihoods. Many of these businesses, particularly those located in District 2, do not have hotels to attract tourists in these areas. They solely rely on local residents, guests from short-term rentals (STRs) and other day-trippers to generate demand, revenue and foot traffic. We ask again that you review Addendum I, which presents numerous, clear written examples of the positive impact these visitors have on our community.

Ignoring these requests will have adverse effects on business. However, there are additional outcomes that are more difficult to quantify but are logically inevitable.

Currently, the housing market in Pacifica is experiencing a shift characterized by extended listing periods. A notable example is a duplex on Beach Boulevard, which remained unsold for an unusually long time, prompting its removal from the market. Several factors contribute to this change, some of which are within our control, while others are beyond it.

One factor that cannot be controlled is the high-interest rates currently affecting the market. However, if the majority of the current 150 Short-Term Rental (STR) operators are compelled to sell due to the inability to generate a profit (as this

ordinance aims to achieve), it will result in an influx of additional inventory into the market at a time when demand is already experiencing a decline.

Furthermore, many of these properties were acquired during periods of high demand and record valuations. If they are purchased in the near future at lower costs in the current cooling market, they will generate lower annual property taxes for the city.

Just as importantly, the current STR operators create affordable access to our coastline. If you read the guest comments we have provided (see Addendum I), you will see many refer to living in the Bay Area and being able to spend the weekend on the coast, visit family nearby, or a desire to get away from the heat in the East Bay. Not only does Pacifica not have hotel inventory to meet this demand, this customer base prefers a whole house option, where they can gather, play board games, watch movies together, go on hikes together, browse local shops and eat at nearby restaurants. The group Pacifica Homes Are Not Hotels are fixated on a few isolated instances where this is not the case. We are providing countless data points to prove the contrary.

It would be difficult to talk about consequences of this ordinance without quoting from the city's own assessment:

> The 90-day rental cap for un-hosted STRs alone is projected to reduce TOT revenue by $850,000–$900,000, assuming all currently permitted STRs continue operating under these conditions — a scenario unlikely given the expected attrition of operators due to these restrictions. Revenue losses in the future could range from $950,000 to $1.2 million annually.
>
> This estimate excludes the broader economic implications of this ordinance on Pacifica's local economy, such as sales tax impacts to visitor-serving businesses, including restaurants, cafes, and retail establishments, who rely heavily on the hospitality sector.
>
> The implementation and enforcement of the revised STR ordinance will likely result in substantial increases in administrative costs. New operational requirements, such as permit cap management, monitoring STR activities, and ensuring compliance, will require additional staff time and resources. The added complexities of the new regulations, such as tracking rental activities, identifying violations, bringing non-compliant accounts into compliance, initiating permit revocation processes, and compiling evidentiary packets for hearings are expected to significantly increase third-party administrative expenses. Preliminary estimates suggest these third-party costs could increase by $50,000–

$100,000 annually, not counting additional staff capacity that may be required to manage the increased complexities of the program.

In other words, this hastily crafted ordinance, based largely on hyperbolic accusations and demonizing of a majority of highly engaged citizens, will financially be devastating to our struggling economy and housing market. The Planning Commission should vote “no.”

However, there is another less direct negative outcome by allowing this ordinance to pass as is. It is harder to define, but no less real. There is a small group of highly organized, vocal residents. They wield a lot of political power. They show up to every key council meeting, they have organized talking points and they often rely on false information and accusations to move forward agendas that harm Pacifica and are largely designed to keep Pacifica solely for long-term Pacifica residents — and exclude outsiders or newcomers.

I certainly have experienced the impact of this group. They speak about me as if I am less than human because I operate an STR. They are hostile in social media chats, they throw accusations but refuse to provide proof. The council gave them a lot of power when they ignored our concerns and passed an ordinance designed to give them everything they asked for: basically drive out short-term rental operators.

Pacifica already had a good foundation for its short-term rental operations. Revenue was good, we had a reasonable cap of 150 operators. We only had to refine our policy to eliminate bad actors and possibly distribute the STR operations more equitably in neighborhoods. But this vocal group weren’t willing to listen to compromise. They didn’t care who their ordinance affected.

If you allow this ordinance to move forward as is, you give credence to the tactics they utilize. This possibly could be the greatest negative impact.

Pacifica has important issues ahead of us. We have the quarry development, we have a seawall we need to consider, we have tensions on the council around the selection of mayor — with accusations that are outlandish.

This group has learned that spreading misinformation is the way to succeed. It would hopefully reframe future conversations if the Planning Commission were to stop this absurd ordinance and demand that Pacifica take a second look – one that factors in real problems with real solutions. One that eliminates bad actors, but allows responsible hosts to thrive.

III. Possible Compromises

Prior to the enactment of this sweeping and potentially detrimental government overreach, our group meticulously developed several straightforward alternatives. We crafted our proposals after carefully listening to the concerns expressed by frustrated citizens who participated in the Study Sessions. We care about our fellow citizens and want to ensure that no one lives next to an irresponsible, careless STR operator.

We created 6 proposal ideas. All of them, if enacted, would have easily allowed Pacifica to continue enjoying the benefits of short-term rentals, without suffering from any of the outlined grievances of some citizens.

While it may seem irrelevant now that the ordinance has passed the Council, we have included our original 6 Proposals in Addendum II for your review.

We are proud to find that many of these ideas wound up in the new ordinance and we take issue with none of them. The main points in the new ordinance that we take issue with are:

- 90-day cap on un-hosted operations: this makes operating an STR in Pacifica impractical and honestly impossible for almost all current operators
- Primary residence requirement: this requirement should be stricken from the ordinance and is unnecessary
- Sign posted with personal contact information is unnecessary and excessive considering a good host willingly shares this with their neighbors and knows their neighbors personally
- 3 year record keeping requirement for any host seems excessively onerous

As we outlined, these provisions were intentionally designed to drive good operators out of business — and it will. There are a couple of reasonable compromises that we feel will address the concerns of our group concerning the un-hosted requirement:

1. Redefine hosted listing as “owner or representative can be on the premisses within 45 minutes of any and all complaints.”

2. Remove the 90-day cap on un-hosted listings and rely on licensing and penalties to restrict bad operators and thereby leave responsible hosts alone.

Either of these changes to the ordinance will leave us feeling like we have been heard — and the needs of small businesses, city revenues and our hard working STR entrepreneurs in good standing are being acknowledged.

As far as the excessive administrative aspects of this ordinance, they should be removed simply for the benefit of the city, it's tax strains and revenue realities. Few of them offer any real advantage and simply add costs to a city budget already under duress. We have no objection to most of them other than as a tax payer, government corpulence is never a good thing. If the City Planning Commission or Council would like an itemized list of the excessive administrative aspects of this ordinance, I'd be happy to offer a line item assessment upon request.

IV. Summary

In short, tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue. It is an ordinance created in haste, contrary to overwhelming evidence and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city. Please vote "no."

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Addendum I: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some

great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had

all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from

the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural

light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

Addendum II: Our original 6 Policy Proposals

If enacted instead of a 90-day cap, these proposals would have solved any and all concerns residents have with bad actors and would not interfere with revenue generating operators.

Policy 1: Three Strikes and You're Out

Instead of convoluted ordinances that can unfairly hamper every Pacifican's right to use their property in a fair and equitable way, we propose a simple rule to punish bad hosts while protecting the good ones. 3 violations within a 12 month period would result in revocation of a license for 24 months.

Irresponsible hosts have no place in our town. Founded complaints of nuisances like parties or code violations result in:

1st Offense: written notice of a violation

2nd Offense: written notice of violation and fine of $1,000

3rd Offense: notice of violation, fine of $1,500, and revocation of STR permit for 24 months

Once the license is suspended or revoked, if they continue to operate, every day results in another $500 daily fine.

These violations should be applied to the guests, the host, and the property owner. This model has a fantastic track record in places where the city and AirBnB work together to delist STRs without a valid permit.

Policy 2: More Stringent Noise Restrictions

The city already has ordinances that ban noise overnight, but we further propose that hosts are required to install decibel noise sensors on the interior and exterior of their properties and make readings available to the city upon its request for compliance verification. Since this agreement will be included in the business license, refusal to turn over noise detector readings can also be a warning or violation.

The city needs to notify the host and the guest of the noise complaint. Violations are

mailed to the registered business mailing address.

For example, if the police give a citation to loud partiers. A separate fine is also sent to the registered business mailing address of the host. In the past, we were informed by the city that many hosts don't even know the guests were cited for noise violations. This policy ensures accountability on all sides by citing both the instigators and the host and encourages the host to take a more active part in vetting their guests.

Policy 3: Someone Needs to Be Accountable

Each STR must designate someone who can answer the phone within 20 minutes and be onsite within 60 minutes, 24 hours a day, should something come up. This can also become a standard definition for "hosted."

Policy 4: Disallow Hosting Too Many People

We took a unique look at this one, factoring concerns about houses that crammed a lot of guests or built-up rooms to allow for it. The purpose of this is for safety but also to hurt large corporations trying to create party houses. So in that spirit, this policy creates two separate triggers.

Of course, each STR must cap the number of guests it can host to two per bedroom plus one more.

But just as importantly, we advise the city to create a total cap for any short-term rental of 8 total individuals. So in other words, no matter how many rooms you have, there cannot be more than 8 guests per booking. This disincentivizes corporations buying properties and instead focuses on the hosts who are trying to accommodate families looking to create memories here.

We also propose no more than 1 car per legal bedroom with a maximum number of 2 cars per booking.

Policy 5: Keep Multi-unit Buildings For Affordable Rentals

STRs should not be allowed in buildings with four or more units outside of the grandfathering of the 10 STRs currently doing this, so long as they are in good standing, without complaints.

Policy 6: Smart City Planning

STRs should continue to be capped at 150 and not be overly concentrated in any one area. City staff should prepare a study to recommend the STR distribution for our town.

Beyond ordinances, Pacifica needs to push for more housing to be built. Its housing stock has grown by a mere 1% over the past eight years. Developers simply do not want to build in our town, and we believe it results from its lackluster economic growth. For such a beautiful town by the sea, we find this a tragedy. A responsible injection of tourism can change this by bringing in fresh energy and stimulating local businesses. Tourists spend significantly more than permanent residents (think about how you budget for your own daily spending while on vacation versus a more routine day at home). Further, lively towns are diverse towns, with a sprinkle of visitors from other places!The same thoughtful consideration of our concerns were certainly never factored into this ordinance or weighed by Pacifica Homes Are Not Hotels.

From: Lara Rondberg [redacted]
Sent: Wednesday, April 9, 2025 2:53 PM
To: _City Council
Cc: Public Comment

[CAUTION: External Email]

Hello,
I am respectfully submitting my comments to the City Council regarding the Short Term Rental guidelines under discussion.

I am a single professional woman working in the education sector. I have lived in Pacifica for 9 years, with 5 of those living in a room I rented in a house on Beach Blvd which in 2022 was sold to a foreign investment corporation and turned into an unhoused vacation rental. With the sale of that house and being forced to leave, I experienced much difficulty finding affordable rental housing. I lived in said home for 5 years with rent control extended by the owner of the home. When I was forced to leave I found it nearly impossible to find affordable housing in the community. There was very little available, whether that be in larger corporate apartment complexes, smaller rental units or rooms in private homes.

I am an ardent supporter of local businesses and initiatives and dearly wanted to stay in Pacifica. When I look at Air BnB/VRBO websites for rentals in Pacifica I am saddened to see so many of the houses near where I used to live on Beach Blvd offered as "hotels" instead of housing for community members. Houses that used to contain families now are hotels leaving those of us who want to rent in Pacifica very few affordable options. I know this is not unique to Beach Blvd and the problem extends throughout Pacifica.

A city like Pacifica is made up of neighbors and neighborhoods. It is what makes it a welcoming place to live for people like me who are not from here but desire to live in a community where neighbors help each other and help support the community. This can not happen if many people like me, hard working professionals who desire a safe place to live, can not find suitable housing options to remain in Pacifica.

I hope the City Council reconsiders the current policies so that there will be more housing options for people who want to live in Pacifica and support the community.
Respectfully,
Lara Rondberg

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From: Julie Starobin [redacted]
Sent: Friday, April 11, 2025 2:13 PM
To: _City Council; Public Comment; Woodhouse, Kevin
Subject: New STR ordinance 4/14/2025

[CAUTION: External Email]

To the City Council: I appreciate the consideration and time you all are giving to the issue of regulating Short Term Rentals (STRs) in Pacifica. I wanted to reiterate some of the restrictions I think are important: a primary residence requirement, putting limits on the number of nights that an unhosted STR can rent and allowing only one STR permit/'natural' person.

The main goal of any of the proposed restrictions being to keep corporations (who care nothing for the people in Pacifica) out of the STR business in Pacifica.

It's important that the new provisions take place immediately or more realistically, within 30 days. There is no reason to wait. I hope the Council will finally be able to pass a much needed resolution to put limits on STRs in our city.

Thank you, Julie Starobin Pacific Manor

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Gary Furlong [redacted]
Sent: Friday, April 11, 2025 3:09 PM
To: Beckmeyer, Sue; Boles, Christine; Wright, Greg; Bier, Mary; Espinosa, Mayra; Public Comment
Subject: STR ordinance, Item #6, April 14, 2025 City Council Meeting

[CAUTION: External Email]

Mayor Beckmeyer and Council Members:

There is an expression: "It's worth the pain". Countless hours of your time, staff time and citizens' time have gone into rewriting the Short Term Rental ordinance. And now we have another meeting. But this is worth the pain and therefore we all persevere. Thank you to you all for the time you have put into this and all the time that still remains to put into this.

Here are some specific issues that I believe need to be addressed in this revision of the latest version of the proposed STR ordinance. If you would like further details on any of these please refer to the numerous other letters I have sent you about this issue or contact me for further follow up.

* please cap the number of unhosted nights to, at most, 60 instead of the current 90. This is inline with the CCC staff recommendation That's still a total of **two months per year** unhosted.
* please require that when the STR is unhosted that the responsible person be able to show up at the STR within no more than 30 minutes of a complaint if a phone call doesn't immediately resolve the issue. We all know that there are times it is just going to take someone being there in person, especially if it's the middle of the night. The "in person" requirement is common in other STR ordinances. This responsible person must have the authority to do what it takes to resolve the issue, up to and including evicting the renters.
* please limit the total number of visitors to one half the total number of renters. And allow no visitors between 10pm and 8am, otherwise what's the difference between a visitor and a renter?
* "hosted STR" should be defined to include the necessity of the operator being on the property consistently but also requiring that they be present in-person every night unless it is an unhosted night. Really, this only makes sense.
* please do not let people make ADUs into a joke. The city ordinance authorizing them specifically says that ADUs/JADUs are for the purpose of increasing affordable housing. Allowing owners to play musical chairs with ADUs and their primary house defeats this. Please require that the operator reside in the same building as the renters. Otherwise we lose affordable housing and we have an unhosted STR pretending to be hosted.
* please require that all STRs be inspected, not just unhosted STRs. We don't need to be the city that has a STR full of people burn down.
* if a STR has two violations within a year please sideline them for at least two years. Put some teeth into this ordinance.

* please limit the number of children under 12 to no more than 3 for every two adults and two if there is only one adult. Since two adults are allowed per bedroom this still means that there can be up to **five** people in a bedroom. At what point is this no longer safe?
* Please make this ordinance effective in the coastal zone not later than 30 days after it is approved by the CCC. Even with that it could easily be more than a year before it takes effect in the coastal zone. Please make this ordinance effective in the non-coastal zone 30 days after the city approves it.
* Please look at the requirement for platform accountability that is included in so many other ordinances (such as San Francisco and Half Moon Bay) and copy that. We don't need to reinvent the wheel, especially when what has been done by other cities has proven itself.
* Finally, please instruct the city staff to have each person who renews a permit or takes out a new permit sign a form acknowledging that they are aware of the provisions of the new ordinance and that it will take effect in the coastal zone 30 days after the CCC approves it and in the non-coastal zone 30 days after the City Council approves it.

At the moment there are several houses in my small neighborhood that are for sale. In the past we all sadly told former neighbors goodbye but also looked in anticipation to new neighbors who could become part of the fabric of our community. Now days I look at the sale of each house with dread, knowing that there is a good chance that instead interesting neighbors we'll get yet another micro hotel with no management onsite. Instead of becoming another interesting part of our neighborhood it will be another stone around the neck of the neighborhood, introducing a constant stream of unsupervised strangers into the very heart of our supposedly **residential** community.

Do the ends justify the means? Our city is constantly looking for ways to raise money and it's a worthy cause. But is prostituting our residential neighborhoods the answer? Thankfully we all seem to agree that the answer is "no". We must remain firm on this. I have noticed an interesting fact about this: it seems that the majority, not all but the majority, of those who advocate earning money for the city by renting our houses out by the day are mostly those who actually have their own residences in cities where this isn't allowed. Odd, isn't it?

Regards,
Gary Furlong

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From: Cindy Abbott [redacted]
Sent: Friday, April 11, 2025 5:22 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Colleen Wright
Cc: Public Comment
Subject: Public Comment re Short Term Rental Ordinance, April 14, 2025 City Council Meeting, Public Hearing, Agenda Item #6: Important Additions to Definitions and more

[CAUTION: External Email]

Hello Pacifica City Councilmembers,
We're so close! Thank you for continuing the work to ensure that Pacifica Homes are just that -- places where long-term residents, live and thrive, adding to the community, attending our schools, volunteering at local organizations, and shopping local.

As you and staff have continued to work through updates to the Ordinance, a sticking point has been some definitions, particularly the definition of "natural person" and how this relates to corporate ownership where we essentially end up with ghost houses owned and operated by entities with little connection to Pacifica -- the below expands key definitions adding to clarify and understanding of roles. **PLEASE consider these. They add clarification and intention**

Action	Word	Current Definition	Proposed Definition	Notes
ADD	Natural Person	Not defined	Means a human being	Operator and Responder
ADD	Owner	Not defined	Means a person who has the legal or rightful title to the property and who, if not the operator, has provided written consent for the property to be operated as a STR.	Global definition of owner reflecting title of the property, - with person defined below -- including that they must approve use as a STR. May also be the operator and responsible party.
REVISE	Operator	Means the Person who has applied for a Short-term Rental permit or has been issued a Short-term Rental Permit by the City.	Means a **natural person who has primary residency** and who has applied for a Short-term Rental Permit or has been issued a Short-term Rental Permit by the City.	Primary resident and permit holder

As Is	Person	Means a natural person, corporation, business trust, estate, trust, partnership, limited liability company, association or other entity.	Means a natural person, corporation, business trust, estate, trust, partnership, limited liability company, association or other entity.	Current definition in the draft Ordinance update
REVISE	Responsible Party	Shall mean a natural person, over the age of eighteen (18), who shall be responsible for ensuring compliance with all applicable provisions of the Pacifica Municipal Code by all Short-term Renters and visitors of a Site for a Short-term Rental, twenty-four (24) hours per day, seven (7) days per week when the Operator is not available.	Shall mean a natural person over the age of 18 who shall be responsible for ensuring compliance with all applicable provisions of the Pacifica Municipal Code by all Short-term Renters and visitors of a Site for a Short-tern rental. **For hosted short-term vacation rentals, the operator shall be the host and the responsible party.** **For unhosted short-term vacation rentals, the responsible party may be the property owner, operator, or the operator's agent. In all cases, the responsible party shall be a local contact person who shall meet all of the following minimum qualifications:** **i. Be available twenty-four hours per day and seven days per week when the short-term**	Adds clarity to role by hosted and unhosted, including that the individual is local, response time and that remedial action is part of the role (not just showing up). *This is from the Half Moon Bay Ordinance.*

			vacation rental is in operation; and **ii. Be accessible and able to respond in person at the short-term vacation rental within a reasonable time *(approximately twenty minutes)* to any complaint regarding the condition, operation, or conduct of occupants of the dwelling; and** **iii. Be responsive to take remedial action necessary to resolve any violations of the requirements of this section.**	

Below is public comment from Feb 24, with a few updates in numbering (removing definitions that are now included above).
Thank you for your time attention and getting this done as Pacifica Homes are NOT Hotels!
Best,
Cindy Abbott
Sharp Park

From February 24, 2024 Public Comment

Dear Mayor Beckmeyer, Vice Mayor Boles, and Coucilmembers,

Thank you for the time and thought that has gone into updating the Short Term Rental Ordinance for the City of Pacifica. As the community has been sharing with you since June 2022, we've lost community members to displacement and neighborly connection has been replaced by a revolving door of strangers who don't volunteer, go to our schools, or support local stores and services on an ongoing basis.

As we near three years into these discussions, you've heard from neighborhoods throughout Pacifica. While the impact is greatest in the coastal zone (West Sharp Park and Pedro Point in particular) all residential neighborhoods have been impacted by the disruption to the peaceful enjoyment of our homes, impact on neighborhood character, loss of housing and affordable rental opportunities. You've worked hard listening to the community, finding the balance between unlimited unhosted rentals where no one lives any more, and preservation of ability for local homeowners to supplement their income, as was the original intention of the sharing economy, by offering space that they host in their own primary residences.

The approach that the City of Pacifica is taking is in alignment with the thoughts of the California Coastal Commission. At their first meeting of 2025, held in February, the incoming Chair, Justin Cummings, noted:

> *This year as Chair, and I just want to acknowledge the Chair and Vice Chair over the past year, they helped us work through how to move forward - for stepping up at the time of difficult and challenging projects ...*
>
> *For this year I hope as chair to continue to prioritize some of what our previous chair and vice chair brought forward especially as it relates to ensuring that low cost accommodations are produced in new hotel developments. In the first year we saw a lot of in lieu fees and last year we made a commitment to try to see low cost accommodations be built and we saw developers come forward and actually produce that, and we need to continue on this path creating affordable options .*
>
> ***In addition to that, preserving housing in the coastal zone. In 2023 it was really shocking to see how in the past we really emphasized non hosted vacation rentals, but in our housing workshop many people who came forward and professionals who have worked on this have really said how the impact can be detrimental to local communities. And we're really trying to move away from those types of non hosted rentals to preserve housing stock and to hosted rentals that were the intent of a lot of these platforms in the first place, so we preserve housing in the coastal zone." (Link to meeting HERE, with remarks beginning at 1:34:xx))***

While there is more I'd like to see in the proposed Ordinance revision (i.e., a cap on 1% by neighborhood!) I recognize the value of moving forward at this time, halting the commercialization and commodification of our residential housing stock, and restoring the quality of life throughout Pacifica. Please provide direction to staff to update the proposed Ordinance as follows:

1. **ADD Platform Accountability Requirements** that stipulate:
    a. **ALL approved platforms shall provide a required data entry space to list the City of Pacifica STR Permit number.**
    b. **All approved platforms shall share data at least quarterly, and as needed in between quarters, that will be used to verify operational compliance with the**

City of Pacifica's operational requirements. Data shared to include but not be limited to, records indicating the history of all short-term vacation rental reservations on the subject property from the hosting platform, the payment of any and all transient occupancy taxes (including via a hosting platform on behalf of a host), the length of stay per reservation, and the number of persons per reservation.

The staff reports indicate that at the December 5, 2024 meeting there was a "lack of consensus" about platform accountability and the imposition of penalties and fines. The discussion though hasn't been returned to, and more important is that these items of what is requested to be included in the Ordinance if platforms want to continue to list properties in Pacifica – along with an approved platform list (see #2 below) hasn't really taken place.

These are reasonable and appropriate requests that will ease staff concerns regarding compliance and additional contractual expense that would otherwise be needed by a third party (currently HdL) to pull this data. Online platforms are data companies, this information should be easy to generate and automatically provide. Backed by the inclusion of platform accountability in the proposed Ordinance – a critical tool in the toolbox that Councilmembers have been speaking about are necessary -- and with the good relations that staff has reported they have gained with hosting platforms, this should be a simple request/negotiation.

2. **Reduce the number of days rentable for unhosted STRs to 60**, in line with Half Moon Bay and other jurisdictions versus the proposed 90 day limitation.

3. **Remove the allowance of an Operator of an STR to reside in a ADU or JADU and operate the STR in the main residence on the site.** This addition by staff, that was never requested by City Council, flies in the face of long-standing policy that ADUs/ADUs are a mechanism to *ADD to long-term housing stock.*

4. Sec. 9-4.4905 (l**) REMOVE the allowance for unlimited children under the age of 12 from the Maximum Overnight Occupancy** operational requirement.

a. Maximum overnight occupancy for all Short-term Rentals shall not exceed two (2) short-term renters per legally permitted bedroom. ~~Children under the age of twelve (12) shall not count towards those occupancy limits.~~

(Note: This item evolved from discussion of one city's (Palm Springs) policy whose

regulations say no more than two people per bedroom, no more than eight total up to two children under the age of 12. Eight total, and up two (2) children under the age of 12 that would not count towards the eight.) Most ordinances, including Half Moon Bay do not provide an additional allowance for children, maintaining two people per bedroom, period.)

b.

5. Sec. 9-4.4905 (q**) REMOVE the Planning Commissions recommended change to have different parking rules within the Coastal Zone and outside the coastal zone.** Residential neighborhoods where larger homes are located (i.e., Park Pacifica, canyons and hillside neighborhoods) should not suffer the impact of a caravan of vehicles to accommodate STR operations. ALL STR operations should follow a consistent policy of at least ONE ONSITE PARKING SPACE PER EACH BEDROOM – this makes compliance and communication easier and minimizes impact to residential neighbors.

6. Sec. 9-4.4905 (s**) ADD** that Short-term rental use shall comply with trash, recycling **AND composting** requirements**.** This is in sync with other city policies and goals regarding environmental sustainability and climate action and adaptation.

7.**Require inspections for all** STRs, both hosted AND unhosted.

8.**Revise the two strikes policy for permit revocation to be for a 24 month period versus 12 months.**

9.Make it clear that two ordinance violations **SHALL** result in permit revocation (the current wording is "may").

While recognizing the need to incorporate the impact of the loss of potential Short Term Rental TOT in the City's budget, it's important to note that the city's current projections are very preliminary – at times even noting that the impact might not be understood for two years. While certainly there will be attrition for STRs that no longer will be in compliance (and hopefully if you institute platform accountability there will be REDUCED compliance expense!), what isn't recognized is the potential for increased TOT from HOSTED rentals and increase in HOTEL OCCUPANCY.

Additionally, staff has never reflected the **benefit of long term residents** on the local economy. We purchase from our local stores, get gas here, enjoy our restaurants, and support services such as doctors, dentists, veterinarians, accountants, vehicle services and so much much more.

And, the compliance and violation structure can include **STR Operator paid fees (i.e., for inspections), and violation fines**.

I'm also concerned and ask that you request staff return soon with a detailed plan for the **timing of implementation for each section of the Ordinance**, AND what the new application/renewal form and process will look like. At early meetings it was noted the effective date would be immediate (after approval and second reading of the Ordinance and understanding the requirement for CCC approval in the coastal zone – but the CCC in June of 2024 was advised that an ordinance would be back very soon, hence the City staff's recommendation against a moratorium that coastal commissioners asked about). After re-reading the minutes of the September and December 2024 meetings, there now seems to be waivering on that commitment for quick action.

Finally, while it may seem unnecessary, the "Wheras" statements leading into the Ordinance don't fully justify the many problems and agony that so many throughout the community have been experiencing and sharing with you. A review of Council's own remarks and public comments can be used to strength these comments to reflect:

- The impact ***throughout the city*** of unhosted short term rentals, that exceeds a few "bad actors".
- Expense to the city due to the limitations of the current Ordinance that doesn't have enough regulation and operator responsibility.
- Loss of neighbors and community
- Dramatic change from the original intention of "home-sharing" to a commercial enterprise and commoditization of residential housing stock.
- Impact on affordable housing, both for purchase and rental
- Impact to schools.
- Environmental impacts of trash blowing around the streets
- Risk to visitors during big storms and other emergencies (lack of familiarity with evacuation procedures, hazard zones).
- Impact of parking on neighborhoods and for day visitors to the coastal zone.
- Impact to local businesses, particularly services, due to fewer full time residents.
- Loss of quietude and peaceful enjoyment of the place one lives
- Etc. etc. etc.

Thank you for your time. I look forward to the updates as requested above being incorporated into the final Ordinance. AND, and to this continuing to be on future City Council agendas, along with more transparency in reporting of STRS – BY NEIGHBORHOOD! -- and compliance.

Cindy Abbott
West Sharp Park

From: T Neilands [redacted]
Sent: Saturday, April 12, 2025 5:15 PM
To: _City Council
Cc: Public Comment
Subject: 4/14/25 City Council Meeting— Agenda Item 6: Continuation of Deliberations on New STR Ordinance

[CAUTION: External Email]

Dear Pacifica City Council,

We write today, as Pacific homeowners in the Pedro Point district for the past 18 years, to strongly support the proposed new ordinance on short-term rentals (STRs) in Pacifica. We additionally request the Council please incorporate the following additions/modifications to the current draft measure:

1. A reduction in the night limit on unhosted STR operations to 60 nights (we actually view this as a significant compromise because we firmly believe, based on our experience in our neighborhood, that there should be NO unhosted STRs – unhosted STRs have been the trouble spots in our neighborhood).
2. Regarding hosting, we highly recommend that the new ordinance clarifies that the definition of a hosted STR as being one where the operator is present during the rental, most especially during the time spanning 10 PM to 8 AM.
3. We also recommend not allowing STR owners to live in ADUs and rent out the main home as a hosted STR.
4. We strongly recommend that the definition of STR operator be defined as a natural person (versus as a corporation, an officer of a corporation, a trust, and the like).
5. We join Pacifica Homes are Not Hotels in also suggesting that STR operators whose permits are revoked have a 24-month waiting period

instead of 12 months and striking language that allows the City of Pacifica to wait until October permit renewal dates for the new STR ordinance provisions to take effect; instead, a 30-day invocation period would be preferable.

Lastly, we'd like to comment that, ordinance details aside, the ordinance represents a key bulwark of stability in what is taking shape as an existential struggle between those who seek to profit from others' (i.e., their neighbors') pain and market what amounts to a philosophical deception (that by renting someone's home as a tourist, one can be in our city as a resident and not a tourist) versus our local renters and homeowners who comprise the fabric of our neighborhoods.

In short, we object to how unhosted STRs rob our community of actual neighbors and commercialize residential neighborhoods. We are old enough to remember when residential zoning was taken seriously and zoning rules were enforced consistently. There are good reasons for having a zoning firewall being residential and commercial/tourist districts. As it stands now, for example, our roads (never the best to begin with) experience extra wear and tear from tourists and we never know who in our neighborhood are neighbors vs. tourists, which makes the whole neighborhood less safe and have lower quality of life. We have had to deal numerous times with entitled trespassers from nearby STRs attempting to cross our property to access open space behind our home as well as set off fireworks in the cul-de-sac in front of our home, surrounded by brush and flammable eucalyptus trees. These are just a few of many examples of the pain inflicted by STRs and their so-called "guests" on local residents.

Thank you very much for your consideration of our comments, and thank you for all of the hard work you are doing on this and other issues impacting the City of Pacifica, as well as for your acknowledgments of our previous communications.

Sincerely,

Tor Neilands

Dianne Seaborg

[redacted]

[redacted]

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From: Kate Chinca [redacted]
Sent: Sunday, April 13, 2025 11:22 AM
To: _City Council; Public Comment
Subject: 4/14/25 City Council Meeting— Agenda Item 6: Continuation of Deliberations on New STR Ordinance"

[CAUTION: External Email]

Good morning, Mayor and City Council Members,

It appears that the updated ordinance may be getting closer to its final stages! I am certain that you hope so as do all of us. I thank you for all of the efforts that all of you have directed to this issue. I know that it has been a headache for everyone but will change the outlook of those who wish to make a business success out of our lovely city. I have seen many changes over the 50 (in Sept.) years that I have lived here. Most have been decisions that have strengthened our city but this is the first I can remember that truly has tried to weaken it. I know many people have desired to make a profit for themselves as companies or even individuals but for those few, many would have to give up on their dreams of a truly united community.

A couple of years ago when the house up the street became an STR, I found myself looking up in the city scrolls as to what that meant to us and our community. As you well know, it was a shock to find out that there was not much meat of any kind to the ordinance that had been written. Much has happened since.

I do hope that you are considering:
1) to not reinstate permits until 24 months
2) a natural person needs to apply and not business groups
3) when an STR is rented, the host must be on the premises from 10pm to 8am
4) 60 night rentals max

I wanted to share with you that I was most surprised when I looked up Pacifica in the AirBnb postings and it just didn't seem as though there were as many as there used to be...I thought that was great. But then, when looking at vacation rentals in Expedia, it seems as though many of the usuals have posted there. I just wanted to mention that as I hadn't really considered where else they might be and what the possibilities were for them to get more exposure. Is the City of Pacifica able to collect their taxes through Expedia? I'm not sure how that works.

Please know that you are very much appreciated for your time and your efforts. I am grateful that all of you have cared enough to keep this in the forefront.

Best wishes,

Kate Chinca
Aspen Drive

From: Stephanie Robbins [redacted]
Sent: Sunday, April 13, 2025 2:53 PM
To: _City Council
Cc: Public Comment
Subject: The new STR ordinance, Public Comment

[CAUTION: External Email]

Dear City Council and staff,

Thank you for listening to the citizens of Pacifica regarding the problems associated with our homes being used as hotels. I've lived in Pacifica for over 25 years and purchased my home in West Sharp Park 20 years ago, and in that time I have lost a large amount of my neighbors. Instead of being able to feel safe that my friends next door are looking out for me and my son, I now worry that the people next door could be casing my house or one of my other neighbor's homes, setting off fireworks, driving the wrong way down our one-way streets, throwing a party or many other concerns that are eroding our quality of life and destroying the fabric of our community.

I find it upsetting that I am writing yet another letter asking for the same basic guardrails that towns all along the California coast have successfully implemented, or that the California Coastal Commission has suggested. Yet, here we are. I know this is the process, although in the small town in Southern California where I grew up and the one in Northern California where I went to college, these processes were much simpler. I find it frustrating that the city manager continues to put recommendations forward that would undermine these goals or continues to be a block for our requests. He only looks at very small slivers of the finances and not the whole picture. His agenda is unacceptable.

Regardless, the city council has taken an honest approach and that is what we need, and that is greatly appreciated. We have come so far, and the last few items are the items that will make a difference between success and failure of this ordinance.

Please make these last final adjustments:

- **Reduce the maximum number of nights an STR can operate unhosted from 90 nights to 60 nights** (this is what Half Moon Bay has in place and is also what the Coastal Commission has suggested)
- ALL provisions of the new ordinance need to go into effect upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission Certification for all STRs in the coastal zone. ***NO WAITING UNTIL STR PERMITS ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.***
- We need to ensure that the definition for a "hosted rental" includes language stating that the host must be present for the duration of the rental, especially during evening/sleeping house such as 10 pm to 7 am. That's why it's called "hosted".
- Remove the language that allows an STR operator to move into the ADU on their property and rent out their entire home as a "hosted" rental. This opens us up to a massive amount of additional loopholes that will wreak havoc on Pacifica. There are good reasons why this is not allowed in other places, and should continue to not be an option.

- All STR operators must all prove primary residency, be “Natural Persons” and NOT corporations, trusts, LLCs, estates, partnerships, etc. This is a neighborhood first and foremost. We need to know our neighbors.
- Require STRs in the coastal zone to be prohibited from bringing renters into the area during times when streets are closed to all but residents due to dangerous storm and wave activities. This has caused safety problems. I’ve lived in this zone for almost 20 years and I find it confusing when the streets are closed, it is unacceptable to have tourists trying to navigate these streets at those times.
- Require operators whose STR permits are revoked to wait 24 months before reapplying—NOT just 12 months

It might look like a long list, but it's actually mostly small tweaks to what has already been put into the ordinance.

Please make these last final changes and support our quality of life.

Thank you for your consideration.

Stephanie Robbins

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From: Cindy Abbott [redacted]
Sent: Sunday, April 13, 2025 7:07 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: City Council April 14, 2025, Agenda Item 6: STR Draft Ordinance "WHEREAS" Statements for consideration

[CAUTION: External Email]

Dear Mayor Beckmeyer, Mayor proTem Boles, and City Council Members,
At the February 24, 2025 meeting of the City Council, when discussing the update to the City of Pacifica's Short-Term Rental Ordinance, Mayor Beckmeyer noted that, "looking at the Ordinance, we have not made a "Whereas" clause about the impacts to residential neighborhood character resulting from the operation of lodging businesses in areas zoned for residential uses. She stated that we have talked about the benefits we can provide but have not talked about the problems they can create." She expressed her thought for the need to have "Whereas" clauses that explain why there need to be restrictions.

Below, please find additional "Whereas" clauses reflecting the communities input and discussions by members of City Council about the provisions in the draft Ordinance. For Clarification:

- **Bolded and underlined statements** are additive to the clauses that appear in the Draft February 24, 2025 Ordinance.
- Two "Whereas" clauses highlighted in yellow have been struck through and consolidated, as noted below, into a new Whereas clause.

For consideration:

WHEREAS, on June 24, 2024, August 26, 2024, September 9, 2024, and December 5, 2024, the City Council of the City of Pacifica considered and provided input on ordinance revisions to the City's Short-Term Rental Ordinance enacted on February 27, 2023; and

WHEREAS, since the initial intention and inception of the modern "sharing economy" for visitor serving accommodation was for an individual to provide lodging in their own home, the growth of the model has increased the predominance of whole-home unhosted rentals, that has led to an increase in commercialization and commodification of residential housing stock;

WHEREAS, whole-house unhosted short term rentals change the character of residential neighborhoods, including the introduction of a stream of unknown individuals accessing visitor lodging immediately adjacent to residential housing; create public safety concerns; reduce personal long-term connection; reduce long-term residential housing stock; andnegatively impact the affordability of both sale and rental housing, and

WHEREAS, whole house unhosted short term rentals affect the stability of a community with visitors having little interest in public agencies; reduce participation in volunteerism with local nonprofit organizations providing community benefit; and reduce school enrollment and and shrink the voter registration roles, and

WHEREAS, since enactment of the Short-Term **Rental** Ordinance, residents have commented to the City Council about impacts of Short-term Rentals, including the loss of parking, excessive noise, disruptions to the community, loss of neighborhood integrity and other deleterious impacts; and

WHEREAS, public health, safety and welfare is at risk, if inspections, regulation, and enforcement structures are not in place, and

WHEREAS, degraded condition of roadways and unfamiliar traffic flow patterns (narrow, steep and one-way streets), and environmental hazards (including but not exclusive to fire, flood, wave inundation, tsunami) can impact the health and safety of visitors, and

WHEREAS, parking scarcity can impact neighborhoods and visitors to the coast, and

WHEREAS, the California State Legislature has declared that "Housing is a statewide concern", and

WHEREAS, preservation of existing housing is an integral component of the City of Pacifica Housing Element, and

WHEREAS, the stock of naturally affordable housing that comes from multi-family complexes is being impacted by short term rentals, reducing affordable housing, and

WHEREAS, the process for permitting ADUs and JDUs has been streamlined to provide needed new affordable housing, and removal of this new long-term rental housing stock for short term housing negates the intention of the State legislation, and

WHEREAS, the City Council has also received public comments relating to the sale of residential property in Pacifica for the singular purpose of using the property as a Short-term Rental, which can negatively impact the community by reducing housing units available for longterm residential use; and

~~WHEREAS, Short-term Rentals can provide benefits to the community by providing economical options for transient lodging as well as income generating opportunities for property owners in Pacifica; and~~

WHEREAS, balance has been forefront in deliberations to reduce the adverse impact of whole house unhosted rentals on the affordability of housing and neighborhood disruption while offering the opportunity for hosted visitor accommodation, providing assurances to the community and long term stability to short-term rental operators and guests, and (*NOTE: The two struck sections – one above and one below, are consolidated into this point above)*

WHEREAS, it is in the public interest to minimize the adverse impact of Short-term Rental activity on the health and safety of residents and visitors and to ensure such activity is conducted in a manner that preserves existing housing, communities and neighborhood integrity; and

~~WHEREAS, regulations that balance the benefits to the community from Short-term Rentals and address the negative impacts from Short-term Rentals are important to provide assurances to the community and long-term stability to Short-term Rental operators and guests; and~~

WHEREAS, the Planning Commission of the City of Pacifica held a duly noticed public hearing on the proposed amendments contained in Text Amendment TA-157-25 (File No. 2025- 001) on January 21, 2025, and adopted Resolution No. 2025-001 by a vote of 6-0 initiating and recommending to the City Council adoption of Text Amendment TA-157-25 (File No. 2025-001); and Pacifica City Council 5 April 14, 2025

WHEREAS, the City Council held a duly noticed public hearing on the proposed ordinance on February 24, 2025 and introduced Ordinance No. ### on the same date; and

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows

Thank you for your ongoing time and focus on this important that is so important to the community-at-large.
Cindy Abbott
Sharp Park

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From:	Lyla Reinero [redacted]
Sent:	Sunday, April 13, 2025 8:18 PM
To:	Public Comment; _City Council
Cc:	Bryan Reinero; Boles, Christine; Bier, Mary; Beckmeyer, Sue; Wright, Greg; Espinosa, Mayra; Woodhouse, Kevin; Carter, Yulia
Subject:	Public Comment: 4/14/25 City Council Meeting -- Agenda Item 6: Continuation of Deliberations on New STR Ordinance
Attachments:	400 Belfast Screenshot 2025-04-13 at 8.12.09 PM.png

[CAUTION: External Email]

Greetings Mayor Beckmeyer, Mayor Pro Tem Boles, and Councilmembers! I hope you all are keeping well.

Thank you for the ongoing work you have provided for the revised, more robust STR ordinance, and for continuing the conversation from the CC meeting on Feb 24. We are getting so close!

A few things remain to be confirmed/discussed:

- **ADU/JADUs:** no exceptions for the property owner to make the ADU or JADU as their primary residence in order to short-term rent out their "main house". This creates a loophole and negates the entire reason for allowing ADUs in the first place, which is to provide affordable housing
- **Parking:** should be the same in both coastal and non-coastal zones: 1 off-street parking space per legal bedroom
- **Children under 12:** No exemptions for children based on age of age. For safety reasons, they should count as people, period.
- **60 vs 90-night stays:** Please make it 60 nights maximum for short-term stays. If an owner wants to rent their place out for an entire summer, or other longer blocks of time (31+ night stays), this would not count as a short-term stay, and would be allowable
- **Definitions: Natural person, human being, operator/owner.** Can we clarify the ordinance language so that the owner must be a natural person or human being and must prove primary residence?
- **Complaint response time:** need to have requirement for a local human being who can respond in person if necessary in order to remove STR guests. A real person needs to be available to deal with many issues that a person in a remote call center won't be able to do.
- **Platform accountability:** STR listing platforms must include the STR permit number and be accurate in all details. Platforms must be held accountable and fined for false advertising. Marbella Lane (on their own platform) still falsely advertises the "Guest House" at 400 Belfast (which is a city-condemned, red-tagged structure) as well as "Short Term Rental License Approved By City Of Pacifica."

•**Permit suspension/revocation language** (The Administrator may suspend a Short-term Rental Permit,...): suggest Changing "May" to "Will" or "Shall" in multiple places of the ordinance

As mentioned before, **A publicly available list of STR addresses** and where they are in the compliance process is much needed (ideally with a map link that is always accurate with all the current STR information). The planning/building department has a search site function in place for permit lookups and "New Code Enforcement Requests" which could be leveraged for STR permits.

Thank you all so much for your time and continued effort on this issue and for all you do for our wonderful city!

Most Sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Proud Pedro Point Resident and PPCA Member

Draft Ordinance:
https://pacificacityca.iqm2.com//Citizens/detail_meeting.aspx?ID=1677

Pacifica Planning/Building Permit Lookup:
https://greenvue.csgengr.com/pacifica2/public/frmApnSearch.aspx

400 Belfast Marbella Lane listing:
https://www.marbellalane.com/vacation-rentals/pacifica-pacificabelfast-2br/?checkin=&checkout=&guests=

Pacifica Homes Are Not Hotels:
https://www.pacificahomesarenothotels.org/

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marbellalane.com/vacation-rentals/pacifica-pacificabelfast-2br/#/

New Chrome available

gle Google Apps Your Basecamp ac... Bitly. Google Admin con... Sparkling Theme... All Bookmarks

Managed By | Marbella Lane | Full-Service Vacation Rental Property Management | Top 1% Performer By AirDNA
3 Bedrooms • 1 Baths • 1 Kitchen

• Main House And Guest House Are Separate (Disconnected). Through The Deck Stairs You Can Access The Guest House From The Main House
• 1,750sqft - 4 Bedrooms, And 2 Bath, Ocean View From One Of The Bedrooms, With A Large Deck Overlooking Expansive Ocean Views
• Main House (1,250sqft) 3 Bedrooms, And 1 Bath
• A Guest House (500sqft) 1 Bedroom With 1 Bath
• The Shared Space Has 1 Twin Bed And 1 Double Sofa Bed
• Lovely Home Located In Prestigious Pedro Point With Amazing Ocean Views From The Living Room, And Bedrooms
• Spacious, Open Eat-In Kitchen With 2 Skylights And Vaulted Ceiling
• No Garage, But A Long Drive Way And A Car Port For Parking
• Avoid Using Hot Tub When It's Windy

Short Term Rental License Approved By City Of Pacifica.

From: robert odonnell [redacted]
Sent: Sunday, April 13, 2025 8:32 PM
To: _City Council; Public Comment
Subject: Short Term Rental Ordinance

[CAUTION: External Email]

Dear Mayor and Council Members,

I am writing in support of a strong new STR Ordinance. I have spoken to to you in past Council meetings about the unintended consequences of our current very inadequate ordinance. We currently live with the results of the poor old ordinance with the property at [redacted] I applaud your careful consideration in drafting a strong new ordinance.

Like so many others residents who have been negatively impacted in their neighborhoods please strengthen this new ordinance to protect us, as other cities around us have done for their citizens. Specifically, I request a 60 night maximum for these establishments, which are in effect unsupervised inns affecting our quality of life. They need to be hosted properties, not absentee landlords, especially in the evening hours. Bad operators who have their permits revolved should have a 24 month period before they can reapply. This will incentivize them to run their properties properly. And we need to have this new ordinance go into effect 30 days after passage, not put off until October 2025, or even 2026 with the Coastal Commission.

You and the City Staff have worked hard on this, and I appreciate all that you have done the strengthen this ordinance. Please, as we reach the final stage, make it as strong and fair as possible for our local residents who still must live with these properties in our midst. I believe you will do the right thing and I thank you for your continuing efforts to serve the best interests of Pacifica.
Sincerely,
Robert and Jackie O'Donnell
[redacted]

JacquelineO'Donnell
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From: Bryan Reinero [redacted]
Sent: Sunday, April 13, 2025 9:57 PM
To: Public Comment
Cc: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Public Comment: 4/14/25 City Council Meeting -- Agenda Item 6: Continuation of Deliberations on New STR Ordinance

[CAUTION: External Email]

Mayor Beckmeyer, Mayor Pro-Tem Boles, and Council Members Bier, Espinosa, and Wright,

Thanks again to you all for the progress the Council has made in strengthening Pacifica's Short Term Rental ordinance. It's perhaps one of the most important issues being addressed by the Council, as the health of the community depends on a strong and effective ordinance.

I also appreciate how the Council has been focusing on the details of the ordinance. As I'm sure you appreciate, an effective ordinance requires a set of key elements that work in concert with one another. These key elements assure the ordinance is clear, effective, and without loopholes.

As an example, consider how the combination of inspections and platform accountability work together to provide effective and economical enforcement. Demanding mandatory inspections for all STR applications, before a permit is issued, assures that no STR is allowed to operate that is unsafe and does not conform to building codes. Platform Accountability puts the onus on the rental platforms, not the city, to police illegal listings. Rental platforms can only collect a booking fee on units that are properly registered and legal, and are subject to criminal penalties if they arrange bookings of properties that flout the city's registration system. These two components of the ordinance eliminates the work that City staff, consultants, and the Police would have to do to enforce the ordinance when an STR is already operating in violation of the ordinance.

Note also that platform accountability is also the most legally robust form of STR enforcement. In city after city, platform accountability has defeated attacks from platforms like Airbnb and HomeAway. On November 18th or 2016, Judge James Donato of the U.S. District Court for the Northern District of California rejected Airbnb and HomeAway's arguments, and upheld the city's law. The San Francisco City Attorney put succinctly, "just because Airbnb and HomeAway conduct their business online, they are not exempt from any regulation of their commercial transactions… Online businesses don't get a free pass from the types of regulations that apply to other businesses"

The other essential elements of the ordinance are

- Limit unhosted STR operations to 60 nights (not 90)
- Clearly state that two ordinance violations within a 12- month period WILL result in permit revocation (not "may")

- Clearly state that a “hosted rental” is one in which the host is residing on the property for the duration of the rental, and is onsite during the hours of 10 p.m. to 8 a.m.
- The Responsible Party needs to be able to be onsite within 30 minutes (i.e., they are LOCAL)
- The operator of the STR must be a natural person only.
- Require one, off-street parking space for each room of the STR
- Remove the ADU loophole which allows STR owners to live in their ADU unit and rent out their whole house as a “hosted rental.” This is a massive loophole (added by staff, and not requested by Council) that operators will mercilessly exploit to run unhosted, whole-home STRs, circumventing the limits around maximum nights of operation.

best regards,
Bryan Reinero
Founding member Pacifica Homes are Not Hotels
Board Member, Pedro Point Community Association

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From: Caitlin Quinn [redacted]
Sent: Sunday, April 13, 2025 10:19 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: Public Comment: 4/14/25 City Council Meeting -- Agenda Item 6: Continuation of Deliberations on New STR Ordinance

[CAUTION: External Email]

Dear Mayor Beckmeyer and City Councilmembers,

Thank you for all you are doing to revise Pacifica's STR ordinance so that our neighborhoods will be protected from the rampant negative effects of the hundreds of unhosted STRs that have robbed our neighborhoods of quality of life, peaceful enjoyment of residents' own homes, and actual NEIGHBORS who make up the fabric of community.

We are so close to finalizing what will be a sensible and effective STR ordinance, but there are still a few changes to the draft text that I hope you will be willing to support, as follows:

- **Please reduce the maximum number of nights that an unhosted STR can operate from 90 down to 60**. Ninety nights per year = 45 weekends out of 52. That's too much unhosted STR destabilizing activity to ask a neighborhood to endure. Also, the amount of profit provided by operating 90 nights unhosted per year, particularly when factoring in major holidays, is robust enough to continue to make Pacifica homes vulnerable to corporate and out-of-town investors. Sixty nights maximum, please!

- Please **require that STR operators, who all must prove primary residency, be "Natural Persons"** and NOT corporations, trusts, LLCs, estates, partnerships, etc. Corporations, trusts, estates and the like don't take showers, eat breakfast, or sleep. Also, not being human beings, they cannot have a primary residence.

- Kindly **ensure that the definition for a "hosted rental" includes language requiring the host be present for the duration of the rental, ESPECIALLY during the hours of 10 p.m. and 8 a.m.**

- Please require that **ALL provisions of the new ordinance go into effect** as follows: upon the effective date of the Ordinance for all STRs in the non-coastal zone; and on the date of Coastal Commission certification for all STRs in the coastal zone. **NO WAITING UNTIL STR PERMIT ARE UP FOR RENEWAL IN OCTOBER OF EITHER CALENDAR YEAR 2025 OR 2026.**

- Kindly ensure that **“hosted” STRs be inspected just the same as “unhosted” rentals**.

- Please **add the word “local” to the definition of “Responsible Party,”** and require said Responsible Party to **be able to respond IN PERSON at the rental property within 30 minutes** AND amend the following to include the text in ALL CAPS: "The Responsible party shall make all reasonable efforts to address the complaint, **UP TO AND INCLUDING EVICTION OF RENTERS**."

- Please **remove the language that allows an STR operator to move into the ADU on their property and rent out their entire primary residence home as a “hosted” rental**. The number of loopholes that will be exploited by this are legion.

- Please **extend from 12 months to 24 months the time STR operators who have had their permits revoked must wait before reapplying for a new permit.** Do we really want to make it that easy for “bad actor” STR operators to reinstate their business in Pacifica, especially given all the expense and staff time necessary to execute a permit revocation?

- Please add a provision to the ordinance that **prohibits STRs in the coastal zone from operating when these areas are experiencing wave inundation and other dangerous storm activity**. In what world does it make sense that when streets in West Sharp Park are closed to all but residents that out-of-town tourists, unused to our dangerous wave action and street flooding, are piling into unregulated hotels in the area?

- **Please include “fire pits” and “outdoor grills”** to the list of STR amenities to be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

- To Sec. 9-4.4905 (o), please add the following language to protect neighbors from nuisance STR noise: **“There shall be no interior or exterior activity related to the STR that interferes with or is detrimental to residential use of adjacent property.”**

- To Sec. 9-4.4905 (r), to the list of prohibited events and activities at STRs, please **add “weddings, wedding parties, bridal showers, baby showers, bachelor or bachelorette parties, and anniversary and birthday celebrations.”**

While you are examining the actual STR ordinance, **please take a moment to review the "WHEREAS" clauses** that introduce it, particularly the following:

WHEREAS, Short-term Rentals can provide benefits to the community by providing economical options for transient lodging as well as income generating opportunities for property owners in Pacifica; and

WHEREAS, regulations that balance the benefits to the community from Short-term Rentals and address the negative impacts from Short-term Rentals are important to provide assurances to the community and long-term stability to Short-term Rental operators and guests; and

I strongly suggest striking the "as well as income generating opportunities for property owners in Pacifica" from the first, as I don't understand **why "income generating opportunities for property owners" would fall under the City's purview.**

For the second, I encourage you to strike "and long-term stability to Short-term Rental operators and guests," **given that STR permits are renewed annually and, as such, cannot provide "long-term stability" to either STR operators or their guests.**

Thank you again for listening and responding to the enormous pain being caused in the community by unhosted STRs, and for being willing to stop the commercialization of Pacifica's neighborhoods. Let's find ways to support our City's budget other than by inviting commercial businesses to operate hotels and event centers masquerading as homes. For instance, **the City could actively promote true home-sharing, i.e., HOSTED STRs, by holding seminars for and/or providing information to residents who might like to short-term rent a bedroom or portion of their home** and subsequently take the place of any unhosted STR operator who gives up their permit. **The City could also work on building hotels**, which are created specifically to house and support visitors.

In other words, let's find ways to bring revenue into our City that don't harm the residents already living here.

Submitted with gratitude and respect,

Caitlin Quinn
WSP

From: HD [redacted]
Sent: Monday, April 14, 2025 12:09 AM
To: _City Council; Public Comment
Subject: Enhancing STR Ordinances for the Benefit of Pacifica
Attachments: STR_2.PNG; STR_3.png

[CAUTION: External Email]

Dear City Council Members,

Thank you for your efforts and consideration regarding short-term rentals (STRs) in Pacifica. As a resident and father of two children (ages 7 and 2) who attend local schools, I want to highlight critical areas I believe are essential for the success of the new ordinances. These recommendations should be added or modified in the current draft.

I will provide research-based evidence and explanations to support my top priority issue. My list below is organized in order of importance, with the most critical item first. This email is divided into two sections:

1. **Proposed Enhancements to the Ordinance**
2. **A Comparison of STRs vs. Hotels Under California Regulations**

Section 1: Proposed Enhancements to the Ordinance

1. Limiting STRs to a Maximum of 60 Days Instead of 90 Days

Allowing 90 days for unhosted short-term rentals (STRs) can significantly harm local communities by increasing housing instability, encouraging commercial STR conversions, and disrupting residential neighborhoods. Properties could be rented for up to **45 weekends per year (out of 52),** creating continuous turnover and instability. Below is the evidence supporting a 60-day limit:

1A. A 90-Day Limit Makes STRs More Profitable Than Long-Term Rentals

STRs become more financially attractive than year-long leases, incentivizing property owners to prioritize STRs over long-term tenants.

- **Market Data:** Inside Airbnb and AirDNA data show that STR revenue often exceeds long-term rental income in high-demand California areas like San Francisco and Los Angeles.
- **McGill University Study (2017):** Found that STR hosts in major cities can earn up to **twice as much** annually compared to renting to long-term tenants.
- **Example 1:**
    - A typical long-term rental in Pacifica rents for **$3,900/month ($46,800/year).**

    - As an STR at **$650/night for 90 days**, the same property would generate **$58,500 in just three months.**
- **Example 2: Property at 2310 Palmetto Avenue** (previously shared in my email to the City Council on 9/15/2024). See attached photos for STR pricing and rental estimate for this property.
    - STR Rate: **$837/night (based on high-demand December pricing).**
    - **Annual STR Income (90-Day Limit):** $837 × 90 days = **$75,330**
    - **Monthly STR Income:** $75,330 ÷ 12 months = **$6,277.50**
    - **Zillow Long-Term Rental Estimate:** $4,273/month
    - **STR Premium Over Long-Term Rental: +46.9%** higher revenue
    - STR investors can operate at just **24.6% occupancy (90 days/year)** while still out-earning a full-time tenant.

Why a 60-Day Cap Is Necessary

A 60-day cap aligns STR income with long-term rental estimates:

- **Monthly STR Income (60-Day Limit):** $837 × 60 days ÷ 12 months = **$4,185**, closely matching the long-term rental estimate of $4,273.
- STR investors already receive **substantial tax benefits**, further increasing their profitability at the expense of affordable housing.

1B. STRs Operating for 90 Days Function as "Mini Hotels"

A 90-day limit allows up to **45 weekends** of new guests annually, disrupting neighborhoods.

- **Increased Noise, Traffic, and Safety Issues**
    - A **NYU School of Law (2020)** study found that STRs **increase noise complaints** and neighborhood disturbances, particularly on weekends.
    - A single STR could introduce **180+ different visitors per year**, creating a revolving door of strangers.
- **Loss of Community Stability**
    - **University of Massachusetts Amherst (2021)**: STR-heavy areas experience **higher crime rates** due to transient guests unfamiliar with community norms.

Better Alternative: 60-Day Cap

- Reduces transient visitor turnover.
- Helps preserve neighborhood stability and safety.

1C. 90-Day STRs Drive Gentrification & Displacement

- **UCLA Study (2019):** Found that a **10% increase in Airbnb listings raises rent prices by 0.4%.**
- Neighborhoods with a **high density of STRs** push out local residents in favor of high-paying short-term tourists.
- Cities like **Barcelona, New York, and Amsterdam** have cracked down on STRs due to their negative effects on affordability and displacement.

Better Alternative: 60-Day Cap

- Reduces the incentive to convert long-term rentals into STRs.
- Helps maintain more housing for full-time residents.

Conclusion & Policy Recommendation

- A 90-day STR limit makes STRs **more profitable** than long-term rentals, worsening housing shortages.
- Up to **45 weekends** of STR guests annually disrupt neighborhood stability.
- STR-driven **gentrification and rising rents** push out local residents, affecting school enrollments and funding.

Solution: Reduce the STR cap to 60 days per year

✓ Maintains income potential for homeowners **while discouraging commercial STR operations.**

✓ Helps balance **economic benefits with community stability and housing affordability.**

Additional Policy Recommendations

2. Defining a "Hosted Rental" More Clearly

- Hosted STRs should only be allowed in **a primary residence owned by a natural person (not corporations, LLCs, or trusts).**
- The host (property owner) must **sleep in the main house (not an ADU) between 10 p.m. and 8 a.m.**

3. Stronger Inspection & Compliance Measures

- **Equal Inspections for Hosted & Unhosted STRs** under the same process and guidelines.
- STR platforms must **report the number of rented days per property** directly to the City.
- Local residents should have the right to report violations.
- **Severe penalties** should be imposed on platforms and property owners for non-compliance.

4. STR Permit Revocation After Two Violations in 24 Months (Not 12 Months)

5. Immediate Implementation of Ordinance Provisions

- **All provisions must take effect immediately** upon the ordinance's enactment for non-coastal STRs and upon Coastal Commission certification for coastal STRs.
- **No waiting until STR permit renewals in October 2025 or 2026.**

Section 2: STRs vs. Hotels Under California Regulations

1. Zoning Violations

- STRs **violate residential zoning laws** by operating as unregulated lodging businesses.

- **Harris v. City of Santa Monica:** Court upheld STR bans due to their impact on residential zoning.

2. ADA Violations

- Unlike hotels, STRs **are not required to provide accessible accommodations** for disabled guests, violating **ADA Title III.**

3. Federal Fair Housing Act (FHA) Violations

- STR hosts can **discriminate** in guest selection, while hotels must follow **strict non-discrimination policies.**

4. Economic & Social Harm

- STRs worsen **housing shortages and affordability.**
- STRs contribute to **neighborhood disruptions and tax revenue loss.**
- **Pacifica homes are NOT hotels.**

Final Request

I urge the City Council to:

1. **Reduce the unhosted STR cap from 90 days to 60 days.**
2. Implement **stronger regulations** to maintain housing affordability and neighborhood stability.

Without these changes, the new ordinance will fail to achieve its intended goals. Thank you for your time and consideration.

Sincerely,

Haroldo

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7:08

$837

Hot tub! Beach 1 block away, Peloton, near SF and SFO airport

5.0 ★★★★★ (5)

SHARE

SAVE

VISIT WEBSITE

Overview | Prices | Reviews | Location | Photos

Entire house

Sleeps 11

3 bedrooms

3 bathrooms

7 beds

$837

Dec 25 – 27

Visit site

AA

google.com

Zillow

Edit Save Share

3 bd | -- ba | 4,541 sqft

2310 Palmetto Ave, Pacifica, CA 94044

Off market

Zestimate®: None ? Rent Zestimate®: **$4,273**

Est. refi payment: $ -- Refinance your loan

Home value Owner tools Home details Neighborhood details

From: Patrick Beatty [redacted]
Sent: Monday, April 14, 2025 5:36 AM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: April 14th 2025 Council Meeting Public Comment Regarding Agenda Item 6: Continuation of Deliberations on New STR Ordinance

[CAUTION: External Email]

Dear Mayor and City Council Members,

Unfortunately, I am out of the country for a family wedding and won't be able to make the Monday Apr 14th city council meeting on short-term rentals. So I would like to reiterate my previous comments from the City Council Meeting in February.

After reviewing the Council Agenda Summary Report for Short Term Rental (STR) Ordinance, I appreciate the work so far on the ordinance. However, as someone who has worked in academia and industry in finance, economics, and real estate, the city staff present a very weak analysis that is woefully skewed towards an exaggerated negative impact. First, a one year worst case scenario is being presented as the likely impact. There is no simple sensitivity or scenario analysis at all. They also leave out many key factors such as the increase in TOT from existing hotels with increased demand, possible development of a new hotel to meet demand, hosted rentals being unaffected at all, hosted rental existing as well as possibly increasing if unhosted was limited, the housing crisis that unhosted STRs exacerbate, lower enforcement costs if they worked with the platforms as other towns have, spending by full-time residents all year, spending with local businesses that rely on a permanent population (auto shops, dentists, and more), etc. There is so much obvious low hanging fruit for a basic analysis. However, the city staff do not seem to have the expertise or interest in doing it, which only benefits these companies or non-residents hollowing out our communities.

So, I urge you to pass and include the following modifications to the ordinance to make sure it is effective and beneficial to the residents of Pacifica:

- **Limit Unhosted STR operations to 60 nights:** 90 nights would be 45 weekends out of the total 52 weekends in a year. That does almost nothing to address the issue. A much more comparable city to Pacifica is Half Moon Bay and their ordinance is 60 nights.
- **Remove ADU Unit Allowance:** The ADU exemption was added by staff and it is a way to circumvent the spirit of a hosted STR.
- **Inspection for STRs:** The airbnb across the street could in theory try to claim being hosted even though they have multiple illegal bedrooms setup (shown to my neighbors). If hosted and unhosted STRs aren't inspected then it will make this ordinance toothless. Hotels have inspections. Unhosted STRs are a hotel in all but name and should be treated as such.
- **Platform Accountability:** The staff has not even tried to use the platform to enforce any ordinance for STRs. There are many examples of cities keeping the platforms accountable.

When platforms have tried to sue, they have uniformly lost. So there is precedent. Plus if you aren't advocating for the citizens and bowing to corporations at their expense, then who is the local government actually serving?

- **Responsible Party Onsite <= 30 minutes:** A phone service does not ensure issues of noise, fire, or other serious issues are taken care of. You would not go to a hotel where in the middle of the night, there was no staff at all. At least at a hotel, serious issues only affect the visiting patrons. STRs put the burden on the community that actually resides nearby as unpaid enforcement.
- **Violations:** Violations will be enforced for two strikes. There should not be discretion here with the word "may".
- **List of Unhosted STRs:** Please add a simple list of unhosted STRs on the city website so that any neighbors would know who to contact if there was an emergency (noise, fire, etc). It would be simple to implement and help the community. I have heard this might be "too difficult" for the staff, which is ridiculous.

Please do the right thing and pass this ordinance with the recommended changes. I will be at the meeting to voice my opinion. Given how this ordinance has been handled by city staff has made me realize that I need to personally be more involved in everything the city council and commissions do. Council and commission members have full-time jobs and would reasonably rely on counsel from staff. However, after being at other city sessions in-person, they seem to be getting bad advice from their staff that is not in line with the interests of their citizens.

Cheers,
Patrick Beatty
Resident of Sharp Park, Pacifica

Patrick Beatty
[redacted]

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From: Lyla Reinero [redacted]
Sent: Monday, April 14, 2025 10:43 AM
To: Public Comment; _City Council
Cc: Bryan Reinero; Boles, Christine; Bier, Mary; Beckmeyer, Sue; Wright, Greg; Espinosa, Mayra; Woodhouse, Kevin; Carter, Yulia
Subject: Re: Public Comment: 4/14/25 City Council Meeting -- Agenda Item 6: Continuation of Deliberations on New STR Ordinance

[CAUTION: External Email]

Hi again!

I neglected to bring up a couple of other points in my email last night.

At the 02.24.2025 CC meeting, Mayor Beckmeyer made the valid point that the proposed ordinance's "whereases" statements mention how STRs benefit the community of Pacifica; however, they do not mention the negative impacts.

Check the video around 5:34:30

"When I look at the ordinance's "whereases", we haven't really made a "whereas" about the impacts to residential neighborhood character resulting from the operation of lodging businesses in areas zoned for residential uses...we've talked about the benefits they can provide but we haven't talked about the problems they can create...we need to have whereases explain why it needs to be restrictive..."

I suggest editing/adding the whereases to reflect Mayor Beckmeyer's comments regarding the community needs.

There was also a lot of discussion about the need for the ordinance to go back to the planning commission for review. The City Manager stated that this is because of "substantive" changes. I question the need to send the ordinance back to the Planning Commission, as it appears to be subjective and unclear what the substantive changes are, and not whether the changes even fall into the purview of the PC's roles and responsibilities. The community of Pacifica has been pushing for a revised ordinance for years now, and suffering the negative consequences of having STRs taking over our neighborhoods for far too long. If it is 100% critical that changes must be resubmitted to the PC, please make it clear and simple what the changes are, to expedite approval, and not have everyone bogged down with the minutia of the entire ordinance.

Thanks again!

Take care,
Lyla Reinero, Pedro Point

02.24.2025 CC meeting video:
https://www.youtube.com/watch?v=AZO-0RomNH8&t=24s

On Sun, Apr 13, 2025 at 8:18 PM Lyla Reinero [redacted] wrote:

> Greetings Mayor Beckmeyer, Mayor Pro Tem Boles, and Councilmembers! I hope you all are keeping well.
>
> Thank you for the ongoing work you have provided for the revised, more robust STR ordinance, and for continuing the conversation from the CC meeting on Feb 24. We are getting so close!
>
> **A few things remain to be confirmed/discussed:**
> •**ADU/JADUs:** no exceptions for the property owner to make the ADU or JADU as their primary residence in order to short-term rent out their "main house". This creates a loophole and negates the entire reason for allowing ADUs in the first place, which is to provide affordable housing
> •**Parking:** should be the same in both coastal and non-coastal zones: 1 off-street parking space per legal bedroom
> •**Children under 12:** No exemptions for children based on age of age. For safety reasons, they should count as people, period.
> •**60 vs 90-night stays:** Please make it 60 nights maximum for short-term stays. If an owner wants to rent their place out for an entire summer, or other longer blocks of time (31+ night stays), this would not count as a short-term stay, and would be allowable
> •**Definitions: Natural person, human being, operator/owner.** Can we clarify the ordinance language so that the owner must be a natural person or human being and must prove primary residence?
> •**Complaint response time:** need to have requirement for a local human being who can respond in person if necessary in order to remove STR guests. A real person needs to be available to deal with many issues that a person in a remote call center won't be able to do.
> •**Platform accountability:** STR listing platforms must include the STR permit number and be accurate in all details. Platforms must be held accountable and fined for false advertising. Marbella Lane (on their own platform) still falsely advertises the "Guest House" at 400 Belfast (which is a city-condemned, red-tagged structure) as well as "Short Term Rental License Approved By City Of Pacifica."
> •**Permit suspension/revocation language** (The Administrator may suspend a Short-term Rental Permit,...): suggest Changing "May" to "Will" or "Shall" in multiple places of the ordinance
>
> As mentioned before, **A publicly available list of STR addresses** and where they are in the compliance process is much needed (ideally with a map link that is always accurate with all the current STR

information). The planning/building department has a search site function in place for permit lookups and "New Code Enforcement Requests" which could be leveraged for STR permits.

Thank you all so much for your time and continued effort on this issue and for all you do for our wonderful city!

Most Sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Proud Pedro Point Resident and PPCA Member

Draft Ordinance:
https://pacificacityca.iqm2.com//Citizens/detail_meeting.aspx?ID=1677

Pacifica Planning/Building Permit Lookup:
https://greenvue.csgengr.com/pacifica2/public/frmApnSearch.aspx

400 Belfast Marbella Lane listing:
https://www.marbellalane.com/vacation-rentals/pacifica-pacificabelfast-2br/?checkin=&checkout=&guests=

Pacifica Homes Are Not Hotels:
https://www.pacificahomesarenothotels.org/

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From: Armetta Parker [redacted]
Sent: Monday, April 14, 2025 10:51 AM
To: Public Comment; _City Council
Subject: April 14, 2025 City Council Meeting - Agenda Item #6: STR ordiance

[CAUTION: External Email]

Mayor Beckmeyer and Council Members,

I am writing to thank you for the time you have put into updating and revising the STR ordinance for Pacifica. I know you have received many letters of STR "horror" stories. My tale is less horror, more dismay and frustration at what I see as the commercialization of my and other neighborhoods in Pacifica.

After more than one year of being empty following the death of the family matriarch, the home next door went on the market and sold. We, and our neighbors, were excited to learn that a young man/couple had purchased the home. We looked forward to having a neighbor putting down roots, starting a family and becoming a part of our unique little part of Pacifica.

We were still excited to learn that the home would be rented out. We assumed it would be another “long-term” rental in our area. We were cautiously opposite, but concerned, when we learned the couple/corporation renting the home would be operating it as an AirBnB. Fast-forward 6 months and this is our experience to date living next door to an unhosted STR operated by the property owners' renters, who happen to live more than one hour away.

Unable to reach my “neighbors," **Arcadia Premium Stays** (as listed on the STR portal operated by HDL on behalf of Pacifica) I contacted the following entities instead to address our concerns:

- **AirBnB** and **code enforcement** about overflowing trash, trash bins placed out and brought in more than 5 days before/after Recology pick up.

- **Pacifica Police Department** about a potential altercation underway just outside our bedroom. The department responded in a timely matter. Three of the 5 vehicles associated with the STR left that evening. The other 2 left the following morning.

- **HDL** and **Code Enforcement** after solar lights appeared in our backyard adjacent to the property line with the home next door.

I respectfully ask that you make the following changes to the new STR ordinance draft:

- Reduce the 90-night limit on unhosted STR operations to 60 nights
- Not allow STR owners to live in their ADUs and rent out their actual home as a hosted STR.
- Ensure that a "Hosted" STR is defined as one where an operator is PRESENT during the rental—and especially during the hours of 10 p.m. and 8 a.m.
- Define an STR operator as a **"NATURAL PERSON"** and not a corporation, officer of a corporation, trust, etc.
- Require operators whose STR permits are revoked to wait 24 months before reapplying—NOT just 12 months
- Remove the language that allows the City to wait until the October permit renewal date for the new STR ordinance provisions to take effect—they should take effect within 30 days of Council signing for the non-coastal zone, and 30 days of the Coastal Commission approval for the coastal zone.

I also ask that you seriously consider **not allowing individuals/corporations to rent a property and operate it as an unhosted STR** as is allowed under the current ordinance.

Thank you,

Armetta Parker
Westview

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From: Suzanne Moore [redacted]
Sent: Monday, April 14, 2025 11:39 AM
To: _City Council; Public Comment
Subject: Public hearing item #6 - Short Term rental

[CAUTION: External Email]

Good afternoon honorable Council Members and Staff,

I have been following, with interest, Pacifica's progress on our Short Term Rental Ordinance. Although my chief concerns remains how STRs put a strain on and reduce Pacifica's long-term rentals, I have been empathetic to concerns of my neighbors who have experienced negative impacts of STRs.

I believe this list, supplied by Caitlin Quinn, summarizes some last modifications to the ordinance. Please inmcorporate them as they appear reasonable.

a) Reducing the 90-night limit on unhosted **STR operations to 60 nights**

b) Not allowing STR owners to live in their ADUs and rent out their actual home as a hosted STR.

c) Ensuring that a "Hosted" STR is defined as one where an operator is PRESENT during the rental—and especially during the hours of 10 p.m. and 8 a.m.

d) Defining an STR operator as a "NATURAL PERSON" and not a corporation, officer of a corporation, trust, etc.

e) Requiring operators whose STR permits are revoked to wait 24 months before reapplying—NOT just 12 months

f) Removing the language that allows the City to wait until the October permit renewal date for the new STR ordinance provisions to take effect—they should take effect within 30 days of Council signing for the non-coastal zone, and 30 days of the Coastal Commission approval for the coastal zone.

Thank you.

--
Suzanne Moore
[redacted]

From: Gary Furlong [redacted]
Sent: Monday, April 14, 2025 11:50 AM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Wright, Greg; Espinosa, Mayra; Public Comment
Subject: STR ordinance, Item #6, April 14, 2025 City Council Meeting

[CAUTION: External Email]

Mayor Beckmeyer and Council Members,

I would appreciate it if during tonight's meeting (April 14), someone could briefly explain at what point the revisions to this ordinance crossed the threshold of it having to go back to the Planning Commission for review. Looking over the proposed revisions I see proposals to make changes to parts of the ordinance that have already been discussed **in-depth** by the Planning Commision; these are revisions of "degree" not revisions of "substance", For example, the request to change the allowed unhosted nights from 90 to 60. This does not introduce a new concept but is a change of degree to what the Planning Commission has already discussed. Even the discussion about keeping ADUs as ADUs does not add anything substantive to the discussion as city ordinance spells out the purpose of ADUs already (to increase the supply of affordable housing). The issue of ADUs is only under discussion because the city staff introduced the idea of homeowners moving into their ADUs in the staff notes and the proposal is to clarify that this is not the intent of the City Council. Reading through the other proposed changes you will note that they are of degree or are clarification, not new, substantive changes.

I am under the belief that the Planning Commission has a full schedule, as does the City Council. If sending this back to the Planning Commission and then bringing it up again before the CIty Council is something that must done then so be it, but if this serves no purpose than to prolong this discussion, can't we just get on with it?

Thank you for your consideration of this.

Regards,
Gary Furlong

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From: Ed Ochi [redacted]
Sent: Monday, April 14, 2025 11:51 AM
To: Public Comment
Cc: _City Council; Coffey, Sarah
Subject: April 14, 2025 City Council Agenda Item 6, Replacement Short Term Rental Ordinance
Attachments: 2025-0414 Pacifica City Council re STRs.pdf

[CAUTION: External Email]

Attached please find my comments with regards to the April 14, 2025 City Council Meeting Agenda Item 6, the replacement Short Term Rental (STR) ordinance. Thank you for your hard work on the topic and your consideration of my comments.

- Ed Ochi

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Transmitted by Email

April 14, 2025

Pacifica City Council
2212 Beach Boulevard
Pacifica, CA 94044

RE: April 14, 2025 City Council Agenda Item 6
Replacement Short Term Rental (STR) Ordinance

Dear Mayor Beckmeyer, Mayor *Pro Tem* Boles, and Council Members Bier, Espinosa, and Wright:

Thank you for your patience and attention in listening to community input regarding the possible scope and contents of a replacement to Pacifica's Short Term Rental (STR) Ordinance. Please also extend my thanks to the City of Pacifica staff who have the difficult task of taking community input and your thoughts and carefully crafting the current draft replacement ordinance.

When the discussion of a replacement STR ordinance started last year, I was shocked to find that a number of multi-unit buildings that had been completely converted to STRs, creating de-facto hotels without the regulatory oversight that conventional hotels receive. This added to my long-standing concerns regarding the impact that STRs have had in reducing the availability of housing for prospective residents who live or desire to live in Pacifica. I believe current proposed revisions to the STR ordinance addresses these concerns well, although as with any new or significantly revised ordinance or regulation, future review and refinement may be needed to address unexpected problems or "loopholes".

I am writing on the subject because of two new concerns:

1) **We need to consider the impact of any revised ordinance on local businesses.** Informal discussions with a number of small businesses in town, as well as chatting with people who are shopping in these small businesses finds that many of these shoppers are not Pacifica residents, but rather people who are staying in STRs and seeking "local experiences". The impact of regulating the maximum days/year that a STR rented is unknown and if we completely drive STRs out of Pacifica, although available housing stock is increased, the impact on local businesses could be severe if not fatal, and we may very well end up as a San Francisco suburb, rather than a real town. I would recommend maintaining the maximum number of days per year that a housing unit could be rented as an STR at the current 90 days, or even consider increasing the limit to 120 days (one-third of a year), with the impact on the number of STRs and on local businesses being assessed after one and two years.

2) **We need to consider whether there is an adequate enforcement mechanism for the revised ordinance, and if not, establish funding for full and equitable enforcement prior to the enactment of any revised ordinance.** The revised ordinance is quite complex and does not appear to be enforceable using current City resources. As it would not be fair to saddle rule-abiding STR owners/operators with entirely funding an enforcement program to address non-compliant owners/operators, the funding sources and mechanisms need to be identified and made clear to residents of Pacifica, prior to enactment of a revised ordinance, so that residents can understand any additional taxes and fees they may be obligated to pay, and/or what City programs may be reduced or cut to pay for enforcement of the revised ordinance. **If an properly funded enforcement mechanism is not created, the revised ordinance may become nothing more than a weapon to be used by residents against neighbors who annoy them**, without improvements to the availability of local housing stock. This selective enforcement of un/underfunded mandates can already be observed with other ordinances such as the 72-hour vehicle parking limit and the storage of oversized vehicles on private property.

I greatly appreciate your attention and consideration of these two concerns, as well as your work on creating an improved STR Ordinance.

Respectfully,

Edward Ochi, Pacifica Resident

From: Maura O'Neill <maura@betterneighborsla.org>
Sent: Monday, April 14, 2025 12:38 PM
To: Public Comment
Subject: Better Neighbors Comment Letter -Agenda Item #6
Attachments: Better Neighbors Comment Letter - Pacifica City Council Meeting April 14 2025 - Agenda Item #6.pdf

[CAUTION: External Email]

Hello,

Attached, please find Better Neighbors LA's Comment Letter on Agenda Item #6.

Thank you,

Maura O'Neill
she/her
Policy Analyst and Advocate
Better Neighbors LA
(213) 355-7475
maura@betterneighborsla.org

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April 14, 2025

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: April 14, 2025 City Council Meeting Agenda Item #6: Continuation of deliberations following the February 24, 2025, Public Hearing on a proposed ordinance repealing and replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals")

Dear Honorable Mayor Beckmeyer and Pacifica City Councilmembers,

Better Neighbors LA is a coalition of hosts, tenants, housing activists and community members. We conduct data analysis and research on the short-term rental industry, including the industry's impact on coastal communities.[1] Better Neighbors also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone, which is the best way to balance the preservation of affordable housing and affordable coastal public access.

The updated ordinance is a good step towards safeguarding existing housing stock; however, without further amendments to the ordinance, short-term rentals ("STRs") will continue to proliferate, leaving long-term residents at risk of displacement. BNLA urges the Pacifica City Council to amend current STR regulations to a true home-sharing model, which means allowing hosted-only rentals. A hosted-only policy that includes a primary residency requirement will help prevent displacement and ensure that communities are protected from the negative effects of STRs. Hosted STRs necessarily function as housing for their host. Unhosted STRs are more likely to be owned by corporations. While the primary residency requirement included in the proposed ordinance will provide some protection, enforcement of these provisions is notoriously difficult. Strong enforcement language will be vital to prevent violations.

Should the Council decide not to move forward with a true home-sharing model, we encourage the City to adopt common-sense policies present in many jurisdictions throughout the California coast, **including a 60-night cap on the number of nights an unhosted short-term rental can be operated annually, limit registrants to only natural persons, hold STR**

[1] https://www.betterneighborsla.org/

platforms accountable, and include a private right of action for those impacted by illegal operations.

Based on our data analysis and research, we suggest that the City Council move forward with the following ordinance amendments:

1. ***60-Night Cap on Unhosted STRs Annually****:* We suggest limiting the rental of unhosted STRs to 60 days per calendar year, rather than 90 to prevent continued commercialization of housing in the City. This cap is similar to the one adopted by the City of Half Moon Bay and approved by the Coastal Commission in March 2023.[2] The City of Mountain View also has a 60-night cap, and the Town of Los Gatos approved an even lower cap at 30 nights per year.[3]
2. ***Limit Registrants to Natural Persons:*** Without limiting registrants to only natural persons, corporate hosts can commercialize neighborhoods. By their very nature, corporate hosts may not necessarily use their properties as long-term housing and instead operate these homes as de facto hotels. The Coastal Commission most recently approved this policy in Marin County in April 2024.[4] The staff report suggests a policy premised on limiting any entity to owning a single STR. Such a regulation would be most effective paired with an amendment to the definition of "person" to only include natural persons. The City of West Hollywood defines hosts as only natural persons.[5]
3. ***Accountability for Platforms****:* Requiring the registration number in each STR advertisement is a good step towards ensuring platforms comply with the STR ordinance. The Council should include an electronic verification system that requires platforms to verify a listing is compliant prior to the completion of a booking transaction. An electronic verification system would place more of the onus on the platforms, rather than City staff, to verify compliance. New York City implemented this enforcement tool, and the City of Los Angeles is taking steps to move forward with this proposal as well.[6]
4. ***Private Right of Action:*** Amending the ordinance to include a private right of action would provide residents with the ability to pursue legal action against hosts and platforms that violate the regulations. This takes some of the enforcement burden off of the City. Cities like Santa Monica, West Hollywood, and San Francisco have already adopted this enforcement mechanism.[7]

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[2] https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf
[3] City of Mountain View: https://www.mountainview.gov/our-city/departments/finance-and-administrative-services/billing/short-term-rentals ; Town of Los Gatos: https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH14LIMIBURE_ARTXIVSHRMRE
[4] https://documents.coastal.ca.gov/reports/2024/4/Th9a/Th9a-4-2024-report.pdf
[5] City of West Hollywood: https://ecode360.com/43904377
[6] New York City: https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-137273 ; City of Los Angeles, See Item #6: https://clkrep.lacity.org/onlinedocs/2014/14-1635-S10_misc_HH_12-4-24.pdf
[7] City of Santa Monica: https://ecode360.com/42735174 ; City of West Hollywood: https://ecode360.com/43917308 ; City of San Francisco: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-27937

We urge the Council to adopt the recommendations above at the April 14, 2025 hearing, which would strengthen regulations to adequately protect long-term residents while allowing hosted STRs to exist. Should you have any questions, please contact Maura O'Neill at maura@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

Public Comments

Item 7 – Strategic Plan

Written Comments Received By 12pm on 04/14/2025

April 14, 2025

City Council Meeting

From: Cindy Abbott [redacted]
Sent: Saturday, April 12, 2025 9:54 AM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: Ciy Council Meeting April 14, 2025, Agenda Item 7, WorkPlan: e-bikes

[CAUTION: External Email]

Dear Mayor Beckmeyer and members of the Pacifica City Council,

It's disappointing to read the staff report on the 2023 – 2030 Workplan that indicates reluctance to move forward with addressing increasing community concern regarding e-Bikes. A limited view of how to address the issue seems to be solely focused on new regulation that would be specific to the City of Pacifica. There are other approaches that can be taken with a program of education, signage and maybe even some fun, along with working with State legislators to develop Statewide legislation to increase responsible e-bike safety and ridership.

Understandably, with the concern throughout the State, the issue of e-bike safety legislation is best conducted at the State level. Pacifica though can still take steps here locally, as other cities and counties have done. For example, the City of Capitola is writing a letter to the State and doing outreach to encourage new legislation.

> "Capitola City Council unanimously voted this week to ask state legislators to establish a statewide minimum age of 14 for certain electric bikes, require riders under age 16 take a written test and make e-bike traffic safety part of the core curriculum in schools. The effort comes as local leaders say they have seen a sharp increase in the use of e-bikes among young people over the past several years." Santa Cruz Lookout, April 12, 2025 (full article below)

What creative approaches can be taken here in the City of Pacifica? In a city that is concerned with staffing limitations, all available resources are not being utilized. For example, dedicated groups of city volunteers exist already. City Council can direct the PBR Commission that also serves as the City's Bicycle Pedestrian Advisory Committee to investigate ideas from other cities and bring them back to City Council. The Emergency Preparedness and Safety Commission could also be involved – as they've also raised concerns about e-bikes safety. And to ensure a balance with climate strategies, the CAAP Task Force members can also provide input.

April is volunteer appreciation month. City volunteers on Commissions and Committees want to explore issues and provide meaningful advice to the City Council, as they are charged to do. Please provide the direction to staff to have the PBR Commission/BPAC explore ideas, work with other established entities in the City to bring ideas back to you.

Let's not wait until there is an accident to at least explore ideas and take some level of action.

As powerful e-bikes gain popularity among young teens, Capitola urges state to adopt strict new rules
Santa Cruz Lookout, April 12, 2025

Capitola City Council unanimously voted this week to ask state legislators to establish a statewide minimum age of 14 for certain electric bikes, require riders under age 16 take a written test and make e-bike traffic safety part of the core curriculum in schools. The effort comes as local leaders say they have seen a sharp increase in the use of e-bikes among young people over the past several years.

During a city council meeting Thursday, city officials described how many young teens are riding e-bikes that are much more powerful than traditional bicycles, and in potentially dangerous traffic conditions, without any safety training. For example, class 2 e-bikes allow the user to ride up to 20 miles per hour using just the throttle, without any pedaling.

In an interview on Thursday, Capitola Police Chief Sarah Ryan said while most young e-bike riders are responsible, some don't have the knowledge or training to prepare them for the road. City lawmakers hope to change that by asking California legislators to consider their three recommendations as a starting point.

"Youth that have access to these e-bikes, that are middle school age, they don't have driver training, they don't drive yet, so they haven't been through driver safety," Ryan told Lookout. "They don't exactly understand the rules of the road, and their knowledge is limited to what the adults in their lives let them know."

The city council's letter, addressed to state Representatives Dawn Addis and Gail Pellerin, and Senator John Laird, is coming at a time when other California municipalities are also taking steps to address safety concerns about youth and e-bikes. Marin County and San Diego counties implemented laws this year also establishing age restrictions for class 2 e-bikes in their unincorporated areas. Currently, there is no statewide age minimum for class 2 e-bikes.

Police officials across the county say they've noticed a steady rise in incidents, though they note it could simply be tied to the rapid surge in use as opposed to a growing disregard for the law. Last year, Santa Cruz County passed an ordinance banning e-bikes from being ridden on county sidewalks.

A handful of incidents have involved serious injury, and in a situation involving two elderly residents, at least one death. Last month, a 17-year-old riding an e-bike was seriously injured after a collision with a semi-truck in Capitola. Police have also seized two e-bikes from youth who violated traffic laws or operated illegally modified e-bikes.

Capitola City Manager Jamie Goldstein, who helped come up with the recommendations, said Capitola could look into its own restrictions within the city limits, similar to Marin, but it would likely

create confusion for the riders crossing into neighboring jurisdictions where there might not be similar regulations.

“Capitola by itself [is] too small, and the idea that there could be a county-only idea is certainly potentially worth exploring,” he said, during Thursday’s meeting. “At the end of the day, this letter could still be useful, because frankly…we’re not the only ones [with these issues], and a statewide approach could make things a lot cleaner.”

Mayor Joe Clarke told Lookout Friday that Capitola city leaders haven’t had discussions with county officials about countywide efforts. He said they see the statewide effort as the best way forward.

Once the legislators receive the letter, Goldstein said Capitola officials would likely ask to set up meetings with legislative staff to gauge their interest in the proposed rules.

Addis, Pellerin and Laird didn’t respond to a request for comment by publication time.

City councilmember Melinda Orbach said class 2 e-bikes are dangerous for youth, whose prefrontal cortex isn’t fully developed enough to fully assess danger on roads. She compared a class 2 e-bike to a motorcycle. Orbach is a family nurse practitioner.

“I see these kids just throttle and go down the street, and it’s so unsafe,” she said, saying that they don’t even have to pedal. “We’re not banning e-bikes completely. They can still ride class 1 e-bikes, but class 2, to me, is dangerous.”

Depending on the class of the e-bike, the bike can only engage the motor and propel the bike forward when the user is pedaling, called pedal assist. And some e-bikes have throttle assist, meaning, similar to an electric scooter, moped or motorcycle, the user can engage the throttle, which uses the motor to provide power without pedaling.

Class 1 e-bikes give the user pedal assist up to 20 mph and have no throttle, class 2 e-bikes have pedal assist and throttle up to 20 mph while class 3 e-bikes have throttle assist up to 20 mph and pedal assist up to 28 mph. Under existing state law, users of class 3 e-bikes must be 16 years or older.

Clarke said during the meeting that he’s seen teens mostly riding class 2 e-bikes. Far fewer are riding class 1, which would potentially make it difficult for youth to adapt to the proposed changes. Still he said he supports the recommendations.

“I think this is a great start for us to move forward and get somewhere on this because e-bike safety is huge,” he said.

Capitola vice-mayor Alexander Pedersen was the only council member to express any kind of dissent about the recommendations. He said e-bikes are a “revolution of transportation and mobility” that improve health from physical activity and reduce the use of cars.

E-bikes parked at New Brighton Middle School in Capitola. Credit: Kevin Painchaud / Lookout Santa Cruz

“I’m very hesitant to put up barriers or restrictions that may decrease usage,” he said. “That’s not to say that I don’t care about the safety of children or adults or anybody else who is using this technology for transportation. That’s extremely important, but I think it needs to be based on data, and I think it needs to be not overly restrictive.”

He echoed the concerns raised by a local environmental organization, Ecology Action. In a letter to the city council, the organization’s Transportation Mobility Director Matt Miller said the group understands the city’s goal to improve safety but is urging local officials to consider infrastructure improvements like protected bike lanes instead in order to improve safety for cyclists.

Rather than the city, or state, going straight into an age limit for class 2 e-bikes, Ecology Action suggested implementing a pilot program to “determine the real safety benefits of introducing an age minimum.”

While Ecology Action said it supports the idea of adding traffic safety to school lessons, the organization disagrees with the proposal for requiring teenage riders to pass a safety test, given by the DMV for example, for any class of e-bike. The group worries that getting the DMV involved would mean the state would eventually regulate e-bikes in a similar way as other motor vehicles, requiring riders to register them, apply for licenses and pay for insurance. This would make e-bikes more expensive and complicated to own, defeating the purpose of having them as an easy transportation option.

Soquel Union School District Superintendent Scott Turnbull told Lookout that generally he supports having youth take a traffic safety test for e-bikes. He wasn't certain about the age requirement for class 2 e-bikes and said he needed to understand more about adding traffic safety to the curriculum before he could support those recommendations. He wonders about the availability of time within the day to add more material.

"I'd want to look into that a little bit more before I said anything because school time is precious," he said. "Sometimes there can be competing interests. Students need more education on that, and where's the time going to come from? Trying to navigate that paradox, that's my only hesitation with that one."

He added he doesn't know for certain about the age requirement, partially due to his personal experience buying his daughter an e-bike before she turned 14.

"My daughter was pretty responsible and everything, so I wasn't super worried," he said "But all that said, even without me being able to say what I think the perfect age is, I think it's smart that as a society, we're trying to put some benchmarks in place over time."

Students from New Brighton Middle School weaving through the streets in Capitola on their e-bikes. Credit: Kevin Painchaud / Lookout Santa Cruz

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From: Paul Totah [redacted]
Sent: Saturday, April 12, 2025 7:19 PM
To: Public Comment
Subject: For April 14, 2025, Pacifica City Council Meeting, Re: Agenda Item #7.f

[CAUTION: External Email]

Dear City Council Members,

Monday night you will make decisions about potential new Strategic Plan items. We have requests regarding three of those items.

Arbor Day
The City of Pacifica is a Tree City USA. One of the requirements of this honor is to hold an annual Arbor Day Celebration. We agree that Arbor Day should be designated as an official City-sponsored event. For the past six Arbor Day events, Public Works has played an essential role sourcing trees, digging holes and doing so much more. PB&R, with its invaluable event experience, has supported the program with marketing and event logistics. Arbor Day could not happen without the efforts of both those departments. Tree City Pacifica is happy to work with PB&R and Public Works to continue to make Arbor Day a success.

Adopt A Tree
In an Adopt A Tree Program, citizens adopt city trees and water them in the first few years of their lives. The program saves the city money, staff time and water. Currently Public Works staff is working with citizens in West Sharp Park to ensure the new city trees planted in the Pedestrian Improvement Project are adopted by residents. Adopt A Tree programs have been very successful in South San Francisco and other cities. (In South San Francisco, city staff approached home owners to adopt 200 trees.) We recommend this program become part of a city committee or commission. Tree City Pacifica is a citizens group, not a nonprofit organization. We have neither funding nor staff and do not have the bandwidth to implement such a program. If an Adopt A Tree program were part of a city committee or commission, members could ensure city replacement street trees were adopted, thus saving the city labor and funds.

Climate Action and Adaptation Plan Committee / Commission
The Climate Action Task Force has worked tirelessly on the Climate Action Plan. They provide professional expertise and attend county and state meetings (saving staff time and money). We applaud the nature-based solutions in the plan, including the Canopy Goal. We request that the CAAP Task Force be transformed into an ongoing CAAP Committee or Commission focused on implementation of the entire plan developed by the Task Force. The plan will be implemented according to the feasibility criteria in the plan and the availability of funds. We do not want this excellent plan to have the fate of the last Climate Action Plan and merely sit on a shelf.

Thank you so much for your careful consideration of our requests.

Sincerely,
Paul Totah on behalf of all of us at Tree City Pacifica

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From: Cindy Abbott <cindy@sanchezartcenter.org>
Sent: Saturday, April 12, 2025 8:25 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: City Council Meeting April 14, Agenda Item 7f : RFP for Sanchez Art Center to be developed THIS YEAR, Oct 2025 - Dec 2025 !

[CAUTION: External Email]

Dear Mayor Beckmeyer, Mayor proTem Boles, Councilmember Bier, Councilmember Espinosa, and Councilmember Wright,

The discussion held during the February 24, 2025 City Council meeting about the Housing Element was appreciated. At that time you probed staff for additional information about the Pacifica Center for the Arts Campus/Sanchez Art Center (that includes Sanchez Art Center, Pacifica Performances Concert Hall, Stephen Johnson Photography, sports playing fields and the Sanchez Dog Park). Most commented on the value of the art center, with one Councilmember stating that they "couldn't image Pacifica without the art center".

The discussion entailed how an RFP would be prepared at a future point that would be able to be tailored with the inclusion of the art center. That conversation based on your discussions seemed as if this would be something scheduled for quite a ways down the road, i.e., 2026 — 2027 at the earliest and possibly later, after rezoning was completed (that was a shock in itself). After all, the campus was proposed for potential development as a future second tier site -- nothing at all as part of a 2025 "sub-task".

This afternoon, reading additional details in the City of Pacifica workplan (Agenda Item 7, attachment f for the April 14, 2025 City Council meeting, packet page 394), it's more than surprising to see that without any notification – the topic was only beginning to be discussed on February 24, due to public comment and thoughtful City Council follow-up questions — that the RFP is proposed to be developed later this year.

3.3.4	Task	Prepare/release City property RFPs for affordable housing developments, negotiate wit
3.3.4.1	Sub-Task	Identify consultant to conduct test fits and prepare RFPs for Sanchez Library + Sanchez Ar
3.3.4.2	Sub-Task	Release RFPs for Sanchez Library and Sanchez Arts Center
3.3.4.3	Sub-Task	City Council approval of required agreements for Sanchez Library + Sanchez Arts Center
3.3.4.4	Sub-Task	Comission study on any other City-owned sites are appropriate for RFP

The Sanchez Art Center Board and staff look forward to being included in discussions about the art center that has been serving the City of Pacifica, residents and visitors since 1996, when the first lease was signed and since 1998 when the campus was dedicated by the City reflecting how it was purchased explicitly as a ***Recreational and Cultural Facility*** and dedicated as such by the City Council.

From comments by community members, including artists from throughout the Bay Area, since the February meeting we've heard shock and disbelief that the art center is potentially on the chopping block.

Again, for the Sanchez Art Center Board, we are requesting that this "sub-task" be removed from the 2025 - 2026 workplan and Councilmembers and staff engage in conversation us AND with the community

about this proposal that will remove a significant cultural facility from our city.

Thank you for your service, including deep consideration of this topic that has lasting implications for the City and what its citizens and visitors value.

Cindy Abbott
Executive Director
Sanchez Art Center

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From: Beckmeyer, Sue
Sent: Monday, April 14, 2025 1:30 AM
To: Public Comment
Subject: Fw: April 14 City Council Meeting, Agenda Item 7e

From: Norman Dutton [redacted]
Sent: Sunday, April 13, 2025 9:57:04 PM
To: Beckmeyer, Sue <sbeckmeyer@pacifica.gov>; Boles, Christine <CBoles@pacifica.gov>; Bier, Mary <mbier@pacifica.gov>; Espinosa, Mayra <mespinosa@pacifica.gov>; Wright, Greg <gwright@ci.pacifica.ca.us>
Subject: April 14 City Council Meeting, Agenda Item 7e

[CAUTION: External Email]

Dear Mayor Beckmeyer, Mayor pro Tem Boles, Councilmember Bier, Councilmember Espinosa, Councilmember Wright,

My name is Norman Dutton, and I am the Treasurer of Pacifica Performances. Pacifica Performances stages performances at Mildred Owen Concert Hall, which is part of the Pacifica Center for the Arts. I am not writing this on behalf of the organization, but on my own behalf.

I am writing about Task 3.3.4, and the sub-tasks that follow it, in Agenda Item 7e, which can be found on page 394 of the Agenda packet. I am alarmed to become aware that the board is not only contemplating using the property currently occupied by the Arts Center to offer to developers, but is planning on creating RFP's for that purpose by the end of this year.

I am aware there is a tremendous amount of pressure being put on the council by our state government to produce affordable housing. However, sacrificing the Arts Center, which I humbly state is the only dedicated cultural facility in Pacifica, is not a suitable solution to our housing shortage. I would be extremely disappointed if our state leaders in Sacramento do not feel the same way.

A couple of weeks ago, at one of the performances at our concert hall, a woman asked me if she understood correctly that the arts center used to be a school. I replied that it was, and the city had acquired it to use as an arts center. She explained she had never been to the arts center before, but was extremely impressed with what we are doing there. She said although Palo Alto, which is where she lives, is a bit of a drive from Pacifica, she was planning on returning to see the art exhibits, and more of our concerts. I was surprised, because Palo Alto, awash in tech money, can build anything they want, but this woman was impressed with OUR arts center.

Please reconsider this plan, and build housing on land that is not already being used for other important purposes.

Thank you,

Norman Dutton

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From: Nancy Tierney [redacted]
Sent: Monday, April 14, 2025 8:56 AM
To: Public Comment
Subject: City Council April 14 Agenda Item 7

[CAUTION: External Email]

Mayor, Council Members and Staff:

I wish to comment on Item #7 regarding the City's 2023-2030 Strategic Plan, in particular about the Climate Action and Adaptation Plan update submitted by the task force that I serve on. As noted in the analysis of the plan from the City Manager's office, the task force recommended that the City establish an Environmental Commission whose role would be to monitor CAAP implementation and engage in broader efforts in the City to respond to climate change. I was privileged to participate regularly with professionals from the San Mateo County Sustainability Department, cities throughout the County, and PCE to learn about transportation and electrification initiatives, including grant programs. In the last meeting, we heard about the forthcoming programs resulting from the $10B climate bond that state voters approved last year. The group known as RICAPS (Regionally Integrated Climate Action Planning Support Program) is an excellent resource, one that would be available to the newly formed commission. Recall that the task force also recommended creating a city staff sustainability position to more fully support the implementation of the CAAP and coordinate with other City departments on environmental initiatives, as well as to serve as a regular liaison to the invaluable RICAPS network.

The City Manager's analysis states that "Establishing a new Sustainability Commission would represent a significant and ongoing cost to the City in terms of staff time, legal resources, and administrative support . . . . with substantial operational overhead." I'd like to understand how to translate "significant" and "substantial" into staff time and costs. Between what you know about existing commissions and committees the City currently has and what you could find out about the many cities in San Mateo County with environmental/sustainability commissions, the information should be easy to obtain. Please understand that approval of the CAAP represents a commitment to the actions and to the merits of the implementation plan, notably the formation of the Sustainability Commission.

The City Manager's analysis identifies "more streamlined alternatives" to the formation of a commission. I'd characterize these rather as steps in implementation. Yes, do look at the charges to other committees and commissions to see if there are commonalities and shared purposes, making sure to not dilute the priorities of the CAAP. On the idea of continuing the CAAP Task Force, by its nature as a task force, I think our work is concluding. However, we can consider how to transition, through our current composition or as a newly formed implementation group, to implementation. The viability of the CAAP plan, as validated by the community, depends on it. That includes formation of a Sustainability Commission.

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From: Cindy Abbott [redacted]
Sent: Monday, April 14, 2025 11:27 AM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: City Council Agenda April 14, 2025: Item 7, Workplan -- Support for Climate ACTION

[CAUTION: External Email]

Hello City Council Members,
I wanted to share my concurrence with the letter below from Tree City Pacifica. Specifically:

- Arbor Day in Pacifica, please continue the partnership between Pacifica Public Works, PBR and Tree City Pacifica that is a requirement to maintain status as a Tree City USA (and potential eligibility for grant funding). This event also builds community and engages folks of all ages together, educates and builds a beautiful and expanded tree canopy.

- An Adopt a Tree Program, as part of the goal to expand the tree canopy, must be put in place to ensure the viability of planted trees. Too many new trees are not achieving healthy status due to lack of care. Studies show that when an adopt-a-tree program is in place the success of new planted trees is significantly higher. And, a pilot program discussed at the Beautification Advisory Committee (BAC) is already taking place with the devastating destruction of the heritage cypress trees in West Sharp Park, and community members working with neighbors to at least have the two-to-one new trees taken care of. The City CAN do this and should both for beautification and climate impacts.

- Climate Action and Adaptation Plan Task Force -- the outstanding work of the CAAP Taskforce must be continued. A Committee or Task Force continuation needs to be put in place for continued research, visibility of the City of Pacifica at regional meetings (that has been done by volunteers on the CAAP Task Force to date, minimizing staff time) and implementation of the plan -- not breaking up the plan and doling it out piecemeal to other groups or left to languish on the shelf. Addressing the climate crisis is the most important issue there is for caring for our place and ensuring it is here for future generations.

Thank you.
Cindy Abbott
Sharp Park

Dear City Council Members,

Monday night you will make decisions about potential new Strategic Plan items. We have requests regarding three of those items.

Arbor Day
The City of Pacifica is a Tree City USA. One of the requirements of this honor is to hold an annual Arbor Day Celebration. We agree that Arbor Day should be designated as an official City-sponsored event. For the past six Arbor Day events, Public Works has played

an essential role sourcing trees, digging holes and doing so much more. PB&R, with its invaluable event experience, has supported the program with marketing and event logistics. Arbor Day could not happen without the efforts of both those departments. Tree City Pacifica is happy to work with PB&R and Public Works to continue to make Arbor Day a success.

Adopt A Tree
In an Adopt A Tree Program, citizens adopt city trees and water them in the first few years of their lives. The program saves the city money, staff time and water. Currently Public Works staff is working with citizens in West Sharp Park to ensure the new city trees planted in the Pedestrian Improvement Project are adopted by residents. Adopt A Tree programs have been very successful in South San Francisco and other cities. (In South San Francisco, city staff approached home owners to adopt 200 trees.) We recommend this program become part of a city committee or commission. Tree City Pacifica is a citizens group, not a nonprofit organization. We have neither funding nor staff and do not have the bandwidth to implement such a program. If an Adopt A Tree program were part of a city committee or commission, members could ensure city replacement street trees were adopted, thus saving the city labor and funds.

Climate Action and Adaptation Plan Committee / Commission
The Climate Action Task Force has worked tirelessly on the Climate Action Plan. They provide professional expertise and attend county and state meetings (saving staff time and money). We applaud the nature-based solutions in the plan, including the Canopy Goal. We request that the CAAP Task Force be transformed into an ongoing CAAP Committee or Commission focused on implementation of the entire plan developed by the Task Force. The plan will be implemented according to the feasibility criteria in the plan and the availability of funds. We do not want this excellent plan to have the fate of the last Climate Action Plan and merely sit on a shelf.

Thank you so much for your careful consideration of our requests.

Sincerely,
Tree City Pacifica

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Public Comments

Item **8** – Budget Session #1

Written Comments Received By 12pm on 04/14/2025

April 14, 2025

City Council Meeting

From: Pete Shoemaker [redacted]
Sent: Monday, April 14, 2025 9:20 AM
To: Public Comment
Subject: Housing is NOT Economic Infrastructure

[CAUTION: External Email]

If your child came up with the idea of paying off their Visa Card by borrowing from their American Express card, would you support that as sound economic strategy?

This is exactly what the City Manager is proposing in saying that building more housing is good for our economic infrastructure. Pacifica has a lot of housing and not enough other tax revenue, and that is why we're in such a difficult economic situation. So the solution is to build MORE housing? To do the same things and expect different results? Absolutely not.

The property tax revenue from housing subdivisions does not pay for their upkeep and maintenance over their life cycle, and we are living proof of that. We do not and will not in the future have enough money set aside to maintain our current infrastructure. We cannot take on more debt obligations, and as currently structured, building new, primarily residential subdivisions would be plunging us deeper into debt.

The only way housing makes sense is if it is high-density, mixed-use, with tax revenue in addition to property taxes. And if fees charged are MUCH higher, accounting for necessary upgrades and maintenance of water, sewer, etc. And/or if there are other means of raising revenue, i.e. special tax districts, etc.

Pete Shoemaker
[redacted]

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City of Pacifica

City Council Regular Meeting

(1)

Name (illegible) LAWLACE Date 4/14

Please Print

City:

No. of Item on Agenda or Subject: Open Comment

City of Pacifica

City Council Regular Meeting

(2)

Name Ken Miles Date 4/14/25

Please Print

City: PACIFICA

No. of Item on Agenda or Subject: CANARY Palms / Vallemar / ORAL Communicati PGE

City of Pacifica

City Council Regular Meeting

(3)

Name LYNN ADAMS Date 4/14/25

Please Print

City: PACIFICA

No. of Item on Agenda or Subject: ORAL COMM.

City of Pacifica

City Council Regular Meeting

(4)

Name BRENDAN BERMAN Date April 14

Please Print

City: PACIFICA

No. of Item on Agenda or Subject: OPEN PUBLIC COMMENT

City of Pacifica

City Council Regular Meeting

(5)

Name MIKE WILLIAMSON Date 4/14

Please Print

City: PACIFILA

No. of Item on Agenda or Subject:

City of Pacifica

City Council Regular Meeting

Name Cliff Lawrence Date 4/14/25

Please Print

City:

No. of Item on Agenda or Subject: #6

City of Pacifica

City Council Regular Meeting

(1)

Name Kimberly Finale Date 4.14.25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 4

City of Pacifica

City Council Regular Meeting

(2)

Name MARGO MEIMAN Date 4/14/25
Please Print

City:

No. of Item on Agenda or Subject: #7

City of Pacifica

City Council Regular Meeting

(3) ~~(4)~~

Name Monica Meagher Date 4/14/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 7

City of Pacifica

City Council Regular Meeting

(4)

Name Cindy Abbott Date 4-14-25
Please Print

City:

No. of Item on Agenda or Subject: #7 Strategic / Work Plan

City of Pacifica

City Council Regular Meeting

(5)

Name Gail Beaton Shoemaker Date 4/14/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: T.F.

City of Pacifica

City Council Regular Meeting

(6)

Name Lyla Reiner Date 4-14-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: #7 Sanchez Art Center

City of Pacifica

City Council Regular Meeting

(7)

Name MIKE WAHLMAN Date 4/14
Please Print

City:

No. of Item on Agenda or Subject: #7 Strategic Planning item

City of Pacifica

City Council Regular Meeting

(8)

Name BRENDAN BERMAN Date APRIL 14
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: BUDGET #8

City of Pacifica

City Council Regular Meeting

Name MIKE WAHLMAN Date 4/14
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: 3X GENERAL, #7 STRATEGIC #8 BUDGET

City of Pacifica

City Council Regular Meeting

Name Cliff Lawrence Date 4/14
Please Print

City:

No. of Item on Agenda or Subject: #8

Made his comment by phone

City of Pacifica

City Council Regular Meeting

(1)

Name Cliff Lawrence Date 4/14
Please Print

City:

No. of Item on Agenda or Subject: ~~#~~ 7 home

From: Pacifica for Responsible Tourism
To: _City Council; Woodhouse, Kevin; Public Comment
Subject: Mischaracterizations about Pacifica"s Short-Term Rentals
Date: Monday, April 14, 2025 9:26:34 PM
Attachments: 04.25 Letter.pdf

[CAUTION: External Email]

Monday, April 14, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit — the council is also now considering a 60-day cap. We believe this ordinance was drafted based on erroneous assumptions.

There are some fundamental misunderstandings taking place in the discussions about the 90-day cap. Speakers who do not operate an STR assume that most bookings occur on weekends and holidays. One public comment suggested that at 90 nights, that would mean 80% of weekends in a year would be booked. This is of course not true. In fact of the bookings we had this year so far only 33% occurred on a weekend — where weekend is defined as sleeping Saturday or Sunday night.

This goes hand in hand with other mischaracterizations that have been advanced by opponents of Short Term Rentals — like the belief that STR bookings are for loud parties and gatherings and that visitors are a nuisance.

Most of the people booking an STR in Pacifica are quiet families looking to enjoy our beautiful coastal area, eat at our restaurants, browse our shops and spend time hiking our scenic trails. You can verify this in the appendix to this email which lists countless reviews — for just our home — about shops, restaurants, hiking trails and access to our coast that motivates people to come here.

Tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than

excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. You have even received comment from local business owners asking you not to pass this ordinance. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue.

It is an ordinance created contrary to overwhelming evidence about the benefits of our current program and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city.

We come to you trying to help solve the problem of bad actors among operators and ask again that you not ignore our concerns.

Please vote “no.”

Sincerely,

D. Russell Jones
Pacifica for Responsible Tourism
www.pacificatourism.org

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Monday, April 14, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

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It is an ordinance created contrary to overwhelming evidence about the benefits of our current program and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city.

Please vote “no.”

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Appendix: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

03.25
My husband and son stayed at the Beach House for 4 nights. Xiaoxing was a perfect host— responsive, helpful, and generous (he even left freshly baked muffins for them!). He let them know in advance about some tree work being done in the neighborhood, but it turned out not to be a problem. The location is amazing— one block from the ocean, walking distance to great bakeries and restaurants. My son's dog had a wonderful time on the dog-friendly beach nearby. All in all a perfect place for a vacation. Thank you, Xiaoxing!

02.25
I loved the location, it's the perfect coastal getaway. There are so many scenic views and hikes nearby and plenty of places to eat within walking distance. Xiaojing was an excellent host, super flexible and responsive. The house is beautiful, clean and cozy, and all amenities and extra attention to detail made our stay super memorable. We even had some freshly baked cookies (delicious, I might add!) waiting for us when we arrived :) I would absolutely recommend staying here.

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course

within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from

the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is

clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely

strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

City of Pacifica
City Council Regular Meeting

#1

Name Caitlin Quinn Please Print Date 6/16/25

City:

No. of Item on Agenda or Subject: STR Ordinance

City of Pacifica
City Council Regular Meeting

Name GARY CHINCA Please Print Date 6/16/25

City:

No. of Item on Agenda or Subject: ASPEN DR

STR ORDINANCE

City of Pacifica
City Council Regular Meeting

Non-agenda

Name BRYAN REINERO Please Print Date 6/16/25

City: PACIFICA (PEDRO POINT)

No. of Item on Agenda or Subject: CITY C.I.P.

OFF AGENDA

City of Pacifica
City Council Regular Meeting

#1

Name BRYAN REINERO Please Print Date 6/16/25

City: PACIFICA (PEDRO POINT)

No. of Item on Agenda or Subject: STR ORDINANCE

City of Pacifica
City Council Regular Meeting

Name Peggy O'Donnell Please Print Date 6/16/25

City: Pacifica

No. of Item on Agenda or Subject: STR/Airbnb

City of Pacifica
City Council Regular Meeting

Name GARY Furlong Please Print Date 6/16

City:

No. of Item on Agenda or Subject: #1 STR

City of Pacifica
City Council Regular Meeting

Name Dian Emerson Please Print Date

City: Pacifica

No. of Item on Agenda or Subject:

STR

City of Pacifica
City Council Regular Meeting

Name Molly Muller Please Print Date 6/16/25

City: Pacifica

No. of Item on Agenda or Subject: STR - AirBNB

City of Pacifica
City Council Regular Meeting

Name BOB O'DONNELL Please Print Date 6/16/25

City: 1319 ASPEN DR,

No. of Item on Agenda or Subject: SHORT TERM RENTAL ORDINANCE

City of Pacifica
City Council Regular Meeting

Name Albert Zhang Please Print Date 6/16/25

City:

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Lyla Reinero Please Print Date 6-16-25

City: Pacifica

No. of Item on Agenda or Subject: STR Ordinance

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott Please Print Date 6-16-25

City:

No. of Item on Agenda or Subject: Agenda #4 STRs

City of Pacifica

City Council Regular Meeting

Name MARK STECHBART Date 6/16/25

Please Print

City: Pa

No. of Item on Agenda or Subject: STR

City of Pacifica

City Council Regular Meeting

Name HAROLDO DALTIN Date

Please Print

City: PACIFICA

No. of Item on Agenda or Subject:

Public Comments

Items Not on Posted Agenda

Written Comments Received By 12pm on 07/14/2025

July 14, 2025

City Council Meeting

From: Linda B. Goldstein [redacted]
Sent: Saturday, July 12, 2025 11:47 AM
To: publiccomment@pacifica.gov.
Subject: Linda Bencangey Goldstein

[CAUTION: External Email]

“Public Comment on Item Not on Agenda” i

To City Council Members,

I am grateful for the success of the Safe Parking Program and I understand participants have been good neighbors. Also, the designated safe parking areas have been kept clean. I wholeheartedly endorse this very needed program and hope you do too.

Thank you.

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: [redacted]
Sent: Sunday, July 13, 2025 6:18 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: Please Do NOT rezone Sanchez Campus Site 23, please remove it from the Housing Element

[CAUTION: External Email]

Dear Mayor Sue Beckmeyer, Mayor pro tem Christine Boles, and Councilmembers Mary Bier, Councilmember Mayra Espinosa, and Greg Wright,

I understand that in the July 14 Council Meeting you will decide whether to follow the recommendation of the Planning Commission and NOT rezone Sanchez Campus Site 23 at this time. Thank you for also listening to the community's many requests to have the campus removed from the overall Housing Element. And for doing your own research to gain a better understanding the value of the overall Sanchez Campus, including the recreational and cultural assets: Sanchez Art Center, Pacifica Performances Mildred Owen Concert Hall, Rotary Plaza, Sanchez Fields and Sanchez Dog Park. Removal from the Housing Element is the only way to ensure continuation of the existing cultural and recreational uses. Please direct staff to work with the State Housing and Community Development (HCD) department to remove Site 23 from the Housing Element.

I echo the comprehensive and eloquent comments from many community members and colleagues, including Andrew Leone Remove site 23 from the rezoning program list | Letters to the Editor | coastsidenews.com *Does anyone seriously believe the City of Pacifica is being required to make a choice between a state-mandated Housing Element and sacrificing its premier cultural attraction and one of its most active public sites? Does Pacifica have so many attractions, so many cultural institutions it can afford to destroy its largest, most successful arts complex in one fell swoop? Of course not! There are numerous sites on the list of properties the state is asking from the city that are far better suited to meet the state requirements to build affordable housing. Pacifica can achieve its housing goals without causing an avalanche of public concern and threatening the existence of beloved institutions that have brought such great pride to our town's citizens*.

It's '*a cherished third space -- a place to connect indoors and out*' (Cindy Abbott). I've been involved with many venues on the Sanchez Campus for 20 years and it's a big part of the reason I live in Pacifica. I especially appreciate and see how many others value this combined cultural gem. I'm a concert hall supporter and audience member; and volunteer board member of the Art Guild of Pacifica and Sanchez Art Center, gallery attendant, and exhibiting artist. I hear the kids on the playground from my house. The Sanchez Art Center hosts a robust calendar of exhibits by the Art Guild of Pacifica (~200 members), regionally well-known artists, and community organizations; provides below market studio rental to 30+ artists, hosts many community events and rental to community organizations; in addition to many in-the- community art efforts. Pacifica Performances offers a stunning calendar of musical events at very low cost, and also hosts many community events and rental to community organizations. There is a robust appreciation of these venues among

Pacificans, and many visitors come from around the peninsula. This elevates Pacifica's visibility for cultural offerings, shopping and dining, and stunning natural resources.

Thank you for all you do,

Bonnie Miller, RN MSN

Clinical Research Consultant

Trainer and Business Management Certified

Adjunct Faculty, UC Berkeley Extension

Mentorship Committee and Past President, N CA Chapter Association of Clinical Research Professionals

Treasurer, Sanchez Art Center Board

Immediate Past President, Art Guild of Pacifica Board

Pacifica Community Emergency Response Team Leadership

Pacifica Emergency Preparedness and Safety Commissioner

Stop the Bleed Instructor

[redacted]

[redacted]

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Public Comments

Item 10 – Short-Term Rental (STR) Ordinance

Written Comments Received By 12pm on 07/14/2025

July 14, 2025

City Council Meeting

From: mark stechbart [redacted]
Sent: Friday, July 11, 2025 11:25 AM
To: Public Comment
Subject: str testimony july 14, 2025 Pac council

Importance: High

[CAUTION: External Email]

summary:
Noise-- use existing chapter 10 title 5 to control noise. No carve outs to 10PM quiet time. Public has not been informed noise complaints can be made at any time of the day.
No street parking. Don't overload parking in front of three or four adjacent homes all weekend.
Hearings-- tell staff to be prompt with revocation hearings. Stop foot dragging.
Informative and prompt website postings of permit address, complaints and hearings, etc.
advisory--- need a committee to review management of str program. No one else will thoroughly monitor.

1. noise enforcement needs to be clarified to public.
Chapter 10 very powerful. Carve outs for pool time, BBQ, 10PM quiet hour contrary to Chapter 10. Noise complaints occur at all times of day.

chapter 10 title 5

- **CHAPTER 10. - LOUD, DISTURBING, UNUSUAL, AND UNNECESSARY NOISES**

- **Sec. 5-10.01. - Findings and declarations.**

  It is hereby found and declared as follows:

  (a)

  That the making, creation, or maintenance of loud, unnecessary, unnatural, or unusual noises which are prolonged, unusual, and unnatural in their time, place,

and use affect and are a detriment to the public health, comfort, convenience, safety, welfare, and prosperity of the residents of the City; and

(b)

That the necessity in the public interest for the provisions and prohibitions set forth in this chapter is declared as a matter of legislative determination and public policy, and it is further declared that the provisions of this chapter are in pursuance of, and for the purpose of, securing and promoting the public health, comfort, convenience, safety, welfare, and prosperity and the peace and quiet of the City and its inhabitants.

2. parking. No street parking. If council allows street parking for renters and guests, 3-4 homes adjacent will be blocked for the weekend. Council will set stage for very annoyed residents. Why buy trouble?

3. hearings, permit revocation. Staff won't hold hearings without direct council instruction, posting on website and monitoring. Public doesn't know how to file for a hearing. **1138 Grand Teton has been brought up several times as selling with 4 beds and now rents with 6 beds. Staff ignores. Need a council directed investigation.**

4. website posting of complaints. Full disclosure spurs proper management.

5. advisory committee. Public annoyance at the insults created by STRs need to be addressed. Does council really want a steady drumbeat of complaints on Nextdoor, or does council want to professionally address oversight??

-end-

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From: Dian Emerson [redacted]
Sent: Friday, July 11, 2025 10:27 PM
To: Public Comment
Subject: STR Ordinance / July 14 Meting

[CAUTION: External Email]

Greetings:
I appreciate the progress that the Council and Planning Commision have made to date regarding the proposed Short Term Rental Ordinance that, upon adoption and its effective date(s), will go a long way to returning the quiet enjoyment of our neighborhoods to us -- the residents. For too long, the city looked the other way and allowed the proliferation of mini hotels run by out of town investors and speculators, while doing little to enforce even the bare bones rules in place . It has left residents frustrated by noise, traffic, disruption, loss of neighborhood character and basic sense of safety. It is time to enact this ordinance!

I have the unique perspective of living through the onset of an STR across the street and its 18+ month lifespan. Our quiet cul-de-sac became a weekly, and sometimes daily, stream of unknown cars and noisy renters, Ubers coming and going at all hours, construction workers with their work trucks, parties, corporate retreats, family reunions, prom parties, outdoor hot tub parties, kids' soccer teams, and even a bachelor party group that enlisted a group of scantily clad young women to join them. Like others living next to an STR, we endured garbage issues, parking problems, and the never ending group of house cleaners, hot tub servicers, and other service providers coming and going. We knew we were in for bad times on days when party rental providers offloaded chairs, tables and outdoor heaters. This 4 bedroom house was listed on AirBnb and VRBO for 16 people -- and though advertised as being in a "quiet neighborhood" the renters' behaviors were often completely at odds with neighborhood peace and quiet. With our neighbors, we bore the brunt of all of the disruption and it had an extraordinarily negative impact on all of us. It was absolutely awful. Fortunately, the owners decided to sell the STR, and a lovely young couple from San Francisco bought the house and have embraced Pacifica as their new home. Our sense of safety, community and quiet enjoyment of our neighborhood has returned.

I support the Planning Commission recommended changes, including the need to modify the definition of a hosted STR to include the requirement that the host must be on site between 11 pm and 6 am -- not just having that language in the Operating Requirements section. I also support making sure that Coastal residents are notified of the new ordinance and operating requirements. It is also essential that all parts of the ordinance go into effect immediately upon approval by the Coastal Commission.

Finally, even with the new ordinance limitations, it will still be up to neighbors to take the initiative to raise a stink when the rules are not being followed. We need to ensure that the city staff will take enforcement seriously, and respond in a timely and effective way to address these issues. A citizens advisory group would be a good tool for residents and the city to ensure that residents are supported in their concerns and that residents are informed about what their rights are concerning noise and other

STR problems. There is no need for anyone to suffer this kind of disruption and not know what to do or who to call, or what to expect when they do lodge a complaint.

To quote Joni MItchell -- "Don't it always seem to go, that you don't know what you've got 'till it's gone....they paved paradise and put up a parking lot." In our case, that parking lot was a full time business mini-hotel STR that took over the house on our street. We really do appreciate what we've got -- and all of the residents that have supported this new ordinance want their bit of paradise back as well.

Dian Emerson
Park Pacifica

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From: Gary Furlong [redacted]
Sent: Saturday, July 12, 2025 10:00 AM
To: _City Council; Public Comment; Boles, Christine; Bier, Mary; Beckmeyer, Sue; Espinosa, Mayra; Wright, Greg
Subject: item #10: Revision of STR ordinance; July 14, 2025 Council Meeting,

[CAUTION: External Email]

Mayor Beckmeyer and Council Members,

I again thank you all for the work that you have done in revising the Short Term Rental (STR) ordinance. This has required not only great patience and great effort but it has also required that you all put the well being of the citizens of Pacifica foremost in your deliberations.

I have read through the revised version of the STR ordinance. I am happy to see that the "whereas" statements on packet page 631 now seem less like an Airbnb ad and instead now make at least some reference to the suffering of both Pacificans and Pacifica caused by full time STRs. My only wish is that these "whereas" statements could be strengthened to include wording such as "...loss of quality of life..." and "...loss of enjoyment of home ownership...". There are very specific and real reasons for this revision to the STR ordinance; I think it is crucial that we leave a clear and unambiguous record of the reasoning behind these changes.

The Planning Commission has included wording to strengthen the ID requirement for those that would operate an STR by requiring that a state or federal ID be among the pieces of ID that must be furnished to prove residence (packet page 635). I would encourage you keep this wording. There is already anecdotal evidence of STR owners owning multiple STRs in cities with full time residency requirements. And I would also encourage you to keep the wording that specifies that with a hosted STR the host must actually be on site during at least the evening hours (packet page 639). It makes little sense to have different regulations for "hosted" and "unhosted" when the primary difference between the two has never been otherwise specified (this should also be included in the definitions).

There is an excellent article entitled, " Short Term Rental Regulation", Cornell Law School Community; I would encourage you to read this article, especially the section about enforcement of STR regulations. I will end this letter with an excerpt from this article:
*...in Ewing v. City of Carmel-by-the-Sea, the court upheld a complete ban on STRs, reasoning that "[s]hort-term tenants have little interest in public agencies or in the welfare of the citizenry " They do not participate in local government, coach little league, or join the hospital guild They do not lead a scout troop, volunteer at the library, or keep an eye on an elderly neighbor Literally, they are here today and gone tomorrow without engaging in the sort of activities that weld and strengthen a community " pg 215; https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://communitylawschool.cornell.edu/wp-content/uploads/2025/04/White-Thor-final.pdf&ved=2ahUKEwiRtK2nzYWOAxV9FTQIHW-wMq8QFnoECBcQAQ&usg=AOvVaw2Wk73aLFpf0ikplgmwl100

Regards,
Gary Furlong

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From: T Neilands [redacted]
Sent: Saturday, July 12, 2025 11:16 PM
To: _City Council
Cc: Public Comment
Subject: STRs ordinance: Comments

[CAUTION: External Email]

Dear Pacifica City Council,

Thank you very much for your many hours of hard work on the new STR ordinance. As persons who have been directly impacted by STRs in our neighborhood (Pedro Point), we greatly appreciate your decision to limit the number of nights of operation of unhosted STRs to 60 per year. We support the Planning Commission's recommended changes to the draft ordinance, though we request that the requirement that the host of a hosted STR be on site from 11 PM to 6 AM should be reflected in the definition of housed STR, not just appear in the operating requirements section of the ordinance.

As residents in the coastal zone, we also respectfully request that STR owners in the coastal zone be notified of the revised ordinance, its new restrictions, and its operating requirements, and that all parts of the ordinance take effect in the coastal zone immediately upon approval by the Coastal Commission.

Thank you very much for your consideration of our remarks and for all you do,

Tor Neilands

Dianne Seaborg

From: Michael Cohen [redacted]
Sent: Sunday, July 13, 2025 11:24 AM
To: Public Comment
Subject: July 14, 2025 Agenda Item #10

[CAUTION: External Email]

Dear Members of the City Council,

I am writing to formally register a complaint regarding a loud and disruptive gathering that took place at 1145 Banyan Way on the evening of July 12th, 2025. This property, which I understand is operating as a short-term rental (such as an Airbnb), hosted a party that generated excessive noise and disturbance well into the night, continuing until at least 11:00 PM.

The noise level was unacceptable for a residential neighborhood and interfered with the peace and quiet that residents are entitled to enjoy. This is not the first time that activity at this address has disrupted the neighborhood, and I am concerned about the negative impact short-term rentals like this are having on the quality of life in our community.

Given the city's regulations around short-term rental properties, I respectfully request that this incident be logged as a formal strike or violation against the permit for 1145 Banyan Way. Short-term rental operators must be held accountable for ensuring their guests respect our neighborhoods and comply with noise ordinances.

I hope the city will take appropriate steps to enforce its rules and protect the rights of full-time residents. Thank you for your attention to this matter.

Michael Cohen
[redacted]

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From: Julie Starobin [redacted]
Sent: Sunday, July 13, 2025 1:24 PM
To: _City Council; Public Comment; Woodhouse, Kevin
Subject: Item 10 Short Term Rental (STR) Ordinance finalization

[CAUTION: External Email]

I am very appreciative of both the City Council and the Planning Commission for all the work that went into creating a good STR Ordinance for Pacifica. The only addition I would hope for is to ask that the requirement that the host of a 'hosted' site be actually on the rental property at night or at least between the hours of 11PM and 6 AM, be included in the definition of a 'hosted' STR. That would make that requirement clearer and more enforceable. I also hope that all parts of the Ordinance go into effect as soon as they are approved by the Coastal Commission (the parts that need to be).

Thanks so much, Julie Starobin Pacifica Manor

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From: Caitlin Quinn [redacted]
Sent: Sunday, July 13, 2025 2:50 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: 7/14/25 City Council Meeting; Item 10: Proposed ordinance repealing and replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals")

[CAUTION: External Email]

Dear Mayor Beckmeyer, Mayor pro Tem Boles, and Councilmembers Bier, Espinosa, and Wright,

Your hard work and countless hours of service to the community on the creation of a new STR ordinance for Pacifica is enormously appreciated by residents throughout Pacifica—and especially by me. As someone who has lost quality of life and the quiet enjoyment of their home because of the unhosted STR owned and operated by the Marbella Lane Corporation at 1987 Beach Blvd., I know how vital this new STR ordinance is—particularly its limit of 60 nights of operation per year for unhosted STRs—for rescuing neighborhoods from the loss of resident housing, neighborhood character, and actual community.

I wholeheartedly support the suggestions the Planning Commission made to the new ordinance at their June 16, 2025 meeting, **especially mandating that the host of a hosted STR be required to be on site at the rental property during the hours of 11 p.m. and 6 a.m.** If the host isn't on site during quiet hours, ostensibly sleeping at the property, then it can hardly be labeled "hosted." Furthermore, if the STR property is truly the host's primary residence (as the new ordinance will now require), then requiring them to sleep onsite is clearly no hardship.

In the newest iteration of the ordinance—and as reflected on the chart on page 625 of the staff report—**the Planning Commission has suggested that the following language be added to the Operation Requirements (PMC Sec. 9-4.4905 (l)) "Add requirement for hosted STRs to have the Operator on-site between the hours of 11 p.m. to 6 a.m."** In addition to approving this change, **I also respectfully request that this requirement be added to the DEFINITION OF A HOSTED RENTAL, i.e., PMC Sec. 9-4.4901(s) (i).** Approval of this language **in both the Operating Requirements and the Definitions is essential to protecting the integrity of hosted STR status from loophole exploitations** by the several "bad actor" STR owners/operators we have in Pacifica. For without this requirement in BOTH areas of the ordinance, what is to stop the owner/operator of a currently unhosted STR from claiming hosted status because they or their maintenance or cleaning staff spent a few hours at said property during the day? As we all know, the most egregious noise and other violations are likely to happen at night, as **Mayor Beckmeyer wisely stated during the April 14, 2025 City Council meeting**:

"Mayor Beckmeyer stated that is specifically with a hosted rental. She stated that some of the public comment stated that they have to be there 24 hours a day during the time that the hosted rental is occupied by rental guests, and she thinks that is unrealistic. ***She thinks other public comments put a finer point to it which is at night when the disturbances are happening. She is favoring the night time and setting the expectation either in our application or somewhere. She stated, generally speaking, you should not get to be a hosted STR and not be there at night.****" (Minutes of 4/14/25 meeting, pp. 12-13)*

As you can see per the following examples, **other cities have included such language requiring the overnight presence of hosts in their definition of "hosted rentals"**:

City of Santa Rosa https://www.srcity.org/FAQ.aspx?QID=813 : "A Hosted short-term rental is defined as a Short-Term Rental where, throughout the Short-Term Rental period, *the host lives **and sleeps*** in the dwelling unit or *lives **and sleeps*** in another legal dwelling unit on the same parcel, which parcel is the owner's principal residence."

City of San Francisco https://sfplanning.org/str/faqs-short-term-rentals#:~:text=A%20hosted%20guest%20stay%20occurs,year%20in%20their%20Residential%20Unit : *A hosted guest stay occurs when you are **in the Residential Unit overnight** with the guest that you are hosting.*

City of Pacific Grove https://www.cityofpacificgrove.gov/our_city/departments/administrative_services/business_taxes,_license___resources/short-term_rental_program/index.php: The owner lives on site *and can go about typical **daily activities** outside the home.*

City of Santa Monica https://ecode360.com/42735096#42735097 : Lives on site. Maintains a physical presence in the dwelling unit, **including, but not limited to, sleeping overnight**, preparing and eating meals, and engaging in other activities in the dwelling unit, of the type typically maintained by a natural person in the dwelling unit in which he or she is an eligible resident.

Additionally, as the new STR ordinance will not go into effect in the coastal zone until it is approved by the Coastal Commission, **I ask you to please enquire of staff how they plan to notify all STR owners/operators within the coastal zone of the impending new ordinance requirements when said owners/operators are applying for their permit renewals in October 2025.** Transparency and due diligence are essential. **Since these STR operators/owners should be apprised of coming changes to Pacifica's STR program well in advance of the Coastal Commission approval of the ordinance (very likely sometime in 2026), there is no reason why STRs in the coastal zone should not be required to adhere to ALL requirements of the new ordinance once the Coastal Commission approves it.** In other words, if the Coastal Commission signs off on the new ordinance in March 2026, STR owners/operators should be obliged to adhere to ALL of the ordinance's requirements at that time, and **not be given a pass to operate "business as usual" until their permit renewal in October 2026.**

Please keep in mind that the majority of unhosted STS in Pacifica are located in the coastal zone, and these neighborhoods—particularly Sharp Park and Pedro Point—have been the ones most impacted with loss of housing, neighbors, and quality of life. **Please don't allow our coastal residents and neighborhoods to suffer one day longer than necessary!**

Thank you again, truly, for listening to the community and getting us to this monumental moment of signing off on a new STR ordinance that will rid our city of its plethora of corporate- and out-of-town-investor-owned unhosted STRs and will that dissuade others from purchasing Pacifica homes for the express purpose of converting them into commercial enterprises.

Thank you for putting Pacifica on the right side of history as pertains to STRs.

Thank you for believing that homes should be HOMES…NOT HOTELS.

Best,

Caitlin Quinn
West Sharp Park

p.s. Speaking of hotels, let's please build some more actual ones here in Pacifica that will provide commercial accommodations specifically designed and zoned for tourist housing, and that will provide the City with a source of TOT revenue that is not hurting Pacifica's residents and destabilizing its neighborhoods.

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From: Cindy Abbott [redacted]
Sent: Sunday, July 13, 2025 5:18 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Public Comment
Subject: Pacifica City Council Meeting, July 14, Agenda Item #10 Public Hearing on Short Term Rental Ordinance

[CAUTION: External Email]

Dear Pacifica City Councilmembers,

Your engagement with and support for the community-at-large over the past three years, to restore and preserve the integrity of our residential neighborhoods, is greatly appreciated.

As the draft Short-Term-Rental Ordinance is reviewed and approved this evening, please consider the following important revisions and/or clarifications to ensure the intent of the work of so many over this time is fully implemented.

1. ADD language to the definition of a Hosted Rental to include the requirement for the **Host to be *in the unit overnight*** when the property is in use as a short term rental (Packet page 633, Sec. 9-4-4901 (s)). This qualification — that is integral to the definition of a Hosted versus Unhosted STR — is currently only included in the operating requirements. Many other jurisdictions include the requirement to be onsite overnight in the definition of Hosted Rental.
2. Ensure that the inspection fee (Packet pg 636, Sec. 9-4.4904, Item (d)) to be determined by City Council reflects full cost recovery to the City. The discussion of "Administrative Cost Implications" (Packet Pg 630) is concerning alluding to a public "subsidy" for a business operation. While a comprehensive review of the fee schedule is planned, what is the timing and proposal for the fee to be imposed with the October 2025 permit renewal period?
3. ADD as previously requested by the City Council and Planning Commission the requirement for "composting". (Packet pg 640, Sec.9-4.4905, Item (u)), currently does NOT include "composting" reflecting only "trash and recycling".
4. Ask for clarification and revise as needed, the "Application of Ordinance to Issued Short-Term Rental Permits" (Packet pg 644, Sec. 9-4.4912, Item (b) i and (b) ii, to ensure that all provisions of the Ordinance apply in the Coastal Zone immediately upon certification by the California Coastal Commission.

The current language indicates that Sections 9-4.4903 (c) through (f), 9-4.4905 (l) through (v) *will not apply until the Short-Term Rental Permit is renewed, terminated or revoked*. This delay in implementation will continue to provide disruption in residential neighborhoods that have been most significantly impacted by the proliferation of short term rentals, potentially for many months beyond certification.

Finally, the Planning Commission unanimously recommended the addition of the following statements to the Ordinance language (video recording, June 16, 2025, 2:06:xx) that don't appear to be reflected in the final draft:

WHEREAS, the California State Legislature has declared that "Housing is a statewide concern"; and

WHEREAS, preservation of existing housing is an integral component of the City of Pacifica Housing Element; and

WHEREAS, the stock of naturally affordable housing that comes from multi-family complexes is being impacted by short term rentals, reducing affordable housing; and

Again, thank you for your recognition of the significant negative impacts short term rentals have placed on our residential neighborhoods, and the time and attention you have given to alleviate the burden.

With appreciation,

Cindy Abbott
West Sharp Park

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From: Joanne Gold [redacted]
Sent: Sunday, July 13, 2025 8:13 PM
To: _City Council; Public Comment
Subject: Comments on City Council Meeting of July 14, 2025; Agenda Item 10 – Public Hearing on STR ordinance

[CAUTION: External Email]

Dear Councilmembers,

Thank you once again for listening to the community's concerns about unhosted Short Term Rentals (STRs) in Pacifica. Your willingness to adopt meaningful ordinances - especially the 60-night annual cap on unhosted STRs - is greatly appreciated.

I'm writing in support of the Planning Commission's redline draft of the ordinance which you will review on July 14th. **However, I urge one key revision**:

- The requirement that hosted STR hosts be on site between 11 p.m. and 6 a.m. should be included in the *definition* of a hosted STR—not only in the *operating requirements* section. This distinction is important.

Additionally, I request that city staff directly notify coastal zone STR owners of the revised ordinance and its new requirements, and that all parts of the ordinance take effect in the coastal zone immediately upon Coastal Commission approval. This will help prevent unhosted STRs from continuing "business as usual" through October 2026.

Thank you for your continued thoughtful deliberation and responsiveness to community input on this complex issue.

Best,
Joanne Gold
[redacted]

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From: robert odonnell [redacted]
Sent: Monday, July 14, 2025 7:42 AM
To: _City Council
Cc: Public Comment
Subject: New Short Term Rental Ordinance

[CAUTION: External Email]

Dear Mayor and Council Members,
I am writing to thank you and the Planning Commission for your hard work to enact a new strong STR ordinance to overcome the weaknesses and unintended consequences of the old ordinance. The reduction to 60 days is especially important to our neighborhoods.

Please assure that the new ordinance will Take effect in the Coastal Zone as soon as the Coastal Commission approves the new ordinance and not have it delayed until October, 2026. We sincerely thank you for your responsive action to the plight of your citizens affected by the shortcomings of the old ordinance. You committed to Pacifica is much appreciated.
Best Regards,
Bob and Jackie O'Donnell
[redacted]
Sent from my iPhone
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From: Armetta Parker [redacted]
Sent: Monday, July 14, 2025 8:31 AM
To: _City Council
Cc: Public Comment
Subject: Monday, July 14th, City Council Meeting - Agenda Item #10 - Short-Term Rental Ordinance

[CAUTION: External Email]

Honorable Mayor Beckmeyer
Council Member Bier
Council Member Boles
Council Member Espinosa
Council Member Wright

Thank you for your hard work on the new STR ordinance and your ongoing commitment to keeping Pacifica a community of family-friendly neighborhoods. The red-lined ordinance reflects the concerns many of us have expressed over the years about these for all practical purposes “hotels” in our neighborhoods. Please consider the following changes:

Unhosted STRs:
Limiting the number of nights an unhosted STR can operate to 60 nights goes a long way, but please consider supporting the Planning Commission’s suggested changes to the document.

Hosted STRs:
Please include language for the requirement "that the host of a **HOSTED STR** be on site at the rental property within the hours of 11 p.m. to 6 a.m. in the **DEFINITION** of a hosted STR--and **NOT** just appear in the **OPERATING REQUIREMENTS** section of the ordinance.

I understand the new ordinance will not be adopted for STRs in the coastal zone immediately upon passage. However, these unhosted STRs should not be allowed to continue to operate as “business as usual” until October 2026.

ALL parts of the ordinance should go into effect in the coastal zone immediately upon its approval by the Coastal Commission. Please consider requiring city staff to duly notify STR operators in the coastal zone of the revised ordinance and its new restrictions and operating requirements are effective once approved by the Coastal Commission.

Appreciatively,

Armetta Parker

From: Maura O'Neill <maura@betterneighborsla.org>
Sent: Monday, July 14, 2025 9:37 AM
To: Public Comment
Subject: Better Neighbors LA's Comment Letter Agenda Item 10, Support
Attachments: Better Neighbors Better Neighbors Comment Letter -July 14 2025 - Agenda Item # 10.pdf

[CAUTION: External Email]

Hello,

Attached, please find Better Neighbors LA's Comment Letter on Agenda Item #10, expressing support.

Thank you,

Maura O'Neill
Policy Analyst and Advocate
Better Neighbors LA
(213) 355-7475
maura@betterneighborsla.org

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July 14, 2025

Pacifica City Council
2212 Beach Blvd
Pacifica, CA 94044
publiccomment@pacifica.gov
VIA EMAIL

RE: July 14, 2025 - City Council Meeting Agenda Item #10: Public Hearing on Proposed Ordinance Repealing and Replacing Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals") - SUPPORT

Dear Honorable Mayor Beckmeyer and Pacifica City Councilmembers,

Better Neighbors LA ("BNLA") is a coalition of hosts, tenants, housing advocates and community members dedicated to promoting equitable short-term rental ("STR") policies. We conduct data analysis and research on the STR industry, including the industry's impact on coastal communities.[1] BNLA also works to promote short-term rental policies that foster true home-sharing in hosted-only short-term rentals within the Coastal Zone as a means to balance the preservation of affordable housing and affordable public access to the coast.

BNLA supports the proposed STR ordinance and joins Pacifica Homes Are Not Hotels in urging the Council to clarify what type of housing unit is defined as a "hosted rental." Specifically, we recommend including a statutory requirement that the host be on-site during the entirety of quiet hours, defined as 10pm to 7am.

Over the past several months, the ordinance has been significantly improved through thoughtful amendments and robust community engagement. The result is one of the strongest home-sharing ordinances in the Coastal Zone. Notable provisions of the ordinance include a primary residency requirement, a limit of one STR per natural person, a 60 night annual cap on unhosted STRs, a private right of action, meaningful penalties for violation, and clear requirements for advertising platforms. These measures are critical to preventing rampant commercialization of housing in Pacifica and are consistent with ordinances previously approved by the Coastal Commission.

[1] https://www.betterneighborsla.org/

The updated ordinance will help safeguard Pacifica's existing housing stock and protect long-term residents from displacement, while still allowing for responsibly hosted STRs. We respectfully urge the Council to vote in favor of the proposed ordinance, and to include a requirement for an on-site host during quiet hours. Should you have any questions, please contact Maura O'Neill at maura@betterneighborsla.org.

Sincerely,

/s/ Randy Renick

From: Lyla Reinero [redacted]
Sent: Monday, July 14, 2025 10:25 AM
To: _City Council; Beckmeyer, Sue; Boles, Christine; Wright, Greg; Bier, Mary; Espinosa, Mayra; Public Comment
Cc: Bryan Reinero; Woodhouse, Kevin; Carter, Yulia
Subject: Public Comment: 7/14/25 City Council Meeting -- Item #10: STR Ordinance
Attachments: Final-Proof-of-Residence-within-District-Boundaries-Form.pdf

[CAUTION: External Email]

Greetings Mayor Beckmeyer and City Councilmembers,

THANK YOU to each and every one of you for your hard work moving the STR ordinance along to this point. Your efforts are greatly appreciated!

I agree with many of the recommendations provided by the Planning Commission at the June 16, 2025, meeting.

In particular, adding that a State or Federally issued identification must be one of the three documents for proof of residency. I have mentioned on other occasions that it shouldn't be more difficult to enter my kids in Pacifica's School District than it is to get an STR permit (I have attached the PSD Proof of Residence form for reference).

There are still a few items that should be addressed in the revised STR ordinance:

•The "WHEREASES" have not been updated to reflect the negative impacts of STRs to the community, and specifically, some that Cinday Abbott brought up and PC recommended their inclusion did not make it into the packet for the final draft:

WHEREAS, the California State Legislature has declared that "Housing is a statewide concern"; and

WHEREAS, preservation of existing housing is an integral component of the City of Pacifica Housing Element; and

WHEREAS, the stock of naturally affordable housing that comes from multi-family complexes is being impacted by short term rentals, reducing affordable housing; and

•"Sec. 9-4.4905. Operation Requirements (l): The Operator of a Hosted Short-term Rental must be on-Site between the hours of 11:00 p.m. and 6:00 a.m. when the Site is being utilized as a Short-term Rental". This should be on-site during "quiet hours" IMO 10pm - 7am.

•"Sec. 9-4.4905. Operation Requirements (m): Maximum overnight occupancy for all Short-term Rentals shall not exceed two (2) Short-term Renters per Legally Permitted Bedroom. Children under the age of six (6) shall not count towards these occupancy limits." I can't figure out why

this exception for children has continued to be allowed. Kids are people too! (Plus, it's not safe to have unlimited kids)

- " Sec. 9-4.4908. Permit Suspension and Revocation (b) iii: That two violations of this article have occurred on the Site within the preceding twelve months." There should not be a 2 strikes leniency. Enforcement is going to be key in making this ordinance stick, and there should not be any wiggle room.
- "Sec.9-4.4911 Advertising Platform Responsibilities". This section currently lacks wording that the platforms must include the STR permit number, but it should have it.

Lastly, please ensure that areas within the coastal zone will have the ordinance go into effect immediately once approved by the CCC (no waiting until November 2026).

Once again, I thank you all for your time listening to the people of Pacifica and for everything you have done to help us fix our STR ordinance.

Most sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Proud Pedro Point Resident and PPCA Member

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PACIFICA
SCHOOL DISTRICT

PROOF OF RESIDENCE within DISTRICT BOUNDARIES

Student Name: _____

Parent/Guardian Name: _____

_____
Address

_____
City State Zip

To register your child for school in the Pacifica School District, you must provide documentation indicating your place of residence.

Please provide your **Driver's License or ID Card**** with current address along with **two (2)** of the following documents (** If you do not have a driver's license or ID card, please submit an additional document from the list below):

- Mortgage paperwork
- Lease/rental agreement with name and phone number of landlord
- Property tax bill
- Deed
- Rent payment receipt with address (within past 30 days)
- Utility service contract, bill, or payment receipt – PG&E, Water, Garbage (within past 30 days) (no cell phone bills)
- Car, health, or home insurance premium/bill
- Medical or other health insurance statement/bill
- Car registration/title
- Credit Card/Bank account statement
- Current check stub
- Voter registration
- Current correspondence from a government agency
- Declaration of residency executed by the student's parent/guardian

*If you are not a resident in the Pacifica School District boundaries, have you obtained an interdistrict transfer approved by both your District of Residence and the Pacifica School District? ☐ Yes ☐ No

Parent Signature _____ Date: _____

Please be advised: If residency changes from above, parents will notify the school immediately and must provide updated proof of residency within 30 days. If an investigation indicates non-residence in the Pacifica School District without an approved interdistrict transfer on file in the district office, your child/children may be withdrawn from the school and returned to his/her district of residence.

This section must be completed by school or district office employee

1. Documents showing proof of residence at above address: _____
   Attach copies
   _____
2. Current address *if different from address shown above*: _____

   Date moving to above address: _____

File in student cumulative folder

From: Sophie Doumit (ELCA) <sdoumit@expediagroup.com>
Sent: Monday, July 14, 2025 10:50 AM
To: Public Comment
Cc: Carter, Yulia; Alyssa Stinson (ELCA)
Subject: Comments on Agenda Item No. 10
Attachments: 071425 Pacifica STR Regulations Comment Letter.pdf

[CAUTION: External Email]

Good morning,

Please see the attached letter on behalf of Expedia Group, with comments on agenda item 10, Short-Term Rental Regulations. Thank you for the opportunity to provide feedback.

Please do not hesitate to reach out with any questions.

-Sophie Doumit

Sophie Doumit

Senior Government & Public Affairs Specialist
Expedia Group
1111 Expedia Group Way West
Seattle, WA 98119
sdoumit@expediagroup.com

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July 14, 2025

City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94044

Subject: Short-Term Rental Regulations

Mayor Beckmeyer and Members of the Pacifica City Council,

On behalf of the Expedia Group family of brands ("Expedia"), thank you for the opportunity to provide comments on the Council's proposed short-term rental ordinance. Expedia values the importance of thoughtful, balanced vacation rental policy and we appreciate the conversations we have had with city staff and Mayor Beckmeyer. We hope we can work together to help the city accomplish this objective and achieve a workable policy solution for all.

Expedia is a global leader in travel technology, empowering travelers with the options and confidence necessary to enjoy experiences that may otherwise be unavailable or unaffordable. Expedia represents a wide family of brands including Expedia.com, Hotels.com, and Vrbo. Our broad view of the travel and tourism economy allows us to take a holistic approach to public policy that fosters a healthy tourism marketplace and benefits communities.

Through our Vrbo brand, we offer travelers the opportunity to explore new destinations and return to familiar communities through a global network of short-term rentals. As one of the leading short-term rental platforms, we would like to provide feedback on the Council's recent discussion regarding revisions to booking platform requirements.

Section 9-4.4911

We understand the city's desire to prevent non-compliant rentals from being advertised, however as written, the booking verification and data reporting requirements would create a substantial and unnecessary administrative burden. If Council wishes to include platform requirements, we recommend removing the existing language of this section and replacing it with the below amendment. This language would enable the city to notify platforms when it identifies a listing that is not in compliance with the ordinance and gives platforms no more than seven days to remove the listing, such as:

> *The Administrator may request that an Advertising Platform remove a listing from the platform for a short-term rental located in Pacifica after notification by the Administrator that the short-term rental listing lacks a license number or the license*

number is invalid, expired, or has been revoked. The notification must identify the listing(s) to be removed by its URL and state the reason for removal. The platform shall remove the listing as soon as practicable.

Establishing a notice and takedown policy would create a straightforward, workable solution for removing noncompliant listings with a clear path to implementation as soon as it's approved by the Coastal Commission.

Section 9-4.4909 (h)

We deeply respect the need to protect and maintain the safety of all travelers and property in the city of Pacifica. However, the inclusion of a private right for short-term rental enforcement is unnecessary. Permitting citizens to take up legal action outside of the city's own administrative process may create a patchwork of enforcement and open the possibility of frivolous legal action. The Council has already created a strong framework for implementation and city-led enforcement. We strongly encourage the Council to remove sub-section 9-4.4909 (h) from the proposed ordinance moving forward.

Thank you for your consideration. We greatly appreciate your willingness to engage with us and look forward to working with you to develop a workable, balanced policy.

Sincerely,

Sophie Doumit

Senior Government & Public Affairs Specialist, Expedia Group

From: Peggy O'Donnell [redacted]
Sent: Monday, July 14, 2025 11:11 AM
To: _City Council
Cc: Public Comment
Subject: New STR Ordinance

[CAUTION: External Email]

Hello, my name is Peggy O'Donnell. First of all I would like to express my appreciation to the City Council for their hard work on the new STR ordinance, and I am especially grateful for their agreeing to limit the number of nights of operation for an unhosted STR to 60. I support the Planning Commission's suggested changes to the document, but request the following simple edit:

1) That the requirement that the host of a HOSTED STR be on site at the rental property within the hours of 11 pm to 6 am should also be reflected in the DEFINITION of a HOSTED STR — and not just appear in the OPERATING REQUIREMENETS section of the ordinance.

I would also like to request that the city staff ensure that the owners of STRs in the coastal zone be notified of the revised ordinance and its new restrictions and operating requirements, and that they be informed that ALL parts of the ordinance will take effect in the coastal zone immediately upon its approval by the Coastal Zone.

Once again, thanks so much for all your efforts, and I eagerly await your approval of the new STR ordinance.

Sent from my iPad

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From: Pam Raymond [redacted]
Sent: Monday, July 14, 2025 11:41 AM
To: _City Council
Cc: Public Comment
Subject: STR Ordinance

[CAUTION: External Email]

Good evening Mayor Beckmeyer, Councilmembers Boles, Bier, Espinosa & Wright,

I am writing today to thank you for all the hard work that went into getting us to where we are today, a step closer to Pacifica rightfully reclaiming the communities almost lost in this beachside place we call home.

For over a decade we have watched property after property become monetized and commercialized as hotels in our very neighborhoods, while watching residents be siphoned out and the stream of tourists flood in. The destabilization that this created in turn affected people's ability to find long-term, or permanent housing here.

But residents who truly cared and loved this community spoke up and fought, and you listened. You cared. It took many years of this process and an enormous effort on your part. We are grateful that this city council sees the wisdom and the reason behind a strong Short Term Ordinance as a foundational building block to a healthy community.

Please adopt this final draft of this ordinance so it can be put into effect immediately, so that we can get on with the lives that were so painfully interrupted by this pox on our society.

Gratefully yours,

Pam Raymond

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From: Patrick Beatty [redacted]
Sent: Monday, July 14, 2025 11:48 AM
To: _City Council
Cc: Public Comment
Subject: Public Comment: City Council Meeting 07/14/25 STR Ordinance Item #10

[CAUTION: External Email]

To Entire City Council and Planning Commission:

I cannot thank you enough for all you have done to look out for Pacificans and help keep our communities from being hollowed out by these unhosted short-term rentals (STRs). I really appreciate it.

Particularly, thank you for the new ordinance limiting the number of unhosted STR days to 60. **I support all the planning commissions recommendations with only small edit that the requirement of the host of a HOSTED STR to be on site at the rental property within the hours of 11 p.m. to 6 a.m. should also be reflected in the DEFINITION of a hosted STR--and NOT just appear in the OPERATING REQUIREMENTS section of the ordinance.**

Finally, as someone living in the coastal zone, **please ensure that areas within the coastal zone will have ALL parts of the ordinance to go into effect immediately once approved by the Coastal Commission.** Otherwise, the coastal zone will be waiting until 2026 to get any protection from these unhosted STRs.

I look forward to reiterating these points and thanking you tonight at the City Council meeting.

Cheers,
Patrick
Pacifica resident, [redacted]

Patrick Beatty
415 728 2299
[redacted]

[redacted]

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From: Bryan Reinero [redacted]
Sent: Monday, July 14, 2025 11:58 AM
To: Public Comment
Cc: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Pacifica City Council Meeting, July 14, Agenda Item #10 Public Hearing on Short Term Rental Ordinance

[CAUTION: External Email]

Mayor Beckmeyer, and Council members Boles, Bier, Espinosa, and Wright,

Thank you, once again, for the continued work to revise our Short Term Rental ordinance. We've made great strides together in strengthening the ordinance, and I greatly appreciate the effort each of you have invested in this important work to protect our housing, preserve neighborhoods, and ensure rental accommodations are safe.

In regard to the draft ordinance which the Council is reviewing this evening, I ask that the Council please include the following important elements:

- Sec. 9-4.4904 (d) Ensure that the inspection fee, to be determined
- by City Council, reflects full cost recovery to the City. In no way should the City subsidize STR operators' costs of business (as is implied by Staff in "Administrative Cost Implications" section on page 630 of the agenda packet)
- Accept the Planning Commission's recommendation in Sec. 9-4903(c)
- that a State or Federally issued identification must be one of the three documents for proof of residency.
- Regarding Sec. 9-4.4905(I), I agree with the Commission that operators
- of hosted STRs are required to be on-site between the hours of 11:00 p.m. to 6:00 a.m. After all, the very definition of a hosted STR requires the operator to be present. However, the on-site requirement should be expanded to the "quiet hours" of
- 10:00 pm to 6:00 am.
- Unsupervised and unruly behavior at an STR is highly disruptive to people who need to work early and children who need their rest. An operator of a hosted STR must be on-site no later than 10pm, as that is the latest hour that any neighbor should be disturbed
- by renters next door.
- Sec. 9-4.4905 allows operators and renters

- to pack an unlimited number of Children under the age of six 6 into a home regardless of the size of the house. This is an irresponsible and an unsafe allowance.
-
-
-
- Sec. 9-4.4908. There is no logic or reasoning that permits are
- to be suspended or revoked only after two violations of this article have occurred on the Site within the preceding twelve months.
-
-
-
- Planning Commission unanimously recommended the addition of the
- following statements to the Ordinance, but are not appear in the current draft
-
    -
    -
    - WHEREAS, the California State Legislature has declared that “Housing
    - is a statewide concern”; and
    -
    -
    -
    - WHEREAS, preservation of existing housing is an integral component
    - of the City of Pacifica Housing Element; and
    -
    -
    -
    - WHEREAS, the stock of naturally affordable housing that comes from
    - multi-family complexes is being impacted by short term rentals, reducing affordable housing; and
    -
    -
    -
    -

Again, thank you Councilmembers for your work on this item.

Regards,
Bryan Reinero
Pedro Point

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From: Lake McManus <lmcmanus@angellaw.com>
Sent: Monday, July 14, 2025 12:30 PM
To: _City Council; Coffey, Sarah; Woodhouse, Kevin; Public Comment
Cc: Woodhouse, Kevin; City Manager; Michelle Kenyon [BWS Law]; Updegrave, Samantha; Community Development Department; Dan@Coastal Carl; Rexing, Stephanie@Coastal; Frank Angel
Subject: Letter re July 14, 2025, City Council Regular Meeting – Agenda Item 10 (Short-Term Rentals)
Attachments: 2025-07-14 Angel Law Ltr to City Council.pdf

[CAUTION: External Email]

Please see the attached letter from Frank P. Angel.

Lake McManus | Practice Manager | (310) 314-6433
2601 Ocean Park Blvd., Suite 205, Santa Monica, CA 90405
Angel Law

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ANGEL LAW law offices of Frank P. Angel
2601 Ocean Park Blvd. • Suite 205 • Santa Monica, CA 90405
(310) 314-6433 • www.angellaw.com • fangel@angellaw.com

July 14, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

RE: July 14, 2025, City Council Regular Meeting – Agenda Item 10 (Short-Term Rentals)

Dear Mayor Vaterlaus, Mayor Pro Tem Boles, and Honorable Councilmembers:

This law office represents Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in Pacifica that own and operate STRs within the City. We write regarding the City Council's consideration of an ordinance to repeal and replace the City's existing STR regulations (the **Draft STR Ordinance**).

We write to firmly reiterate our strong objections to the Draft STR Ordinance. As shown in detail in our client and this office's prior written comments to both the City Council and Planning Commission, incorporated herein by reference and attached, adopting the Draft STR Ordinance would:

- **Violate the California Coastal Act**. The Draft STR Ordinance will severely reduce, if not altogether eliminate, STRs in the Pacifica coastal zone, a flagrant violation of the Coastal Act's clear mandate for maximum access to the California coast and for affordable overnight accommodations. Rather than maximizing public access and protecting lower cost visitor facilities, the Draft STR Ordinance advances a policy to minimize public access and reduce lower cost overnight accommodations in the coastal zone. It would accomplish this by:

  -Failing to establish any minimum number of STR permits to be issued to properties inside the coastal zone -- all STR permits issued can be issued to properties outside of the coastal zone, thereby effectively banning STRs in the coastal zone;

-Establishing a short 60-day annual cap on unhosted STRs;

-Establishing a primary residence requirement;

-Prohibiting unhosted STRs in multifamily developments; and

-Setting irrational occupancy limits.

Staff has estimated that the prohibition on STRs in multifamily buildings on its own would eliminate the majority of STRs in the coastal zone. STRs account for over 30% of the City's overnight accommodations, and the Draft STR Ordinance would severely limit their availability compared to the City's current, existing restrictions. Again, this directly violates the Coastal Act's mandate for "maximum access" to the California coast and for affordable overnight accommodations, and will not pass Coastal Commission muster. (Pub. Resources Code, §§ 30210, 30213; *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1092-93.)

- **Violate the California Environmental Quality Act (CEQA)**. The Draft STR Ordinance has potential to result in significant environmental impacts that have not been evaluated under the CEQA. Contrary to staff, the Draft STR Ordinance is therefore *not* exempt from CEQA and must be evaluated in an environmental impact report. As we pointed out earlier, the proposed "common sense" exemption may only be used for projects if it can be seen "with certainty" that there is "no possibility" the project would have a significant effect on the environment. (CEQA Guidelines, § 15061, subd. (b)(3).) And the Class 1 categorical exemption is totally inapplicable to municipal ordinances eliminating or impacting multiple existing land uses throughout an entire jurisdiction.

- **Violate several other laws and most fundamental constitutional protections**. The Draft STR Ordinance unlawfully terminates existing lawful residential uses of residences as STRs, and violates several other constitutional provisions including the Dormant Commerce Clause of the United States Constitution, the Takings and Due Process clauses of the United States and the California constitutions, the right to freedom of assembly and association under the United States and California constitutions, as well as the inalienable right to privacy guaranteed by the California Constitution.

- **Significantly Impact the City's Fiscal Health and Tourism Sector**. Staff estimates that the Draft STR Ordinance will have "significant fiscal implications" for the City's fiscal health due to significantly reduced transient occupancy tax collections and increased administrative costs. Staff previously estimated that a 90 night cap on unhosted STRs would result in a loss of $1.4 to $1.5 million per year. Staff estimates the losses will be even more severe under a 60 night cap for unhosted STRs. Draft STR Ordinance will also impede tourism in the City and

cause economic harms to hosts, guests, and small businesses. The City has failed to consider the severe economic and recreational consequences of the proposed ordinance for all sectors of its economy, in addition to the adverse impacts it will have for STR hosts and prospective guests.

- **Result in Arbitrary and Capricious Decisionmaking and Subject the City to Litigation**. The City has no evidence that the very limited stock of STRs in the City, which amount to "less than 1 percent of the housing stock" according to the City's own Housing Element, contribute in any way to the City's housing affordability challenges. They do not. The City also lacks any evidence other than hearsay that STRs result in nuisance impacts unique from other residential uses. The Draft Ordinance's significant infringement on hosts' fundamental property rights and other constitutional and legal rights, impacts to visitor access to the City's coastal resources, and fiscal impacts to the City and its residents and small businesses, coupled with the complete lack of any evidence supporting its drastic restrictions, demonstrate that adopting the Draft STR Ordinance would be arbitrary and capricious and invite costly litigation.

- **Encourage frivolous lawsuits with a private right of action**. The Draft STR Ordinance's provision of a private right of action for any "Aggrieved Resident" who personally experiences a disruption from a STR near them to sue a host or guest will encourage frivolous lawsuits driven by personal animus or constitutionally-suspect grievances, further deterring hosts from participating in the STR market and adding to the loss of overnight accommodations in the City.

We strongly urge the City to reject the Draft STR Ordinance and ask that staff be directed to work with all stakeholders to develop a new ordinance that allows existing STRs to continue operating subject to regulations that are reasonable and not unduly burdensome for property owners and operators of STRs.

While hosts are ready and willing to work with the City, should the City Council move forward with adopting the Draft STR Ordinance, we will protect our client's rights by challenging this action in court.

Sincerely,

Frank P. Angel
Enclosures

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us

Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

Friday, January 17, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit. We believe this ordinance was hastily drafted based on erroneous assumptions.

We urge the Planning Commission to vote against this ordinance. By returning it to the City Council for a thorough review, we propose that the STR ordinance can accommodate the concerns of residents adversely affected by irresponsible operators while simultaneously allowing responsible actors to contribute essential revenue to our city's budget.

We are a group that represents STR operators. We have collaborated with small business owners and residents in crafting this email, urging you to vote "no" on this ordinance.

In this letter, we will provide detailed analysis of our concerns, including 1) why we feel the ordinance was drafted irresponsibly 2) what we believe the negative outcomes of this ordinance will be and 3) possible compromises to address our concerns.

I. Irresponsible Ordinance

The vast majority of short-term rental operators are good, honest operators who bring a lot of value to Pacifica. In fact, complaints against the roughly 150 tax paying operators center around just 4 of those operators in the city and founded complaints about STR operators make up less than 0.2% of all police complaints in our city.

Furthermore, the revenue generated by responsible operators is substantial. During the Study Session on August 24, a Council Member asserted that the city's short-term rental program was costly and therefore unprofitable. Since the ordinance was passed partially based on this false claim, it would be relevant for the Planning Commission to reject this ordinance on this fact alone.

So let's look at this claim made by the Council Member. The claim that the cost of running the STR programs generates a $40,000 deficit for the city is found on page 76 of the FY23-24 city budget book. Essentially, the permit fees short-term rentals paid amounted to $243,300, while the cost of the STR program was $285,300 — leaving a shortfall of $42,000.

However, the permit fees are just a small portion of what our Airbnb operators contribute. Including the TOT, we generated over $2M, while the city's cost is only $285K. And of course, in addition to ToT there is revenue from tourism dollars that goes directly to small businesses. Any corporation or business would be thrilled to have an operating cost to profit spread like this. Why is Pacifica thumbing its nose to such clear revenue, especially when the city already runs a structural deficit?

As a Planning Commission it is imperative that you pause and consider the irresponsible actions of the City Council in drafting this harmful ordinance. I say this not only as a Short-term Operator, but as a resident and tax payer living and working in Pacifica.

During the Study Session held on August 24, our City Manager, Kevin Woodhouse, said: 'If the City Council passes this ordinance, then next year I will come back to you with an outline of city services that need to be cut.' In essence, the City Council's actions are tantamount to someone discovering they have a minor cockroach problem — so they decide to burn down their house.

Furthermore, the short-term operators who engaged in public speaking and correspondence with the Council were largely disregarded in the final decision-making process. This issue clearly creates a rift within our community, as outlined in the SF Standard article referenced below:

https://sfstandard.com/2024/09/06/pacifica-airbnbs-regulations/

It is important to note that an equal number of residents attended those meetings asking that the Council not create an environment hostile to responsible operators. And yet, in the private words of a Council Member, the regulations drafted 'are designed to make it so onerous to operate an STR that most un-hosted operators will voluntarily withdraw and stop operating in our city.' In other words, there was an implicit bias against all operators whether they had done anything wrong or not.

It is important to clarify that our objective is not to promote unchecked growth in short-term rentals.

- We believe the current cap of 150 total STR licenses per year is good for the city.
- We believe reasonable ordinance updates, like requiring noise meters on the outside grounds and allowing city employees to view meter readings whenever there is a complaint are good for the city.
- We also believe that requiring the host or representative to answer the phone or be on-site within 30 minutes upon receiving a complaint is a reasonable update to our city requirements.

The problem with the 90-day cap on un-hosted operators is that it will drive many good operators out of business — when they have done nothing wrong. The vast majority of these operators only own one property that they operate. It is a lifetime investment. They have acted responsibly and the council carelessly passed a law that will stifle their business and make it impossible to operate at a profit — and this was done intentionally.

In addition to harming a large cross-section of responsible entrepreneurs, this ordinance will impact Pacifica's small businesses. If you review the number of letters from small business owners in Pacifica sent to the Council during their review, they all tell the same story: these businesses regularly have visitors who come into their shops and restaurants who are staying at a local STR.

The group Pacifica Homes Are Not Hotels has repeatedly made the claim that guests at STRs do not spend money in Pacifica. They make this claim with zero evidence. However, attached to this letter, I have included countless reviews from STR guests who outline the many ways they have frequented our small businesses and have come here to enjoy the peaceful quite and beauty of Pacifica (see attached Addendum I).

Of course, there is a common sense approach to this question: of course responsible tourism is good for Pacifica. Of course, $2 million dollars in extra revenue is good for our budget. Of course, it is good to support local entrepreneurs and small businesses who are struggling to survive and have done nothing wrong.

For these reasons, we make the case that this ordinance was drafted and passed irresponsibly:

- The majority of operators are responsible
- The revenue from STR is essential to the economic health of our city

- The needs and concerns of responsible STR operators were ignored during the drafting of this ordinance
- The ordinance was intentionally drafted to force un-hosted operators out of business
- The ordinance will harm the many small businesses who benefit from tourists staying at an STR

II. Potential Outcomes of this Ordinance

We have already outlined some potential negative impacts of this ordinance. First, it was intentionally designed to drive un-hosted operators out of Pacifica. Many of these fellow operators sank their life savings into buying property here to create valuable tourism revenue in our community. It is true, there are a small number of bad actors, however this ordinance does nothing to target unwanted behavior and instead paints all operators with the same illegitimate brush.

Currently our city operates in a structural deficit, to further reduce revenue by driving out good operators who currently generate nearly 5% of our city budget is short-sighted at best. As a Planning Commission, we beg you to consider these implications and place a pause on the former City Council's actions.

In addition, we know several small businesses already submitted written pleas to the City Council, emphasizing the essential role of tourism in their livelihoods. Many of these businesses, particularly those located in District 2, do not have hotels to attract tourists in these areas. They solely rely on local residents, guests from short-term rentals (STRs) and other day-trippers to generate demand, revenue and foot traffic. We ask again that you review Addendum I, which presents numerous, clear written examples of the positive impact these visitors have on our community.

Ignoring these requests will have adverse effects on business. However, there are additional outcomes that are more difficult to quantify but are logically inevitable.

Currently, the housing market in Pacifica is experiencing a shift characterized by extended listing periods. A notable example is a duplex on Beach Boulevard, which remained unsold for an unusually long time, prompting its removal from the market. Several factors contribute to this change, some of which are within our control, while others are beyond it.

One factor that cannot be controlled is the high-interest rates currently affecting the market. However, if the majority of the current 150 Short-Term Rental (STR) operators are compelled to sell due to the inability to generate a profit (as this

ordinance aims to achieve), it will result in an influx of additional inventory into the market at a time when demand is already experiencing a decline.

Furthermore, many of these properties were acquired during periods of high demand and record valuations. If they are purchased in the near future at lower costs in the current cooling market, they will generate lower annual property taxes for the city.

Just as importantly, the current STR operators create affordable access to our coastline. If you read the guest comments we have provided (see Addendum I), you will see many refer to living in the Bay Area and being able to spend the weekend on the coast, visit family nearby, or a desire to get away from the heat in the East Bay. Not only does Pacifica not have hotel inventory to meet this demand, this customer base prefers a whole house option, where they can gather, play board games, watch movies together, go on hikes together, browse local shops and eat at nearby restaurants. The group Pacifica Homes Are Not Hotels are fixated on a few isolated instances where this is not the case. We are providing countless data points to prove the contrary.

It would be difficult to talk about consequences of this ordinance without quoting from the city's own assessment:

> The 90-day rental cap for un-hosted STRs alone is projected to reduce TOT revenue by $850,000–$900,000, assuming all currently permitted STRs continue operating under these conditions — a scenario unlikely given the expected attrition of operators due to these restrictions. Revenue losses in the future could range from $950,000 to $1.2 million annually.
>
> This estimate excludes the broader economic implications of this ordinance on Pacifica's local economy, such as sales tax impacts to visitor-serving businesses, including restaurants, cafes, and retail establishments, who rely heavily on the hospitality sector.
>
> The implementation and enforcement of the revised STR ordinance will likely result in substantial increases in administrative costs. New operational requirements, such as permit cap management, monitoring STR activities, and ensuring compliance, will require additional staff time and resources. The added complexities of the new regulations, such as tracking rental activities, identifying violations, bringing non-compliant accounts into compliance, initiating permit revocation processes, and compiling evidentiary packets for hearings are expected to significantly increase third-party administrative expenses. Preliminary estimates suggest these third-party costs could increase by $50,000–

> $100,000 annually, not counting additional staff capacity that may be required to manage the increased complexities of the program.

In other words, this hastily crafted ordinance, based largely on hyperbolic accusations and demonizing of a majority of highly engaged citizens, will financially be devastating to our struggling economy and housing market. The Planning Commission should vote “no.”

However, there is another less direct negative outcome by allowing this ordinance to pass as is. It is harder to define, but no less real. There is a small group of highly organized, vocal residents. They wield a lot of political power. They show up to every key council meeting, they have organized talking points and they often rely on false information and accusations to move forward agendas that harm Pacifica and are largely designed to keep Pacifica solely for long-term Pacifica residents — and exclude outsiders or newcomers.

I certainly have experienced the impact of this group. They speak about me as if I am less than human because I operate an STR. They are hostile in social media chats, they throw accusations but refuse to provide proof. The council gave them a lot of power when they ignored our concerns and passed an ordinance designed to give them everything they asked for: basically drive out short-term rental operators.

Pacifica already had a good foundation for its short-term rental operations. Revenue was good, we had a reasonable cap of 150 operators. We only had to refine our policy to eliminate bad actors and possibly distribute the STR operations more equitably in neighborhoods. But this vocal group weren’t willing to listen to compromise. They didn’t care who their ordinance affected.

If you allow this ordinance to move forward as is, you give credence to the tactics they utilize. This possibly could be the greatest negative impact.

Pacifica has important issues ahead of us. We have the quarry development, we have a seawall we need to consider, we have tensions on the council around the selection of mayor — with accusations that are outlandish.

This group has learned that spreading misinformation is the way to succeed. It would hopefully reframe future conversations if the Planning Commission were to stop this absurd ordinance and demand that Pacifica take a second look – one that factors in real problems with real solutions. One that eliminates bad actors, but allows responsible hosts to thrive.

III. Possible Compromises

Prior to the enactment of this sweeping and potentially detrimental government overreach, our group meticulously developed several straightforward alternatives. We crafted our proposals after carefully listening to the concerns expressed by frustrated citizens who participated in the Study Sessions. We care about our fellow citizens and want to ensure that no one lives next to an irresponsible, careless STR operator.

We created 6 proposal ideas. All of them, if enacted, would have easily allowed Pacifica to continue enjoying the benefits of short-term rentals, without suffering from any of the outlined grievances of some citizens.

While it may seem irrelevant now that the ordinance has passed the Council, we have included our original 6 Proposals in Addendum II for your review.

We are proud to find that many of these ideas wound up in the new ordinance and we take issue with none of them. The main points in the new ordinance that we take issue with are:

- 90-day cap on un-hosted operations: this makes operating an STR in Pacifica impractical and honestly impossible for almost all current operators
- Primary residence requirement: this requirement should be stricken from the ordinance and is unnecessary
- Sign posted with personal contact information is unnecessary and excessive considering a good host willingly shares this with their neighbors and knows their neighbors personally
- 3 year record keeping requirement for any host seems excessively onerous

As we outlined, these provisions were intentionally designed to drive good operators out of business — and it will. There are a couple of reasonable compromises that we feel will address the concerns of our group concerning the un-hosted requirement:

1. Redefine hosted listing as “owner or representative can be on the premisses within 45 minutes of any and all complaints.”

2. Remove the 90-day cap on un-hosted listings and rely on licensing and penalties to restrict bad operators and thereby leave responsible hosts alone.

Either of these changes to the ordinance will leave us feeling like we have been heard — and the needs of small businesses, city revenues and our hard working STR entrepreneurs in good standing are being acknowledged.

As far as the excessive administrative aspects of this ordinance, they should be removed simply for the benefit of the city, it's tax strains and revenue realities. Few of them offer any real advantage and simply add costs to a city budget already under duress. We have no objection to most of them other than as a tax payer, government corpulence is never a good thing. If the City Planning Commission or Council would like an itemized list of the excessive administrative aspects of this ordinance, I'd be happy to offer a line item assessment upon request.

IV. Summary

In short, tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue. It is an ordinance created in haste, contrary to overwhelming evidence and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city. Please vote "no."

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Addendum I: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some

great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had

all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from

the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural

light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

Addendum II: Our original 6 Policy Proposals

If enacted instead of a 90-day cap, these proposals would have solved any and all concerns residents have with bad actors and would not interfere with revenue generating operators.

Policy 1: Three Strikes and You're Out

Instead of convoluted ordinances that can unfairly hamper every Pacifican's right to use their property in a fair and equitable way, we propose a simple rule to punish bad hosts while protecting the good ones. 3 violations within a 12 month period would result in revocation of a license for 24 months.

Irresponsible hosts have no place in our town. Founded complaints of nuisances like parties or code violations result in:

1st Offense: written notice of a violation

2nd Offense: written notice of violation and fine of $1,000

3rd Offense: notice of violation, fine of $1,500, and revocation of STR permit for 24 months

Once the license is suspended or revoked, if they continue to operate, every day results in another $500 daily fine.

These violations should be applied to the guests, the host, and the property owner. This model has a fantastic track record in places where the city and AirBnB work together to delist STRs without a valid permit.

Policy 2: More Stringent Noise Restrictions

The city already has ordinances that ban noise overnight, but we further propose that hosts are required to install decibel noise sensors on the interior and exterior of their properties and make readings available to the city upon its request for compliance verification. Since this agreement will be included in the business license, refusal to turn over noise detector readings can also be a warning or violation.

The city needs to notify the host and the guest of the noise complaint. Violations are

mailed to the registered business mailing address.

For example, if the police give a citation to loud partiers. A separate fine is also sent to the registered business mailing address of the host. In the past, we were informed by the city that many hosts don't even know the guests were cited for noise violations. This policy ensures accountability on all sides by citing both the instigators and the host and encourages the host to take a more active part in vetting their guests.

Policy 3: Someone Needs to Be Accountable

Each STR must designate someone who can answer the phone within 20 minutes and be onsite within 60 minutes, 24 hours a day, should something come up. This can also become a standard definition for "hosted."

Policy 4: Disallow Hosting Too Many People

We took a unique look at this one, factoring concerns about houses that crammed a lot of guests or built-up rooms to allow for it. The purpose of this is for safety but also to hurt large corporations trying to create party houses. So in that spirit, this policy creates two separate triggers.

Of course, each STR must cap the number of guests it can host to two per bedroom plus one more.

But just as importantly, we advise the city to create a total cap for any short-term rental of 8 total individuals. So in other words, no matter how many rooms you have, there cannot be more than 8 guests per booking. This disincentivizes corporations buying properties and instead focuses on the hosts who are trying to accommodate families looking to create memories here.

We also propose no more than 1 car per legal bedroom with a maximum number of 2 cars per booking.

Policy 5: Keep Multi-unit Buildings For Affordable Rentals

STRs should not be allowed in buildings with four or more units outside of the grandfathering of the 10 STRs currently doing this, so long as they are in good standing, without complaints.

Policy 6: Smart City Planning

STRs should continue to be capped at 150 and not be overly concentrated in any one area. City staff should prepare a study to recommend the STR distribution for our town.

Beyond ordinances, Pacifica needs to push for more housing to be built. Its housing stock has grown by a mere 1% over the past eight years. Developers simply do not want to build in our town, and we believe it results from its lackluster economic growth. For such a beautiful town by the sea, we find this a tragedy. A responsible injection of tourism can change this by bringing in fresh energy and stimulating local businesses. Tourists spend significantly more than permanent residents (think about how you budget for your own daily spending while on vacation versus a more routine day at home). Further, lively towns are diverse towns, with a sprinkle of visitors from other places!The same thoughtful consideration of our concerns were certainly never factored into this ordinance or weighed by Pacifica Homes Are Not Hotels.

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April 7, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

Re: Updates to Pacifica's Short-Term Rental Regulations

Dear Mayor Beckmeyer, Mayor Pro Tem Boles, and Honorable Members of the City Council:

We submit this letter on behalf of Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in the city of Pacifica (hereafter **City** or **Pacifica**).[1] They own and operate STRs within the City. We write regarding the City Council's consideration of a draft STR ordinance that would repeal and replace the City's existing STR regulations (**Draft STR Ordinance**).[2] We expand on points raised in Pacifica for Responsible Tourism's previous letter to the Planning Commission and its members' testimony at Planning Commission and City Council meetings, and detail new concerns given recent actions and statements by the Planning Commission and City Council.[3]

[1] Pacifica for Responsible Tourism is a grassroots organization of vacation and hosted-rental small business individuals in the coastal town of Pacifica, California. They are hospitality entrepreneurs that strive to make every hosting experience a positive one, for both neighbors and guests. It advocates for the protection of property and home-sharing rights and believes that home-sharing provides a lower-cost way for more people to access the coast and contributes to the vitality of Pacifica's local economy. (See http://www.pacificatourism.org/index.html.)

[2] Our comments pertain to the draft as of the February 24, 2025, City Council meeting during which it was discussed, as well as potential changes to the draft that Councilmembers deliberated during that meeting.

[3] We have attached Pacifica for Responsible Tourism's previous letter to the Planning Commission, dated January 17, 2025, as Exhibit 1.

Overview

As detailed below, the Draft STR Ordinance would (a) violate the California Coastal Act of 1976, (b) violate other important laws and constitutional protections, and (c) result in significant environmental impacts as defined in the California Environmental Quality Act (**CEQA**) that the City has not evaluated under CEQA.[4] The Draft STR Ordinance would also impede tourism in the City and cause substantial economic harms to hosts, guests, small businesses, and the City itself.

We understand the City Council continued its consideration of the Draft STR Ordinance during its February 24, 2025, meeting to spend more time weighing competing concerns at a future meeting. We strongly urge the City to revise the Draft STR Ordinance to address the points we raise here.

History and Importance of STRs in Pacifica

STRs have always been lawful, residential uses of property in Pacifica. Hosts have opened their homes to renters for many decades, providing important visitor-serving accommodations and offering guests authentic experiences in all corners of the City. STRs also ensure that the City complies with its coastal access obligations under the Coastal Act by providing affordable visitor-serving accommodations in the City.

In 2018, the City adopted STR regulations for the first time with Ordinance No. 835, which memorialized that STRs are a permitted use in residential districts under the City's zoning code.[5] Ordinance No. 835 required hosts to obtain a permit and business license to operate their STR and included certain measures designed to ensure guest and host safety, payment of transient occupancy tax (**TOT**), and enforcement measures to ensure compliance with the regulations. In 2023, the City adopted Ordinance No. 888, amending the City's STR regulations to impose a cap limiting active STR permits issued in the City at any given time to 150.[6] At the time, there were less than 150 STRs operating in the City, so while this did not eliminate any existing STRs, it left little room for any new STRs to enter the market.[7] In June 2024, the California Coastal Commission approved the City's Local Coastal Program (**LCP**) amendment. The 150-

[4] CEQA defines the concept of "significant environmental impact" "as 'a substantial, *or potentially substantial*, adverse change in the environment." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 448, fn. 17, original italics.)
[5] See Ordinance No. 835, codified in Pacifica Municipal Code (PMC) Article 49.
[6] PMC, § 9-4.4902.
[7] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4

cap remained unchanged.[8] At that time, the City estimated that 44 STRs were operating in the City's coastal zone, with approximately 100 STRs operating inland.[9]

When it approved the City's restrictions, the Coastal Commission noted this 150 permit limit pushed the boundaries of reasonableness and balance under the Coastal Act, but ultimately agreed with staff that, since the permit cap "would allow all permitted STRs in good standing to continue operating," it was an "appropriate balance [that] . . . help[ed] round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[10]

The Draft STR Ordinance Will Significantly Reduce STRs Available in the City

As noted in Pacifica for Responsible Tourism's January 17, 2025, letter to the Planning Commission, its members support certain proposed updates to the existing STR regulations.[11] However, there are several problematic provisions in the Draft STR Ordinance that, taken both individually and collectively, would severely limit (and even potentially eliminate) the stock of STRs in the City's coastal zone in direct violation of the Coastal Act's mandate for affordable overnight accommodations. Specifically:

- 90-Day Annual Cap on Unhosted STRs. The Draft STR Ordinance includes a cap of 90 calendar days per year for an unhosted STR to operate.[12] During the February 24, 2025, meeting, Councilmembers indicated interest in capping unhosted STRs to operating only 60 calendar days per year. This would severely limit unhosted STR nights in the City, taking affordable overnight accommodations out of reach of many visitors.

- Primary Residence Requirement. The Draft STR Ordinance would limit host eligibility by imposing a primary residence requirement, defined as where the host resides more than six months per year.[13] This would eliminate many existing STRs in the City.

- Off-street Parking Requirement. The Draft STR Ordinance provides that all STRs outside the coastal zone must include two off street parking spaces, and all STRs in the coastal zone must include one off street parking space.[14] Staff estimated that this requirement alone would result in 36 existing STRs (9 in the coastal zone and 27 in non-coastal areas) being ineligible for renewal

[8] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.
[9] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.
[10] *Id.*, p. 8.
[11] January 17, 2025, letter from Pacifica for Responsible Tourism to Pacifica Planning Commission, p. 3.
[12] *Id.*, § 9-4.4905(t)(i).
[13] *Id.*, § 9-4.4901(l).
[14] *Id.*, § 9-4.4905.

of their STR permit, also noting this number may increase upon completion of onsite inspections.[15]

- Density Limitations. The Draft STR Ordinance would allow only 10% of units in multifamily buildings to operate as a hosted STR and only one hosted STR in 2-to-4-unit complexes, and would completely prohibit unhosted STRs in multifamily buildings.[16] As staff notes, these limitations on STRs in multi-family buildings will result in 37 existing STR units (29 in the coastal zone and 8 in non-coastal areas) being ineligible for renewal of their STR permit.[17]

The Draft STR Ordinance Violates the Coastal Act

The Draft STR Ordinance raises conspicuous red flags under the Coastal Act. Any elimination of existing STRs in the coastal zone will conflict with the coastal access and recreation policies of the Coastal Act, under which the Coastal Commission must maintain and support affordable overnight accommodations in the coastal zone. The Coastal Act mandates "maximum access" along the coast for "all the people," and "[a] lack of affordable accommodations [is considered] a barrier to coastal access."[18]

Pursuant to these Coastal Act mandates, the City's LCP includes policies to enhance coastal access and visitor serving accommodations, stating that "[l]ower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided . . . ."[19] *The Draft STR Ordinance, which will remove a significant number of lower cost visitor accommodations (including 75% of the available nights and 29 existing STR units in multi-family buildings within the coastal zone), directly conflicts with the LCP and the Coastal Act*. As the court of appeal invalidating STR restrictions in the city of Santa Barbara made clear: "Although the Coastal Act does not displace a local government's ability to regulate land use in the coastal zone, it does preempt conflicting local regulations."[20]

[15] February 24, 2025, City Council staff report, p. 11.
[16] *Id*., §§ 9-4.4901(f), 9-4.4905(t).
[17] February 24, 2025, City Council staff report, p. 11.
[18] Public Resources Code, § 31411, subd. (d).
[19] Coastal Act Policy No. 5, Pacifica Local Coastal Land Use Plan, March 1980 as amended. See also *Greenfield v. Mandalay Shores Community Assn.* (2018) 21 Cal.App.5th 896, 898 (STR restrictions found to erect "a monetary barrier to the beach").
[20] *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1095; see Pub. Resources Code, § 30005, subd. (a).

A. STRs Play a Critical Role in Providing Affordable Overnight Accommodations in Pacifica's Coastal Zone Given the Low Stock of Hotel and Motel Rooms

Unlike other nearby coastal communities with more significant supplies of these overnight accommodations (e.g., Half Moon Bay has 613 hotel/motel rooms,[21] Carmel-by-the-Sea has approximately 1,541 hotel/motel rooms, Pismo Beach has approximately 2,102 hotel/motel rooms, Santa Barbara has approximately 3,646 hotel/motel rooms[22]), Pacifica has a very low stock of overnight accommodations, with just 330 hotel and motel rooms. Due to Pacifica's dearth of hotel and motel rooms, STRs in Pacifica fill a critical gap in overnight accommodations. They meet the coastal access needs of thousands of people each year. Reducing the supply and diversity of STRs in the City therefore poses a real problem, not only because of obvious inconsistency with the Coastal Act and LCP requirements, but also because removal of any STRs from the Pacifica market will hurt families who rely on these accommodations to make vacations on the City's coast feasible.

B. The City's Existing 150 Permit Cap Already Pushes the Boundaries of Reasonableness and Balance

In 2023, the City already restricted STRs severely when it adopted a 150 STR permit cap. In evaluating the City's LCP amendment, Coastal Commission staff recognized the aggressiveness of this cap and indicated that if the City went any further in its restrictions such an action may not pass muster with the Coastal Commission.[23] At that time, the City estimated 44 STRs were operating in the Pacifica coastal zone.[24] In recommending approval, Coastal Commission staff noted that the City "estimates that there are 100 registered and compliant STR permits in the City, with 44 in the coastal zone. Thus, *the proposed cap would allow all permitted STRs in good standing to continue operating* but would limit future STRs."[25] The Coastal Commission staff report explained that the City chose the 150-permit cap "because it equates to roughly 1% of Citywide housing stock, and would accommodate all 100 existing STRs (44 in the coastal zone) in good standing. Given the popularity of Pacifica as a visitor destination, *such outcome appears to be an appropriate balance*, and can help round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[26] The staff report

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[21] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 21, note 31, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[22] Room data for Carmel-by-the-Sea, Pismo Beach, and Santa Barbara compiled by CBRE from Smith Travel Research, 2022.

[23] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.

[24] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.

[25] *Ibid*., italics added.

[26] *Id*., p. 8, italics added.

further explained: “Finding that balance can be an incredibly difficult process . . . [that] demands some acknowledgment and deference given to what can be truly competing objectives at times. The Commission here agrees with the City’s proposal in that regard and finds that the proposed LCP amendment conforms with and is adequate to carry out the LCP LUP as submitted.”[27]

The Coastal Commission thus clearly recognized the 150 STR permit cap was aggressive but found it nevertheless struck an appropriate balance between providing affordable overnight accommodations and meeting the City’s other stated goals because, among other reasons, *it allowed for continued operation of all existing STRs in the City*. However, the Coastal Commission staff signaled that any further restriction (as the City is considering now) would be unreasonable and inconsistent with the City’s LCP and the Coastal Act. In other words, the 150 STR permit cap was the outer bound of reasonable limitation consistent with the Coastal Act.

C. The Draft STR Ordinance Goes Too Far and Would Violate the Coastal Act

Unlike the 2023 ordinance, which preserved all existing STRs in the City’s coastal zone, your staff estimates the Draft STR Ordinance would eliminate at least 29 of the 44 existing STRs in the coastal zone and likely more.[28] This, combined with the fact that the Draft STR Ordinance would also substantially cut the nights available in remaining STRs and not require a minimum number of permits to be issued in the coastal zone, would dramatically decrease overnight room supply in the coastal zone, all with a disproportionate adverse impact on more affordable STRs such as those in multi-family buildings. The victims will be families from inland areas, prevented from enjoying a few days of vacation by the beach and share with the City’s residents public access to a coastal environment featuring breathtaking recreational and scenic resources, such as Pacific State Beach, a popular surfing and surf camp spot, Sharp Park Beach with its walking promenade, nature trails and 1,140 feet long pier, or Milagra Ridge, 239 acres of open space part of the Golden Gate National Recreation Area, rightly described on a City Parks, Beaches and Recreation webpage as “a place of breathtaking views and diverse resources.”

Specifically, the Draft STR Ordinance will eliminate any of the 44 existing, permitted STRs in the coastal zone that are not a primary residence, are unhosted in multifamily buildings, or do not otherwise meet the eligibility requirements. Other burdensome requirements under consideration would also drive up the prices of any remaining STRs in the coastal zone. The 90-day cap for unhosted STRs will reduce supply and may also lead to hotel and motel price increases, and we understand the City Council considers the option of an even more prohibitive 60-night cap. The 90-day cap taken alone would effectively reduce availability of any remaining unhosted STRs by 75%.

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[27] *Id.*, p. 10.
[28] February 24, 2025, City Council staff report, p. 11.

Recent Coastal Commission approvals of LCP amendments for STR regulations in nearby coastal jurisdictions demonstrate how unreasonable the Draft STR Ordinance really is. For example, in 2023 the Commission approved an LCP amendment for the City of Half Moon Bay's STR regulations with modifications, and staff noted the proposal was among the more restrictive STR regulations it had reviewed and would significantly limit STRs in the City.[29] Many public commenters in Pacifica have raised Half Moon Bay's 60-day cap as one that Pacifica should follow, but Coastal staff were highly critical of this cap, noting that this number was "a somewhat randomly developed number and a fairly restrictive restriction as LCP STR provisions go . . . it is a restriction that limited unhosted STR use in any particular STR to about 16% of the nights each year. Such restrictions have the potential to severely affect current and future STR operators, making it less economically desirable to operate an STR, as well as limiting overall capacity and creating the potential for adverse impacts on visitor-serving accommodation availability in the City."[30] Staff also noted that Half Moon Bay only had 46 registered STRs and 613 hotel/motel rooms, so STRs did not make up a large portion of the City's overnight accommodations and the 60-day cap would therefore not significantly impact availability and affordability of these accommodations.[31]

In stark contrast to Half Moon Bay, Pacifica has nearly 150 STRs and only 330 hotel/motel rooms. The Commission staff report for Half Moon Bay also noted that a night cap was not a common approach at all, and is "atypical," having only been adopted in three other jurisdictions (San Diego, Del Mar, and San Mateo County) where there were much larger STR markets, such that the effect of the cap was less extreme.[32] The Commission's decision to ultimately adopt Half Moon Bay's LCP amendment with the 60-day cap has no bearing here given the dramatic differences in the role STRs play in overnight accommodation in each city: STRs make up over 30% of Pacifica's overnight accommodations stock compared to only 7% in Half Moon Bay. This context is critical and the Coastal Commission staff have cautioned that "there is no one size fits all" STR solution in coastal California and each jurisdiction should be considered on a case-by-case basis, among other things, based on its stock of visitor serving accommodations.[33] A 90-day, let alone a 60-day cap, for Pacifica, is indefensible under the Coastal Act and LCP.

Further, in contrast to the tailored approach of other coastal cities in California, the Draft STR Ordinance does not include any minimum number of permits that must be issued

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[29] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 23, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[30] *Id.*, p. 21.

[31] *Id.*, pp. 2, 21.

[32] *Id.*, p. 21.

[33] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 10.

in the coastal zone. This means that all 150 STR permits could be issued to properties outside of the coastal zone, thereby eliminating all STRs in the coastal zone. The Coastal Commission has made clear that this type of omission is unacceptable. In litigation involving STR regulations in the City of Del Mar, the Commission noted that Del Mar's proposed LCP amendment for their STR regulations "makes no distinction between inland parts of the City and the shoreline areas, and the City's blanket restrictions are overly broad and restrictive . . . . Residences in prime, visitor-serving, beach-adjacent areas are not given any priority for use as a STR, which hinders the public's ability to access and recreate in these nearshore areas."[34] In contrast, in August 2018 the Commission approved the City of Pismo Beach's proposed LCP amendment allowing only primary residents to offer homes as unhosted STRs, but exempting the City's beachfront downtown core and non-residential zones from this requirement.[35]

The California Attorney General has recognized that an STR regulation that "cause[s] a sharp decline in visitor serving accommodations in the coastal zone . . . objectively hinders visitor access to the coast" in conflict with the Coastal Act.[36] The Draft STR Ordinance would "cause a sharp decline" in the availability and diversity of overnight accommodations and limit coastal access in Pacifica. "With the high cost of coastal land, it is not profitable to build low cost hotels or similar lodging. High fixed and startup costs not only restrict the construction of new hotels but also influence the price of hotel rooms at peak times. Hotels cannot increase supply, due to high fixed costs, so they increase rates."[37]

In summary, the Draft STR Ordinance (1) fails to protect "[c]oastal recreational and visitor serving uses and opportunities" and (2) fails to protect "to the maximum feasible extent" "existing lower cost visitor-serving and recreation facilities, including overnight accommodations . . . ." It cannot be found consistent with the LCP and Coastal Act.[38]

The Draft STR Ordinance Violates Other State and Federal Laws

The Draft STR Ordinance violates other laws as well.[39] Specifically:

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[34] California Coastal Commission Brief in Opposition to Writ, p. 18, filed in *City of Del Mar v. California Coastal Com.* (Super. Ct. San Diego County, Nov. 15, 2019, No. 37-2018-00039254).

[35] California Coastal Commission, Staff Report on City of Pismo Beach LCP Amendment Number LCP-3-PSB-18-0051-1 (Short-Term Rentals), adopted August 10, 2018.

[36] Amicus Curiae Brief of the California Coastal Commission, pp. 19-20, filed in *Kracke v. City of Santa Barbara*, *supra*, 63 Cal.App.5th 1089.

[37] "Unequal Access – Protecting Affordable Accommodations Along the California Coast," p. 35 (citing Zervas 2016, 22).

[38] See Public Resources Code, §§ 30001.5, subd. (c), 30210, 30213, 30223; Pacifica LCP, Land Use Plan, Chapter 2, Implementing Policy LD-I-6.

[39] In addition to the laws noted below, given its proposed primary residency requirements, the Draft STR Ordinance clearly violates the Dormant Commerce Clause of the United States Constitution. (U.S. Const., art. I, § 8, cl. 3.) State laws that discriminate against interstate commerce "face 'a virtually *per se* rule of

A. The Draft STR Ordinance Would Unlawfully Terminate Existing, Lawful Nonconforming Uses in Violation of Fundamental Rights Protected by California Law and the Pacifica Municipal Code

A lawful nonconforming use is "one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter."[40] "The *use of the land*, not its ownership, at the time the use becomes nonconforming determines the right to continue the use."[41] California courts have long held that a party may continue to use their property even though such use is nonconforming. "The rights of users of property as those rights existed at the time of the adoption of a zoning ordinance are well recognized and have always been protected."[42] The reason is simple: termination of previously lawful (and now non-conforming) uses would be of doubtful constitutionality.[43] This follows from "vested rights" principles, which provide that when a zoning ordinance changes, a property owner may have a "vested right" to continue the existing use, notwithstanding the newer zoning restriction.[44] The California Supreme Court's decision in *Avco Community Developers, Inc. v. South Coast Regional Com*. is one example of this constitutional principle.[45] There, the California Supreme Court recognized that a property owner that has incurred substantial liabilities establishing a lawful use of property has a right to continue that use despite a subsequent change in zoning law.[46]

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invalidity.' " (*South Dakota v. Wayfair, Inc.* (2018) 585 U.S. 162, 173 [201 L. Ed. 2d 403, 416-417].) State laws violate the Commerce Clause if they mandate "differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter." (*Oregan Waste Systems, Inc. v. Department of Environmental Quality* (1994) 511 U.S. 93, 99 [128 L. Ed. 2d 13, 21].) A state law that discriminates against interstate commerce must be declared unconstitutional "unless the state can justify the discrimination by showing that it 'advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.' " (*Id*., 511 U.S. at pp. 100-101.)

The California Court of Appeal has applied these principles to a local government's primary residency requirement for STRs in residential neighborhoods. (See *South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (2023) 92 Cal.App.5th 735, 759-767.) The showing that a primary residency requirement advances a legitimate local purpose that can't be served by reasonable nondiscriminatory alternatives is difficult to make -- a heavy burden that South Lake Tahoe ultimately failed to carry, which led to the invalidation of the entire STR regulatory scheme established by the voter initiative challenged in that case. (*South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (Super. Ct. El Dorado County, 2025, No. SC20180243).)

[40] *Hansen Bros. Enters. v. Bd. of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1, and cases cited.
[41] *Ibid*., italics added.
[42] *Edmonds v. County of Los Angeles* (1953) 40 Cal.2d 642, 651; see *Hill v. City of Manhattan Beach* (1971) 6 Cal.3d 279, 285-286; *Livingston Rock & Gravel Co. v. County of Los Angeles* (1954) 43 Cal.2d 121, 127; *Jones v. City of Los Angeles* (1939) 211 Cal.304, 310-311; see also *301 Ocean Ave. Corp. v. Santa Monica Rent Control Bd.* (1991) 228 Cal.App.3d 1548, 1558 (rent control board's decision to restrict a property owner's preexisting right to lease parking spaces in an apartment building to persons other than the building tenants interfered with the owner's "fundamental vested right to control property").
[43] *Livingston Rock & Gravel Co.*, *supra*, 43 Cal. 2d at p. 127; *Edmonds*, *supra*, 40 Cal. 2d at p. 651.
[44] *City of Ukiah v. County of Mendocino* (1987) 196 Cal.App.3d 47, 56-57.
[45] *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785.
[46] *Id*. at p. 791.

The Draft STR Ordinance flies in the face of these vested rights principles because it ignores protections for existing STRs that have operated since 2018 when the City's existing STR regulations were adopted, but which now would need to reduce their offerings by 75% or stop hosting entirely because they do not meet the stringent eligibility requirements of Draft STR Ordinance. Such termination would also violate section 9-4.3002 of the PMC, which protects lawful nonconforming uses. We urge the City to revise the Draft STR Ordinance to provide that all STRs that have been operating since before the 2018 STR regulations went into effect can continue to operate as lawful nonconforming uses with valid STR permits, renewed annually.

B. The Draft STR Ordinance Violates Important Constitutional Rights

1. The Draft Ordinance Would Infringe on Freedom of Assembly and Association

The Draft STR Ordinance's limitations on how many guests or visitors of STR renters are permitted on the property at any time of day, and on "non-commercial Events" interfere with constitutional rights to freedom of assembly under Article I, section 3, of the California Constitution, including family relationships.

The Draft STR Ordinance proposes to ban any visitors and guests of STR renters to no more than half the maximum overnight occupancy limit (no more than two STR renters per bedroom, excluding children under 12).[47] To illustrate the effect of this ban, if a couple was staying in an STR in Pacifica to visit parents/in-laws and was renting a one-bedroom STR, they would be unable to have both parents come over to their STR for dinner or a cup of coffee. They would instead be forced to invite just one person or otherwise not use their STR to visit with family at all, at any time of day. This limitation on guests is overly restrictive and infringes on constitutional rights to freedom of assembly. In addition, its effects are inequitable, falling most heavily on individuals renting more affordable, smaller STRs.

The STR Ordinance also prohibits all "non-commercial Events," a category of events that, as currently defined, is so vague as to prohibit essentially any private gathering. The Draft STR Ordinance defines "Events" as "weddings, conferences, retreats, commercial events, *loud or disruptive gatherings of any kind, parties* or *any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood*."[48] The Draft STR Ordinance relatedly provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[49] These highly subjective and vague definitions are ripe for arbitrary and

[47] Draft STR Ordinance, § 9-4.4905.

[48] *Id.*, § 9-4.4901(d), italics added.

[49] *Id.*, § 9-4.4905(r).

discriminatory enforcement by the City and could, for example, result in the revocation of an STR permit if STR guests invited three guests of theirs over to dinner on their back patio if that caused any "noise, or other impacts to the neighborhood" that neighbors and the City deem excessive. This is an absurd result. The City already has in place generally applicable noise and nuisance provisions in its Municipal Code that it can use to address loud or disruptive events, and so it cannot meet the burden required to show that this intrusion on constitutional rights is justified.

2. The Draft STR Ordinance Is Likely to Effect Unlawful Takings

Eliminating existing STRs appropriates hosts' right to lease their property, a fundamental property interest. It would constitute a taking of private property without just compensation in violation of the California and United States constitutions.

Traditionally viewed as a "bundle of sticks," property rights and individual liberty go hand in hand. The framers emphasized that private property ownership serves as a bulwark against unlawful exercises of state power. Since our nation's founding, the right to lease property to guests of the property owner's choice, and for the duration of their choice, has been a fundamental component of property ownership protected by the Takings Clause of the United States Constitution, which requires just compensation for property taken for public use, and the Takings Clause of the California Constitution, which requires just compensation for property "taken or damaged for public use."[50] Further, the United States Supreme Court recently clarified that temporary and intermittent physical invasions analogous to deprivations of the right to lease are *per se* takings. In *Cedar Point Nursery v. Hassid* (2021) 594 U.S. 139 [210 L.Ed.2d 369], the Court held that a regulation requiring agricultural employers to allow union organizers to have periodic and temporary access to farm workers on the employers' property constituted a *per se* physical (not a regulatory) taking.[51] The regulation appropriated the owners' "right to exclude," " 'one of the most treasured' rights of property ownership."[52] Prohibiting STR use for many existing STR owners who will be ineligible under the Draft STR Ordinance takes property owners' right to exclude by forcing them to host rentals for longer durations than they wish. A longer term of a lease than they wish effectively amounts a physical incursion on hosts' right to exclude, in violation of *Cedar Point*

[50] U.S. Const., 5th Amend.; Cal. Const., art. I, § 19, subd. (a); *Terrace v. Thompson* (1923) 263 U.S. 197, 215 [68 L.Ed. 255, 274] (right to lease considered protected among "essential attributes of property"); *United States v. Stanley* (1883) 109 U.S. 3, 22 [27 L.Ed. 835, 843] (right to lease described as one of "those fundamental rights which are the essence of civil freedom"). Although the Takings Clause of the California Constitution protects a "somewhat broader range of property values than does the Fifth Amendment" of the United States Constitution, state and federal takings claims are typically made and analyzed together. (*Hensler v. City of Glendale* (1994) 8 Cal.4th 1, 9, fn. 4; see also *California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 456, fn.10; *Santa Monica Beach, Ltd. v. Superior Court* (1999) 19 Cal.4th 952, 988, fn.5 (1999) (dis. opn. of Baxter, J.).

[51] 594 U.S. at p. 162 [210 L.Ed. 2d at p. 390].

[52] 594 U.S. at p. 149 [210 L.Ed.2d at p. 382].

Nursery. Conversely, the Draft STR Ordinance also violates the right to include by forbidding STR owners from allowing guests of their choice on their property for a duration of less than 30 days. This appropriation of an essential attribute of their property entitles the owners to an award of just compensation under the United States and the California constitutions.[53]

3. The Draft STR Ordinance Would Intrude on Inalienable Rights to Privacy

The Draft STR Ordinance furthermore implicates the "inalienable" right to privacy under the California Constitution.[54] It takes away homeowners' ability to choose to invite renters or guests to stay in their homes for a few days or a couple of weeks.

Constitutional privacy protections protect a property owner's right to host STRs and invite guests into their home. In *Coalition Advocating Legal Housing Options v. City of Santa Monica* (2001) 88 Cal.App.4th 451, the court invalidated a local ordinance that limited occupants of ADUs in residential zones to the property owner, the property owner's dependent, or their caregiver. The court reasoned that the privacy right "to choose with whom to live in the main residence . . . must apply to the right to decide who may live in the second unit [which] . . . is still part of the home."[55] Many hosts invite guests into their homes while they are present during the stay, and the City's severe restrictions on occupancy would infringe on hosts' constitutional right to privacy, which includes the right to choose who can stay in homes.

The City fails to offer the justification necessary to pass the heightened scrutiny courts apply to laws and regulations that infringe on the right to privacy. It cannot do so because short-term renters have no demonstrable negative impact on the City or its coastal environment compared to visitors staying in a motel or a hotel or renters who stay for, say, two or three months.

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[53] 594 U.S. at p. 158 [210 L.Ed.2d at p. 388] ("We cannot agree that the right to exclude is an empty formality, subject to modification at the government's pleasure. On the contrary, it is a 'fundamental element of the property right' that cannot be balanced away.").

[54] Cal. Const., art. I, § 1 ("All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy"); see *Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, 20; *City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 130 (invalidating local zoning ordinance prohibiting groups of more than 5 unrelated individuals from residing together in residential zones; held that an individual generally has a protected "right to live with whomever one wishes" and noting that "zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the user."); *Park Redlands Covenant Control Comm. v. Simon* (1986) 181 Cal.App.3d 87, 96 (refusing to enforce HOA covenant fixing maximum number of occupants per residence at three).

[55] *Id*. at p. 459 (the "right to privacy" includes "the right to be left alone in our homes.")

4. The Draft STR Ordinance is Unconstitutionally Vague

Many provisions of the Draft STR Ordinance are so vague that they are ripe for arbitrary and discriminatory enforcement, in violation of the United States and the California constitutions. The void for vagueness doctrine requires that legislative enactments: (1) give ordinary people fair notice of punishable conduct and (2) provide explicit standards to prevent arbitrary and discriminatory enforcement.[56]

For example, as noted before, the Draft STR Ordinance prohibits all "non-commercial Events" which as currently defined are so vague as to prohibit essentially any gathering. "Events" are defined as "weddings, conferences, retreats, commercial events, loud or disruptive gatherings of any kind, parties or any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood."[57] The Draft STR Ordinance provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[58] The breadth of these definitions affords City officials unbridled discretion to find that simply having dinner at an outdoor space in an STR is a "disruptive gathering."[59] Consider the consequences of this: Under the Draft STR Ordinance, the City may revoke a STR permit after just one violation and impose hefty fines per day for a violation.[60]

5. The Draft STR Ordinance Would Deprive Hosts of their Substantive Due Process Rights

Finally, terminating a lawful nonconforming use effects a deprivation of property without due process of law, as does prohibiting homeowners from renting their homes based on nothing more than the number of days that makes some place an "illegal" rental. Such arbitrary deprivations violate substantive due process protections of the Fourteenth Amendment to the United States Constitution and article I, section 7, subdivision (a) of the California Constitution, inter alia, by infringing on homeowners' property rights and the right to lease, one of the many rights within the bundle of sticks of property rights.[61]

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[56] *Johnson v. United States* (2015) 576 U.S. 591, 595 [192 L.Ed.2d 569, 577]; *Hoffman Estates v. Flipside*, *Hoffman Estates* (1982) 455 U.S. 489, 498 [71 L.Ed.2d 362, 371].

[57] *Id*., § 9-4.4901(d).

[58] *Id*., § 9-4.4905(r).

[59] *Briggs v. Lincoln County*, No. 22CV38244 (Lincoln County, Oregon, Circuit Court, Jan. 26, 2024, General Judgment) (STR ordinance provision prohibiting "Events, such as weddings, rehearsal dinners, and similar activities" was impermissibly vague in violation of the Oregon Constitution and enjoining enforcement of that prohibition).

[60] Draft STR Ordinance, § 9-4.4908(b).

[61] See *Washington ex rel. Seattle Title Trust Co. v. Roberge* (1928) 278 U.S. 116, 121 [73 L.Ed. 210, 213] ("Legislatures may not, under the guise of the police power, impose restrictions that are unnecessary and unreasonable upon the use of private property or the pursuit of useful activities."); accord, *State Board of Dry Cleaners v. Thrift-D-Lux Cleaners, Inc.* (1953) 40 Cal.2d 436, 441.

The Draft STR Ordinance May Cause Significant Environmental Impacts; These Must be Disclosed and Evaluated Under the California Environmental Quality Act

The Draft STR Ordinance may cause significant environmental impacts which the City must evaluate under CEQA. The Draft STR Ordinance includes a finding that the Ordinance is exempt from CEQA, supposedly because "it can be seen with certainty that there is no possibility that adoption of this Ordinance may have a significant effect on the environment."[62] Not so.

The restrictions on STRs proposed in the Draft STR Ordinance, which would eliminate many existing STRs in the City, will have adverse impacts on the physical environment. These include, without limitation, reasonably foreseeable direct increases in vehicle miles travelled as visitors who would have stayed at STRs in the City seek comparable accommodations farther away; increased emissions of air pollutants (with adverse health consequences), such as nitrogen oxide, sulfur dioxide, benzene, particulates, carbon monoxide, as well as carbon dioxide and other greenhouse gases; and increased energy use.

In addition, STRs provide numerous environmental benefits to the City, by being less resource-intensive than traditional overnight accommodations like hotels and motels. In fact, a 2018 analysis using a "Cleantech" model found that when guests stay at an STR, significantly less energy and water is used, greenhouse gas (GHG) emissions are lower, and waste is reduced compared to hotel stays.[63] Any shift of visitors from STRs to hotels may, therefore, result in a wide variety of potentially substantial environmental impacts due to increased demand for water, electricity, and natural gas, and increased generation of GHG emissions, wastewater and solid waste, and increased traffic.[64]

Clearly, contrary to the proposed CEQA exemption, it cannot be seen with certainty that there is no possibility that adoption of the Draft STR Ordinance may have a significant effect on the environment and this ordinance is not exempt from CEQA. Before it takes action to adopt the Draft STR Ordinance, the City must conduct an Initial Study under CEQA and determine whether an EIR must be prepared to evaluate the environmental impacts of the Draft STR Ordinance.

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[62] Draft STR Ordinance, § 4.
[63] Airbnb, *How the Airbnb Community Supports Environmentally-Friendly Travel Worldwide* (Apr. 2018), available at https://news.airbnb.com/how-the-airbnb-community-supports-environmentally-friendly-travel-worldwide.
[64] See fn. 4, *ante*.

Other Draft STR Ordinance Vulnerabilities

A. There is No Evidence STRs Adversely Impact Housing Availability

There is no evidence that STRs in the City adversely impact housing availability. The City's Housing Element states that the City has analyzed the issue of STRs and their "impacts on the housing stock in Pacifica" and found STRs comprise "less than 1 percent of the housing stock."[65] Given the minuscule percentage of the housing stock used for STRs, this is not a real contributor to long-term housing availability issues.

As discussed in a recent study conducted by the Milken Institute on STRs in California, "the notion that decreasing STR supply will mitigate California's extreme housing shortage is not supported by the evidence. The only solution to California's housing crisis is to provide more housing: specifically denser, more affordable multifamily housing units."[66] California's decades-long housing shortage is primarily caused by failure to build enough housing due to factors such as rising construction costs, restrictive zoning, permitting delays and, in some neighborhoods, community opposition -- factors disincentivizing construction of affordable housing.[67] As Professor Betsy Stevenson, the former Chief Economist at the U.S. Department of Labor and member of President Obama's Council of Economic Advisers, has written, banning STRs in fact undermines efforts to "make [housing] more affordable."[68] That is because "[a]llowing residents to rent out their homes can help them recoup some of their investment and make city living more affordable."[69] When considering the LCP amendment for the 150 STR permit cap, Coastal Commission staff also noted that there was no data to show that the "STR cap would actually create additional longer term housing opportunities, especially in terms of affordable housing" and that there was no way for the City to assure property owners would rent or sell their properties if STRs were not permitted.[70]

B. The Draft Ordinance Will Cause Significant Economic Harm

The February 24, 2025, staff report discusses the real economic benefits to the City from STRs in dollar values and the resulting dramatic loss in revenue that will result from adoption of the Draft STR Ordinance, and recognizes that STRs provide benefits

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[65] Pacifica Housing Element 2023-2031 adopted January 22, 2024, p. A-15, available at https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.

[66] Dubetz et al, *Staying Power: The Effects on Short-Term Rentals on California's Tourism Economy and Housing Affordability*, Milken Institute, p. 1 (2022).

[67] *Id*., p. 4.

[68] Betsey Stevenson, *Banning Airbnb Won't Solve the Housing* Crisis, Bloomberg News (July 8, 2024), https://www.bloomberg.com/opinion/articles/2024-07-08/banning-airbnb-will-not-make-housing-more-affordable.

[69] *Ibid*.

[70] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at pp. 8-9.

through "economical options for transient lodging as well as income generating opportunities for property owners in Pacifica[.]"[71]

The City's own assessment found that the 90-day cap for unhosted STRs alone is projected to reduce the City's TOT revenue by $800,000 to $950,000 assuming all currently permitted STRs continue operating (which is unlikely given expected attrition of operators due to these new restrictions). Revenue losses in the future could range from $950,000 to $1.2 million annually.[72] Staff also found that the total fiscal impact from revenue losses and increased administrative cost was projected to range between $1.4 and $1.5 million, and that this did not even account for "broader economic implications to the local economy such as sales tax revenues and impacts on visitor-serving businesses such as restaurants, cafes, and retail establishments that rely heavily on the hospitality sector."[73] As discussed in our client's January 17, 2025, letter to the Planning Commission, and raised by several commenters during the recent City Council meeting, severely restricting STRs in the City as now proposed will harm small businesses badly.[74] Small businesses in Pacifica regularly have visitors who come into their shops and restaurants who are staying at a local STR, particularly in District 2 where there are no hotels or motels to attract tourists to their businesses.

Staff noted that a comprehensive economic impact study by a third-party consulting firm would be necessary to comprehensively assess potential shifts in spending patterns, the impact of STR renters versus long-term renters on local businesses, and whether tourists would opt (or be able) to use Pacifica's limited hotel inventory or utilize STRs outside the city. Such a study was never requested by City Council.[75]

The City Council's recent decision during its March 11, 2025, meeting, to initiate the process of creating a "Pacifica Tourism Marketing District" which would charge guests at any hotel, motel, and STR in the City $1 to go toward advertising Pacifica as a tourist, meeting, and event destination is evidence that the City is not carefully thinking through the implications of the Draft STR Ordinance which would eliminate many STRs in the City and reduce revenue going toward this new district. Creation of this district to encourage an influx of tourists, events, and meetings is totally at odds with the message sent by the Draft STR Ordinance, which is that the City does not welcome overnight visitors. While the City anticipates $125,000 from this new district each year, this fails to account for the reduction in revenue from the Draft STR Ordinance's restrictions.[76]

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[71] *Id.*, pp. 11, 13.

[72] February 24, 2025, City Council Agenda packet, p. 73.

[73] February 24, 2025, City Council staff report, p. 11.

[74] See February 24, 2025, meeting, at 3:16-3:19, https://www.youtube.com/watch?v=AZO-0RomNH8 (small business owner discussing potential impacts during public comments).

[75] *Id.*, p. 12.

[76] K. Wheeler, *Pacifica plans new approach to attract tourism*, Coastside News (March 12, 2025), available at https://www.coastsidenews.com/review/news/pacifica-plans-new-approach-to-attract-tourism/article_eaf18288-ff4f-11ef-b398-73fa067f2cbe.html.

Given the potentially significant threats to the economic health of the City, its STR-dependent businesses, and many of its residents posed by the Draft STR Ordinance, and this ordinance's effect on the new Tourism Marketing District, we respectfully request that the Council commission a third-party economic impacts study before taking any additional action on the Draft STR Ordinance.

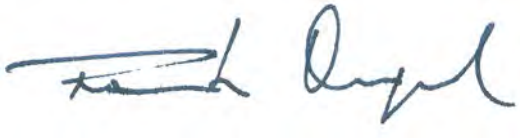
Conclusion

We strongly urge the City Council to direct staff to work with stakeholders to develop a new ordinance that strikes an appropriate balance and does not eliminate existing STR nights or impose restrictions so burdensome as to push STR hosts out of the City, and then bring that ordinance back to the Planning Commission.

As discussed in our client's January 17, 2025, letter to the Planning Commission, there are several straightforward alternatives to the Draft STR Ordinance which ought to fully alleviate the concerns of citizens frustrated with bad actor STR hosts while protecting existing, responsible and compliant STRs and maintaining compliance with federal and state law.

Pacifica for Responsible Tourism is committed to continuing to work with the City on the STR regulation revisions.

Sincerely,



Frank P. Angel

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Monday, April 14, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit — the council is also now considering a 60-day cap. We believe this ordinance was drafted based on erroneous assumptions.

There are some fundamental misunderstandings taking place in the discussions about the 90-day cap. Speakers who do not operate an STR assume that most bookings occur on weekends and holidays. One public comment suggested that at 90 nights, that would mean 80% of weekends in a year would be booked. This is of course not true. In fact of the bookings we had this year so far only 33% occurred on a weekend — where weekend is defined as sleeping Saturday or Sunday night.

This goes hand in hand with other mischaracterizations that have been advanced by opponents of Short Term Rentals — like the belief that STR bookings are for loud parties and gatherings and that visitors are a nuisance.

Most of the people booking an STR in Pacifica are quiet families looking to enjoy our beautiful coastal area, eat at our restaurants, browse our shops and spend time hiking our scenic trails. You can verify this in the appendix to this email which lists countless reviews — for just our home — about shops, restaurants, hiking trails and access to our coast that motivates people to come here.

Tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. You have even received comment from local business owners asking you not to pass this ordinance. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue.

It is an ordinance created contrary to overwhelming evidence about the benefits of our current program and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city.

Please vote “no.”

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Appendix: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

03.25
My husband and son stayed at the Beach House for 4 nights. Xiaoxing was a perfect host— responsive, helpful, and generous (he even left freshly baked muffins for them!). He let them know in advance about some tree work being done in the neighborhood, but it turned out not to be a problem. The location is amazing— one block from the ocean, walking distance to great bakeries and restaurants. My son's dog had a wonderful time on the dog-friendly beach nearby. All in all a perfect place for a vacation. Thank you, Xiaoxing!

02.25
I loved the location, it's the perfect coastal getaway. There are so many scenic views and hikes nearby and plenty of places to eat within walking distance. Xiaojing was an excellent host, super flexible and responsive. The house is beautiful, clean and cozy, and all amenities and extra attention to detail made our stay super memorable. We even had some freshly baked cookies (delicious, I might add!) waiting for us when we arrived :) I would absolutely recommend staying here.

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course

within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from

the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is

clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely

strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

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June 16, 2025

Pacifica Planning Commission
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Re: Planning Commission Agenda Items No. 1: File No. 2025-001 – Text Amendment TA-157-25 (Short Term Rentals)

Via Email to publiccomment@pacifica.gov

Dear Chair Hauser, Vice Chair Berman and Honorable Commissioners:

We write on behalf of Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts that own and operate STRs in the City of Pacifica (**City**). We write to share our serious objections to the draft STR ordinance (the **Draft STR Ordinance**), submitted for the Planning Commission's (**Commission**) consideration.

The Draft STR Ordinance would repeal and replace the City's existing STR regulations. As detailed below and in our previous communications to both the Commission and City Council, the Draft STR Ordinance contravenes several key legal frameworks, including the California Coastal Act of 1976 (**Coastal Act**) and the California Environmental Quality Act (**CEQA**), among numerous other statutory and constitutional protections.[1] Furthermore, the ordinance poses a significant threat to the City's tourism sector, inflicting economic harm on hosts, guests, local businesses, and the City's economy at large.

We respectfully urge the Commission to adopt a resolution recommending the denial of the Draft STR Ordinance. Additionally, a determination that the proposed ordinance may result in significant environmental impacts is legally unavoidable under CEQA, and

[1] We have attached these letters for the Planning Commission's convenience.

so we further request that the Commission direct preparation and public circulation of a comprehensive environmental impact report (**EIR**).

The Draft STR Ordinance Violates the Coastal Act

The Draft STR Ordinance, as currently drafted, introduces provisions that are significantly more restrictive than those reviewed by the Commission in January 2025. These provisions will severely reduce, if not effectively eliminate, the availability of STRs in the City's coastal zone, directly contravening the Coastal Act's mandate for "maximum access" to the California coast and for affordable overnight accommodations.[2] Rather than maximizing public coastal access and protecting lower cost visitor facilities, the following elements of the Draft STR Ordinance advance a policy to minimize public access and recreational opportunities and reduce lower cost accommodations in the coastal zone. Specifically:

- ***60-Day Cap on Unhosted STRs***. The Draft STR Ordinance significantly reduces STRs by imposing a 60-day annual cap on unhosted STR operations, cut down from the already restrictive 90-day cap in the prior draft ordinance.[3] The night cap alone could remove over 10,000 currently available room nights, depriving the City of accommodations (STRs) that Coastal Commission staff has recognized "serve[] a significant purpose as a subset of visitor-serving uses that promotes public coastal access and provides California residents and visitors one way to enjoy the coast."[4]

- ***Primary Residence Requirement***. The Draft STR Ordinance further reduces STRs by imposing a primary residence requirement, which limits host eligibility.[5] It also removes the provision in the prior draft that would have allowed a host who lives in an ADU to rent out the primary residence on the site as a hosted STR.[6] The staff report incorrectly states that the Draft STR Ordinance supports the use of ADUs to contribute to a variety of available housing because it would "permit[] the use of ADUs and Junior ADUs as part of a hosted STR operation where the operator occupies the ADU or Junior ADU and the primarily dwelling is rented on a short-term basis."[7] This is

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[2] Pub. Resources Code, §§ 30210, 30213; see *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1092-1093.)

[3] Draft STR Ordinance, § 9-4.4905(t).

[4] California Coastal Commission, Staff Report on City of Laguna Beach Major Amendment Request No. LCP-5-

LGB-19-0074-1, pp. 23-24.

[5] As discussed below, the primary residency requirement will not only reduce availability of lower-cost overnight accommodations, but it would also violate the constitutional rights of property owners.

[6] Draft STR Ordinance, § 9-4.4903(a).

[7] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7.

wrong – the prior draft offered this option, but the Draft STR Ordinance now eliminates this important opportunity to advance coastal access.

- ***Multifamily Development Prohibition***. The Draft STR Ordinance further reduces STRs by expanding the definition of "Multifamily development" to include duplexes, triplexes, and attached product (inclusive of attached single-family dwellings),[8] and would completely prohibit unhosted STRs in multi-family development.[9] As staff noted in its prior staff report to the City Council, limitations on STRs in multi-family buildings will result in 37 existing STR units (29 in the coastal zone and 8 in non-coastal areas) being ineligible for renewal of their STR permit.[10]

- ***Occupancy Limitation***. The Draft STR Ordinance further reduces STRs by imposing an arbitrary occupancy limit of two persons per bedroom, excepting only children under six, compared to the previous exception for children under twelve.[11] This change disproportionately affects families and groups with children, limiting their access to affordable STRs.

As discussed in greater detail in our April 7 letter, these provisions in the Draft STR Ordinance, taken both individually and collectively along with the other exclusionary provisions discussed in our April 7 letter (including parking requirements for STRs in the coastal zone), will eliminate many, if not all, of the existing STRs in the coastal zone. The statement in the staff report that the "proposed amendments would maintain allowances for STRs in the Coastal Zone to continue to provide important visitor serving accommodations"[12] is contradicted by the evidence. In fact, staff estimated that the restrictions on STRs in multifamily buildings alone would ***eliminate 29 out of 44 existing STRs*** in the coastal zone,[13] and this does not account for elimination of STRs from the other restrictions. The Draft STR Ordinance also ***does not mandate a minimum number of permits in the coastal zone***, meaning that all 150 STR permits could be issued to properties outside of the coastal zone, eliminating all STRs in the coastal zone.[14]

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[8] Draft STR Ordinance, § 9-4.4901(f).

[9] *Id*., § 9-4.4905(t)(iii).

[10] February 24, 2025, City Council Staff Report, Agenda Item 5, p. 11.

[11] Draft STR Ordinance, § 9-4.4905(l).

[12] June 16, 2025, Planning Commission Staff Report, Short-Term Rental Ordinance Amendment, p. 8.

[13] February 24, 2025, City Council Staff Report, Short-Term Rental Ordinance, p. 11.

[14] The Draft STR Ordinance's proposed fine structure imposes an additional burden to access. Both hosts and guests of an STR could be subject to thousands of dollars in fines for violations of the Ordinance. *See* Draft STR Ordinance, § 9-4.4909. This places an unreasonable deterrent on the use of private homes for coastal visits. Fines for providing overnight accommodations that the Coastal Act encourages and, indeed, mandates, have been found to erect "a monetary barrier to the beach." (*Greenfield v. Mandalay Shores Community Assn.* (2018) 21 Cal.App.5th 896, 898 ["One of the basic goals of the California Coastal Act of 1976 . . . is to '[m]aximize public access' to the beach"].)

The City's limited hotel and motel stock cannot compensate for this loss. As discussed in our April 7 letter, the City has only approximately 330 hotel and motel rooms,[15] contrasting sharply with other coastal communities.[16] This goes to show how essential STRs are for providing overnight accommodations and maintaining and enhancing coastal access. STRs in Pacifica make up ***over 30 percent of the City's overnight accommodations*** compared to, for example, Half Moon Bay (which imposes a 60-night cap on unhosted STRs) where STRs make up just 7 percent of the overnight accommodations.[17] This context is critical since the Coastal Commission staff have made clear that "there is no one size fits all" STR solution in coastal California and each jurisdiction is considered on a case-by-case basis, based on its stock of visitor serving accommodations.[18] The Draft STR Ordinance imports regulations from other coastal jurisdictions, disregarding their significant shortcomings when compared to baseline conditions in the City, including its stock of visitor serving accommodations.

Coastal Commission staff already cautioned that the City's 150 permit cap pushed the bounds of reasonableness but ultimately recommended the Coastal Commission approve the cap because it allowed all existing STRs in the City to continue to operate.[19] It was clear than any further restrictions might be unreasonable and inconsistent with the City's certified Local Coastal Program (**LCP**) and the Coastal Act.[20] Restrictions like those proposed in the Draft STR Ordinance, which may eliminate most existing STRs in the coastal zone (and could eliminate all), are unlawful under the Coastal Act's mandate for "maximum access" to and along the coast for "all the people."[21] As recognized by the California Attorney General, an STR regulation like the Draft STR Ordinance that "cause[s] a sharp decline in visitor serving accommodations in the coastal zone . . . objectively hinders visitor access to the coast" in conflict with Coastal Act policies.[22]

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[15] See California Coastal Commission Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.

[16] See, e.g., California Coastal Commission Staff Report for City of Half Moon Bay LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 21, note 31 (noting Half Moon Bay has 613 total hotel/motel rooms).

[17] *Id*., pp. 2, 21 (noting City has 46 registered STRs and 613 hotel/motel rooms, so the 46 STRs amount to roughly 7 percent of the total (659) overnight accommodations).

[18] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at p. 10.

[19] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1; Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals), p. 8.

[20] *Id*., pp. 8-10 (the current cap [1% of total housing stock] is "at the lower end" of what is reasonable even for local jurisdictions with a higher share of alternative (non-STR) overnight accommodations).

[21] Pub. Resources Code, §§ 30210, 30001.5, subd. (c); see also, *id*., § 31411, subd. (d) ("A lack of affordable accommodations remains a barrier to coastal access").

[22] Amicus Curiae Brief of California Coastal Commission, *Kracke v. City of Santa Barbara*, 2020 CA App. Ct. Briefs LEXIS 2499, *18 (Ct. App., May 21, 2020, No. B300528).

The Draft STR Ordinance will also run afoul of the City's LCP, which implements the Coastal Act's public access and recreation policies at the local level. The City's updated coastal land use plan (**LUP**), part of the City's LCP, certified by the Coastal Commission just this past May 8, 2025, expressly incorporates the Coastal Act's public access and recreation policies, noting that the Coastal Act "identifies lower-cost visitor-serving and recreational use of Coastal Zone land as *high priorities*."[23]

The Draft STR Ordinance Violates Other Laws and Constitutional Rights

Unlawful Termination of Nonconforming Uses

The Draft STR Ordinance unlawfully terminates existing, lawful nonconforming uses in violation of rights protected by California law and the Pacifica Municipal Code. California courts have long held that a party may continue to use their property even though such use is nonconforming,[24] as terminating a previously lawful use raises constitutional concerns.[25] The Draft STR Ordinance fails to protect existing, lawfully operating STR hosts by forcing them to reduce offerings by nearly 85 percent or cease operations entirely, contrary to both California law and section 9-4.3002 of the Pacifica Municipal Code (continuance of nonconforming uses).

Violation of the Dormant Commerce Clause

The Draft STR Ordinance's primary residency and natural person operator requirements[26] effectively prevent out-of-state property owners from offering STRs in Pacifica. "The [United States] Supreme Court has emphasized that the 'practical effect' of a challenged statute is 'the critical inquiry' in determining whether that statute constitutes direct regulation."[27] "A law may discriminate on its face, in purpose, or in effect."[28] The Draft STR Ordinance has both the purpose and will have the effect of preventing out of state property owners from offering STRs in Pacifica.

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[23] City of Pacifica Local Coastal Land Use Plan, p. 57 (emphasis added); see *id*. at p. 56 ("An important part of coastal planning under the Coastal Act is identifying and protecting public access to the shoreline.").

[24] *Hill v. Manhattan Beach* (1971) 6 Cal.3d 279, 285-86; *Livingston Rock & Gravel Co. v. Los Angeles County* (1954) 43 Cal.2d 121, 127; *Edmonds v. Los Angeles County* (1953) 40 Cal.2d 642, 651; *E.B. Jones v. City of Los Angeles* (1930) 211 Cal.304, 310-311.

[25] *Livingston Rock & Gravel Co.*, *supra*, 43 Cal.2d at p. 127; *Edmonds*, *supra*, 40 Cal.2d at p. 651.

[26] Draft STR Ordinance, §§ 9-4.4903(c) (primary residence requirement); 9-4.4901(j) (defining "Operator" narrowly to mean "Natural Person").

[27] *S.D. Myers, Inc. v. City & Cnty. of San Fran*., 253 F.3d 461, 467 (9th Cir. 2001) (quoting *Healy v. Beer Inst*., 491 U.S. 324, 336 (1989)).

[28] *Hignell-Stark v. City of New Orleans*, 46 F.4th 317, 326 (5th Cir. 2022).

Taking Without Just Compensation

By prohibiting property owners from leasing on a short-term basis, the Draft STR Ordinance infringes on fundamental property rights, including the right to lease[29] and the right to include others on one's property.[30] This constitutes a taking, entitling property owners to compensation for the value of the property taken.[31]

Violation of the Fundamental Right to Privacy

By taking away homeowners' ability to choose who can stay in their homes, the Draft STR Ordinance infringes on the inalienable right to privacy under the California Constitution.[32] The City fails to justify this intrusion under heightened scrutiny, as STRs do not demonstrably impact the City negatively compared to other residential uses.

Impeding the Freedom of Assembly and Association

The Draft STR Ordinance's limitations on how many guests or visitors of STR renters are permitted on the property at any time of day[33] infringes on the constitutional right to freedom of assembly under article I, section 3, of the California Constitution. For example, a couple staying in a one-bedroom STR while visiting their parents/in-laws could only have one guest in their STR at time, preventing them from hosting their parents/in-laws for a cup of coffee. This restriction has especially inequitable impacts on individuals renting more affordable, smaller STRs.

Further, the Draft STR Ordinance's prohibition on "non-commercial Events"[34] also infringes on constitutional rights to freedom of assembly under article I, section 3, of the

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[29] See *Terrace v. Thompson*, 263 U.S. 197, 215 (1923).

[30] See, e.g., *Union Carbide Corp. v. Alexander*, 679 S.W.2d 938, 940 (Tenn. 1984) (explaining that the fundamental "rights associated with the ownership of property" include the core rights and their corollaries—i.e., "the right to refuse to do any of the[m]").

[31] *See*, *e.g.*, *Sheetz v. Cnty. of El Dorado, Cal.*, 601 U.S. 267, 274 (2025).

[32] *Hill v. NCAA* (1994) 7 Cal.4th 1, 20; *see also City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 130 (invalidating local zoning ordinance prohibiting groups of more than 5 unrelated individuals from residing together in residential zones, holding that an individual generally has a protected "right to live with whomever one wishes" and noting that "zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the user."); *Park Redlands Covenant Control Comm. v. Simon* (1986) 181 Cal.App.3d 87, 96 (refusing to enforce HOA covenant fixing maximum number of occupants per residence at three); *Coalition Advocating Legal Housing Options v. City of Santa Monica* (2001) 88 Cal.App.4th 451 459 (explaining the "right to privacy" includes "the right to be left alone in our homes.").

[33] Draft STR Ordinance, § 9-4.4905(m) (limiting maximum number of guests allowed "at any time" to one half of the maximum renters allowed).

[34] Draft STR Ordinance, § 9-4.4901(d) ("'Events' means weddings, conference retreats, commercial events, loud or disruptive gatherings of any kind, parties *or any other similar gatherings which have the*

California Constitution. The City already has in place generally applicable noise and nuisance provisions in its Municipal Code that can be used to address loud or disruptive events, so it cannot meet the burden required to show that this new intrusion on constitutional rights is justified.

Void for Vagueness

Provisions of the Draft STR Ordinance are so vague that they are ripe for arbitrary and discriminatory enforcement in violation of the United States and California Constitutions.[35] For example, as discussed above, the Draft STR Ordinance prohibits all "non-commercial Events" which, as currently defined, are so vague as to prohibit virtually any gathering. "Events" are defined as "weddings, conferences, retreats, commercial events, loud or disruptive gatherings of any kind, parties or any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood."[36] The Draft STR Ordinance further provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[37] The breadth of these definitions provides the leeway for a City official to find that something as ordinary as a dinner at the outdoor space of an STR is a "disruptive gathering."[38] The consequences of this are not minor. Under the Draft STR Ordinance, the City may revoke an STR permit after just one violation of the ordinance and issue significant fines per day for a violation.[39]

Substantive Due Process Implications

Termination of a lawful nonconforming use effects a deprivation of property without due process of law, and prohibiting homeowners from renting their homes to visitors also violates their substantive due process rights under the United States and California Constitutions by infringing on their fundamental property rights, including the "right to lease," one of the many rights within the "bundle of sticks" of property rights.[40]

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potential to cause traffic, parking, noise or *other impacts to the neighborhood*") (emphasis added); *Id.*, § 9-4.4905(r) ("Short-term Rentals … shall not be used for any non-commercial Event that is li*kely to result in a violation of traffic, parking, noise, or other standards* regulating the *residential use and character* of the neighborhood.") (emphasis added).

[35] *Johnson v. United States*, 576 U.S. 591, 595 (2015); *Hoffman Estates v. Flipside, Hoffman Estates*, 455 U.S. 489, 498 (1982).

[36] Draft STR Ordinance, § 9-4.4901(d).

[37] *Id.*, § 9-4.4905(r).

[38] *See, e.g., Briggs v. Lincoln County*, No. 22CV38244 (Lincoln County, Oregon, Circuit Court, Jan. 26, 2024, General Judgment) (finding STR ordinance prohibited on "Events, such as weddings, rehearsal dinners, and similar activities" was impermissibly vague in violation of Article I, Section 20, of the Oregon Constitution and enjoining enforcement of that provision).

[39] Draft STR Ordinance, §§ 9-4.4908(b), 9-4.4909.

[40] *United States v. Craft*, 535 U.S. 274, 278 (2002).

Other Issues with the Draft STR Ordinance

Proposed Private Right of Action

The Draft STR Ordinance provides that "Aggrieved Residents" (defined as residents who reside in or own property within 300 feet of the subject STR that personally experienced disruption) can invoke violations of the STR ordinance as a basis for a private right of action for injunctive relief.[41] This effectively transfers enforcement responsibility from the City to its residents, potentially leading to increased litigation and community discord.

Inviting individuals to directly sue hosts – and guests ("prospective defendants") – may encourage frivolous lawsuits driven by personal or constitutionally suspect grievances, placing undue burdens on hosts who may face costly and time-consuming legal battles over minor or unintentional infractions, the sort of infractions ("parties or any other similar gatherings which have the potential to cause traffic, parking, noise") that can be associated with owner-occupant or long-term renters' gatherings just as easily as with a short-term renters'. Such a legal environment may deter hosts from the STR market, further constraining the availability of affordable and diverse accommodation options in the City. The staff report fails to address or analyze this new provision.

Adoption of the Draft STR Ordinance Would Be Arbitrary and Capricious

There is No Evidence STRs Impact Housing Affordability in the City; the Draft STR Ordinance is a False Solution to Housing Challenges in the City

In a cursory discussion, the staff report claims that the Draft STR Ordinance "specifically addresses preservation of affordable housing" without any evidence to prove that these new restrictions would actually preserve affordable housing.[42] The City seems to assume that long-term leases in multi-family developments exiting the STR market due to the ban on unhosted STRs in such developments would meet affordability metrics, and that such residences will become available for long-term leases in the first place. The evidence in the record tells another story. The City's existing STR regulations already impose a cap of 150 STR permits.[43] The City's Housing Element states that the City has analyzed the issue of STRs and their "impacts on the housing stock in Pacifica" and found STRs comprise ***"less than 1 percent of the housing stock***" in the City.[44] Given the very small percentage of the housing stock already used for STRs, and given that hosted STRs form a portion of this very small percentage of housing stock, i.e., continue to provide housing for residents while also accommodating visitors, there is no

[41] Draft STR Ordinance, § 9-4.4909(h).

[42] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6.

[43] Pacifica Mun. Code, § 9-4.4902.

[44] Pacifica Housing Element 2023-2031 adopted January 22, 2024, p. A-15.

evidence that STRs are even a minor contributor to the City's housing affordability challenges.[45] When considering the LCP amendment for the City's existing 150 STR permit cap, Coastal Commission staff pertinently observed that no data show that this "STR cap would actually create additional longer term housing opportunities, especially in terms of affordable housing."[46]

In contrast, as STR hosts have repeatedly urged the City to consider in the many letters submitted by Pacifica for Responsible Tourism, and as the staff report notes,[47] STRs provide a vital source of income for many homeowners and renters in the City which enable them to continue to live here. The Draft STR Ordinance would eliminate this source of income, making it potentially impossible for many homeowners to afford their housing costs while doing nothing to create the new affordable housing units the City is legally obligated to provide. This is particularly relevant in high-cost coastal areas where rising property taxes, insurance premiums, and utility costs threaten to displace long-term residents. Many STR hosts use rental income to offset mortgage payments, property taxes, and maintenance costs that would otherwise make homeownership financially impossible. This is critical for middle-class families and seniors on fixed incomes who purchased homes years ago but now face escalating costs that exceed their current incomes. Income from STRs allows these residents to remain in the City.

Adopting these new STR restrictions will make housing ***less affordable*** in the City and threaten displacement of existing residents.

There is No Evidence STRs in the City Have Nuisance Impacts or Impact Residential Character

The staff report suggests the Draft STR Ordinance would help to "address potential neighborhood impacts such as noise, litter, and parking" and "preserve[] the unique qualities of residential neighborhoods, consistent with" the General Plan.[48] This

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[45] Empirical evidence supports this conclusion. As discussed in a recent study conducted by the Milken Institute on STRs in California, "the notion that decreasing STR supply will mitigate California's extreme housing shortage is not supported by the evidence. The only solution to California's housing crisis is to provide more housing: specifically denser, more affordable multifamily housing units." Dubetz et al, *Staying Power: The Effects on Short-Term Rentals on California's Tourism Economy and Housing Affordability*, Milken Institute, p. 1 (2022); see also Betsey Stevenson, *Banning Airbnb Won't Solve the Housing* Crisis, Bloomberg News (July 8, 2024), https://www.bloomberg.com/opinion/articles/2024-07-08/banning-airbnb-will-not-make-housing-more-affordable (finding banning STRs undermines efforts to make housing more affordable by taking away the opportunity for residents to rent out their homes and recoup some of their investment).

[46] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at pp. 8-9.

[47] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7 (STRs provide important supplemental income opportunities to City residents "fostering economic empowerment and enabling contribution to the local economy…").

[48] *Id.*, p. 7.

conclusory statement is not supported by evidence in the record of nuisances or other negative impacts from STRs in the City. STRs in the City operate like any other residential use.[49] The City Council's February 24, 2025, staff report acknowledges that concerns about STRs impacting neighborhoods and housing availability were discussed in previous sessions,[50] but these claims are based on unverified public comments without supporting evidence.

Further, the City's argument that STRs somehow negatively impact "residential character" is a poorly concealed attempt to justify excluding perceived "outsiders" from the City. This is not a legitimate public purpose and is discriminatory. STRs do not fit the mold of other uses that have been excluded from residential areas for negatively impacting the "residential character" (e.g., stores, factories) – short-term renters are not using their rentals any differently than a long-term renter or homeowner.[51]

In fact, STRs are shown to have a positive and environmentally sustainable impact on the City, offering substantial benefits to residents and visitors and supplementing the very limited stock of hotels and motels, thereby obviating the need for construction of new hotels and the environmental impacts associated with new construction activity. The Draft STR Ordinance overlooks these benefits.

The Staff Report Fails to Provide An Analysis of the Significant Financial Impact of the Draft STR Ordinance to the City

The staff report also does not provide the same analysis of fiscal impact as it did in the February 24, 2025, staff report to City Council on the significant impact of the Draft STR Ordinance to City revenue, despite this new draft being even more restrictive and certain to result in an even greater loss of revenue for the City compared to the ordinance before the Planning Commission in January 2025. Confusingly, the staff report's General Plan consistency analysis recognizes the benefits of STRs to the City's "fiscal health"[52] but seems to suggest the Draft STR Ordinance would "promote[] a broader mix of revenue-generating transient occupancy uses" and "stimulate[] the local economy by increasing revenue generated by local businesses and STR operators" when there is no doubt the new regulations would have the opposite effect.[53] It is not

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[49] *Keen v. City of Manhattan Beach* (2022) 77 Cal.App.5th 142, 149 (STRs are a residential use); see *Coastal Protection Alliance Inc. v. Airbnb, Inc.* (2023) 95 Cal.App.5th 207, 218 (using a residence as an STR is a residential use).

[50] February 24, 2025, City Council Staff Report, Agenda Item 5, pp. 3-4.

[51] See fn. 49, *supra*.

[52] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7 ("By offering a diverse range of accommodation options catering to different budgets and travel styles, STRs attract a diverse range of tourists to the City…. This increased diversity enhances the City's fiscal health through revenue generated from business license, TOT, and sales tax. Furthermore, it stimulates the local economy by increasing revenue generated by local businesses and STR operators.").

[53] *Ibid*.

clear if the staff report is discussing the existing benefits of STRs, but if it is, then it fails to provide any analysis of the significant fiscal impact to the City from eliminating these benefits.

The Draft STR Ordinance will eliminate even more of the 139 existing STRs in the City compared to the prior draft[54] and along with them, a majority of the estimated $1.5 million in annual transient occupancy tax revenue they generate for the City.[55] The Draft STR Ordinance will necessarily reduce tourism to the City by ***reducing overnight accommodations in the City by up to 30 percent***[56] and cause economic harm to businesses and restaurants, and the City itself, by wiping out most of the revenue generated by this tourism activity. This revenue helps to "fund essential city services such as infrastructure and recreation facility improvements, benefiting the tourist and local economies, as well as residents."[57] According to the staff report, STRs also "attract a diverse tourist base to the City, introducing new customers to local shops and restaurants" and these tourists "directly strengthen the local economy by generating revenue for local businesses and contributing to the City's sales tax base."[58] The City must do more to evaluate the actual economic and fiscal impact of these proposed regulations to understand the economic and fiscal harm they will cause before taking any action on the Draft STR Ordinance.

The Draft STR Ordinance Must be Fully Evaluated Under CEQA

The Commonsense Exemption Does Not Apply

The staff report recommends finding the Draft STR Ordinance exempt from CEQA pursuant to the "commonsense" exemption. The common sense exemption requires the City to prove there is "no possibility [of] a significant effect on the environment."[59] According to staff, "it can be seen with certainty that there is no possibility that adoption

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[54] February 24, 2025, City Council Staff Report, Agenda Item 5, p. 11.

[55] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6. Staff previously estimated that the Prior Draft STR Ordinance's 90-day cap on unhosted STRs alone would have reduced transient occupancy tax revenue by $800,000 to $950,000, with future losses potentially reaching $950,000 to $1.2 million annually. (January 21, 2025, Planning Commission Staff Report, Agenda Item 5.a, p. 2.) Staff estimated the total fiscal impact from the Prior Draft STR Ordinance, including revenue losses and increased administrative costs, would have been between ***$1.4 and $1.5 million***, excluding broader economic implications such as sales tax revenues and effects on visitor-serving businesses. (February 24, 2025, City Council Staff Report, Agenda Item 5, pp. 11-12.)

[56] The City has 139 existing STRs and only 330 total hotel and motel rooms. (*See* Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at p. 8.) If all 139 STRs are eliminated, overnight accommodations will be reduced by 30 percent.

[57] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6

[58] *Id*., p. 7.

[59] CEQA Guidelines, § 15061, subd. (b)(3).

of this Ordinance may have a significant effect on the environment."[60] This is incorrect. The Draft STR Ordinance may result in significant environmental impacts which the City must evaluate under CEQA. [61] The City's duty to produce substantial evidence supporting its CEQA exemption "is all the more important" where arguments have been raised regarding an ordinance's possible significant environmental impacts.[62] Such arguments have been raised here. And they have merit.

By significantly reducing the number of STRs in the City, the Draft STR Ordinance will significantly impact a resource of the coastal zone environment – coastal access.[63] Furthermore, it will have a direct impact on the physical environment resulting in reasonably foreseeable direct increases in vehicle miles travelled as visitors who would have stayed at STRs in the City seek accommodations farther away. This shift may result in increased air pollutants, greenhouse gas emissions, energy use (including fossil fuels), noise, and new traffic impacts. Additionally, indirect impacts from the Draft STR Ordinance's foreseeable result of new hotel construction are reasonably probable, including significant air quality and health impacts from construction emissions, such as diesel particulate matter, and noise impacts exceeding the City's General Plan Noise Element standard and noise ordinance.

The "Existing Facilities" Categorical Exemption Does Not Apply

The staff report also recommends finding the Draft STR Ordinance exempt from CEQA pursuant to the Class 1 categorical exemption for "Existing Facilities."[64] This categorical exemption applies to "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."[65] The City claims that the proposed ordinance qualifies under this categorical exemption because it amends existing regulations for STRs and "involves negligible or no expansion of existing or former use" and would "revise provisions related to STR operation and enforcement actions for noncompliance" and these "would not have a significant effect on the environment."[66] Not so.

This exemption is not intended to encompass municipal ordinances establishing new regulatory policies. The Draft STR Ordinance does not propose a "minor alteration" of

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[60] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

[61] *See Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 117 ("the agency's exemption determination must be supported by evidence in the record demonstrating that the agency considered possible environmental impacts in reaching its decision.")

[62] *Ibid.*

[63] *Lent v. California Coastal Com.* (2021) 62 Cal.App.5th 812, 834 (coastal access qualifies as a "resource" of the coastal zone).

[64] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

[65] CEQA Guidelines, § 15301.

[66] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

an existing STR use; rather it seeks to eliminate or substantially impact multiple existing STR uses throughout the City. The relevant, classic examples of projects that are typically considered covered by this Existing Facilities exemption are "[c]onversion of a single family residence to office use" and "[u]se of a single-family residence as a small family day care home ...."[67] Class 1's listing of these and all other examples (16 total) of "facilities" illustrative of "the types of projects which might fall within Class 1" corroborates the conclusion that the Class 1exemption is inapplicable.[68] The Draft STR Ordinance affects *all residences* in the entire City, and not simply a change of use of one individual residence or apartment building.

Even if the Draft STR Ordinance were the type of project suitable for the Class 1 categorical exemption, which it is clearly not, an exception to the exemption applies. By CEQA Guidelines section 15300.2, subdivision (c), "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." To demonstrate that the unusual circumstances exception applies, there must be "a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."[69] This "unusual circumstances" exception to a categorical exemption applies when the circumstances of a project differ from the general circumstances of projects covered by a particular categorical exemption, and those circumstances create an environmental risk inconsistent with the exemption.[70]
As discussed above, the Draft STR Ordinance is readily distinguishable from the types of projects in the exempt class, given its size -- the geographic scale of its application -- and it differs from the general circumstances of projects in the exempt class. And there is a reasonable possibility of a significant effect on the environment due to these unusual circumstances since, as discussed above, eliminating many STRs from the City will or may result in significant environmental effects.

Conclusion

For all the reasons outlined in this letter, we strongly urge the Commission to recommend the denial of the Draft STR Ordinance. Furthermore, we request that the Commission determine that the proposed ordinance may result in significant

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[67] CEQA Guidelines, § 15301, subds. (n), (p).

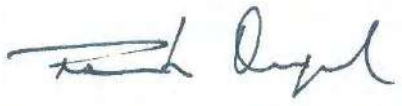
[68] CEQA Guidelines, § 15301.

[69] *Id*., § 15300.2, subd. (c).

[70] *Fairbank v. City of Mill Valley* (1999) 75 Cal.App.4th 1243, 1260. As the California Supreme Court explained in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, an unusual circumstance may be established without evidence of an environmental effect "by showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location." (*Id*. at p. 1105.) "In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance." (*Ibid*.) "Alternatively, . . . a party may establish an unusual circumstance with evidence that the project will have a significant environmental effect." (*Ibid*.)

environmental impacts, necessitating the preparation of a comprehensive EIR in accordance with CEQA; or, at a minimum, reject the exemptions cited by staff, determine that the Draft STR Ordinance is subject to CEQA, and direct staff to prepare an initial CEQA study to determine the appropriate CEQA document to disclose and assess the environmental impacts of the Draft STR Ordinance.[71]

Sincerely,



Frank P. Angel

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us
Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

[71] CEQA Guidelines, § 15063.

Public Comments

Item 11 – Vehicles Parked for Seventy-Two Hours or More

Written Comments Received By 12pm on 07/14/2025

July 14, 2025

City Council Meeting

From: Julie Starobin [redacted]
Sent: Monday, July 14, 2025 10:39 AM
To: _City Council; Public Comment; Woodhouse, Kevin
Subject: City Council 7/15 Meeting, Item #11

[CAUTION: External Email]

I appreciate that people object to large vehicles parking on their street, even streets which were previously designated as legal parking for oversized vehicles. But let's consider other options besides criminalizing people and banning motor homes completely.

Here are some facts to use.

FACT: over 70% of Pacifica's homeless were previously housed and priced out of their homes.
FACT: wages have not kept up with the cost of housing leading to financial constraints and affordability issues.
FACT: affordable housing is scarce; and for every 6 families, there is one unit available in their price range.

We need to help both our unhoused and those at risk for homelessness until we have affordable housing for those who need it.

There are other working models throughout the state worthy of consideration. There are options which redirect vehicularly housed folks to overnight respite parking - which takes the strain off city streets and provide access to resources that can ultimately lead to permanent housing. Setting up a large Safe parking Area is another option that has been successful in other cities in the Bay Area.

Please decline these amendments and direct staff to study further options for Pacifica's unsheltered and those living in vehicles.

Thank you, Julie Starobin Pacific Manor

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Public Comments

Item 12 – Climate Action and Resilience Plan (CARP)

Written Comments Received By 12pm on 07/14/2025

July 14, 2025

City Council Meeting

From: Nancy Tierney [redacted]
Sent: Monday, July 14, 2025 10:23 AM
To: Public Comment
Subject: City Council Meeting July 14 2025--Agenda item #11

[CAUTION: External Email]

Mayor, Council Members and Staff,

As a member of the task force that worked on the updated Climate Action Plan, now the Climate Action and Resilience Plan, I want to endorse the work of our group and urge the Council to approve the 2025 Plan. Over the last 22 months, we engaged in extensive research with the City Planning staff, San Mateo County Department of Sustainability (notably RICAPS), relevant state and local agencies, several planning consultants, and our very own community. We discussed at length possible actions and targets, including how aggressive Greenhouse Gas (GHG) emissions reductions should be. Similarly we assessed how we could lower Vehicle Miles Traveled (VMT), recognizing the limited transportation options and limits of City control. The final version of the plan incorporates some tweaks. For example, in the Implementation Section, we recommended the creation of an Environmental Commission. I prefer that term over "council appointed implementation body," but support the essence of the charge and description of responsibilities.

I appreciate Council's prioritization of an updated CAP in goal setting exercises. More than ever we need a timely climate action plan in concert with the General Plan and LCLUP to guide our city in stewardship of our special and vulnerable lands. We are both proud of and pleased to have developed so many partners in the course of preparing this plan, in particular the dedicated city staff and interested community members. I think its successful implementation relies on the strength of these partnerships.

Nancy Tierney

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City of Pacifica
City Council Regular Meeting

Name Ellen Nalesan Date 7/15/25
Please Print

City: 1st speaker for Spec. Presentation

No. of Item on Agenda or Subject: JoAnne Arnos

City of Pacifica
City Council Regular Meeting

Name Suzanne Moore Date
Please Print

City:

No. of Item on Agenda or Subject: Proclamation honoring JoAnne Arnos

City of Pacifica
City Council Regular Meeting

2025

Name Sue Digre Date July 14
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Sp Presentation award for Joann Arnos Open Space Member- awesome service

City of Pacifica
City Council Regular Meeting

General Comment

Name Joyce Toomey Date 7-14-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: EAST PALOMA

OFF MAP

City of Pacifica
City Council Regular Meeting

Name Nancy Tierney Date 7-14-2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Oral communications

City of Pacifica
City Council Regular Meeting

Name MICHAEL MAHLMAN Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: NOT ON AGENDA REQUEST CITY COUNCIL REVIEW APPROVAL OF PSD TO USE 2 DORMITORIES FOR 70 UNIT HOUSING DEVELOPMENT

City of Pacifica
City Council Regular Meeting

Name Jay Chew Date 7/14/2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject:
BARRIERS along Highway
Between Vallemar & FAIRWAY

City of Pacifica
City Council Regular Meeting

Name JoAnne Arnos Date 7/14/2025
Please Print

City:

No. of Item on Agenda or Subject: Public Comment
OSUs on Esplanade

City of Pacifica
City Council Regular Meeting

Name Suzanne Muse Date
Please Print

City:

No. of Item on Agenda or Subject:
Public comments

City of Pacifica
City Council Regular Meeting

Name Sue Digre Date July 14 -25
Please Print

City: Pacifica

No. of Item on Agenda or Subject:
Oracle
rents up

City of Pacifica
City Council Regular Meeting

Name Peggy O'Donnell Date 7/14/25
Please Print

City: Pacifica 10.

No. of Item on Agenda or Subject: STR Ordinance

City of Pacifica
City Council Regular Meeting

Name Molly Muller Date 7/14/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name GARY Furlong Date 7/14/2025
Please Print

City:

No. of Item on Agenda or Subject: #10 STR

City of Pacifica
City Council Regular Meeting

Name Patrick Beatty Date 07/14/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR Ordinance 10

City of Pacifica
City Council Regular Meeting

Name BRYAN REINERO Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: ITEM #10 STRs

City of Pacifica
City Council Regular Meeting

Name MICHAEL WAHLMAN Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: 10

REQUEST REMOVE ANY CAP ON HOSTED STR
REQUEST ALLOW HOSTED STR TO USE ADU OR MAIN HOUSE WHEN HOST ON SAME PROPERTY

City of Pacifica
City Council Regular Meeting

Name Leila Reinero Date 7-14-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: STR Ordinance #10

City of Pacifica
City Council Regular Meeting

Name BOB O'DONNELL Date 7/14/25
Please Print

City: 1319 ASPEN DR. PACIFICA

No. of Item on Agenda or Subject: STR ORDINANCE

City of Pacifica
City Council Regular Meeting

Name Caitlin Quinn (Please Print) Date 7/14/25

City: Pacifica

No. of Item on Agenda or Subject: STRs

City of Pacifica
City Council Regular Meeting

Name Albert Zhang (Please Print) Date

City:

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Suzanne Mook (Please Print) Date

City:

No. of Item on Agenda or Subject: Item #11 Parking ordinance

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott (Please Print) Date 7-15-25

City: Pacifica

No. of Item on Agenda or Subject: 10 Short Term Rentals

City of Pacifica
City Council Regular Meeting

Name Stephanie Robbins (Please Print) Date

City:

No. of Item on Agenda or Subject: STR

City of Pacifica
City Council Regular Meeting

Name Joy of Toomey (Please Print) Date 7-14-25

City: PACIFICA

No. of Item on Agenda or Subject: # 11

City of Pacifica
City Council Regular Meeting

Name AVA Date 7/14/25
Please Print

City: Pacifica "

No. of Item on Agenda or Subject: RV/OSV

COMMENTS NOT ON AGENDA

City of Pacifica
City Council Regular Meeting

Name Ellen Hage Date 7-14-25
Please Print

City: Pacifica "

No. of Item on Agenda or Subject: Public Comment
Safe Parking

City of Pacifica
City Council Regular Meeting

Name Cindy Abbott Date 7-14-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 12

CAAP- CARP

City of Pacifica
City Council Regular Meeting

Name MICHAEL WAHLMAN Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: CARP

RESIDENT CONCERN RE CONSENT ITEMS #3 & 6

City of Pacifica
City Council Regular Meeting

Name Nancy Tierney Date 7-14-2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Item 12- CARP

City of Pacifica
City Council Regular Meeting

Name San Diego Date July 2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject:
Item 12

City of Pacifica
City Council Regular Meeting

Name Kimberly Sinale Date 7.14.25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 10

City of Pacifica
City Council Regular Meeting

Name Kimberly Sinale Date 7.14.25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Not on Agenda

Thank you

City of Pacifica
City Council Regular Meeting

Name MICHAEL WAHLMAN Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: ~~#3~~ Calle Costa
WHAT IS PLAN FOR SEAWALL

City of Pacifica
City Council Regular Meeting

Name MICHAEL WAHLMAN Date 7/14/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: #6 - Sewer charges
HOW TO HANDLE INFLOW & SOURCE
FROM OLDER HOUSING

City of Pacifica
City Council Regular Meeting

Name MIKE WAHLMAN Date
Please Print

City:

No. of Item on Agenda or Subject:
REOPEN CONSENT ITEMS?

Public Comments

on Consent Calendar

Written Comments Received By 12pm on 08/11/2025

August 11, 2025

City Council Meeting

From: Lake McManus <lmcmanus@angellaw.com>
Sent: Monday, August 11, 2025 10:54 AM
To: _City Council; Coffey, Sarah; Woodhouse, Kevin; Public Comment
Cc: Woodhouse, Kevin; City Manager; Michelle Kenyon [BWS Law]; Updegrave, Samantha; Community Development Department; Dan@Coastal Carl; Rexing, Stephanie@Coastal; Frank Angel
Subject: Letter re August 11, 2025, City Council Regular Meeting Agenda Item 9
Attachments: 2025-08-11-Angel Law Ltr to Pacifica City Council.pdf

[CAUTION: External Email]

Please see the attached letter from Frank P. Angel, attorney for Pacifica for Responsible Tourism.

Lake McManus | Practice Manager | (310) 314-6433
2601 Ocean Park Blvd., Suite 205, Santa Monica, CA 90405
Angel Law

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ANGEL LAW law offices of Frank P. Angel
2601 Ocean Park Blvd. • Suite 205 • Santa Monica, CA 90405
(310) 314-6433 • www.angellaw.com • fangel@angellaw.com

August 11, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd.
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

RE: August 11, 2025, City Council Regular Meeting Agenda Item 9 -- Ordinance to repeal and replace Article 49 of Title 9, Chapter 4 of the City of the Pacifica Municipal Code ("Short-Term Rentals")

Dear Mayor Beckmeyer, Mayor Pro Tem Boles, and Honorable Councilmembers:

This law office represents Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in Pacifica who own and operate STRs within the City. We write to remind the City Council of our grave concerns and objections regarding the above-referenced ordinance (the **Draft STR Ordinance**). Introduced at the council's July 14, 2025 meeting, the Draft STR Ordinance would repeal and replace the City's existing STR regulatory scheme.

One last time before it is too late, we urge the City Council to refrain from adopting the Draft STR Ordinance as currently proposed. We urge the council to instead direct staff to work with *all* interested stakeholders in an inclusionary, balanced and transparent law-making process to develop an STR ordinance that allows existing STRs to continue operating under reasonable regulations.

As thoroughly discussed in our client and this office's prior submittals -- incorporated herein by reference and attached -- the Draft STR Ordinance not only spells human, economic, socio-economic, fiscal, and environmental harm; it violates state and federal law, including the California Coastal Act's central mandate to provide affordable coastal access and foundational constitutional and common law protections of property owners

and residents. These issues have not been addressed on the record by the City Attorney, public officials, or staff. It appears that the City is simply disregarding well-founded, legitimate objections to the Draft STR Ordinance. This failure to appropriately consider all relevant factors amounts to a prejudicial abuse of discretion in the City's exercise of its police power.

Again, we strongly recommend that the City Council not take action tonight and direct staff to cooperate with all interested stakeholders to develop an ordinance that allows existing STRs to continue operating under reasonable regulations. Should the City Council proceed with adopting the Draft STR Ordinance, we intend to challenge such action in court. At this juncture, we have given the council more than fair and adequate notice of administrative remedies that would avoid costly litigation.

Sincerely,

Frank P. Angel
Enclosures

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us
Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

ANGEL LAW law offices of Frank P. Angel
2601 Ocean Park Blvd. • Suite 205 • Santa Monica, CA 90405
(310) 314-6433 • www.angellaw.com • fangel@angellaw.com

July 14, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

RE: July 14, 2025, City Council Regular Meeting – Agenda Item 10 (Short-Term Rentals)

Dear Mayor Vaterlaus, Mayor Pro Tem Boles, and Honorable Councilmembers:

This law office represents Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in Pacifica that own and operate STRs within the City. We write regarding the City Council's consideration of an ordinance to repeal and replace the City's existing STR regulations (the **Draft STR Ordinance**).

We write to firmly reiterate our strong objections to the Draft STR Ordinance. As shown in detail in our client and this office's prior written comments to both the City Council and Planning Commission, incorporated herein by reference and attached, adopting the Draft STR Ordinance would:

- **Violate the California Coastal Act**. The Draft STR Ordinance will severely reduce, if not altogether eliminate, STRs in the Pacifica coastal zone, a flagrant violation of the Coastal Act's clear mandate for maximum access to the California coast and for affordable overnight accommodations. Rather than maximizing public access and protecting lower cost visitor facilities, the Draft STR Ordinance advances a policy to minimize public access and reduce lower cost overnight accommodations in the coastal zone. It would accomplish this by:

  -Failing to establish any minimum number of STR permits to be issued to properties inside the coastal zone -- all STR permits issued can be issued to properties outside of the coastal zone, thereby effectively banning STRs in the coastal zone;

-Establishing a short 60-day annual cap on unhosted STRs;

-Establishing a primary residence requirement;

-Prohibiting unhosted STRs in multifamily developments; and

-Setting irrational occupancy limits.

Staff has estimated that the prohibition on STRs in multifamily buildings on its own would eliminate the majority of STRs in the coastal zone. STRs account for over 30% of the City's overnight accommodations, and the Draft STR Ordinance would severely limit their availability compared to the City's current, existing restrictions. Again, this directly violates the Coastal Act's mandate for "maximum access" to the California coast and for affordable overnight accommodations, and will not pass Coastal Commission muster. (Pub. Resources Code, §§ 30210, 30213; *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1092-93.)

- **Violate the California Environmental Quality Act (CEQA)**. The Draft STR Ordinance has potential to result in significant environmental impacts that have not been evaluated under the CEQA. Contrary to staff, the Draft STR Ordinance is therefore *not* exempt from CEQA and must be evaluated in an environmental impact report. As we pointed out earlier, the proposed "common sense" exemption may only be used for projects if it can be seen "with certainty" that there is "no possibility" the project would have a significant effect on the environment. (CEQA Guidelines, § 15061, subd. (b)(3).) And the Class 1 categorical exemption is totally inapplicable to municipal ordinances eliminating or impacting multiple existing land uses throughout an entire jurisdiction.

- **Violate several other laws and most fundamental constitutional protections**. The Draft STR Ordinance unlawfully terminates existing lawful residential uses of residences as STRs, and violates several other constitutional provisions including the Dormant Commerce Clause of the United States Constitution, the Takings and Due Process clauses of the United States and the California constitutions, the right to freedom of assembly and association under the United States and California constitutions, as well as the inalienable right to privacy guaranteed by the California Constitution.

- **Significantly Impact the City's Fiscal Health and Tourism Sector**. Staff estimates that the Draft STR Ordinance will have "significant fiscal implications" for the City's fiscal health due to significantly reduced transient occupancy tax collections and increased administrative costs. Staff previously estimated that a 90 night cap on unhosted STRs would result in a loss of $1.4 to $1.5 million per year. Staff estimates the losses will be even more severe under a 60 night cap for unhosted STRs. Draft STR Ordinance will also impede tourism in the City and

cause economic harms to hosts, guests, and small businesses. The City has failed to consider the severe economic and recreational consequences of the proposed ordinance for all sectors of its economy, in addition to the adverse impacts it will have for STR hosts and prospective guests.

- **Result in Arbitrary and Capricious Decisionmaking and Subject the City to Litigation**. The City has no evidence that the very limited stock of STRs in the City, which amount to "less than 1 percent of the housing stock" according to the City's own Housing Element, contribute in any way to the City's housing affordability challenges. They do not. The City also lacks any evidence other than hearsay that STRs result in nuisance impacts unique from other residential uses. The Draft Ordinance's significant infringement on hosts' fundamental property rights and other constitutional and legal rights, impacts to visitor access to the City's coastal resources, and fiscal impacts to the City and its residents and small businesses, coupled with the complete lack of any evidence supporting its drastic restrictions, demonstrate that adopting the Draft STR Ordinance would be arbitrary and capricious and invite costly litigation.

- **Encourage frivolous lawsuits with a private right of action**. The Draft STR Ordinance's provision of a private right of action for any "Aggrieved Resident" who personally experiences a disruption from a STR near them to sue a host or guest will encourage frivolous lawsuits driven by personal animus or constitutionally-suspect grievances, further deterring hosts from participating in the STR market and adding to the loss of overnight accommodations in the City.

We strongly urge the City to reject the Draft STR Ordinance and ask that staff be directed to work with all stakeholders to develop a new ordinance that allows existing STRs to continue operating subject to regulations that are reasonable and not unduly burdensome for property owners and operators of STRs.

While hosts are ready and willing to work with the City, should the City Council move forward with adopting the Draft STR Ordinance, we will protect our client's rights by challenging this action in court.

Sincerely,

Frank P. Angel
Enclosures

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us

Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

Friday, January 17, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit. We believe this ordinance was hastily drafted based on erroneous assumptions.

We urge the Planning Commission to vote against this ordinance. By returning it to the City Council for a thorough review, we propose that the STR ordinance can accommodate the concerns of residents adversely affected by irresponsible operators while simultaneously allowing responsible actors to contribute essential revenue to our city's budget.

We are a group that represents STR operators. We have collaborated with small business owners and residents in crafting this email, urging you to vote "no" on this ordinance.

In this letter, we will provide detailed analysis of our concerns, including 1) why we feel the ordinance was drafted irresponsibly 2) what we believe the negative outcomes of this ordinance will be and 3) possible compromises to address our concerns.

I. Irresponsible Ordinance

The vast majority of short-term rental operators are good, honest operators who bring a lot of value to Pacifica. In fact, complaints against the roughly 150 tax paying operators center around just 4 of those operators in the city and founded complaints about STR operators make up less than 0.2% of all police complaints in our city.

Furthermore, the revenue generated by responsible operators is substantial. During the Study Session on August 24, a Council Member asserted that the city's short-term rental program was costly and therefore unprofitable. Since the ordinance was passed partially based on this false claim, it would be relevant for the Planning Commission to reject this ordinance on this fact alone.

So let's look at this claim made by the Council Member. The claim that the cost of running the STR programs generates a $40,000 deficit for the city is found on page 76 of the FY23-24 city budget book. Essentially, the permit fees short-term rentals paid amounted to $243,300, while the cost of the STR program was $285,300 — leaving a shortfall of $42,000.

However, the permit fees are just a small portion of what our Airbnb operators contribute. Including the TOT, we generated over $2M, while the city's cost is only $285K. And of course, in addition to ToT there is revenue from tourism dollars that goes directly to small businesses. Any corporation or business would be thrilled to have an operating cost to profit spread like this. Why is Pacifica thumbing its nose to such clear revenue, especially when the city already runs a structural deficit?

As a Planning Commission it is imperative that you pause and consider the irresponsible actions of the City Council in drafting this harmful ordinance. I say this not only as a Short-term Operator, but as a resident and tax payer living and working in Pacifica.

During the Study Session held on August 24, our City Manager, Kevin Woodhouse, said: 'If the City Council passes this ordinance, then next year I will come back to you with an outline of city services that need to be cut.' In essence, the City Council's actions are tantamount to someone discovering they have a minor cockroach problem — so they decide to burn down their house.

Furthermore, the short-term operators who engaged in public speaking and correspondence with the Council were largely disregarded in the final decision-making process. This issue clearly creates a rift within our community, as outlined in the SF Standard article referenced below:

https://sfstandard.com/2024/09/06/pacifica-airbnbs-regulations/

It is important to note that an equal number of residents attended those meetings asking that the Council not create an environment hostile to responsible operators. And yet, in the private words of a Council Member, the regulations drafted 'are designed to make it so onerous to operate an STR that most un-hosted operators will voluntarily withdraw and stop operating in our city.' In other words, there was an implicit bias against all operators whether they had done anything wrong or not.

It is important to clarify that our objective is not to promote unchecked growth in short-term rentals.

- We believe the current cap of 150 total STR licenses per year is good for the city.
- We believe reasonable ordinance updates, like requiring noise meters on the outside grounds and allowing city employees to view meter readings whenever there is a complaint are good for the city.
- We also believe that requiring the host or representative to answer the phone or be on-site within 30 minutes upon receiving a complaint is a reasonable update to our city requirements.

The problem with the 90-day cap on un-hosted operators is that it will drive many good operators out of business — when they have done nothing wrong. The vast majority of these operators only own one property that they operate. It is a lifetime investment. They have acted responsibly and the council carelessly passed a law that will stifle their business and make it impossible to operate at a profit — and this was done intentionally.

In addition to harming a large cross-section of responsible entrepreneurs, this ordinance will impact Pacifica's small businesses. If you review the number of letters from small business owners in Pacifica sent to the Council during their review, they all tell the same story: these businesses regularly have visitors who come into their shops and restaurants who are staying at a local STR.

The group Pacifica Homes Are Not Hotels has repeatedly made the claim that guests at STRs do not spend money in Pacifica. They make this claim with zero evidence. However, attached to this letter, I have included countless reviews from STR guests who outline the many ways they have frequented our small businesses and have come here to enjoy the peaceful quite and beauty of Pacifica (see attached Addendum I).

Of course, there is a common sense approach to this question: of course responsible tourism is good for Pacifica. Of course, $2 million dollars in extra revenue is good for our budget. Of course, it is good to support local entrepreneurs and small businesses who are struggling to survive and have done nothing wrong.

For these reasons, we make the case that this ordinance was drafted and passed irresponsibly:

- The majority of operators are responsible
- The revenue from STR is essential to the economic health of our city

- The needs and concerns of responsible STR operators were ignored during the drafting of this ordinance
- The ordinance was intentionally drafted to force un-hosted operators out of business
- The ordinance will harm the many small businesses who benefit from tourists staying at an STR

II. Potential Outcomes of this Ordinance

We have already outlined some potential negative impacts of this ordinance. First, it was intentionally designed to drive un-hosted operators out of Pacifica. Many of these fellow operators sank their life savings into buying property here to create valuable tourism revenue in our community. It is true, there are a small number of bad actors, however this ordinance does nothing to target unwanted behavior and instead paints all operators with the same illegitimate brush.

Currently our city operates in a structural deficit, to further reduce revenue by driving out good operators who currently generate nearly 5% of our city budget is short-sighted at best. As a Planning Commission, we beg you to consider these implications and place a pause on the former City Council's actions.

In addition, we know several small businesses already submitted written pleas to the City Council, emphasizing the essential role of tourism in their livelihoods. Many of these businesses, particularly those located in District 2, do not have hotels to attract tourists in these areas. They solely rely on local residents, guests from short-term rentals (STRs) and other day-trippers to generate demand, revenue and foot traffic. We ask again that you review Addendum I, which presents numerous, clear written examples of the positive impact these visitors have on our community.

Ignoring these requests will have adverse effects on business. However, there are additional outcomes that are more difficult to quantify but are logically inevitable.

Currently, the housing market in Pacifica is experiencing a shift characterized by extended listing periods. A notable example is a duplex on Beach Boulevard, which remained unsold for an unusually long time, prompting its removal from the market. Several factors contribute to this change, some of which are within our control, while others are beyond it.

One factor that cannot be controlled is the high-interest rates currently affecting the market. However, if the majority of the current 150 Short-Term Rental (STR) operators are compelled to sell due to the inability to generate a profit (as this

ordinance aims to achieve), it will result in an influx of additional inventory into the market at a time when demand is already experiencing a decline.

Furthermore, many of these properties were acquired during periods of high demand and record valuations. If they are purchased in the near future at lower costs in the current cooling market, they will generate lower annual property taxes for the city.

Just as importantly, the current STR operators create affordable access to our coastline. If you read the guest comments we have provided (see Addendum I), you will see many refer to living in the Bay Area and being able to spend the weekend on the coast, visit family nearby, or a desire to get away from the heat in the East Bay. Not only does Pacifica not have hotel inventory to meet this demand, this customer base prefers a whole house option, where they can gather, play board games, watch movies together, go on hikes together, browse local shops and eat at nearby restaurants. The group Pacifica Homes Are Not Hotels are fixated on a few isolated instances where this is not the case. We are providing countless data points to prove the contrary.

It would be difficult to talk about consequences of this ordinance without quoting from the city's own assessment:

> The 90-day rental cap for un-hosted STRs alone is projected to reduce TOT revenue by $850,000–$900,000, assuming all currently permitted STRs continue operating under these conditions — a scenario unlikely given the expected attrition of operators due to these restrictions. Revenue losses in the future could range from $950,000 to $1.2 million annually.
>
> This estimate excludes the broader economic implications of this ordinance on Pacifica's local economy, such as sales tax impacts to visitor-serving businesses, including restaurants, cafes, and retail establishments, who rely heavily on the hospitality sector.
>
> The implementation and enforcement of the revised STR ordinance will likely result in substantial increases in administrative costs. New operational requirements, such as permit cap management, monitoring STR activities, and ensuring compliance, will require additional staff time and resources. The added complexities of the new regulations, such as tracking rental activities, identifying violations, bringing non-compliant accounts into compliance, initiating permit revocation processes, and compiling evidentiary packets for hearings are expected to significantly increase third-party administrative expenses. Preliminary estimates suggest these third-party costs could increase by $50,000–

> $100,000 annually, not counting additional staff capacity that may be required to manage the increased complexities of the program.

In other words, this hastily crafted ordinance, based largely on hyperbolic accusations and demonizing of a majority of highly engaged citizens, will financially be devastating to our struggling economy and housing market. The Planning Commission should vote “no.”

However, there is another less direct negative outcome by allowing this ordinance to pass as is. It is harder to define, but no less real. There is a small group of highly organized, vocal residents. They wield a lot of political power. They show up to every key council meeting, they have organized talking points and they often rely on false information and accusations to move forward agendas that harm Pacifica and are largely designed to keep Pacifica solely for long-term Pacifica residents — and exclude outsiders or newcomers.

I certainly have experienced the impact of this group. They speak about me as if I am less than human because I operate an STR. They are hostile in social media chats, they throw accusations but refuse to provide proof. The council gave them a lot of power when they ignored our concerns and passed an ordinance designed to give them everything they asked for: basically drive out short-term rental operators.

Pacifica already had a good foundation for its short-term rental operations. Revenue was good, we had a reasonable cap of 150 operators. We only had to refine our policy to eliminate bad actors and possibly distribute the STR operations more equitably in neighborhoods. But this vocal group weren’t willing to listen to compromise. They didn’t care who their ordinance affected.

If you allow this ordinance to move forward as is, you give credence to the tactics they utilize. This possibly could be the greatest negative impact.

Pacifica has important issues ahead of us. We have the quarry development, we have a seawall we need to consider, we have tensions on the council around the selection of mayor — with accusations that are outlandish.

This group has learned that spreading misinformation is the way to succeed. It would hopefully reframe future conversations if the Planning Commission were to stop this absurd ordinance and demand that Pacifica take a second look – one that factors in real problems with real solutions. One that eliminates bad actors, but allows responsible hosts to thrive.

III. Possible Compromises

Prior to the enactment of this sweeping and potentially detrimental government overreach, our group meticulously developed several straightforward alternatives. We crafted our proposals after carefully listening to the concerns expressed by frustrated citizens who participated in the Study Sessions. We care about our fellow citizens and want to ensure that no one lives next to an irresponsible, careless STR operator.

We created 6 proposal ideas. All of them, if enacted, would have easily allowed Pacifica to continue enjoying the benefits of short-term rentals, without suffering from any of the outlined grievances of some citizens.

While it may seem irrelevant now that the ordinance has passed the Council, we have included our original 6 Proposals in Addendum II for your review.

We are proud to find that many of these ideas wound up in the new ordinance and we take issue with none of them. The main points in the new ordinance that we take issue with are:

- 90-day cap on un-hosted operations: this makes operating an STR in Pacifica impractical and honestly impossible for almost all current operators
- Primary residence requirement: this requirement should be stricken from the ordinance and is unnecessary
- Sign posted with personal contact information is unnecessary and excessive considering a good host willingly shares this with their neighbors and knows their neighbors personally
- 3 year record keeping requirement for any host seems excessively onerous

As we outlined, these provisions were intentionally designed to drive good operators out of business — and it will. There are a couple of reasonable compromises that we feel will address the concerns of our group concerning the un-hosted requirement:

1. Redefine hosted listing as “owner or representative can be on the premisses within 45 minutes of any and all complaints.”

2. Remove the 90-day cap on un-hosted listings and rely on licensing and penalties to restrict bad operators and thereby leave responsible hosts alone.

Either of these changes to the ordinance will leave us feeling like we have been heard — and the needs of small businesses, city revenues and our hard working STR entrepreneurs in good standing are being acknowledged.

As far as the excessive administrative aspects of this ordinance, they should be removed simply for the benefit of the city, it's tax strains and revenue realities. Few of them offer any real advantage and simply add costs to a city budget already under duress. We have no objection to most of them other than as a tax payer, government corpulence is never a good thing. If the City Planning Commission or Council would like an itemized list of the excessive administrative aspects of this ordinance, I'd be happy to offer a line item assessment upon request.

IV. Summary

In short, tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue. It is an ordinance created in haste, contrary to overwhelming evidence and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city. Please vote "no."

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Addendum I: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some

great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had

all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from

the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural

light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

Addendum II: Our original 6 Policy Proposals

If enacted instead of a 90-day cap, these proposals would have solved any and all concerns residents have with bad actors and would not interfere with revenue generating operators.

Policy 1: Three Strikes and You're Out

Instead of convoluted ordinances that can unfairly hamper every Pacifican's right to use their property in a fair and equitable way, we propose a simple rule to punish bad hosts while protecting the good ones. 3 violations within a 12 month period would result in revocation of a license for 24 months.

Irresponsible hosts have no place in our town. Founded complaints of nuisances like parties or code violations result in:

1st Offense: written notice of a violation

2nd Offense: written notice of violation and fine of $1,000

3rd Offense: notice of violation, fine of $1,500, and revocation of STR permit for 24 months

Once the license is suspended or revoked, if they continue to operate, every day results in another $500 daily fine.

These violations should be applied to the guests, the host, and the property owner. This model has a fantastic track record in places where the city and AirBnB work together to delist STRs without a valid permit.

Policy 2: More Stringent Noise Restrictions

The city already has ordinances that ban noise overnight, but we further propose that hosts are required to install decibel noise sensors on the interior and exterior of their properties and make readings available to the city upon its request for compliance verification. Since this agreement will be included in the business license, refusal to turn over noise detector readings can also be a warning or violation.

The city needs to notify the host and the guest of the noise complaint. Violations are

mailed to the registered business mailing address.

For example, if the police give a citation to loud partiers. A separate fine is also sent to the registered business mailing address of the host. In the past, we were informed by the city that many hosts don't even know the guests were cited for noise violations. This policy ensures accountability on all sides by citing both the instigators and the host and encourages the host to take a more active part in vetting their guests.

Policy 3: Someone Needs to Be Accountable

Each STR must designate someone who can answer the phone within 20 minutes and be onsite within 60 minutes, 24 hours a day, should something come up. This can also become a standard definition for "hosted."

Policy 4: Disallow Hosting Too Many People

We took a unique look at this one, factoring concerns about houses that crammed a lot of guests or built-up rooms to allow for it. The purpose of this is for safety but also to hurt large corporations trying to create party houses. So in that spirit, this policy creates two separate triggers.

Of course, each STR must cap the number of guests it can host to two per bedroom plus one more.

But just as importantly, we advise the city to create a total cap for any short-term rental of 8 total individuals. So in other words, no matter how many rooms you have, there cannot be more than 8 guests per booking. This disincentivizes corporations buying properties and instead focuses on the hosts who are trying to accommodate families looking to create memories here.

We also propose no more than 1 car per legal bedroom with a maximum number of 2 cars per booking.

Policy 5: Keep Multi-unit Buildings For Affordable Rentals

STRs should not be allowed in buildings with four or more units outside of the grandfathering of the 10 STRs currently doing this, so long as they are in good standing, without complaints.

Policy 6: Smart City Planning

STRs should continue to be capped at 150 and not be overly concentrated in any one area. City staff should prepare a study to recommend the STR distribution for our town.

Beyond ordinances, Pacifica needs to push for more housing to be built. Its housing stock has grown by a mere 1% over the past eight years. Developers simply do not want to build in our town, and we believe it results from its lackluster economic growth. For such a beautiful town by the sea, we find this a tragedy. A responsible injection of tourism can change this by bringing in fresh energy and stimulating local businesses. Tourists spend significantly more than permanent residents (think about how you budget for your own daily spending while on vacation versus a more routine day at home). Further, lively towns are diverse towns, with a sprinkle of visitors from other places!The same thoughtful consideration of our concerns were certainly never factored into this ordinance or weighed by Pacifica Homes Are Not Hotels.

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April 7, 2025

Pacifica City Council
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Via Email to citycouncil@pacifica.gov; scoffey@pacifica.gov; kwoodhouse@pacifica.gov; publiccomment@pacifica.gov

Re: Updates to Pacifica's Short-Term Rental Regulations

Dear Mayor Beckmeyer, Mayor Pro Tem Boles, and Honorable Members of the City Council:

We submit this letter on behalf of Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts in the city of Pacifica (hereafter **City** or **Pacifica**).[1] They own and operate STRs within the City. We write regarding the City Council's consideration of a draft STR ordinance that would repeal and replace the City's existing STR regulations (**Draft STR Ordinance**).[2] We expand on points raised in Pacifica for Responsible Tourism's previous letter to the Planning Commission and its members' testimony at Planning Commission and City Council meetings, and detail new concerns given recent actions and statements by the Planning Commission and City Council.[3]

[1] Pacifica for Responsible Tourism is a grassroots organization of vacation and hosted-rental small business individuals in the coastal town of Pacifica, California. They are hospitality entrepreneurs that strive to make every hosting experience a positive one, for both neighbors and guests. It advocates for the protection of property and home-sharing rights and believes that home-sharing provides a lower-cost way for more people to access the coast and contributes to the vitality of Pacifica's local economy. (See http://www.pacificatourism.org/index.html.)

[2] Our comments pertain to the draft as of the February 24, 2025, City Council meeting during which it was discussed, as well as potential changes to the draft that Councilmembers deliberated during that meeting.

[3] We have attached Pacifica for Responsible Tourism's previous letter to the Planning Commission, dated January 17, 2025, as Exhibit 1.

Overview

As detailed below, the Draft STR Ordinance would (a) violate the California Coastal Act of 1976, (b) violate other important laws and constitutional protections, and (c) result in significant environmental impacts as defined in the California Environmental Quality Act (**CEQA**) that the City has not evaluated under CEQA.[4] The Draft STR Ordinance would also impede tourism in the City and cause substantial economic harms to hosts, guests, small businesses, and the City itself.

We understand the City Council continued its consideration of the Draft STR Ordinance during its February 24, 2025, meeting to spend more time weighing competing concerns at a future meeting. We strongly urge the City to revise the Draft STR Ordinance to address the points we raise here.

History and Importance of STRs in Pacifica

STRs have always been lawful, residential uses of property in Pacifica. Hosts have opened their homes to renters for many decades, providing important visitor-serving accommodations and offering guests authentic experiences in all corners of the City. STRs also ensure that the City complies with its coastal access obligations under the Coastal Act by providing affordable visitor-serving accommodations in the City.

In 2018, the City adopted STR regulations for the first time with Ordinance No. 835, which memorialized that STRs are a permitted use in residential districts under the City's zoning code.[5] Ordinance No. 835 required hosts to obtain a permit and business license to operate their STR and included certain measures designed to ensure guest and host safety, payment of transient occupancy tax (**TOT**), and enforcement measures to ensure compliance with the regulations. In 2023, the City adopted Ordinance No. 888, amending the City's STR regulations to impose a cap limiting active STR permits issued in the City at any given time to 150.[6] At the time, there were less than 150 STRs operating in the City, so while this did not eliminate any existing STRs, it left little room for any new STRs to enter the market.[7] In June 2024, the California Coastal Commission approved the City's Local Coastal Program (**LCP**) amendment. The 150-

[4] CEQA defines the concept of "significant environmental impact" "as 'a substantial, *or potentially substantial*, adverse change in the environment." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 448, fn. 17, original italics.)
[5] See Ordinance No. 835, codified in Pacifica Municipal Code (PMC) Article 49.
[6] PMC, § 9-4.4902.
[7] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4

cap remained unchanged.[8] At that time, the City estimated that 44 STRs were operating in the City's coastal zone, with approximately 100 STRs operating inland.[9]

When it approved the City's restrictions, the Coastal Commission noted this 150 permit limit pushed the boundaries of reasonableness and balance under the Coastal Act, but ultimately agreed with staff that, since the permit cap "would allow all permitted STRs in good standing to continue operating," it was an "appropriate balance [that] . . . help[ed] round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[10]

The Draft STR Ordinance Will Significantly Reduce STRs Available in the City

As noted in Pacifica for Responsible Tourism's January 17, 2025, letter to the Planning Commission, its members support certain proposed updates to the existing STR regulations.[11] However, there are several problematic provisions in the Draft STR Ordinance that, taken both individually and collectively, would severely limit (and even potentially eliminate) the stock of STRs in the City's coastal zone in direct violation of the Coastal Act's mandate for affordable overnight accommodations. Specifically:

- 90-Day Annual Cap on Unhosted STRs. The Draft STR Ordinance includes a cap of 90 calendar days per year for an unhosted STR to operate.[12] During the February 24, 2025, meeting, Councilmembers indicated interest in capping unhosted STRs to operating only 60 calendar days per year. This would severely limit unhosted STR nights in the City, taking affordable overnight accommodations out of reach of many visitors.

- Primary Residence Requirement. The Draft STR Ordinance would limit host eligibility by imposing a primary residence requirement, defined as where the host resides more than six months per year.[13] This would eliminate many existing STRs in the City.

- Off-street Parking Requirement. The Draft STR Ordinance provides that all STRs outside the coastal zone must include two off street parking spaces, and all STRs in the coastal zone must include one off street parking space.[14] Staff estimated that this requirement alone would result in 36 existing STRs (9 in the coastal zone and 27 in non-coastal areas) being ineligible for renewal

[8] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.
[9] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.
[10] *Id.*, p. 8.
[11] January 17, 2025, letter from Pacifica for Responsible Tourism to Pacifica Planning Commission, p. 3.
[12] *Id.*, § 9-4.4905(t)(i).
[13] *Id.*, § 9-4.4901(l).
[14] *Id.*, § 9-4.4905.

of their STR permit, also noting this number may increase upon completion of onsite inspections.[15]

- Density Limitations. The Draft STR Ordinance would allow only 10% of units in multifamily buildings to operate as a hosted STR and only one hosted STR in 2-to-4-unit complexes, and would completely prohibit unhosted STRs in multifamily buildings.[16] As staff notes, these limitations on STRs in multi-family buildings will result in 37 existing STR units (29 in the coastal zone and 8 in non-coastal areas) being ineligible for renewal of their STR permit.[17]

The Draft STR Ordinance Violates the Coastal Act

The Draft STR Ordinance raises conspicuous red flags under the Coastal Act. Any elimination of existing STRs in the coastal zone will conflict with the coastal access and recreation policies of the Coastal Act, under which the Coastal Commission must maintain and support affordable overnight accommodations in the coastal zone. The Coastal Act mandates "maximum access" along the coast for "all the people," and "[a] lack of affordable accommodations [is considered] a barrier to coastal access."[18]

Pursuant to these Coastal Act mandates, the City's LCP includes policies to enhance coastal access and visitor serving accommodations, stating that "[l]ower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided . . . ."[19] *The Draft STR Ordinance, which will remove a significant number of lower cost visitor accommodations (including 75% of the available nights and 29 existing STR units in multi-family buildings within the coastal zone), directly conflicts with the LCP and the Coastal Act*. As the court of appeal invalidating STR restrictions in the city of Santa Barbara made clear: "Although the Coastal Act does not displace a local government's ability to regulate land use in the coastal zone, it does preempt conflicting local regulations."[20]

[15] February 24, 2025, City Council staff report, p. 11.
[16] *Id*., §§ 9-4.4901(f), 9-4.4905(t).
[17] February 24, 2025, City Council staff report, p. 11.
[18] Public Resources Code, § 31411, subd. (d).
[19] Coastal Act Policy No. 5, Pacifica Local Coastal Land Use Plan, March 1980 as amended. See also *Greenfield v. Mandalay Shores Community Assn.* (2018) 21 Cal.App.5th 896, 898 (STR restrictions found to erect "a monetary barrier to the beach").
[20] *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1095; see Pub. Resources Code, § 30005, subd. (a).

A. STRs Play a Critical Role in Providing Affordable Overnight Accommodations in Pacifica's Coastal Zone Given the Low Stock of Hotel and Motel Rooms

Unlike other nearby coastal communities with more significant supplies of these overnight accommodations (e.g., Half Moon Bay has 613 hotel/motel rooms,[21] Carmel-by-the-Sea has approximately 1,541 hotel/motel rooms, Pismo Beach has approximately 2,102 hotel/motel rooms, Santa Barbara has approximately 3,646 hotel/motel rooms[22]), Pacifica has a very low stock of overnight accommodations, with just 330 hotel and motel rooms. Due to Pacifica's dearth of hotel and motel rooms, STRs in Pacifica fill a critical gap in overnight accommodations. They meet the coastal access needs of thousands of people each year. Reducing the supply and diversity of STRs in the City therefore poses a real problem, not only because of obvious inconsistency with the Coastal Act and LCP requirements, but also because removal of any STRs from the Pacifica market will hurt families who rely on these accommodations to make vacations on the City's coast feasible.

B. The City's Existing 150 Permit Cap Already Pushes the Boundaries of Reasonableness and Balance

In 2023, the City already restricted STRs severely when it adopted a 150 STR permit cap. In evaluating the City's LCP amendment, Coastal Commission staff recognized the aggressiveness of this cap and indicated that if the City went any further in its restrictions such an action may not pass muster with the Coastal Commission.[23] At that time, the City estimated 44 STRs were operating in the Pacifica coastal zone.[24] In recommending approval, Coastal Commission staff noted that the City "estimates that there are 100 registered and compliant STR permits in the City, with 44 in the coastal zone. Thus, *the proposed cap would allow all permitted STRs in good standing to continue operating* but would limit future STRs."[25] The Coastal Commission staff report explained that the City chose the 150-permit cap "because it equates to roughly 1% of Citywide housing stock, and would accommodate all 100 existing STRs (44 in the coastal zone) in good standing. Given the popularity of Pacifica as a visitor destination, *such outcome appears to be an appropriate balance*, and can help round out visitor options in addition to the City's approximately 330 hotel and motel rooms, providing what can be a more affordable option for larger groups and families."[26] The staff report

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[21] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 21, note 31, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[22] Room data for Carmel-by-the-Sea, Pismo Beach, and Santa Barbara compiled by CBRE from Smith Travel Research, 2022.

[23] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1.

[24] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.

[25] *Ibid*., italics added.

[26] *Id*., p. 8, italics added.

further explained: “Finding that balance can be an incredibly difficult process . . . [that] demands some acknowledgment and deference given to what can be truly competing objectives at times. The Commission here agrees with the City’s proposal in that regard and finds that the proposed LCP amendment conforms with and is adequate to carry out the LCP LUP as submitted.”[27]

The Coastal Commission thus clearly recognized the 150 STR permit cap was aggressive but found it nevertheless struck an appropriate balance between providing affordable overnight accommodations and meeting the City’s other stated goals because, among other reasons, *it allowed for continued operation of all existing STRs in the City*. However, the Coastal Commission staff signaled that any further restriction (as the City is considering now) would be unreasonable and inconsistent with the City’s LCP and the Coastal Act. In other words, the 150 STR permit cap was the outer bound of reasonable limitation consistent with the Coastal Act.

C. The Draft STR Ordinance Goes Too Far and Would Violate the Coastal Act

Unlike the 2023 ordinance, which preserved all existing STRs in the City’s coastal zone, your staff estimates the Draft STR Ordinance would eliminate at least 29 of the 44 existing STRs in the coastal zone and likely more.[28] This, combined with the fact that the Draft STR Ordinance would also substantially cut the nights available in remaining STRs and not require a minimum number of permits to be issued in the coastal zone, would dramatically decrease overnight room supply in the coastal zone, all with a disproportionate adverse impact on more affordable STRs such as those in multi-family buildings. The victims will be families from inland areas, prevented from enjoying a few days of vacation by the beach and share with the City’s residents public access to a coastal environment featuring breathtaking recreational and scenic resources, such as Pacific State Beach, a popular surfing and surf camp spot, Sharp Park Beach with its walking promenade, nature trails and 1,140 feet long pier, or Milagra Ridge, 239 acres of open space part of the Golden Gate National Recreation Area, rightly described on a City Parks, Beaches and Recreation webpage as “a place of breathtaking views and diverse resources.”

Specifically, the Draft STR Ordinance will eliminate any of the 44 existing, permitted STRs in the coastal zone that are not a primary residence, are unhosted in multifamily buildings, or do not otherwise meet the eligibility requirements. Other burdensome requirements under consideration would also drive up the prices of any remaining STRs in the coastal zone. The 90-day cap for unhosted STRs will reduce supply and may also lead to hotel and motel price increases, and we understand the City Council considers the option of an even more prohibitive 60-night cap. The 90-day cap taken alone would effectively reduce availability of any remaining unhosted STRs by 75%.

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[27] *Id.*, p. 10.
[28] February 24, 2025, City Council staff report, p. 11.

Recent Coastal Commission approvals of LCP amendments for STR regulations in nearby coastal jurisdictions demonstrate how unreasonable the Draft STR Ordinance really is. For example, in 2023 the Commission approved an LCP amendment for the City of Half Moon Bay's STR regulations with modifications, and staff noted the proposal was among the more restrictive STR regulations it had reviewed and would significantly limit STRs in the City.[29] Many public commenters in Pacifica have raised Half Moon Bay's 60-day cap as one that Pacifica should follow, but Coastal staff were highly critical of this cap, noting that this number was "a somewhat randomly developed number and a fairly restrictive restriction as LCP STR provisions go . . . it is a restriction that limited unhosted STR use in any particular STR to about 16% of the nights each year. Such restrictions have the potential to severely affect current and future STR operators, making it less economically desirable to operate an STR, as well as limiting overall capacity and creating the potential for adverse impacts on visitor-serving accommodation availability in the City."[30] Staff also noted that Half Moon Bay only had 46 registered STRs and 613 hotel/motel rooms, so STRs did not make up a large portion of the City's overnight accommodations and the 60-day cap would therefore not significantly impact availability and affordability of these accommodations.[31]

In stark contrast to Half Moon Bay, Pacifica has nearly 150 STRs and only 330 hotel/motel rooms. The Commission staff report for Half Moon Bay also noted that a night cap was not a common approach at all, and is "atypical," having only been adopted in three other jurisdictions (San Diego, Del Mar, and San Mateo County) where there were much larger STR markets, such that the effect of the cap was less extreme.[32] The Commission's decision to ultimately adopt Half Moon Bay's LCP amendment with the 60-day cap has no bearing here given the dramatic differences in the role STRs play in overnight accommodation in each city: STRs make up over 30% of Pacifica's overnight accommodations stock compared to only 7% in Half Moon Bay. This context is critical and the Coastal Commission staff have cautioned that "there is no one size fits all" STR solution in coastal California and each jurisdiction should be considered on a case-by-case basis, among other things, based on its stock of visitor serving accommodations.[33] A 90-day, let alone a 60-day cap, for Pacifica, is indefensible under the Coastal Act and LCP.

Further, in contrast to the tailored approach of other coastal cities in California, the Draft STR Ordinance does not include any minimum number of permits that must be issued

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[29] California Coastal Commission Staff Report, LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 23, available at https://documents.coastal.ca.gov/reports/2023/3/W14b/W14b-3-2023-report.pdf.

[30] *Id.*, p. 21.

[31] *Id.*, pp. 2, 21.

[32] *Id.*, p. 21.

[33] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 10.

in the coastal zone. This means that all 150 STR permits could be issued to properties outside of the coastal zone, thereby eliminating all STRs in the coastal zone. The Coastal Commission has made clear that this type of omission is unacceptable. In litigation involving STR regulations in the City of Del Mar, the Commission noted that Del Mar's proposed LCP amendment for their STR regulations "makes no distinction between inland parts of the City and the shoreline areas, and the City's blanket restrictions are overly broad and restrictive . . . . Residences in prime, visitor-serving, beach-adjacent areas are not given any priority for use as a STR, which hinders the public's ability to access and recreate in these nearshore areas."[34] In contrast, in August 2018 the Commission approved the City of Pismo Beach's proposed LCP amendment allowing only primary residents to offer homes as unhosted STRs, but exempting the City's beachfront downtown core and non-residential zones from this requirement.[35]

The California Attorney General has recognized that an STR regulation that "cause[s] a sharp decline in visitor serving accommodations in the coastal zone . . . objectively hinders visitor access to the coast" in conflict with the Coastal Act.[36] The Draft STR Ordinance would "cause a sharp decline" in the availability and diversity of overnight accommodations and limit coastal access in Pacifica. "With the high cost of coastal land, it is not profitable to build low cost hotels or similar lodging. High fixed and startup costs not only restrict the construction of new hotels but also influence the price of hotel rooms at peak times. Hotels cannot increase supply, due to high fixed costs, so they increase rates."[37]

In summary, the Draft STR Ordinance (1) fails to protect "[c]oastal recreational and visitor serving uses and opportunities" and (2) fails to protect "to the maximum feasible extent" "existing lower cost visitor-serving and recreation facilities, including overnight accommodations . . . ." It cannot be found consistent with the LCP and Coastal Act.[38]

The Draft STR Ordinance Violates Other State and Federal Laws

The Draft STR Ordinance violates other laws as well.[39] Specifically:

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[34] California Coastal Commission Brief in Opposition to Writ, p. 18, filed in *City of Del Mar v. California Coastal Com.* (Super. Ct. San Diego County, Nov. 15, 2019, No. 37-2018-00039254).

[35] California Coastal Commission, Staff Report on City of Pismo Beach LCP Amendment Number LCP-3-PSB-18-0051-1 (Short-Term Rentals), adopted August 10, 2018.

[36] Amicus Curiae Brief of the California Coastal Commission, pp. 19-20, filed in *Kracke v. City of Santa Barbara*, *supra*, 63 Cal.App.5th 1089.

[37] "Unequal Access – Protecting Affordable Accommodations Along the California Coast," p. 35 (citing Zervas 2016, 22).

[38] See Public Resources Code, §§ 30001.5, subd. (c), 30210, 30213, 30223; Pacifica LCP, Land Use Plan, Chapter 2, Implementing Policy LD-I-6.

[39] In addition to the laws noted below, given its proposed primary residency requirements, the Draft STR Ordinance clearly violates the Dormant Commerce Clause of the United States Constitution. (U.S. Const., art. I, § 8, cl. 3.) State laws that discriminate against interstate commerce "face 'a virtually *per se* rule of

A. The Draft STR Ordinance Would Unlawfully Terminate Existing, Lawful Nonconforming Uses in Violation of Fundamental Rights Protected by California Law and the Pacifica Municipal Code

A lawful nonconforming use is "one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter."[40] "The *use of the land*, not its ownership, at the time the use becomes nonconforming determines the right to continue the use."[41] California courts have long held that a party may continue to use their property even though such use is nonconforming. "The rights of users of property as those rights existed at the time of the adoption of a zoning ordinance are well recognized and have always been protected."[42] The reason is simple: termination of previously lawful (and now non-conforming) uses would be of doubtful constitutionality.[43] This follows from "vested rights" principles, which provide that when a zoning ordinance changes, a property owner may have a "vested right" to continue the existing use, notwithstanding the newer zoning restriction.[44] The California Supreme Court's decision in *Avco Community Developers, Inc. v. South Coast Regional Com*. is one example of this constitutional principle.[45] There, the California Supreme Court recognized that a property owner that has incurred substantial liabilities establishing a lawful use of property has a right to continue that use despite a subsequent change in zoning law.[46]

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invalidity.' " (*South Dakota v. Wayfair, Inc.* (2018) 585 U.S. 162, 173 [201 L. Ed. 2d 403, 416-417].) State laws violate the Commerce Clause if they mandate "differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter." (*Oregan Waste Systems, Inc. v. Department of Environmental Quality* (1994) 511 U.S. 93, 99 [128 L. Ed. 2d 13, 21].) A state law that discriminates against interstate commerce must be declared unconstitutional "unless the state can justify the discrimination by showing that it 'advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.' " (*Id*., 511 U.S. at pp. 100-101.)

The California Court of Appeal has applied these principles to a local government's primary residency requirement for STRs in residential neighborhoods. (See *South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (2023) 92 Cal.App.5th 735, 759-767.) The showing that a primary residency requirement advances a legitimate local purpose that can't be served by reasonable nondiscriminatory alternatives is difficult to make -- a heavy burden that South Lake Tahoe ultimately failed to carry, which led to the invalidation of the entire STR regulatory scheme established by the voter initiative challenged in that case. (*South Lake Tahoe Property Owners Group v. City of South Lake Tahoe* (Super. Ct. El Dorado County, 2025, No. SC20180243).)

[40] *Hansen Bros. Enters. v. Bd. of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1, and cases cited.
[41] *Ibid*., italics added.
[42] *Edmonds v. County of Los Angeles* (1953) 40 Cal.2d 642, 651; see *Hill v. City of Manhattan Beach* (1971) 6 Cal.3d 279, 285-286; *Livingston Rock & Gravel Co. v. County of Los Angeles* (1954) 43 Cal.2d 121, 127; *Jones v. City of Los Angeles* (1939) 211 Cal.304, 310-311; see also *301 Ocean Ave. Corp. v. Santa Monica Rent Control Bd.* (1991) 228 Cal.App.3d 1548, 1558 (rent control board's decision to restrict a property owner's preexisting right to lease parking spaces in an apartment building to persons other than the building tenants interfered with the owner's "fundamental vested right to control property").
[43] *Livingston Rock & Gravel Co.*, *supra*, 43 Cal. 2d at p. 127; *Edmonds*, *supra*, 40 Cal. 2d at p. 651.
[44] *City of Ukiah v. County of Mendocino* (1987) 196 Cal.App.3d 47, 56-57.
[45] *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785.
[46] *Id*. at p. 791.

The Draft STR Ordinance flies in the face of these vested rights principles because it ignores protections for existing STRs that have operated since 2018 when the City's existing STR regulations were adopted, but which now would need to reduce their offerings by 75% or stop hosting entirely because they do not meet the stringent eligibility requirements of Draft STR Ordinance. Such termination would also violate section 9-4.3002 of the PMC, which protects lawful nonconforming uses. We urge the City to revise the Draft STR Ordinance to provide that all STRs that have been operating since before the 2018 STR regulations went into effect can continue to operate as lawful nonconforming uses with valid STR permits, renewed annually.

B. The Draft STR Ordinance Violates Important Constitutional Rights

1. The Draft Ordinance Would Infringe on Freedom of Assembly and Association

The Draft STR Ordinance's limitations on how many guests or visitors of STR renters are permitted on the property at any time of day, and on "non-commercial Events" interfere with constitutional rights to freedom of assembly under Article I, section 3, of the California Constitution, including family relationships.

The Draft STR Ordinance proposes to ban any visitors and guests of STR renters to no more than half the maximum overnight occupancy limit (no more than two STR renters per bedroom, excluding children under 12).[47] To illustrate the effect of this ban, if a couple was staying in an STR in Pacifica to visit parents/in-laws and was renting a one-bedroom STR, they would be unable to have both parents come over to their STR for dinner or a cup of coffee. They would instead be forced to invite just one person or otherwise not use their STR to visit with family at all, at any time of day. This limitation on guests is overly restrictive and infringes on constitutional rights to freedom of assembly. In addition, its effects are inequitable, falling most heavily on individuals renting more affordable, smaller STRs.

The STR Ordinance also prohibits all "non-commercial Events," a category of events that, as currently defined, is so vague as to prohibit essentially any private gathering. The Draft STR Ordinance defines "Events" as "weddings, conferences, retreats, commercial events, *loud or disruptive gatherings of any kind, parties* or *any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood*."[48] The Draft STR Ordinance relatedly provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[49] These highly subjective and vague definitions are ripe for arbitrary and

[47] Draft STR Ordinance, § 9-4.4905.

[48] *Id.*, § 9-4.4901(d), italics added.

[49] *Id.*, § 9-4.4905(r).

discriminatory enforcement by the City and could, for example, result in the revocation of an STR permit if STR guests invited three guests of theirs over to dinner on their back patio if that caused any "noise, or other impacts to the neighborhood" that neighbors and the City deem excessive. This is an absurd result. The City already has in place generally applicable noise and nuisance provisions in its Municipal Code that it can use to address loud or disruptive events, and so it cannot meet the burden required to show that this intrusion on constitutional rights is justified.

2. The Draft STR Ordinance Is Likely to Effect Unlawful Takings

Eliminating existing STRs appropriates hosts' right to lease their property, a fundamental property interest. It would constitute a taking of private property without just compensation in violation of the California and United States constitutions.

Traditionally viewed as a "bundle of sticks," property rights and individual liberty go hand in hand. The framers emphasized that private property ownership serves as a bulwark against unlawful exercises of state power. Since our nation's founding, the right to lease property to guests of the property owner's choice, and for the duration of their choice, has been a fundamental component of property ownership protected by the Takings Clause of the United States Constitution, which requires just compensation for property taken for public use, and the Takings Clause of the California Constitution, which requires just compensation for property "taken or damaged for public use."[50] Further, the United States Supreme Court recently clarified that temporary and intermittent physical invasions analogous to deprivations of the right to lease are *per se* takings. In *Cedar Point Nursery v. Hassid* (2021) 594 U.S. 139 [210 L.Ed.2d 369], the Court held that a regulation requiring agricultural employers to allow union organizers to have periodic and temporary access to farm workers on the employers' property constituted a *per se* physical (not a regulatory) taking.[51] The regulation appropriated the owners' "right to exclude," " 'one of the most treasured' rights of property ownership."[52] Prohibiting STR use for many existing STR owners who will be ineligible under the Draft STR Ordinance takes property owners' right to exclude by forcing them to host rentals for longer durations than they wish. A longer term of a lease than they wish effectively amounts a physical incursion on hosts' right to exclude, in violation of *Cedar Point*

[50] U.S. Const., 5th Amend.; Cal. Const., art. I, § 19, subd. (a); *Terrace v. Thompson* (1923) 263 U.S. 197, 215 [68 L.Ed. 255, 274] (right to lease considered protected among "essential attributes of property"); *United States v. Stanley* (1883) 109 U.S. 3, 22 [27 L.Ed. 835, 843] (right to lease described as one of "those fundamental rights which are the essence of civil freedom"). Although the Takings Clause of the California Constitution protects a "somewhat broader range of property values than does the Fifth Amendment" of the United States Constitution, state and federal takings claims are typically made and analyzed together. (*Hensler v. City of Glendale* (1994) 8 Cal.4th 1, 9, fn. 4; see also *California Building Industry Assn. v. City of San Jose* (2015) 61 Cal.4th 435, 456, fn.10; *Santa Monica Beach, Ltd. v. Superior Court* (1999) 19 Cal.4th 952, 988, fn.5 (1999) (dis. opn. of Baxter, J.).

[51] 594 U.S. at p. 162 [210 L.Ed. 2d at p. 390].

[52] 594 U.S. at p. 149 [210 L.Ed.2d at p. 382].

Nursery. Conversely, the Draft STR Ordinance also violates the right to include by forbidding STR owners from allowing guests of their choice on their property for a duration of less than 30 days. This appropriation of an essential attribute of their property entitles the owners to an award of just compensation under the United States and the California constitutions.[53]

3. The Draft STR Ordinance Would Intrude on Inalienable Rights to Privacy

The Draft STR Ordinance furthermore implicates the "inalienable" right to privacy under the California Constitution.[54] It takes away homeowners' ability to choose to invite renters or guests to stay in their homes for a few days or a couple of weeks.

Constitutional privacy protections protect a property owner's right to host STRs and invite guests into their home. In *Coalition Advocating Legal Housing Options v. City of Santa Monica* (2001) 88 Cal.App.4th 451, the court invalidated a local ordinance that limited occupants of ADUs in residential zones to the property owner, the property owner's dependent, or their caregiver. The court reasoned that the privacy right "to choose with whom to live in the main residence . . . must apply to the right to decide who may live in the second unit [which] . . . is still part of the home."[55] Many hosts invite guests into their homes while they are present during the stay, and the City's severe restrictions on occupancy would infringe on hosts' constitutional right to privacy, which includes the right to choose who can stay in homes.

The City fails to offer the justification necessary to pass the heightened scrutiny courts apply to laws and regulations that infringe on the right to privacy. It cannot do so because short-term renters have no demonstrable negative impact on the City or its coastal environment compared to visitors staying in a motel or a hotel or renters who stay for, say, two or three months.

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[53] 594 U.S. at p. 158 [210 L.Ed.2d at p. 388] ("We cannot agree that the right to exclude is an empty formality, subject to modification at the government's pleasure. On the contrary, it is a 'fundamental element of the property right' that cannot be balanced away.").

[54] Cal. Const., art. I, § 1 ("All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy"); see *Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, 20; *City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 130 (invalidating local zoning ordinance prohibiting groups of more than 5 unrelated individuals from residing together in residential zones; held that an individual generally has a protected "right to live with whomever one wishes" and noting that "zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the user."); *Park Redlands Covenant Control Comm. v. Simon* (1986) 181 Cal.App.3d 87, 96 (refusing to enforce HOA covenant fixing maximum number of occupants per residence at three).

[55] *Id*. at p. 459 (the "right to privacy" includes "the right to be left alone in our homes.")

4. The Draft STR Ordinance is Unconstitutionally Vague

Many provisions of the Draft STR Ordinance are so vague that they are ripe for arbitrary and discriminatory enforcement, in violation of the United States and the California constitutions. The void for vagueness doctrine requires that legislative enactments: (1) give ordinary people fair notice of punishable conduct and (2) provide explicit standards to prevent arbitrary and discriminatory enforcement.[56]

For example, as noted before, the Draft STR Ordinance prohibits all "non-commercial Events" which as currently defined are so vague as to prohibit essentially any gathering. "Events" are defined as "weddings, conferences, retreats, commercial events, loud or disruptive gatherings of any kind, parties or any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood."[57] The Draft STR Ordinance provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[58] The breadth of these definitions affords City officials unbridled discretion to find that simply having dinner at an outdoor space in an STR is a "disruptive gathering."[59] Consider the consequences of this: Under the Draft STR Ordinance, the City may revoke a STR permit after just one violation and impose hefty fines per day for a violation.[60]

5. The Draft STR Ordinance Would Deprive Hosts of their Substantive Due Process Rights

Finally, terminating a lawful nonconforming use effects a deprivation of property without due process of law, as does prohibiting homeowners from renting their homes based on nothing more than the number of days that makes some place an "illegal" rental. Such arbitrary deprivations violate substantive due process protections of the Fourteenth Amendment to the United States Constitution and article I, section 7, subdivision (a) of the California Constitution, inter alia, by infringing on homeowners' property rights and the right to lease, one of the many rights within the bundle of sticks of property rights.[61]

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[56] *Johnson v. United States* (2015) 576 U.S. 591, 595 [192 L.Ed.2d 569, 577]; *Hoffman Estates v. Flipside*, *Hoffman Estates* (1982) 455 U.S. 489, 498 [71 L.Ed.2d 362, 371].

[57] *Id*., § 9-4.4901(d).

[58] *Id*., § 9-4.4905(r).

[59] *Briggs v. Lincoln County*, No. 22CV38244 (Lincoln County, Oregon, Circuit Court, Jan. 26, 2024, General Judgment) (STR ordinance provision prohibiting "Events, such as weddings, rehearsal dinners, and similar activities" was impermissibly vague in violation of the Oregon Constitution and enjoining enforcement of that prohibition).

[60] Draft STR Ordinance, § 9-4.4908(b).

[61] See *Washington ex rel. Seattle Title Trust Co. v. Roberge* (1928) 278 U.S. 116, 121 [73 L.Ed. 210, 213] ("Legislatures may not, under the guise of the police power, impose restrictions that are unnecessary and unreasonable upon the use of private property or the pursuit of useful activities."); accord, *State Board of Dry Cleaners v. Thrift-D-Lux Cleaners, Inc.* (1953) 40 Cal.2d 436, 441.

The Draft STR Ordinance May Cause Significant Environmental Impacts; These Must be Disclosed and Evaluated Under the California Environmental Quality Act

The Draft STR Ordinance may cause significant environmental impacts which the City must evaluate under CEQA. The Draft STR Ordinance includes a finding that the Ordinance is exempt from CEQA, supposedly because "it can be seen with certainty that there is no possibility that adoption of this Ordinance may have a significant effect on the environment."[62] Not so.

The restrictions on STRs proposed in the Draft STR Ordinance, which would eliminate many existing STRs in the City, will have adverse impacts on the physical environment. These include, without limitation, reasonably foreseeable direct increases in vehicle miles travelled as visitors who would have stayed at STRs in the City seek comparable accommodations farther away; increased emissions of air pollutants (with adverse health consequences), such as nitrogen oxide, sulfur dioxide, benzene, particulates, carbon monoxide, as well as carbon dioxide and other greenhouse gases; and increased energy use.

In addition, STRs provide numerous environmental benefits to the City, by being less resource-intensive than traditional overnight accommodations like hotels and motels. In fact, a 2018 analysis using a "Cleantech" model found that when guests stay at an STR, significantly less energy and water is used, greenhouse gas (GHG) emissions are lower, and waste is reduced compared to hotel stays.[63] Any shift of visitors from STRs to hotels may, therefore, result in a wide variety of potentially substantial environmental impacts due to increased demand for water, electricity, and natural gas, and increased generation of GHG emissions, wastewater and solid waste, and increased traffic.[64]

Clearly, contrary to the proposed CEQA exemption, it cannot be seen with certainty that there is no possibility that adoption of the Draft STR Ordinance may have a significant effect on the environment and this ordinance is not exempt from CEQA. Before it takes action to adopt the Draft STR Ordinance, the City must conduct an Initial Study under CEQA and determine whether an EIR must be prepared to evaluate the environmental impacts of the Draft STR Ordinance.

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[62] Draft STR Ordinance, § 4.
[63] Airbnb, *How the Airbnb Community Supports Environmentally-Friendly Travel Worldwide* (Apr. 2018), available at https://news.airbnb.com/how-the-airbnb-community-supports-environmentally-friendly-travel-worldwide.
[64] See fn. 4, *ante*.

Other Draft STR Ordinance Vulnerabilities

A. There is No Evidence STRs Adversely Impact Housing Availability

There is no evidence that STRs in the City adversely impact housing availability. The City's Housing Element states that the City has analyzed the issue of STRs and their "impacts on the housing stock in Pacifica" and found STRs comprise "less than 1 percent of the housing stock."[65] Given the minuscule percentage of the housing stock used for STRs, this is not a real contributor to long-term housing availability issues.

As discussed in a recent study conducted by the Milken Institute on STRs in California, "the notion that decreasing STR supply will mitigate California's extreme housing shortage is not supported by the evidence. The only solution to California's housing crisis is to provide more housing: specifically denser, more affordable multifamily housing units."[66] California's decades-long housing shortage is primarily caused by failure to build enough housing due to factors such as rising construction costs, restrictive zoning, permitting delays and, in some neighborhoods, community opposition -- factors disincentivizing construction of affordable housing.[67] As Professor Betsy Stevenson, the former Chief Economist at the U.S. Department of Labor and member of President Obama's Council of Economic Advisers, has written, banning STRs in fact undermines efforts to "make [housing] more affordable."[68] That is because "[a]llowing residents to rent out their homes can help them recoup some of their investment and make city living more affordable."[69] When considering the LCP amendment for the 150 STR permit cap, Coastal Commission staff also noted that there was no data to show that the "STR cap would actually create additional longer term housing opportunities, especially in terms of affordable housing" and that there was no way for the City to assure property owners would rent or sell their properties if STRs were not permitted.[70]

B. The Draft Ordinance Will Cause Significant Economic Harm

The February 24, 2025, staff report discusses the real economic benefits to the City from STRs in dollar values and the resulting dramatic loss in revenue that will result from adoption of the Draft STR Ordinance, and recognizes that STRs provide benefits

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[65] Pacifica Housing Element 2023-2031 adopted January 22, 2024, p. A-15, available at https://cityofpacifica.egnyte.com/dl/e1sZRgKp7W.

[66] Dubetz et al, *Staying Power: The Effects on Short-Term Rentals on California's Tourism Economy and Housing Affordability*, Milken Institute, p. 1 (2022).

[67] *Id*., p. 4.

[68] Betsey Stevenson, *Banning Airbnb Won't Solve the Housing* Crisis, Bloomberg News (July 8, 2024), https://www.bloomberg.com/opinion/articles/2024-07-08/banning-airbnb-will-not-make-housing-more-affordable.

[69] *Ibid*.

[70] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at pp. 8-9.

through "economical options for transient lodging as well as income generating opportunities for property owners in Pacifica[.]"[71]

The City's own assessment found that the 90-day cap for unhosted STRs alone is projected to reduce the City's TOT revenue by $800,000 to $950,000 assuming all currently permitted STRs continue operating (which is unlikely given expected attrition of operators due to these new restrictions). Revenue losses in the future could range from $950,000 to $1.2 million annually.[72] Staff also found that the total fiscal impact from revenue losses and increased administrative cost was projected to range between $1.4 and $1.5 million, and that this did not even account for "broader economic implications to the local economy such as sales tax revenues and impacts on visitor-serving businesses such as restaurants, cafes, and retail establishments that rely heavily on the hospitality sector."[73] As discussed in our client's January 17, 2025, letter to the Planning Commission, and raised by several commenters during the recent City Council meeting, severely restricting STRs in the City as now proposed will harm small businesses badly.[74] Small businesses in Pacifica regularly have visitors who come into their shops and restaurants who are staying at a local STR, particularly in District 2 where there are no hotels or motels to attract tourists to their businesses.

Staff noted that a comprehensive economic impact study by a third-party consulting firm would be necessary to comprehensively assess potential shifts in spending patterns, the impact of STR renters versus long-term renters on local businesses, and whether tourists would opt (or be able) to use Pacifica's limited hotel inventory or utilize STRs outside the city. Such a study was never requested by City Council.[75]

The City Council's recent decision during its March 11, 2025, meeting, to initiate the process of creating a "Pacifica Tourism Marketing District" which would charge guests at any hotel, motel, and STR in the City $1 to go toward advertising Pacifica as a tourist, meeting, and event destination is evidence that the City is not carefully thinking through the implications of the Draft STR Ordinance which would eliminate many STRs in the City and reduce revenue going toward this new district. Creation of this district to encourage an influx of tourists, events, and meetings is totally at odds with the message sent by the Draft STR Ordinance, which is that the City does not welcome overnight visitors. While the City anticipates $125,000 from this new district each year, this fails to account for the reduction in revenue from the Draft STR Ordinance's restrictions.[76]

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[71] *Id.*, pp. 11, 13.

[72] February 24, 2025, City Council Agenda packet, p. 73.

[73] February 24, 2025, City Council staff report, p. 11.

[74] See February 24, 2025, meeting, at 3:16-3:19, https://www.youtube.com/watch?v=AZO-0RomNH8 (small business owner discussing potential impacts during public comments).

[75] *Id.*, p. 12.

[76] K. Wheeler, *Pacifica plans new approach to attract tourism*, Coastside News (March 12, 2025), available at https://www.coastsidenews.com/review/news/pacifica-plans-new-approach-to-attract-tourism/article_eaf18288-ff4f-11ef-b398-73fa067f2cbe.html.

Given the potentially significant threats to the economic health of the City, its STR-dependent businesses, and many of its residents posed by the Draft STR Ordinance, and this ordinance's effect on the new Tourism Marketing District, we respectfully request that the Council commission a third-party economic impacts study before taking any additional action on the Draft STR Ordinance.

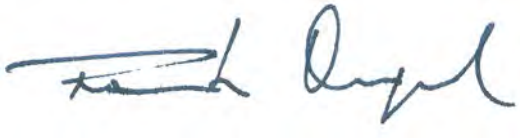
Conclusion

We strongly urge the City Council to direct staff to work with stakeholders to develop a new ordinance that strikes an appropriate balance and does not eliminate existing STR nights or impose restrictions so burdensome as to push STR hosts out of the City, and then bring that ordinance back to the Planning Commission.

As discussed in our client's January 17, 2025, letter to the Planning Commission, there are several straightforward alternatives to the Draft STR Ordinance which ought to fully alleviate the concerns of citizens frustrated with bad actor STR hosts while protecting existing, responsible and compliant STRs and maintaining compliance with federal and state law.

Pacifica for Responsible Tourism is committed to continuing to work with the City on the STR regulation revisions.

Sincerely,



Frank P. Angel

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us
Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

Monday, April 14, 2025

D. Russell Jones
Pacifica for Responsible Tourism
russellj@pacificatourism.org

To All Members of the Pacifica Planning Commission:

The Pacifica City Council has recently enacted an ordinance that will have adverse financial consequences for our city and impact all residents. We strongly oppose this ordinance, which restricts un-hosted short-term rental (STR) operators to a 90-day annual limit — the council is also now considering a 60-day cap. We believe this ordinance was drafted based on erroneous assumptions.

There are some fundamental misunderstandings taking place in the discussions about the 90-day cap. Speakers who do not operate an STR assume that most bookings occur on weekends and holidays. One public comment suggested that at 90 nights, that would mean 80% of weekends in a year would be booked. This is of course not true. In fact of the bookings we had this year so far only 33% occurred on a weekend — where weekend is defined as sleeping Saturday or Sunday night.

This goes hand in hand with other mischaracterizations that have been advanced by opponents of Short Term Rentals — like the belief that STR bookings are for loud parties and gatherings and that visitors are a nuisance.

Most of the people booking an STR in Pacifica are quiet families looking to enjoy our beautiful coastal area, eat at our restaurants, browse our shops and spend time hiking our scenic trails. You can verify this in the appendix to this email which lists countless reviews — for just our home — about shops, restaurants, hiking trails and access to our coast that motivates people to come here.

Tourism revenue represents a significant portion of our city's income and some individuals are threatening to take it away due to a few bad actors. We believe that thoughtful enforcement is all that's necessary to maintain this revenue, rather than excessive government regulation.

The city's own employees have warned the Council this will result in an immediate decline in city taxes and fees collected. In the words of our own City Manager: if this is passed, then next year we will need to outline city services that need to be cut.

We urge you to consider the negative implications of this poorly drafted ordinance. It not only affects STR operators but detrimentally impacts all Pacificans. You have even received comment from local business owners asking you not to pass this ordinance. It is excessive in scope and unnecessarily adds administrative costs to the city while reducing revenue.

It is an ordinance created contrary to overwhelming evidence about the benefits of our current program and without a fair and partial view of how it impacts our city, our resources and the entrepreneurs of this city.

Please vote “no.”

Sincerely,

D. Russell Jones

Pacifica for Responsible Tourism

russellj@pacificatourism.org

Appendix: Reviews from local STR guests in Pacifica

Below is a list of reviews from just one Airbnb in Pacifica, where guests express their love for the tranquility of Pacifica. They emphasize that stays in Pacifica offer a unique experience that cannot be replicated in hotels. They also praise our charming shops, restaurants and businesses.

03.25
My husband and son stayed at the Beach House for 4 nights. Xiaoxing was a perfect host— responsive, helpful, and generous (he even left freshly baked muffins for them!). He let them know in advance about some tree work being done in the neighborhood, but it turned out not to be a problem. The location is amazing— one block from the ocean, walking distance to great bakeries and restaurants. My son's dog had a wonderful time on the dog-friendly beach nearby. All in all a perfect place for a vacation. Thank you, Xiaoxing!

02.25
I loved the location, it's the perfect coastal getaway. There are so many scenic views and hikes nearby and plenty of places to eat within walking distance. Xiaojing was an excellent host, super flexible and responsive. The house is beautiful, clean and cozy, and all amenities and extra attention to detail made our stay super memorable. We even had some freshly baked cookies (delicious, I might add!) waiting for us when we arrived :) I would absolutely recommend staying here.

12.24
We truly enjoyed our cozy stay in Pacifica. I loved walking just a block down to the ocean. My dogs and I took long walks to Mori Point and explored the numerous trails that offered breathtaking views. It was a quiet space where we could spend quality time together as a family. The house was well-equipped with kitchen utensils and small appliances, making it perfect for our needs. Overall, it was the ideal place for family time.

09.23
Beautiful spacious bright home and outdoor area in the center of Pacifica. All that you need for your stay was available! Comfy Beds, plenty of blankets, towels, spices to cook a meal, etc. and delish red velvet cupcakes upon arrival from host! Great hiking trails, pacific ocean a block away, and local businesses to enjoy! We were lucky to enjoy FOG FEST annual festival that has been taking place in the community for over 30 years. We will be back for sure!

09.24
Fun & relaxing stay at this cozy cottage. Xiaojing is an exceptional host...helpful, responsive & respects your privacy. Cottage has everything you need for comfy nights, movie watching, or daily sunset strolls on the pier or beach, a walk or catching Bart into San Francisco. Restaurants, markets, antique stores & golf course

within walking distance. Loved our time in Pacifica! Keep doing what you are doing! Appreciate how easy you make remembering the door code & all the special touches. Your kindness & understanding & knowledge of the area were such a gift! Thank you!

10.24
My dogs and I had a great stay at Albert (Xiaojing) and Russell's house. I've stayed at many Airbnb's over the years and this was the first time it felt like someone's actual home. While there were some personal items and food around, it was still thoughtfully prepared for guests and felt like I was staying at a friend's home. The homemade cookies and dog treats left for us were delicious and very welcoming. Free of clutter, clean, comfortable, and homey — with the best welcome binder I've ever seen! My dogs loved hanging out in the backyard and the location is central to some great hiking and beaches. I appreciated that Pacifica did not feel as touristy as most Bay Area locations are.

07.24
This stay is a gem — an absolutely brilliant gem. The quiet location makes for an exceptional starting point for travels about the area. The little town is full of local coffee shops and eateries, and everything is walkable for those who can. Otherwise, it is an easy drive. The nearby hiking is superb, and strolls along the ocean are incredible. The house is spotless, bright, sunny, and full of amenities. I wholeheartedly recommend this stay.

07.24
This is the place to book if you want a beautiful atmosphere that feels safe, private and comfortable with all the amenities you could ask for and excellent hosts. Very responsive and even left homemade gluten free cookies for us on arrival, and ensured my parcels were kept safe on pre delivery for our arrival. Much better value than staying in a hotel in the city while still close enough to Uber to the sites and airport. Thank you so much for our beautiful stay.

08.24
I would highly recommend staying here. We had a great stay. The host was very responsive and kind enough to leave some homemade muffins which were absolutely delicious. The space was very clean and comfortable. All the amenities you would need inside and plenty of sights to see and things to do in walking distance from the house.

07.24
What a wonderful place! We were greated with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the board walk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

06.24
Love this place. It's the perfect location to really get a feel for the Pacifica life! Highly recommend the hosts too — they're so flexible and accommodating!!

06.24
We absolutely loved this place! The hosts are so accommodating and have made a highly enjoyable home for guests visiting Pacifica. The home is centrally located and steps away from the ocean. We loved riding our bikes and walking the neighborhoods. Even the neighbors were friendly!

10.24
We had a great stay at Xiaojing's place. The house was clean, comfortable, and had all the amenities needed. It was only 5-10 min drive to the beach with Taco Bell which is a nice point to surf. Xiaojing was so kind to leave us some home-made delicious cookies and even treats for our dog! The instructions about the house were clear, and they were very responsive. The restaurant recommendations were also very helpful (tried one and liked it a lot). Definitely would love to stay there again.

05.24
my husband and I truly enjoyed our stay at Albert and Russell's place! we were in town for my graduation and they had balloons, a card, cupcakes, and flowers there to congratulate me, which was so unbelievably kind and generous! It blew me away and made me feel so special! also, the house was in a great location (you can walk to the beach, restaurants, and a corner store), extremely clean, had everything we needed to cook and keep their place clean, and the beds were the most comfortable we've ever slept in. We loved the personal touches around their house (especially the dog pictures) and after a bit, we felt like we were staying at a friends home. their communication was prompt, friendly, and warm. they let us check in early and there wasn't a lot of hassle upon check out. We come back to the bay pretty often and this will definitely be 'our home' when we come to pacifica. Thank you Albert and Russell. We will never forget how special you made our trip.

05.24
This was such a wonderful stay! Quiet, peaceful, very easy to get to the city but also really nice just to walk around Pacifica. Great, responsive, and kind hosts. Would absolutely stay again!

05.24
Such a lovely house and beautiful, peaceful location. The hosts were friendly and easy to communicate with.

03.24
A wonderful stay at this cozy, chic, and clean home. We enjoyed the walkability of the neighborhood. So many great local businesses to explore, and just a block from

the ocean. The bed in the primary was soooooo comfortable. We also loved all the natural light and how kind and considerate our host was over messages.

11.23
This was by far one of the best Airbnb's I have ever stayed in. The place is clean and well stocked with amenities. The high ceilings and skylights are an added touch to make it feel comfortable and homey. The location is convenient to SF but far enough away to provide some peace and quiet. The neighborhood is great with cafes, restaurants, grocery stores and the stunning beach within walking distance. Xiaojing is a responsive, accommodating host and even made us muffins. We will definitely be back!

09.23
What a wonderful place! We were greeted with fresh blueberry muffins. I stepped on to the back patio and could smell the salt ocean breeze. We thoroughly enjoyed the house, it was amazing and had everything we needed and more. You can walk the boardwalk a mile to a short hike and it's beautiful. If we're ever in the area we will definitely want to stay here again.

09.23
Staying at Albert and Russell's place was nothing short of amazing! They made us feel right at home and couldn't have asked for more. They even had homemade blueberry muffins upon arrival & treats for my dog! It was honestly so sweet, they really went above and beyond. The place was spotless and had everything you could ever need. Nice backyard to lounge around and the beach is walking distance about a block away. Highly recommend!!

09.23
This place was fabulous! Close to the beach, big, backyard, walked to everywhere. Had everything we needed and more. Great communication!

08.23
What a beautiful Airbnb! Super clean and beautifully decorated. So close to the beach and local restaurants! Pacifica is a treasure. We would definitely come again!

08.23
The BEST hosts hands down and a WONDERFUL spot to relax. What a special place — this was such a charming neighborhood and spotless cottage with lovely decor. The scrumptious treats Albert provided made feel right at home. This Airbnb is beautiful, comfortable and only a very short walk to the beach.

07.23
Our flights were badly (two days) delayed. Xiaojing communicated effectively and quickly, making our situation less stressful. He was kind, flexible and considerate — to the point of cooking us a meal due to the tardiness of our airline! His place is

clean, tidy and well appointed. It's a pleasant and safe neighbourhood that's walking distance to amenities like groceries, cafes and restaurants. The sea is 5 mins from the doorstep. A superb host that we thought went above and beyond what's expected from a holiday rental.

07.23
Super cute house — nice and quiet neighborhood but close enough to the city! The homemade muffins were delicious and loved the guidebook for all recommendations!

07.23
This place is great. We arrived early and walked to the ocean that you can see from the sidewalk!! Within minutes we were counting the whales. Really cool place. Easy to access everything. Hiking fishing shopping public transportation. We were able to check in an hour early. Love this place.

06.23
Spacious inside and walkable to the beach, corner store, and a bar! We had fun! also they made us muffins which were so good

06.23
This beach house was wonderful! Close to the water, plenty of shops and places to eat nearby, but still a sanctuary at the end of the day. A clean, quiet space to enjoy. Highly recommended!

05.23
We had a wonderful stay! The house was immaculately clean, cozy and super relaxing. We enjoyed both the indoor and outdoor spaces including all of the beautiful plants. Location cannot be better. Walk to ocean, stores and restaurants. The added touches of homemade muffins, games, huge tv, etc were very much appreciated. We will definitely return - the sooner, the better! Thank you Albert and Russell for providing the perfect Pacifica stay!

02.23
Wow. This place is amazing. We were greeted by the most delicious freshly baked blueberry muffins upon entering the house. The reviews are all correct. These muffins are so good, I could stay here just on these muffins alone. But the muffins are going to be a main reason why I come back. You have everything you could possibly need all in this beautifully decorated, comfortable home. It's so close to wonderful shops, restaurants, and bakeries, etc. And, the beach is also a very short walk away. We had the best girls getaway here. Albert and Russell were the best hosts we could have asked for.

11.22
Their home is just a block from the ocean and was the perfect location for leisurely

strolls. There are many cafes and small shops in easy walking distance and it's only a quick 15 minute drive into the City. The home had everything we needed for a family vacation for four, with one very happy surfer among us. We will be sure to book this location again the next time we crave a vacation by the sea.

06.22
This cute little Pacifica bungalow was a pleasant surprise from its charming and modest curb appeal. An adorable little courtyard welcomes you right in. Vintage and charming pocket window pane doors open to a small guest bed off the front room. Walking further into the home, an updated bathroom offers ample toiletries. The kitchen is small, but roomy enough, and equipped with just the right amount of dishes/cups/and cooking tools with a spacious fridge. Enter the living room: Natural light floods through the skylight and transom windows to highlight the large screen tv and stylish furniture. Lots of streaming channels/shows/movies. Really great lighting during the evenings. Easy/convenient sliding door access to the cute back deck and clean landscaping. High ceilings in the living and bedroom; bedroom also has easy access to the back area. Washer/dryer handy in the garage. Quick minute walk to a new corner convenient store, minutes away from Oceana market, Safeway, and a few restaurants. Walkable to the beach, with a direct view of the ocean waves! Pleasantly quiet neighborhood. Thanks to Albert for the fun stay!!

06.22
Russell and Albert were very welcoming and warm. Their home was cozy and very clean. The check in process was smooth and everything nicely arranged and carefully thought out. On the town itself, Pacifica is a very interesting place. It is so laid back and quiet, with seabirds circling around the beach and the pier, and yet in just 15 min drive you're in the buzzling San Francisco city. Or drive in the other direction on Hwy 1 along the coast, it's a completely different landscape. You can hike the hills, surf in the ocean, explore the lighthouse in Montara and drive all the way to Half Moon Bay. I can't recommend here more!

07.22
Great spot close to the ocean and a nice calm slower pace in Pacifica. Wonderful little house only a block away from downtown shops and places to eat. Loved my stay and would stay again.

07.22
Just great. No hassles, no surprises, no worries. Good guys all around. I would stay there again anytime. The Mexican food place they recommended, walking distance around the corner from them, was fantastic.

03.23
Love the town, love the location - walk to restaurants, the beach and all in town. The backyard and front yard is beautiful.

07.22
Albert and Russell were amazing hosts. The room was clean, really comfortable bed and they made me feel right at home. Only two blocks from the beach and some local cafe with great breakfast close by. Epic sunsets and just a really safe and relaxing neighborhood. Highly recommended if your looking for a place in Pacifica.

ANGEL LAW law offices of Frank P. Angel
2601 Ocean Park Blvd. • Suite 205 • Santa Monica, CA 90405
(310) 314-6433 • www.angellaw.com • fangel@angellaw.com

June 16, 2025

Pacifica Planning Commission
Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Re: Planning Commission Agenda Items No. 1: File No. 2025-001 – Text Amendment TA-157-25 (Short Term Rentals)

Via Email to publiccomment@pacifica.gov

Dear Chair Hauser, Vice Chair Berman and Honorable Commissioners:

We write on behalf of Pacifica for Responsible Tourism, whose members are short-term rental (**STR**) hosts that own and operate STRs in the City of Pacifica (**City**). We write to share our serious objections to the draft STR ordinance (the **Draft STR Ordinance**), submitted for the Planning Commission's (**Commission**) consideration.

The Draft STR Ordinance would repeal and replace the City's existing STR regulations. As detailed below and in our previous communications to both the Commission and City Council, the Draft STR Ordinance contravenes several key legal frameworks, including the California Coastal Act of 1976 (**Coastal Act**) and the California Environmental Quality Act (**CEQA**), among numerous other statutory and constitutional protections.[1] Furthermore, the ordinance poses a significant threat to the City's tourism sector, inflicting economic harm on hosts, guests, local businesses, and the City's economy at large.

We respectfully urge the Commission to adopt a resolution recommending the denial of the Draft STR Ordinance. Additionally, a determination that the proposed ordinance may result in significant environmental impacts is legally unavoidable under CEQA, and

[1] We have attached these letters for the Planning Commission's convenience.

so we further request that the Commission direct preparation and public circulation of a comprehensive environmental impact report (**EIR**).

The Draft STR Ordinance Violates the Coastal Act

The Draft STR Ordinance, as currently drafted, introduces provisions that are significantly more restrictive than those reviewed by the Commission in January 2025. These provisions will severely reduce, if not effectively eliminate, the availability of STRs in the City's coastal zone, directly contravening the Coastal Act's mandate for "maximum access" to the California coast and for affordable overnight accommodations.[2] Rather than maximizing public coastal access and protecting lower cost visitor facilities, the following elements of the Draft STR Ordinance advance a policy to minimize public access and recreational opportunities and reduce lower cost accommodations in the coastal zone. Specifically:

- ***60-Day Cap on Unhosted STRs***. The Draft STR Ordinance significantly reduces STRs by imposing a 60-day annual cap on unhosted STR operations, cut down from the already restrictive 90-day cap in the prior draft ordinance.[3] The night cap alone could remove over 10,000 currently available room nights, depriving the City of accommodations (STRs) that Coastal Commission staff has recognized "serve[] a significant purpose as a subset of visitor-serving uses that promotes public coastal access and provides California residents and visitors one way to enjoy the coast."[4]

- ***Primary Residence Requirement***. The Draft STR Ordinance further reduces STRs by imposing a primary residence requirement, which limits host eligibility.[5] It also removes the provision in the prior draft that would have allowed a host who lives in an ADU to rent out the primary residence on the site as a hosted STR.[6] The staff report incorrectly states that the Draft STR Ordinance supports the use of ADUs to contribute to a variety of available housing because it would "permit[] the use of ADUs and Junior ADUs as part of a hosted STR operation where the operator occupies the ADU or Junior ADU and the primarily dwelling is rented on a short-term basis."[7] This is

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[2] Pub. Resources Code, §§ 30210, 30213; see *Kracke v. City of Santa Barbara* (2021) 63 Cal.App.5th 1089, 1092-1093.)

[3] Draft STR Ordinance, § 9-4.4905(t).

[4] California Coastal Commission, Staff Report on City of Laguna Beach Major Amendment Request No. LCP-5-

LGB-19-0074-1, pp. 23-24.

[5] As discussed below, the primary residency requirement will not only reduce availability of lower-cost overnight accommodations, but it would also violate the constitutional rights of property owners.

[6] Draft STR Ordinance, § 9-4.4903(a).

[7] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7.

wrong – the prior draft offered this option, but the Draft STR Ordinance now eliminates this important opportunity to advance coastal access.

- ***Multifamily Development Prohibition***. The Draft STR Ordinance further reduces STRs by expanding the definition of "Multifamily development" to include duplexes, triplexes, and attached product (inclusive of attached single-family dwellings),[8] and would completely prohibit unhosted STRs in multi-family development.[9] As staff noted in its prior staff report to the City Council, limitations on STRs in multi-family buildings will result in 37 existing STR units (29 in the coastal zone and 8 in non-coastal areas) being ineligible for renewal of their STR permit.[10]

- ***Occupancy Limitation***. The Draft STR Ordinance further reduces STRs by imposing an arbitrary occupancy limit of two persons per bedroom, excepting only children under six, compared to the previous exception for children under twelve.[11] This change disproportionately affects families and groups with children, limiting their access to affordable STRs.

As discussed in greater detail in our April 7 letter, these provisions in the Draft STR Ordinance, taken both individually and collectively along with the other exclusionary provisions discussed in our April 7 letter (including parking requirements for STRs in the coastal zone), will eliminate many, if not all, of the existing STRs in the coastal zone. The statement in the staff report that the "proposed amendments would maintain allowances for STRs in the Coastal Zone to continue to provide important visitor serving accommodations"[12] is contradicted by the evidence. In fact, staff estimated that the restrictions on STRs in multifamily buildings alone would ***eliminate 29 out of 44 existing STRs*** in the coastal zone,[13] and this does not account for elimination of STRs from the other restrictions. The Draft STR Ordinance also ***does not mandate a minimum number of permits in the coastal zone***, meaning that all 150 STR permits could be issued to properties outside of the coastal zone, eliminating all STRs in the coastal zone.[14]

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[8] Draft STR Ordinance, § 9-4.4901(f).

[9] *Id*., § 9-4.4905(t)(iii).

[10] February 24, 2025, City Council Staff Report, Agenda Item 5, p. 11.

[11] Draft STR Ordinance, § 9-4.4905(l).

[12] June 16, 2025, Planning Commission Staff Report, Short-Term Rental Ordinance Amendment, p. 8.

[13] February 24, 2025, City Council Staff Report, Short-Term Rental Ordinance, p. 11.

[14] The Draft STR Ordinance's proposed fine structure imposes an additional burden to access. Both hosts and guests of an STR could be subject to thousands of dollars in fines for violations of the Ordinance. *See* Draft STR Ordinance, § 9-4.4909. This places an unreasonable deterrent on the use of private homes for coastal visits. Fines for providing overnight accommodations that the Coastal Act encourages and, indeed, mandates, have been found to erect "a monetary barrier to the beach." (*Greenfield v. Mandalay Shores Community Assn.* (2018) 21 Cal.App.5th 896, 898 ["One of the basic goals of the California Coastal Act of 1976 . . . is to '[m]aximize public access' to the beach"].)

The City's limited hotel and motel stock cannot compensate for this loss. As discussed in our April 7 letter, the City has only approximately 330 hotel and motel rooms,[15] contrasting sharply with other coastal communities.[16] This goes to show how essential STRs are for providing overnight accommodations and maintaining and enhancing coastal access. STRs in Pacifica make up ***over 30 percent of the City's overnight accommodations*** compared to, for example, Half Moon Bay (which imposes a 60-night cap on unhosted STRs) where STRs make up just 7 percent of the overnight accommodations.[17] This context is critical since the Coastal Commission staff have made clear that "there is no one size fits all" STR solution in coastal California and each jurisdiction is considered on a case-by-case basis, based on its stock of visitor serving accommodations.[18] The Draft STR Ordinance imports regulations from other coastal jurisdictions, disregarding their significant shortcomings when compared to baseline conditions in the City, including its stock of visitor serving accommodations.

Coastal Commission staff already cautioned that the City's 150 permit cap pushed the bounds of reasonableness but ultimately recommended the Coastal Commission approve the cap because it allowed all existing STRs in the City to continue to operate.[19] It was clear than any further restrictions might be unreasonable and inconsistent with the City's certified Local Coastal Program (**LCP**) and the Coastal Act.[20] Restrictions like those proposed in the Draft STR Ordinance, which may eliminate most existing STRs in the coastal zone (and could eliminate all), are unlawful under the Coastal Act's mandate for "maximum access" to and along the coast for "all the people."[21] As recognized by the California Attorney General, an STR regulation like the Draft STR Ordinance that "cause[s] a sharp decline in visitor serving accommodations in the coastal zone . . . objectively hinders visitor access to the coast" in conflict with Coastal Act policies.[22]

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[15] See California Coastal Commission Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short-Term Rentals), p. 4.

[16] See, e.g., California Coastal Commission Staff Report for City of Half Moon Bay LCP-2-HMB-21-0078-2 (Short-Term Rentals and Home Occupations), p. 21, note 31 (noting Half Moon Bay has 613 total hotel/motel rooms).

[17] *Id*., pp. 2, 21 (noting City has 46 registered STRs and 613 hotel/motel rooms, so the 46 STRs amount to roughly 7 percent of the total (659) overnight accommodations).

[18] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at p. 10.

[19] See Certified Implementation Amendment Number LCP-2-PAC-23-0023-1; Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals), p. 8.

[20] *Id*., pp. 8-10 (the current cap [1% of total housing stock] is "at the lower end" of what is reasonable even for local jurisdictions with a higher share of alternative (non-STR) overnight accommodations).

[21] Pub. Resources Code, §§ 30210, 30001.5, subd. (c); see also, *id*., § 31411, subd. (d) ("A lack of affordable accommodations remains a barrier to coastal access").

[22] Amicus Curiae Brief of California Coastal Commission, *Kracke v. City of Santa Barbara*, 2020 CA App. Ct. Briefs LEXIS 2499, *18 (Ct. App., May 21, 2020, No. B300528).

The Draft STR Ordinance will also run afoul of the City's LCP, which implements the Coastal Act's public access and recreation policies at the local level. The City's updated coastal land use plan (**LUP**), part of the City's LCP, certified by the Coastal Commission just this past May 8, 2025, expressly incorporates the Coastal Act's public access and recreation policies, noting that the Coastal Act "identifies lower-cost visitor-serving and recreational use of Coastal Zone land as *high priorities*."[23]

The Draft STR Ordinance Violates Other Laws and Constitutional Rights

Unlawful Termination of Nonconforming Uses

The Draft STR Ordinance unlawfully terminates existing, lawful nonconforming uses in violation of rights protected by California law and the Pacifica Municipal Code. California courts have long held that a party may continue to use their property even though such use is nonconforming,[24] as terminating a previously lawful use raises constitutional concerns.[25] The Draft STR Ordinance fails to protect existing, lawfully operating STR hosts by forcing them to reduce offerings by nearly 85 percent or cease operations entirely, contrary to both California law and section 9-4.3002 of the Pacifica Municipal Code (continuance of nonconforming uses).

Violation of the Dormant Commerce Clause

The Draft STR Ordinance's primary residency and natural person operator requirements[26] effectively prevent out-of-state property owners from offering STRs in Pacifica. "The [United States] Supreme Court has emphasized that the 'practical effect' of a challenged statute is 'the critical inquiry' in determining whether that statute constitutes direct regulation."[27] "A law may discriminate on its face, in purpose, or in effect."[28] The Draft STR Ordinance has both the purpose and will have the effect of preventing out of state property owners from offering STRs in Pacifica.

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[23] City of Pacifica Local Coastal Land Use Plan, p. 57 (emphasis added); see *id*. at p. 56 ("An important part of coastal planning under the Coastal Act is identifying and protecting public access to the shoreline.").

[24] *Hill v. Manhattan Beach* (1971) 6 Cal.3d 279, 285-86; *Livingston Rock & Gravel Co. v. Los Angeles County* (1954) 43 Cal.2d 121, 127; *Edmonds v. Los Angeles County* (1953) 40 Cal.2d 642, 651; *E.B. Jones v. City of Los Angeles* (1930) 211 Cal.304, 310-311.

[25] *Livingston Rock & Gravel Co.*, *supra*, 43 Cal.2d at p. 127; *Edmonds*, *supra*, 40 Cal.2d at p. 651.

[26] Draft STR Ordinance, §§ 9-4.4903(c) (primary residence requirement); 9-4.4901(j) (defining "Operator" narrowly to mean "Natural Person").

[27] *S.D. Myers, Inc. v. City & Cnty. of San Fran*., 253 F.3d 461, 467 (9th Cir. 2001) (quoting *Healy v. Beer Inst*., 491 U.S. 324, 336 (1989)).

[28] *Hignell-Stark v. City of New Orleans*, 46 F.4th 317, 326 (5th Cir. 2022).

Taking Without Just Compensation

By prohibiting property owners from leasing on a short-term basis, the Draft STR Ordinance infringes on fundamental property rights, including the right to lease[29] and the right to include others on one's property.[30] This constitutes a taking, entitling property owners to compensation for the value of the property taken.[31]

Violation of the Fundamental Right to Privacy

By taking away homeowners' ability to choose who can stay in their homes, the Draft STR Ordinance infringes on the inalienable right to privacy under the California Constitution.[32] The City fails to justify this intrusion under heightened scrutiny, as STRs do not demonstrably impact the City negatively compared to other residential uses.

Impeding the Freedom of Assembly and Association

The Draft STR Ordinance's limitations on how many guests or visitors of STR renters are permitted on the property at any time of day[33] infringes on the constitutional right to freedom of assembly under article I, section 3, of the California Constitution. For example, a couple staying in a one-bedroom STR while visiting their parents/in-laws could only have one guest in their STR at time, preventing them from hosting their parents/in-laws for a cup of coffee. This restriction has especially inequitable impacts on individuals renting more affordable, smaller STRs.

Further, the Draft STR Ordinance's prohibition on "non-commercial Events"[34] also infringes on constitutional rights to freedom of assembly under article I, section 3, of the

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[29] See *Terrace v. Thompson*, 263 U.S. 197, 215 (1923).

[30] See, e.g., *Union Carbide Corp. v. Alexander*, 679 S.W.2d 938, 940 (Tenn. 1984) (explaining that the fundamental "rights associated with the ownership of property" include the core rights and their corollaries—i.e., "the right to refuse to do any of the[m]").

[31] *See*, *e.g.*, *Sheetz v. Cnty. of El Dorado, Cal.*, 601 U.S. 267, 274 (2025).

[32] *Hill v. NCAA* (1994) 7 Cal.4th 1, 20; *see also City of Santa Barbara v. Adamson* (1980) 27 Cal.3d 123, 130 (invalidating local zoning ordinance prohibiting groups of more than 5 unrelated individuals from residing together in residential zones, holding that an individual generally has a protected "right to live with whomever one wishes" and noting that "zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the user."); *Park Redlands Covenant Control Comm. v. Simon* (1986) 181 Cal.App.3d 87, 96 (refusing to enforce HOA covenant fixing maximum number of occupants per residence at three); *Coalition Advocating Legal Housing Options v. City of Santa Monica* (2001) 88 Cal.App.4th 451 459 (explaining the "right to privacy" includes "the right to be left alone in our homes.").

[33] Draft STR Ordinance, § 9-4.4905(m) (limiting maximum number of guests allowed "at any time" to one half of the maximum renters allowed).

[34] Draft STR Ordinance, § 9-4.4901(d) ("'Events' means weddings, conference retreats, commercial events, loud or disruptive gatherings of any kind, parties *or any other similar gatherings which have the*

California Constitution. The City already has in place generally applicable noise and nuisance provisions in its Municipal Code that can be used to address loud or disruptive events, so it cannot meet the burden required to show that this new intrusion on constitutional rights is justified.

Void for Vagueness

Provisions of the Draft STR Ordinance are so vague that they are ripe for arbitrary and discriminatory enforcement in violation of the United States and California Constitutions.[35] For example, as discussed above, the Draft STR Ordinance prohibits all "non-commercial Events" which, as currently defined, are so vague as to prohibit virtually any gathering. "Events" are defined as "weddings, conferences, retreats, commercial events, loud or disruptive gatherings of any kind, parties or any other similar gatherings which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood."[36] The Draft STR Ordinance further provides that STRs "shall not be used for any non-commercial Event that is likely to result in a violation of traffic, parking, noise or other standards regulating the residential use and character of the neighborhood."[37] The breadth of these definitions provides the leeway for a City official to find that something as ordinary as a dinner at the outdoor space of an STR is a "disruptive gathering."[38] The consequences of this are not minor. Under the Draft STR Ordinance, the City may revoke an STR permit after just one violation of the ordinance and issue significant fines per day for a violation.[39]

Substantive Due Process Implications

Termination of a lawful nonconforming use effects a deprivation of property without due process of law, and prohibiting homeowners from renting their homes to visitors also violates their substantive due process rights under the United States and California Constitutions by infringing on their fundamental property rights, including the "right to lease," one of the many rights within the "bundle of sticks" of property rights.[40]

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potential to cause traffic, parking, noise or *other impacts to the neighborhood*") (emphasis added); *Id.*, § 9-4.4905(r) ("Short-term Rentals … shall not be used for any non-commercial Event that is li*kely to result in a violation of traffic, parking, noise, or other standards* regulating the *residential use and character* of the neighborhood.") (emphasis added).

[35] *Johnson v. United States*, 576 U.S. 591, 595 (2015); *Hoffman Estates v. Flipside, Hoffman Estates*, 455 U.S. 489, 498 (1982).

[36] Draft STR Ordinance, § 9-4.4901(d).

[37] *Id.*, § 9-4.4905(r).

[38] *See, e.g., Briggs v. Lincoln County*, No. 22CV38244 (Lincoln County, Oregon, Circuit Court, Jan. 26, 2024, General Judgment) (finding STR ordinance prohibited on "Events, such as weddings, rehearsal dinners, and similar activities" was impermissibly vague in violation of Article I, Section 20, of the Oregon Constitution and enjoining enforcement of that provision).

[39] Draft STR Ordinance, §§ 9-4.4908(b), 9-4.4909.

[40] *United States v. Craft*, 535 U.S. 274, 278 (2002).

Other Issues with the Draft STR Ordinance

Proposed Private Right of Action

The Draft STR Ordinance provides that "Aggrieved Residents" (defined as residents who reside in or own property within 300 feet of the subject STR that personally experienced disruption) can invoke violations of the STR ordinance as a basis for a private right of action for injunctive relief.[41] This effectively transfers enforcement responsibility from the City to its residents, potentially leading to increased litigation and community discord.

Inviting individuals to directly sue hosts – and guests ("prospective defendants") – may encourage frivolous lawsuits driven by personal or constitutionally suspect grievances, placing undue burdens on hosts who may face costly and time-consuming legal battles over minor or unintentional infractions, the sort of infractions ("parties or any other similar gatherings which have the potential to cause traffic, parking, noise") that can be associated with owner-occupant or long-term renters' gatherings just as easily as with a short-term renters'. Such a legal environment may deter hosts from the STR market, further constraining the availability of affordable and diverse accommodation options in the City. The staff report fails to address or analyze this new provision.

Adoption of the Draft STR Ordinance Would Be Arbitrary and Capricious

There is No Evidence STRs Impact Housing Affordability in the City; the Draft STR Ordinance is a False Solution to Housing Challenges in the City

In a cursory discussion, the staff report claims that the Draft STR Ordinance "specifically addresses preservation of affordable housing" without any evidence to prove that these new restrictions would actually preserve affordable housing.[42] The City seems to assume that long-term leases in multi-family developments exiting the STR market due to the ban on unhosted STRs in such developments would meet affordability metrics, and that such residences will become available for long-term leases in the first place. The evidence in the record tells another story. The City's existing STR regulations already impose a cap of 150 STR permits.[43] The City's Housing Element states that the City has analyzed the issue of STRs and their "impacts on the housing stock in Pacifica" and found STRs comprise ***"less than 1 percent of the housing stock***" in the City.[44] Given the very small percentage of the housing stock already used for STRs, and given that hosted STRs form a portion of this very small percentage of housing stock, i.e., continue to provide housing for residents while also accommodating visitors, there is no

[41] Draft STR Ordinance, § 9-4.4909(h).

[42] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6.

[43] Pacifica Mun. Code, § 9-4.4902.

[44] Pacifica Housing Element 2023-2031 adopted January 22, 2024, p. A-15.

evidence that STRs are even a minor contributor to the City's housing affordability challenges.[45] When considering the LCP amendment for the City's existing 150 STR permit cap, Coastal Commission staff pertinently observed that no data show that this "STR cap would actually create additional longer term housing opportunities, especially in terms of affordable housing."[46]

In contrast, as STR hosts have repeatedly urged the City to consider in the many letters submitted by Pacifica for Responsible Tourism, and as the staff report notes,[47] STRs provide a vital source of income for many homeowners and renters in the City which enable them to continue to live here. The Draft STR Ordinance would eliminate this source of income, making it potentially impossible for many homeowners to afford their housing costs while doing nothing to create the new affordable housing units the City is legally obligated to provide. This is particularly relevant in high-cost coastal areas where rising property taxes, insurance premiums, and utility costs threaten to displace long-term residents. Many STR hosts use rental income to offset mortgage payments, property taxes, and maintenance costs that would otherwise make homeownership financially impossible. This is critical for middle-class families and seniors on fixed incomes who purchased homes years ago but now face escalating costs that exceed their current incomes. Income from STRs allows these residents to remain in the City.

Adopting these new STR restrictions will make housing ***less affordable*** in the City and threaten displacement of existing residents.

There is No Evidence STRs in the City Have Nuisance Impacts or Impact Residential Character

The staff report suggests the Draft STR Ordinance would help to "address potential neighborhood impacts such as noise, litter, and parking" and "preserve[] the unique qualities of residential neighborhoods, consistent with" the General Plan.[48] This

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[45] Empirical evidence supports this conclusion. As discussed in a recent study conducted by the Milken Institute on STRs in California, "the notion that decreasing STR supply will mitigate California's extreme housing shortage is not supported by the evidence. The only solution to California's housing crisis is to provide more housing: specifically denser, more affordable multifamily housing units." Dubetz et al, *Staying Power: The Effects on Short-Term Rentals on California's Tourism Economy and Housing Affordability*, Milken Institute, p. 1 (2022); see also Betsey Stevenson, *Banning Airbnb Won't Solve the Housing* Crisis, Bloomberg News (July 8, 2024), https://www.bloomberg.com/opinion/articles/2024-07-08/banning-airbnb-will-not-make-housing-more-affordable (finding banning STRs undermines efforts to make housing more affordable by taking away the opportunity for residents to rent out their homes and recoup some of their investment).

[46] See Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at pp. 8-9.

[47] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7 (STRs provide important supplemental income opportunities to City residents "fostering economic empowerment and enabling contribution to the local economy…").

[48] *Id.*, p. 7.

conclusory statement is not supported by evidence in the record of nuisances or other negative impacts from STRs in the City. STRs in the City operate like any other residential use.[49] The City Council's February 24, 2025, staff report acknowledges that concerns about STRs impacting neighborhoods and housing availability were discussed in previous sessions,[50] but these claims are based on unverified public comments without supporting evidence.

Further, the City's argument that STRs somehow negatively impact "residential character" is a poorly concealed attempt to justify excluding perceived "outsiders" from the City. This is not a legitimate public purpose and is discriminatory. STRs do not fit the mold of other uses that have been excluded from residential areas for negatively impacting the "residential character" (e.g., stores, factories) – short-term renters are not using their rentals any differently than a long-term renter or homeowner.[51]

In fact, STRs are shown to have a positive and environmentally sustainable impact on the City, offering substantial benefits to residents and visitors and supplementing the very limited stock of hotels and motels, thereby obviating the need for construction of new hotels and the environmental impacts associated with new construction activity. The Draft STR Ordinance overlooks these benefits.

The Staff Report Fails to Provide An Analysis of the Significant Financial Impact of the Draft STR Ordinance to the City

The staff report also does not provide the same analysis of fiscal impact as it did in the February 24, 2025, staff report to City Council on the significant impact of the Draft STR Ordinance to City revenue, despite this new draft being even more restrictive and certain to result in an even greater loss of revenue for the City compared to the ordinance before the Planning Commission in January 2025. Confusingly, the staff report's General Plan consistency analysis recognizes the benefits of STRs to the City's "fiscal health"[52] but seems to suggest the Draft STR Ordinance would "promote[] a broader mix of revenue-generating transient occupancy uses" and "stimulate[] the local economy by increasing revenue generated by local businesses and STR operators" when there is no doubt the new regulations would have the opposite effect.[53] It is not

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[49] *Keen v. City of Manhattan Beach* (2022) 77 Cal.App.5th 142, 149 (STRs are a residential use); see *Coastal Protection Alliance Inc. v. Airbnb, Inc.* (2023) 95 Cal.App.5th 207, 218 (using a residence as an STR is a residential use).

[50] February 24, 2025, City Council Staff Report, Agenda Item 5, pp. 3-4.

[51] See fn. 49, *supra*.

[52] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 7 ("By offering a diverse range of accommodation options catering to different budgets and travel styles, STRs attract a diverse range of tourists to the City…. This increased diversity enhances the City's fiscal health through revenue generated from business license, TOT, and sales tax. Furthermore, it stimulates the local economy by increasing revenue generated by local businesses and STR operators.").

[53] *Ibid*.

clear if the staff report is discussing the existing benefits of STRs, but if it is, then it fails to provide any analysis of the significant fiscal impact to the City from eliminating these benefits.

The Draft STR Ordinance will eliminate even more of the 139 existing STRs in the City compared to the prior draft[54] and along with them, a majority of the estimated $1.5 million in annual transient occupancy tax revenue they generate for the City.[55] The Draft STR Ordinance will necessarily reduce tourism to the City by ***reducing overnight accommodations in the City by up to 30 percent***[56] and cause economic harm to businesses and restaurants, and the City itself, by wiping out most of the revenue generated by this tourism activity. This revenue helps to "fund essential city services such as infrastructure and recreation facility improvements, benefiting the tourist and local economies, as well as residents."[57] According to the staff report, STRs also "attract a diverse tourist base to the City, introducing new customers to local shops and restaurants" and these tourists "directly strengthen the local economy by generating revenue for local businesses and contributing to the City's sales tax base."[58] The City must do more to evaluate the actual economic and fiscal impact of these proposed regulations to understand the economic and fiscal harm they will cause before taking any action on the Draft STR Ordinance.

The Draft STR Ordinance Must be Fully Evaluated Under CEQA

The Commonsense Exemption Does Not Apply

The staff report recommends finding the Draft STR Ordinance exempt from CEQA pursuant to the "commonsense" exemption. The common sense exemption requires the City to prove there is "no possibility [of] a significant effect on the environment."[59] According to staff, "it can be seen with certainty that there is no possibility that adoption

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[54] February 24, 2025, City Council Staff Report, Agenda Item 5, p. 11.

[55] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6. Staff previously estimated that the Prior Draft STR Ordinance's 90-day cap on unhosted STRs alone would have reduced transient occupancy tax revenue by $800,000 to $950,000, with future losses potentially reaching $950,000 to $1.2 million annually. (January 21, 2025, Planning Commission Staff Report, Agenda Item 5.a, p. 2.) Staff estimated the total fiscal impact from the Prior Draft STR Ordinance, including revenue losses and increased administrative costs, would have been between ***$1.4 and $1.5 million***, excluding broader economic implications such as sales tax revenues and effects on visitor-serving businesses. (February 24, 2025, City Council Staff Report, Agenda Item 5, pp. 11-12.)

[56] The City has 139 existing STRs and only 330 total hotel and motel rooms. (*See* Staff Report for City of Pacifica LCP Amendment Number LCP-2-PAC-23-0023-1 (Short Term Rentals) at p. 8.) If all 139 STRs are eliminated, overnight accommodations will be reduced by 30 percent.

[57] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 6

[58] *Id*., p. 7.

[59] CEQA Guidelines, § 15061, subd. (b)(3).

of this Ordinance may have a significant effect on the environment."[60] This is incorrect. The Draft STR Ordinance may result in significant environmental impacts which the City must evaluate under CEQA. [61] The City's duty to produce substantial evidence supporting its CEQA exemption "is all the more important" where arguments have been raised regarding an ordinance's possible significant environmental impacts.[62] Such arguments have been raised here. And they have merit.

By significantly reducing the number of STRs in the City, the Draft STR Ordinance will significantly impact a resource of the coastal zone environment – coastal access.[63] Furthermore, it will have a direct impact on the physical environment resulting in reasonably foreseeable direct increases in vehicle miles travelled as visitors who would have stayed at STRs in the City seek accommodations farther away. This shift may result in increased air pollutants, greenhouse gas emissions, energy use (including fossil fuels), noise, and new traffic impacts. Additionally, indirect impacts from the Draft STR Ordinance's foreseeable result of new hotel construction are reasonably probable, including significant air quality and health impacts from construction emissions, such as diesel particulate matter, and noise impacts exceeding the City's General Plan Noise Element standard and noise ordinance.

The "Existing Facilities" Categorical Exemption Does Not Apply

The staff report also recommends finding the Draft STR Ordinance exempt from CEQA pursuant to the Class 1 categorical exemption for "Existing Facilities."[64] This categorical exemption applies to "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use."[65] The City claims that the proposed ordinance qualifies under this categorical exemption because it amends existing regulations for STRs and "involves negligible or no expansion of existing or former use" and would "revise provisions related to STR operation and enforcement actions for noncompliance" and these "would not have a significant effect on the environment."[66] Not so.

This exemption is not intended to encompass municipal ordinances establishing new regulatory policies. The Draft STR Ordinance does not propose a "minor alteration" of

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[60] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

[61] *See Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 117 ("the agency's exemption determination must be supported by evidence in the record demonstrating that the agency considered possible environmental impacts in reaching its decision.")

[62] *Ibid.*

[63] *Lent v. California Coastal Com.* (2021) 62 Cal.App.5th 812, 834 (coastal access qualifies as a "resource" of the coastal zone).

[64] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

[65] CEQA Guidelines, § 15301.

[66] June 16, 2025, Planning Commission Staff Report, Agenda Item 1, p. 9.

an existing STR use; rather it seeks to eliminate or substantially impact multiple existing STR uses throughout the City. The relevant, classic examples of projects that are typically considered covered by this Existing Facilities exemption are "[c]onversion of a single family residence to office use" and "[u]se of a single-family residence as a small family day care home ...."[67] Class 1's listing of these and all other examples (16 total) of "facilities" illustrative of "the types of projects which might fall within Class 1" corroborates the conclusion that the Class 1exemption is inapplicable.[68] The Draft STR Ordinance affects *all residences* in the entire City, and not simply a change of use of one individual residence or apartment building.

Even if the Draft STR Ordinance were the type of project suitable for the Class 1 categorical exemption, which it is clearly not, an exception to the exemption applies. By CEQA Guidelines section 15300.2, subdivision (c), "[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." To demonstrate that the unusual circumstances exception applies, there must be "a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."[69] This "unusual circumstances" exception to a categorical exemption applies when the circumstances of a project differ from the general circumstances of projects covered by a particular categorical exemption, and those circumstances create an environmental risk inconsistent with the exemption.[70]
As discussed above, the Draft STR Ordinance is readily distinguishable from the types of projects in the exempt class, given its size -- the geographic scale of its application -- and it differs from the general circumstances of projects in the exempt class. And there is a reasonable possibility of a significant effect on the environment due to these unusual circumstances since, as discussed above, eliminating many STRs from the City will or may result in significant environmental effects.

Conclusion

For all the reasons outlined in this letter, we strongly urge the Commission to recommend the denial of the Draft STR Ordinance. Furthermore, we request that the Commission determine that the proposed ordinance may result in significant

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[67] CEQA Guidelines, § 15301, subds. (n), (p).

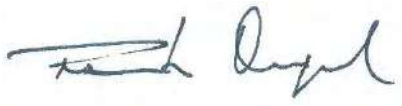
[68] CEQA Guidelines, § 15301.

[69] *Id*., § 15300.2, subd. (c).

[70] *Fairbank v. City of Mill Valley* (1999) 75 Cal.App.4th 1243, 1260. As the California Supreme Court explained in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, an unusual circumstance may be established without evidence of an environmental effect "by showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location." (*Id*. at p. 1105.) "In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance." (*Ibid*.) "Alternatively, . . . a party may establish an unusual circumstance with evidence that the project will have a significant environmental effect." (*Ibid*.)

environmental impacts, necessitating the preparation of a comprehensive EIR in accordance with CEQA; or, at a minimum, reject the exemptions cited by staff, determine that the Draft STR Ordinance is subject to CEQA, and direct staff to prepare an initial CEQA study to determine the appropriate CEQA document to disclose and assess the environmental impacts of the Draft STR Ordinance.[71]

Sincerely,



Frank P. Angel

cc: Kevin Woodhouse, City Manager, via email to woodhousek@ci.pacifica.ca.us & cmoffice@ci.pacifica.ca.us
Michelle Marchetta Kenyon, City Attorney, via email to mkenyon@bwslaw.com
Samantha Updegrave, Community Development Director, via email to supdegrave@pacifica.gov & CommunityDevtDept@pacifica.gov
Dan Carl, California Coastal Commission, North Central Coast District Director, via email to Dan.Carl@coastal.ca.gov
Stephanie Rexing, California Coastal Commission, North Central Coast District Manager, via email to Stephanie.Rexing@coastal.ca.gov

[71] CEQA Guidelines, § 15063.

From: Lyla Reinero [redacted]
Sent: Monday, August 11, 2025 11:55 AM
To: Public Comment; _City Council; Beckmeyer, Sue; Boles, Christine; Wright, Greg; Bier, Mary; Espinosa, Mayra
Cc: Bryan Reinero; Woodhouse, Kevin; Carter, Yulia
Subject: Public Comment: Pacifica City Council Meeting, 08/11/2025, Agenda Items #7, #8, & #9
Attachments: Screenshot 2025-08-11 at 11.44.35 AM.png

[CAUTION: External Email]

Greetings, Mayor Beckmeyer and City Councilmembers,

I hope you all enjoyed a nice summer break and have been keeping well.

After viewing the agenda packet for tonight's city council meeting, I have a few comments, questions, and concerns:

Agenda Item #7: New Contract with HdL
•Why the significant increase in contract rate?
•Did we have RFPs with any other service providers?
•With the new ordinance going into effect, which includes platform accountability, the platforms should be providing the information to the city and HdL, making enforcement and compliance an easier task
•Will AskRose (Pacifica's new AI tool) be able to help HdL with compliance?
•Recommend postponing this contract, but if we do sign the contract, it would be for the shorter period of 1 year, to see how the effects of the new ordinance are working

Agenda Item #8: New VCA with HomeAway.com
•On the surface, it would appear any agreement is better than no agreement.
•There is language in the agreement that appears to limit the city's ability to audit (see section 6 on page 130 of the agenda packet)
•Will there be conflicts between this agreement and the new ordinance with platform accountability?
•Recommend postponing entering VCA with HomeAway.com until questions are answered

Agenda Item #9: Adoption of the new STR Ordinance
•Bravo!!
•Please expedite getting the ordinance passed through the CA Coastal Commission as soon as possible

Finally, THANK YOU to each and every one of you for your hard work over the past 3 years in amending the STR ordinance. Your efforts and commitment are greatly appreciated!

Most sincerely,
Lyla Reinero
Founding Member of Pacifica Homes Are Not Hotels
Proud Pedro Point Resident and PPCA Member

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6. During any period in which this Agreement is in effect, and without waiving any audit rights provided to the City, with respect to any transaction for which the Tax is due and paid pursuant to this Agreement, the City agrees to audit HomeAway in the manner provided in the Code, except that: (a) HomeAway will not be required on the basis of this Agreement to disclose the Homeowner or Guest name at issue; (b) the City shall not, directly or indirectly, audit any individual Guest or Homeowner relating to such transactions; and (c) if there are errors in the jurisdictional boundaries, HomeAway will provide the URL of the property listing after the City updates the boundaries with HomeAway's third-party content provider in accordance with Paragraph 4. HomeAway will provide the property address associated with each Booking Transaction in response to a valid information request issued by the City as part of an audit of HomeAway's books and records pursuant to the City's Municipal Code. The City shall complete any audit of HomeAway's books and records within the time period permitted under the applicable statute of limitations, including any waivers mutually agreed to by HomeAway. Nothing in this paragraph prevents the City from auditing an individual who (or entity that) happens to be a Homeowner based upon transactions that the City learns of independently nor shall anything in this paragraph prevent the City from auditing a Homeowner for transactions that the Homeowner completes on another internet-based platform,

Public Comments

Items Not on Posted Agenda

Written Comments Received By 12pm on 08/11/2025

August 11, 2025

City Council Meeting

From: Coffey, Sarah
Sent: Friday, August 8, 2025 9:33 AM
To: Public Comment
Subject: FW: OSV Parking on Paloma Avenue

From: k romero [redacted]
Sent: Friday, August 8, 2025 9:31 AM
To: _City Council <citycouncil@ci.pacifica.ca.us>; Coffey, Sarah <scoffey@pacifica.gov>; Woodhouse, Kevin <kwoodhouse@pacifica.gov>
Subject: Re: OSV Parking on Paloma Avenue

[CAUTION: External Email]

Dear City Council,

I hope this message finds you well.

I am following up on my previous email regarding the proposed ordinance requiring certain vehicles to move at least 1,000 feet every 72 hours. I strongly believe that implementing this regulation could significantly mitigate the risk of these vehicles establishing a long-term presence in our community. With the recent increase of oversized vehicles (OSVs) attempting to park on Paloma Avenue, it's imperative that we pass this promptly. Given the impending restrictions that San Francisco plans to enforce, we must proactively safeguard against a potential surge of OSVs into Pacifica. While the 72-hour rule is a positive step, I urge you to also consider establishing a sticker ban to further protect our community's interests. If San Francisco can implement a two-hour parking restriction, surely Pacifica can adopt similar measures. It is essential to act decisively now to avoid the challenges faced by San Francisco.

Additionally, I would like to reiterate my request to remove Paloma Avenue from the OSV parking map. Prioritizing the safety and well-being of our community is crucial, especially given this area's proximity to a school, public pool, soccer fields and tennis and pickleball courts. Allowing oversized vehicles to park in this residential neighborhood seems counterproductive and poses risks by increasing traffic, introducing strangers, and contributing to blight in an area primarily frequented by families with children. There are other suitable areas in Pacifica for these vehicles, and we must ensure our residential zones remain safe and family-friendly.

Thank you for your attention to these pressing concerns. I look forward to your response and to seeing positive action taken in favor of our community.

Kind regards,
Kerry

On Thu, Jul 24, 2025 at 2:04 PM k romero [redacted] wrote:

> Dear City Council -
>
> I hope this message finds you well and you all are enjoying the summer season.
>
> I'm writing to follow up on a request to remove Paloma Avenue from the OSV parking map. It's crucial that we prioritize the safety and well-being of our community, especially with such a vital area being close to a school, public pool, soccer fields, and tennis and pickleball courts. Allowing oversized vehicles to park in this location seems counterproductive.
>
> I would also like to follow up on the proposed ordinance requiring that certain vehicles move at least 1,000 feet every 72 hours. I believe that implementing this rule could play a significant role in preventing these vehicles from establishing a permanent presence in our community.
>
> Furthermore, it can help mitigate issues related to litter and furniture being left on our streets. This is crucial for maintaining the cleanliness and safety of our shared spaces, and I urge you to support the passing of this ordinance.
>
> Furthermore, in light of the impending restrictions that San Francisco is likely to implement, we must proactively plan for the potential influx of OSV's into Pacifica. It would be prudent for us to establish a similar ban to safeguard our community's interests.
>
> I have also noticed that the Safe Parking Program spots have been largely underutilized in recent weeks, with over a dozen vehicles still residing on our city streets. While some individuals may have reservations about participating in this program, it's essential that they do not continue to occupy public spaces where they can cause disruption. In my experience on Paloma Avenue, it's evident that some individuals do not wish to engage with available resources but instead take advantage of our system.
>
> Therefore, I strongly urge the removal of Paloma Avenue from the OSV parking map and the passage of the proposed ordinance as a small yet significant step towards making Pacifica a safer and more harmonious community.
>
> Thank you for your attention to this matter. I look forward to your response.
> Kind regards,
> Kerry
> Best regards,

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From: Ted Bisson [redacted]
Sent: Friday, August 8, 2025 4:10 PM
To: _City Council; Coffey, Sarah; Woodhouse, Kevin; Public Comment
Subject: Public Comment - Ordinance 5988? (72-hour parking/1000 feet/24 hours)

[CAUTION: External Email]

Councilmember,

I am writing to you to offer public comment regarding your deliberations to change the 72-hour parking ordinance. I urge you to reject the proposed changes.

I have not followed the discussion closely, but I suspect the main purpose of this change is to provide another option to chase off RVs and other large vehicles. I think you should spend more effort working on more compassionate and practical approaches.

Enforcement of our current 72-hour parking rules is best described as, enforcement by tattle-tail and chance. In my decades as a resident here, I have seen weeds growing under cars, trucks and vans, and seen neighbors go on vacation while leaving a car on the street for weeks, all without consequence. I've also witnessed someone pull up in front of their house the wrong way and be ticketed in a couple of hours. Given how sporadic current enforcement efforts are, why would you even consider adding more needless complexity here? (Seriously, are you expecting our police to spend multiple visits over days to ensure this additional requirement is satisfied? They have better things to do.)

Stop setting neighbor against neighbor. If your goal is to see greater turnover on our streets, then attach a no parking requirement to street sweeping, like most other communities around us. This will have the added benefit of making our streets even more clean, and you can spend your efforts ensuring the street cleaner actually does the job we pay for.

If you are looking for ways to push out RVs, focus on rules and options for that part of our population. And give our community the tools to directly address our real concerns. Don't complicate a poorly enforced existing rule to add more doubt to our streets.

Thank you for your consideration,
Ted Bisson

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From: Suzanne Moore [redacted]
Sent: Sunday, August 10, 2025 11:03 AM
To: Public Comment; _City Council
Cc: Suzanne Moore; Anita M. Rees; Marina Hernandez
Subject: Public comments to City Council 8/11/25

[CAUTION: External Email]

Honorable City Council Members and City Staff,

Suzanne Moore, sitting Board member on Healthcare for the Homeless and Farmworkers Board and new board member to the Pacifica Resource Center. These remarks are my own.

As Pacifica prepares to put forward parking ordinance amendments, I believe it is important for our decision to be informed.

Data - There is a discrepancy between recent data from our police force and past homeless count data. Accurate data better informs effective efforts.

Current studies - Multiple studies warn against repercussions of fining and/or ticketing, towing, and further impacts of displacement.

Past harm - we must recall the stories of community members impacted by our present parking laws and mitigate these issues as we proceed with amendments.

Solution-based efforts - As we expand our laws, we should direct our City to prioritize solution-building efforts that successfully reduce homelessness. Pacifica is experiencing a perfect wave of issues: displacement of homeless from other communities, a reduction of funding for safety net institutions, and evictions exceeding pre-pandemic numbers.

DATA - accurate data improves effectiveness and can justify our outreach for funding. If the unhoused from one location are being displaced into our community, we need to gather that data and advance regional efforts.

Evictions are up: if we gather data to see the trends, we may be able to intervene to keep folks in their homes. This data is not being collected in the County.

STUDIES - studies have warned of worsening homeless outcomes related to fines, ticketing, and displacement. Trauma, risk of losing belongings, and disruption of medical and mental health resources can negatively impact health, prolong homelessness, and be barriers to future housing.

STORIES - Pacifica's homeless neighbors have shared past experiences:

- a family had their RV towed as the daughter prepared for a school day at Terra Nova,
- a Pacifican received an eviction warning while hospitalized for cancer treatment,
- a Pacifican lost medical insurance when laid off and was without medical treatment for 6 months making a job search difficult.

What can we do? PLEASE DIRECT OUR CITY, as we move to expand our parking ordinance, to prioritize solution-building efforts.

- Collect data to justify our request for regional funding and increase our awareness of evictions.
- Reach out to County experts to better understand successful models to address homelessness when current shelter beds have reached maximum capacity.
- Take steps to create temporary regional housing as an alternative option for residing in vehicles as winter approaches.

It is our responsibility to be knowledgeable and informed as we enact amendments to our parking ordinance.

The Housing Crisis is the great social challenge of our time.

--

Suzanne Moore

[redacted]

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From: Robert Azzaro [redacted]
Sent: Sunday, August 10, 2025 3:48 PM
To: Public Comment
Cc: Woodhouse, Kevin; Espinosa, Mayra; Wright, Greg
Subject: Safe parking program

[CAUTION: External Email]

I am reaching out regarding the RV parking map, East Sharp Oceana High School.

Paloma should be removed from the map before school starts.

Though all obligations have been met regarding the ACLU law suit, I am aware the city no longer has any legal obligation. Why the parking program would be voluntarily reinstated is not only in question, but leaves me to believe changes could be made in good faith on both ends.

Again, this area is not conducive to RV parking, as there are multiple schools, a tennis court, a swimming pool and a very busy soccer field, all of which host games/meets etc. Parking is already very challenging and this is making it impossible for the families and children who attend events at those locations to park. Also, there is a great basic safety concern as there are so many children in the area . The RVs are parked right in the path of the Oceana High School students as they jog during PE class. There are parents who are very concerned that the sidewalk is being occupied by drifters. Three of the RVs that have parked along Paloma are owned by the same person, and he rents them out to various people to live in, so the occupants are always coming and going, and many also have automobiles which they sleep in. There have already been multiple arguments between the RV occupants and the homeowners in the area and the tensions are rising. We were told by RV occupants that more are to come and there is already no parking space for the homeowners/neighbors.

Sincerely,

Robert Azzaro

[redacted]

From: Lori Yap [redacted]
Sent: Monday, August 11, 2025 10:00 AM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Public Comment on Item Not on Agenda - City Council 08/11/2025

[CAUTION: External Email]

Dear City Council Members,

I am asking that the public have online access again to documents submitted for Active Planning Applications. It has been stated that Senate Bill 1214 (SB1214) is the reason this public information service was removed from the City website. However, this law is meant to protect copyrighted architectural drawings, and should NOT prevent the public from online access to documents.

From doing a little online research, I found how both objectives can be accomplished. Please take a look at the following 2 links that explain and demonstrate how the public can still have online access, while protecting copyrighted architectural drawings.

https://www.bwslaw.com/news/sb-1214-new-limits-on-use-and-disclosure-of-architectural-drawings-by-public-agencies/

https://sfplanning.org/resource/senate-bill-1214-authorization

It is important for citizens to feel there is transparency, and online access to documents can help to achieve that goal. I understand that digital plans for proposed projects are available for viewing at the Civic Center, located at 1800 Francisco Blvd, Pacifica, CA 94044. However, the days and times for viewing are understandably limited. Whereas, online access lets the public view documents anytime that works with their other obligations, including weekends. With online access, lack of transportation would not be an issue for the public and no negative environmental impacts caused by vehicle travel. We should be moving forward with technology and online access, not backwards.

Thank you for your assistance to provide the public online access again to documents.

Respectfully Submitted,

Lori Yap

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Public Comments

Item 10 – Housing Element Rezoning Program

Written Comments Received By 12pm on 08/11/2025

August 11, 2025

City Council Meeting

From: Danny Estrella [redacted]
Sent: Wednesday, August 6, 2025 11:12 AM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Subject: Pacifica Housing Element, remove Site 23 the Pacifica Center for the Arts

[CAUTION: External Email]

6 August 2025

City of Pacifica City Council
Subject: Pacifica Housing Element, remove Site 23 the Pacifica Center for the Arts

Hello,

I'm writing regarding Site 23 of the Pacifica Housing Element. This is the proposal to allow housing to be developed at the current location of the Pacifica Center for the Arts, including Sanchez Art Center, the home of the Art Guild of Pacifica, and the Pacifica Performances' Mildred Owen Concert Hall. I urge that an amendment to the Housing Element be added to delete Site 23, the Pacifica Center for the Arts.

Including Site 23 would end the City of Pacifica's legacy as a forward-thinking municipality that embraces the value of the arts. These cultural gems draw not only Pacificans to the venues but many out-of-town visitors. These out-of-town visitors shop at our stores, dine at our restaurants and support our unique, local arts. **Indeed, Pacifica was recognized by the World Atlas in their article "9 Prettiest Towns On The Pacific Coast", WorldAtlas.com, June 5, 2025.** For decades Pacifica has cherished not only its open spaces, but its cultural legacy of visual art and music. It's what makes this town an amazing place to live and visit. It is Pacifica's heart and soul. Please do all you can to keep our cultural heritage intact at this site for current and future generations to enjoy.

I ask that you ensure that Site 23, the Pacifica Center for the Arts, be deleted from the Pacifica Housing Element.

Respectfully,

Danny Estrella
[redacted]

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From: Jerry Barrish [redacted]
Sent: Thursday, August 7, 2025 9:41 AM
To: Public Comment
Subject: Please remove Sanchez Art Center (Site 23) from list in Housing Element rezoning

[CAUTION: External Email]

Dear City Council

I am a resident and homeowner in Pacifica since 1981, and have served as volunteer Artistic Director at Sanchez Art Center for 20+ years. We have had the privilege of bringing top vistual artists from Northern California to exhibit in our main gallery, sharing their work and stories in our ongoing exhibition program and artist talks. Besides making our programs available at no charge to visitors, we have become recognized at an art destination in Northern California region. It is not unusual to have 300+ people attend the opening receptions.

Sausalito, Carmel, and San Francisco's North Beach started out as art colonies. In Spain, the city of Bilbao transformed itself from a nearly bankrupt industrial city to a major tourist destination when the Guggenheim built a new museum, requiring the addition of a new airport and transit system. The City of Detroit had lost 75% of its population before offering all kinds of incentives to artists to move there and now has completely revitalized their situation. All this stories show how important art can be to communities and their local economies. Sanchez Art Center and Pacifica Performances are not an exception.

I hope that City Council will continue to support our mission of ongoing cultural and recreational use as they exist today—and into the future.

Sincerely yours,

Jerry Barrish
Shoreside Drive, Pacifica
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From: [redacted]
Sent: Thursday, August 7, 2025 10:05 AM
To: Beckmeyer, Sue
Cc: Public Comment
Subject: Site 23

[CAUTION: External Email]

Mayor Beckmeyer

I add my voice to the hundreds of Pacifica citizens and voters who oppose any change to the existing arts and recreation uses at the Sanchez campus.

Do NOT rezone the campus for residential housing.
REMOVE the Sanchez Art Center from the list included in the Housing Element.
And ensure the protection of the campus for ongoing cultural and recreational use—as it exists today.

Any removal is inconsistent with the General Plan. Further it is unquestionably not in the best interests of public welfare and community values.
With a city constantly faced with financial deficits, do not ignore the fact that the Art Center and Concert Hall have drawn visitors from throughout the Bay Area and beyond—each venue estimated to bring in over 5,000 visitors per year. Those visitors spend money at local restaurants and make purchases at the Art Center and other Pacifica businesses.

Do the right thing: remove Site 23 from the Housing Element!

Michele Trausch
[redacted]

CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Nancy Russell [redacted]
Sent: Thursday, August 7, 2025 10:33 AM
To: Public Comment
Subject: Housing Element / Pacifica Center for the Arts

[CAUTION: External Email]

Please remove the Pacifica Center for the Arts (Site 23) from the list of properties included in the Housing Element and rezoning.

Although I recognize the need for affordable housing, the benefits to our community from the many programs at this site are so extremely important to the quality of life in Pacifica that if you don't remove the site from the list, at least add direct and specific language to the Housing Element and Rezoning documents noting the facilities and services provided by Sanchez Art Center and the Art Guild of Pacifica, Pacifica Performances and Mildred Owen Concert Hall, the Rotary Plaza, Sanchez Dog Park and the sports fields—as they exist—shall be continued on this site.

I have been a resident of Pacifica since 1979 and have volunteered at Sanchez Art Center, served on the boards of Pacifica Performances and Art Guild of Pacifica, and since 2004 have been a Sanchez Art Center Studio Artist. I have witnessed the important contribution of the arts to our Community and always feel a welling up of pride when I drive up Linda Mar Boulevard and turn into the center when the parking lot is filled with cars for activities.

These facilities and programs are too valuable to the quality of life for Pacifica (and visitors) to lose it.

Sincerely,

Nancy Russell
[redacted]

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From: alan firestone [redacted]
Sent: Thursday, August 7, 2025 11:26 AM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg; Public Comment
Subject: To all of the City Council members

[CAUTION: External Email]

To all of the City Council members,
I fully recognize the need for affordable housing, that being said, I also recognize the need and benefit of cultural and recreational resources.

The Sanchez Art Center site provides a place enjoy art, music and other activities.
That includes providing free exhibitions, affordable artist studios, and arts engagement and education, home of the Art Guild of Pacifica, Mildred Owen Concert Hall, Rotary Plaza.

These beloved and well-utilized assets have been benefiting the local and broad San Francisco Bay Area community (and beyond!) at this location for nearly 30 years.

The Sanchez Art Center is vital to Pacifica.

Please keep it.

Sincerely,
Alan Firestone
Pacifica, Ca

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From: Judy Quitoriano [redacted]
Sent: Thursday, August 7, 2025 3:59 PM
To: Public Comment
Subject: Save Sanchez Art Center

[CAUTION: External Email]

Please protect the arts and recreation at the Sanchez Art Center. This is a cultural gem for our community which has a devoted following of artists, dog walkers, soccer clubs, and concert goers. We cannot afford to lose this center of culture, recreation and the arts. We ask for your vote to remove section 23 from the development possibilities. Thank you for your support, thus far.

Judy Quitoriano

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From: susan friedman [redacted]
Sent: Friday, August 8, 2025 11:03 AM
To: Beckmeyer, Sue
Subject: The Sanchez Campus

[CAUTION: External Email]

Dear Planning Commissioners,

I am one of the artist's at Sanchez Arts Center and I have personally experienced what they do for the community and beyond. I urge you to reconsider using this site. The arts are of utmost importance right now.

The Pacifica Center for the Arts, including Sanchez Art Center, the home of the Art Guild of Pacifica, and the Pacifica Performances' Mildred Owen Concert Hall, are cherished nonprofit organizations in the City of Pacifica. Visitors from throughout the San Francisco Bay Area and further are drawn to the facility, finding a hidden gem in San Pedro Valley. The accomplishment of creating a vibrant multi-purpose art center -- a cultural institution -- out of an abandoned elementary school was the work of artists, service organizations from the Lions and Rotary Club, and to countless individuals. Today the Center delights people with the ingenuity and sustainable aspect of having repurposed the space. Other cities from Brisbane to Redwood City have asked how they can do something similar, recognizing the value of arts and culture to the overall fabric of a community.

Item 2 on the agenda could end the City of Pacifica's legacy as a forward thinking municipality that embraces the value of the arts. Rezoning the campus in order to build housing on the site which the City owns must not be done without including language that preserves the Sanchez Art Center and Mildred Owen Concert Hall. These cultural gems draw not only Pacificans to the venues but many out of town visitors. For decades Pacifica has cherished not only its open spaces, but its cultural legacy of visual art and music. It's what makes this town an amazing place to live. Please do all you can to keep our cultural heritage intact at this site for current and future generations to enjoy.

You must ensure that language is written into the rezoning plan that preserves Sanchez Art Center AS IT EXISTS TODAY, including the Gallery/Exhibition Spaces, Artist Studios, Classrooms, AND the Pacifica Performances Mildred Owen Concert Hall Space. Do not rezone the campus for residential housing. Remove the Sanchez Arts center (site 23) from the list of properties included in the overall housing rezoning.Also ensure the protection of the campus for ongoing cultural and recreational use -as they exist today-into the future.

Susan Friedman. (Studio 2 1/2 at. Sanchez Arts Center)
www.susanfriedmanphoto.com

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From: Andrea Siebert [redacted]
Sent: Friday, August 8, 2025 2:34 PM
To: Public Comment
Cc: Nancy Russell
Subject: Sanchez Arts Center - Removing Site 23 from the Housing Element

[CAUTION: External Email]

Dear Mayra,

The cultural hub that is Sanchez Arts Center has enriched my life immeasurably. As a senior who grew up in what is now Pacifica, I have had ample time to notice what brings strength and resilience to a community. A resource such as Sanchez Arts Center is often taken for granted, viewed as optional. Nothing could be further from the truth. The expressive arts and educational values supplied by all that goes on in and around the campus provide significant testimony the values of freedom and justice that are the heart of our community. The campus is not “site 23” It is a dedicated place for sports and arts that provides a platform for expression and contributes to community health and happiness. Please use your current power and authority to work with the State urging the proponents of the Housing Element to recognize our rights as citizens to preserve the those elements that make our home balanced economically and culturally. Thank you.

Respectfully,
Andrea V. Siebert

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From: Andrew Leone [redacted]
Sent: Friday, August 8, 2025 4:00 PM
To: Public Comment
Subject: Every city needs cultural and recreational districts

[CAUTION: External Email]

Dear Mayor and City Council members,

I would like to thank the City Council for accepting the Planning Commission's advice to remove Site 23 from rezoning at this time. This is a ray of hope for all of us who, after 30 years, have seen up close the many benefits the Sanchez Art Center, Mildred Owen Concert Hall, Pacifica Dog Park, Rotary Plaza and sports fields provide to Pacificans, and visitors from far and wide.

However, an ominous shadow remains: Site 23 is still on the list of properties to be developed. That means feasibility studies and initial steps toward development will begin soon; and future rezoning is still a danger. Sadly, city staff time, city resources and taxpayer's money will be invested into a project that will encounter a huge amount of resistance and numerous, significant hurdles.

We know it won't be easy to remove site 23 from the list, but we believe keeping the site on the list is ultimately the more difficult, divisive, and wasteful path. In 1996 when the center was born, the famous all-woman City Council took big risks when they voted to allow a handful of artists to move in to renovate the neglected old school building and create the Sanchez Arts Center and the Mildred Owen Concert Hall. They took a risk because they saw the big picture in regards to what makes a city livable, healthy and prosperous. It's not just housing, tourism, or attracting businesses. It's all of those things and more. It has been proven in countless cities around the world that a thriving city and community requires cultural and recreational districts. And those districts also help make all the other things succeed.

As Pacifica's elected representatives, you will decide the future of the Sanchez Art Center, the Mildred Owen Concert Hall, the Pacifica Dog Park, the Rotary Plaza and the surrounding sports fields. Your decision will impact the lives of your fellow Pacificans and the thousands of people who care for, and visit the center each year. You decide whether or not Pacifica loses its vital cultural and recreational attractions. You live here; this is your arts and recreational campus. Like most Pacifican's who have visited the center and know of its programs, I hope you share the pride in what Pacifica has accomplished. I believe now is the time to act, to step up and defend an irreplaceable asset that adds greatly to the success of our town.

Sincerely,

Andrew Leone
Pacifica

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From: Kelly K. Hughes [redacted]
Sent: Friday, August 8, 2025 4:41 PM
To: Public Comment
Subject: Help Preserve Sanchez Art Center

[CAUTION: External Email]

Dear Community Leaders,

I'm writing to appeal to you as a member of the Art Guild of Pacifica. Even though I am not a resident of Pacifica, I am highly connected to the community afforded by the Sanchez Art Center and make the trip from Sacramento multiple times a month to benefit from this inspiring cultural center. First of all, I am extremely grateful that the Planning Commission did NOT rezone the campus on July 14. However, I am deeply troubled that we are at risk of losing the facility for its current use, as it is still part of the overall Housing Element. While I understand the need for affordable housing, especially today, surely the City has other options than to displace 30+ individual business owners, and remove a place of cultural enrichment and athletic recreation that benefits the entire city.

My Ask is to: **Ensure the protection of the campus** for ongoing cultural and recreational use — **as they exist today** — into the future. **Remove the Sanchez Art Center (Site 23) from the list of properties included in the overall Housing Element.**

Other benefits for keeping the Sanchez Art Center as it is:
• **The City of Pacifica has a goal of increasing revenue.** For nearly three decades, Sanchez Art Center and the Pacifica Performances Mildred Owen Concert Hall have drawn cultural tourists from throughout the SF Bay Area and beyond to visit the only venue like it in northern San Mateo County and on the San Mateo County Coast. **Each venue draws over 5,000 visitors annually! While in Pacifica, visitors also spend money at local restaurants and purchase items including art (adding to sales tax revenue).**

• **San Mateo County has declared loneliness a public health emergency.** Third spaces, particularly those that are free or affordable, offer the public places to gather, to **alleviate the epidemic of loneliness and isolation.**

• **Art Connects and Builds Community.** Art is a powerful means of communication. Art inspires us to broaden our perspectives, while bringing joy to the heart and soul.

Thank you,
Kelly K. Hughes
Artist and Community Member

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From: Kathleen Miller [redacted]
Sent: Friday, August 8, 2025 5:04 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg; Public Comment
Subject: Sanchez Art Center
Attachments: Hello City Council Members.docx

[CAUTION: External Email]

Hello City Council Members,

I moved to Pacifica in 1988. Soon after I was married and had my 2 boys. My boys went through school in Pacifica and played lots of soccer. In 1996, I discovered the Sanchez Art Center. The classrooms in the old elementary school were being rented out as art studios. This was really exiting for me! I place a high value on creativity and am committed to fostering an appreciation for art among my children and the broader community.
I rented studio space at the art center and began bringing art projects into classrooms in Pacifica. For 10+ years I taught art classes for K-8 children. Unfortunately, too many arts and music programs continue to be cut from our schools. However, many of the artists renting space at the Sanchez Art Center are very community minded and put time and energy into teaching and promoting art & music.
The Pacifica Center for the Arts has been an important bridge in our community over the years.
The Sanchez Art Center was a grass roots effort that transformed an abandoned elementary school into a recognized Art Center. For almost 30 years now the Art Center has brought art to our city. This is an asset for our community. So many people have put so much time and energy into building a non-profit community-based Center for the Arts. Thousands of volunteer hours help to create exhibitions & musical performances, maintain the sport fields, & dog park. The community is invested in this site. This site was always intended for use by the community for culture and recreation.
The people of Pacifica have accepted responsibility to care for these jewels in our community. The City of Pacifica is lucky to have these programs which enhance our lives. The City needs to cherish our community and support programs that have flourished in our town. These cultural and recreational programs are some of the things that make us happy.

PLEASE REMOVE SITE 23 FROM THE CITY PLAN
THANK YOU FOR NOT REZONING

City Council this is your time to steer the direction of development in Pacifica.
Please cherish and protect the community programs & sites that thousands worked to create.

Also, I want to express my deep concern for development in the Quarry next to Mori Point.

That is prime real estate. It is also an environmental sensitive area. Development in the Quarry will put stress on the environmental sensitive area at Mori Point. Our open spaces are both a source of recreation and a vital refuge for local wildlife. I urge the Council to consider policies that strengthen our commitment to conservation, especially with cuts to environmental laws.

Pacifica's stunning natural environment remains our greatest asset and responsibility

Thank you,
Kathy Miller Peix
Sharp Park Resident

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Pacifica's stunning natural environment remains our greatest asset and responsibility

From: Jude Pittman [redacted]
Sent: Friday, August 8, 2025 7:05 PM
To: Public Comment
Subject: Re:the Housing Element and Sanchez Art Center

[CAUTION: External Email]

August 8, 2025

Dear Planning Commissioners,

We are writing to urge you to remove the parcel on which the Sanchez Art Center is located (site 23) from the list of areas to be developed in Pacifica's Housing Element. To endanger this thriving community institution, when other city land lies underused, would gravely undermine the cultural fabric of our beloved and very special city. Thank you for NOT rezoning the campus in July. But that does not remove it from future consideration for rezoning or future development. We all know this. To ensure that the Sanchez Art Center, Pacifica's only regionally admired and locally supported arts and culture institution, is no longer at risk, the Pacifica Center for the Arts/Sanchez Campus must be removed from the City of Pacifica's Housing Element. I understand that this may be complicated.
But most historically worthy efforts are complicated. You, our Planning Commissioners, with the will to protect our cultural institutions, can do it, I'm sure. Our fair city has persevered in protecting the gorgeous natural environment and now admirers are flocking here! The same is true of our creative community. From all over the state and beyond, (I have personally greeted visitors there from around the world,) increasing numbers of artists and interested folks participate in the Pacifica Center for the Arts.

As professors and artists, we were specifically drawn by the art center and performance hall when we moved here 25 years ago. We were studio artists at the Art Center for ten years, working in many capacities to sustain the center. Since then we have improved three properties (sold two) led art programs in local community colleges, and worked for an environment that attracts thousands to our city. The value of living here is tied to the cultural institutions, which we hope will GROW, and natural beauty. SO please, don't undervalue this institution that was created to fulfill a NEED. An empty fixer-upper school building, repurposed through hard work, fund-raising, and community support is worthy of your efforts.

You must preserve the arts and recreation in Pacifica as they exist at the Sanchez Campus. Thank you for your serious consideration.

Sincerely,

Judith Pittman

Emerita Professor of Art
Pacifica, California

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From: James Brzezinski [redacted]
Sent: Friday, August 8, 2025 8:20 PM
To: Public Comment
Subject: Housing Element

[CAUTION: External Email]

Dear Planning Commissioners:

I am writing to encourage you to preserve the Pacifica Center for the Arts / Sanchez Campus. As you know, this valuable cultural resource has been included in the City of Pacifica's Housing Element. To develop this property for housing would be a loss to the arts and kids athletic life of our city. The Sanchez Art Center, with its Left Coast Annual Exhibition, has become an important player in the Bay Area Art Scene and brings honor to the community.

We have been involved with the Sanchez Art Center since my wife was commissioed to facilitate a mosaic project with the community. She was then offered a teachng position at College of San Mateo. We had been living in Mariposa since 1992 when I was offered a position at Merced College. Upon completion of the community mosaic project Jude decided to stay in Pacifica and eventually purchased a small home. Thus began my weekly commute across the Central Valley to Pacifica.

Since my first visit i have been in love with Pacifica. I became involved with the Sanchez Art Center first joining the A.G.P., entering exhibits, and then later renting studio space. The community of artists and art lovers at Sanchez, combined with the natural environment and perfect climate, led me to plan to retire here. This we did in 2012. We both gave up our Sanchez studios, but remain active at the center, regularly attending art receptions and performances in the Mildred Owens Concert Hall where we enjoy the company of our fellow Pacificans…incidentally, the concert hall is one of the few places in town where you can attend live performances without a required two drink minimum. I've also enjoyed watching the kids play soccer and baseball on the playing fields, and occasionally bringing Jack our dog to the dog park.

All in all, this Sanchez Campus is a well utilized facility across the board. A Treasure. I have seen the list of potential sites for housing. It seems that using this one, precious, cultural venue for housing would be robbing Peter to pay Paul. I am sure other citizens of Pacifica also want other sites to be removed from the Housing Element list. But Site 23 is a vibrant community resource, well used by many, many of your constituents, We attended the July meeting and will attend the August meeting as well. We hope you decide to remove Site 23 from the Housing Element. If ever a place deserves your consideration it is the Pacific Center for the Arts/ Sanchez Campus.

Thank you for you consideration,
Jamey Brzeziński, Professor Emeritus, Merced College Citizen of Pacifica

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From: Robert Dvorak [redacted]
Sent: Saturday, August 9, 2025 11:54 AM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg
Cc: Cindy Abbott; Andrew Leone
Subject: Save the Sanchez Art Center and Mildred Owens Concert Hall

[CAUTION: External Email]

Dear Mayor and City Council members,

Closing down the Pacifica's only Art and Cultural Center would be a tragedy. There will be far less people visiting Pacifica from other cities in California and the country, eating in the restaurants, shopping in the stores. **By continuing to include Site 23 in the Housing Element, you will be closing down 30 viable licensed businesses that are located at the Sanchez Art Center which will have to relocate in other cities.** Further, hundreds of people have donated 1000's of dollars to repair and remodel the once elementary school to house the **Sanchez Art Center** with three art galleries with monthly shows, 30 artist's studios and the **Mildred Owens Concert Hall** which brings in entertainment and visitors from afar for performances. Just look at the ceramic tiles on wall near the entrance, recognizing many who have contributed.

I was one of the original founders of the **Sanchez Art Center**. I have occupied a studio there for 30 years, since the beginning. My studio has been open for weekly drawing sessions bringing in visitors from San Francisco and the south bay area. I have paid the city of Pacifica each year for my business license to operate my business selling art–original paintings and prints, and art instruction. I introduced the annual 50/50 art exhibition and sale which helps support the **Sanchez Art Center** and each year brings artists from other cities and states to Pacifica.

Please e**nsure the protection of this campus** for ongoing cultural and recreational use — **as they exist today** — and into the future. **Remove the Sanchez Art Center (Site 23) from the list of properties to be demolished.**

Other benefits for keeping the **Sanchez Art Center** as it is:
The City of Pacifica has a goal of increasing revenue. For three decades, Sanchez Art Center and the Pacifica Performances Mildred Owen Concert Hall have drawn cultural tourists from throughout the SF Bay Area and beyond to visit the only venue of its kind in northern San Mateo County and on the San Mateo County Coast. **Each venue draws over 10,000 visitors annually! While in Pacifica, these visitors spend money at local restaurants, shop in the stores, and purchase art at the Sanchez Art Center (adding to sales tax revenue).**

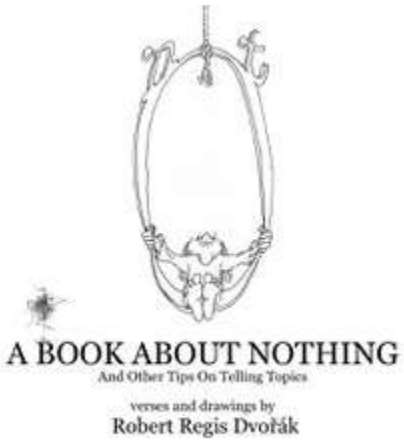
San Mateo County has declared loneliness a public health emergency. Spaces, particularly those that are free or affordable, offer the public places to gather, with free public parking to **alleviate the epidemic of loneliness and isolation.**

Art Connects and Builds Community. Art is a powerful means of communication. Art inspires us to broaden our perspectives, while bringing joy to the heart and soul.

I am grateful that the Planning Commission did not NOT rezone the campus on Monday, July 14. But the space is still at risk until the Sanchez Art Center (Site 23) is removed from from the Housing Element.

Thank you for making the right decision to keep Site 23 as it exists today.

Robert Regis Dvorak
[redacted]



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From: Lisa Warns [redacted]
Sent: Saturday, August 9, 2025 4:41 PM
To: Public Comment; Beckmeyer, Sue; Boles, Christine; Bier, Mary; Espinosa, Mayra; Wright, Greg; Woodhouse, Kevin; _City Council
Subject: Keep the Pacifica Center for the Arts intact

[CAUTION: External Email]

9 August 2025

City of Pacifica City Council
Subject: Pacifica Housing Element, remove Site 23, the Pacifica Center for the Arts

Hello City of Pacifica Council Members,
I'm writing to you in regards to the Pacifica Housing Element. Please work to add an amendment to this housing element that will prohibit housing to be developed at the current location of the Pacifica Center for the Arts, including Sanchez Art Center, the home of the Art Guild of Pacifica, and the Pacifica Performances' Mildred Owen Concert Hall (Site 23).
Housing at the Pacifica Center for the Arts is a very bad idea for many reasons. The idea to possibly get rid of what has taken decades to create, would be backwards. Pacifica needs to continue to move forward and improve its allure.
Including Site 23 would end the City of Pacifica's legacy as a forward-thinking municipality that embraces the value of the arts. These cultural gems draw not only Pacificans to the venues but many out-of-town visitors. These out-of-town visitors shop at our stores, dine at our restaurants and support our unique, local arts. Indeed, Pacifica was recognized by the World Atlas in their article "9 Prettiest Towns On The Pacific Coast", WorldAtlas.com, June 5, 2025. For decades Pacifica has cherished not only its open spaces, but its cultural legacy of visual art and music. It's what makes this town an amazing place to live and visit. The Pacifica Center for the Arts is Pacifica's heart and soul. Please do all you can to keep our cultural heritage intact at this site for current and future generations to enjoy.

A few reasons not to build in the back of Linda Mar Valley are: safety due to limited evacuation routes; traffic on Linda Mar Blvd. at Hwy. 1 is severely congested; and loss of culture as mentioned above.

More reasons to keep the center intact: the City of Pacifica has a goal of increasing revenue. For nearly three decades, Sanchez Art Center and the Pacifica Performances Mildred Owen Concert Hall have drawn cultural tourists from throughout the SF Bay Area

and beyond to visit the only venue like it in northern San Mateo County and on the San Mateo County Coast. Each venue draws over 5,000 visitors annually. While in Pacifica, visitors also spend money at local restaurants and purchase items including art (adding to sales tax revenue).
San Mateo County has declared loneliness a public health emergency. These community spaces, particularly those that are free or affordable, offer the public places to gather, to alleviate the epidemic of loneliness and isolation.
Art connects and builds community. Art is a powerful means of communication. Art inspires us to broaden our perspectives, while bringing joy to the heart and soul.
This town has so much potential to be a destination community, to be better, more fun and use its beauty and nature elements to inspire residents and visitors.
I ask that you ensure that Site 23, the Pacifica Center for the Arts, be deleted from the Pacifica Housing Element.

Respectfully,
Longtime Pacifica resident, Lisa Warns
[redacted]

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From: Cindy Abbott [redacted]
Sent: Sunday, August 10, 2025 5:16 PM
To: Beckmeyer, Sue; Boles, Christine; Bier, Mary; Wright, Greg; Espinosa, Mayra
Cc: Public Comment
Subject: City Council Meeting, Aug 11, General Public Comment Item Not on the Agenda

[CAUTION: External Email]

Dear Mayor Beckmeyer and Members of the Pacifica City Council,

The step taken by the Pacifica Planning Commission on July 14, to NOT rezone Site 23, Sanchez Art Center for residential housing was greatly appreciated by so many in the San Francisco Bay Area.

Since sharing information about the inclusion of the overall campus in the Housing Element with artists, gallery visitors, and others who attend programs and enjoy the space at Sanchez, they have been shocked and extremely concerned about the potential loss to the broad community of an active cultural and recreation space. Frequently heard are remarks like:

> "It's always the arts that are disregarded."
>
> "So many people utilize the playing fields and there already aren't adequate spaces in the city."
>
> "These spaces are a treasure and need to be protected."
>
> "How could city public parklands/fields and the art center even be considered for housing? What are people to do for recreation and to enjoy the arts?"

And so, now we need you, the Pacifica City Council to take the next step, to direct staff at a future meeting to work with the State Housing and Community Development (HCD) Department to put forward an amendment to remove Site 23, Sanchez Art Center — with all of its existing uses that include the Sanchez Art Center, Mildred Owen Concert Hall operated by Pacifica Performances, Sanchez Fields, Sanchez Dog Park and Rotary Plaza — from the Housing Element.

Staff communication with HCD confirming their understanding that the Planning Commission had requested the investigation of removal of the site from the rezoning program was

important communication to include in the documentation. However, it was disappointing to see that there was not discussion about removal of the site overall, nor mention of the recreational and cultural value of the site, and importance to the community at large. In fact, the opposite was noted in the email dated Monday, June 23, 2025, from Samantha Updegrave (Pacifica Community Development) to Paul McDougall (HCD)

> "The Planning Commission directed staff to investigate removal of one of our lower-income buffer sites from the rezoning program, required by HE-I-1 in Pacifica's adopted Housing Element. Our total lower-income RHNA on our core sites is 662 units. The surplus shortfall sites provide a buffer of 421 lower-income units, Removal of this particular surplus site would reduce our core buffer to 291 lower-income units but would not impact our core lower-income RHNA. ***Even if the site is not rezoned, it can remain in the Housing Element.*** If the site is left out of the rezoning, we could not use the units to demonstrate no net loss."

Though not documented, it would seem that there is an adequate buffer at 291 units, over 44% of the required number in this RHNA allocation.

In a City with challenges, both financial and staff-wise, moving forward with a costly and time intensive "fit-study" and community input program is a waste of resources. Over the past several months you've heard the communities voice. Let's move ahead with the process to remove the campus and all it's existing uses from the Housing Element

As the Planning Commission did, please work diligently to ensure the preservation of the campus. Maintain the active recreation spaces for individuals, families and dogs. Honor the work of the Rotary Club of Pacifica that built and dedicated a beautiful Plaza to the city of Pacifica and where so many are recognized with plaques and tiles. Preserve the uniquely repurposed former elementary school that has been converted into the only art center in northern San Mateo County and on the San Mateo Coast, a cultural gem that so many have participated in creating and that brings prestige and visitors to Pacifica.

Thank you,

Cindy Abbott
Proud Pacifican for 29 years +
Executive Director
Sanchez Art Center

From: Sue Digre [redacted]
Sent: Monday, August 11, 2025 9:35 AM
To: Public Comment
Subject: Fwd: Aug 11 City Council Agenda

[CAUTION: External Email]

#10 Public Hearing .Aug 11 2025

Regretably I can not attend this meeting.
Regretably the key point of all this legalize is not a discovery process of what our local citizens working together want as a fair ,kind path to Community.

No ,it is not clear in all the documents but in all the public meetings thus far and in the statement for item 10 in this agenda it is clear. The long process of public meetings was to achieve one thing:
Compliance with the one size fits all, chosen RHNA mandates that come with punishment from Sacramento Electeds .That's what the simple phrase means:
" REQUIRED under the 2023-2031 Housing Element .
And there is a
Punishment, Developer Rights!

The very for-profit Corporations that blocked every local attempt at inclusionary housing in our local Community get rights, but we Citizens of Pacifica do not.

Pacifica use to be an affordable community, no longer. The for- profits exercised unprecidented power . Citizen's are pushed aside to be punished. Citizen voter laws like CEQA and ths Coastal Commission are badmouthed, blamed and diluted without a public vote!

The only local body that has " discretionary powers" is a City Council. Yay..Wait, not this year. Remember the severe punishment!

Yes,Sacramento electeds still assure us of robust public meetings in the future per zoning item.
Reality: For months now we have had robust Public meetings. The result: no assurance of local citizen right's to work things out together to craft our community. Nope the mandate with Punishment is.
REQUIRED

Federal Electeds have our own Citizens in the National Guard in our LA Streets and in Washington DC.

The USConstitution ,the California Constitution do not allow the USCitizen to be re-placed by Elected Representatives anywhere!

Fellow Citizrns ,it's in our hands as a collective of individual Citizens who won't be shut out or shut up.

We outnumber electeds and corporations. Never give up. Keep showing up and screeching. We will prevail. We don't need guns or convoluted language , just show up, shout out.
Call the Governor and State & Federal Legislators . YOU can speak & VOTE & create fair, kind Communities!

Sue Digre

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City of Pacifica
City Council Regular Meeting

1

Name Cindy Abbott (Please Print) Date 8-11-25

City: Pacifica

No. of Item on Agenda or Subject: Consent agenda
– Thank you for STR Ordinance update

City of Pacifica
City Council Regular Meeting

2

Name BRYAN REINERO (Please Print) Date 8-11-25

City: Pacifican

No. of Item on Agenda or Subject: CONSENT AGENDA, REMOVING ITEMS FROM THE CONSENT AGENDA

HOMEAWAY VRA
HdL CONTRACT

City of Pacifica
City Council Regular Meeting

3

Name Caitlin Quinn (Please Print) Date 8/11/25

City:

No. of Item on Agenda or Subject: Consent Agenda
↳ agree with Bryan Reinero's Comments re: pulling

City of Pacifica
City Council Regular Meeting

1

Name [illegible] (Please Print) Date 8/11

City:

No. of Item on Agenda or Subject: Open Comment
Public participation

City of Pacifica
City Council Regular Meeting

2

Name Joyce Toomey (Please Print) Date 8-11-25

City: NO OSV ON EAST PALOMA Pacifica

No. of Item on Agenda or Subject:

City of Pacifica
City Council Regular Meeting

3

Name Joyce Toomey (Please Print) Date 8-11-25

City: Pacifica

No. of Item on Agenda or Subject:
NO TEAR stamping

City of Pacifica

City Council Regular Meeting

4

Name Joyce Toomey Date 8-11-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject:

1000 ft / 72 HR

City of Pacifica

City Council Regular Meeting

5

Name Suzanne Moore Date 8/11/25
Please Print

City:

No. of Item on Agenda or Subject: Public Comment

City of Pacifica

City Council Regular Meeting

6

Name Julia Rapoza Date 8/11/2025
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 72 hour 1000 ft parking ordinance

City of Pacifica

City Council Regular Meeting

10

Name Kimberly Fowle Date 8/11/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Not on Agenda ♡

Public Comment period should be consistent

people comments ♡ on consent agenda got 3 minutes but new Public comment was cut down to 2 minutes

City of Pacifica

City Council Regular Meeting

9

Name Cindy Abbott Date 8-11-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: General Public Comment

disagrees on the way we are treating items related

City of Pacifica

City Council Regular Meeting

10

Name MICHAEL WAHLMAN Date 8/11/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: GENERAL PUBLIC COMMENT

NEGATIVE IMPACTS FROM PSC BOARD ON RESIDENTS OF PACIFICA

DECREASED TAX REVENUE / PROPERTY VALUES

City of Pacifica
City Council Regular Meeting

11

Name Caitlin Quinn Date 8/11/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: Non-Agenda Item
- Markella Lane STR that is next door should not be allowed to renew permit because of bad behavior

City of Pacifica
City Council Regular Meeting

12

Name Gioconda Egan "Eegan" Date 8/11/25
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: Non-agenda item
- echoing Caitlin Quinn's comments about Markella Lane STR

City of Pacifica
City Council Regular Meeting

13

Name Aren Clark Date 8/11/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: Oral Communications
→ 2 sets of stds, one for homeowners & one for vehicularly housed

City of Pacifica
City Council Regular Meeting

11

Name Joaquin Jimenez Date 8/11/25
Please Print

City: Half Moon Bay

No. of Item on Agenda or Subject:

OPEN Comment
- invited us to an event in HMB

City of Pacifica
City Council Regular Meeting

17

Name Marcia Sampson Date 8/11/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: RV parking Palmetto Ave

General comments

City of Pacifica
City Council Regular Meeting

18

Name BRYAN ZERFAS Date 8-11
Please Print

City: PACIFICA

No. of Item on Agenda or Subject: NON-AGENDA
- 1987 Beach Blvd STR problems
- supports Caitlin being

City of Pacifica
City Council Regular Meeting

Name Lyla Reinen Date 9-11-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: non-agenda
- 1987 Bacon
- Nitrous Oxide

City of Pacifica
City Council Regular Meeting

Name Horace Hinshaw Date 8/11/25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: 10
Public comments on Item 10
regarding rezoning

City of Pacifica
City Council Regular Meeting

Name Aren Clark Date 8/11/25
Please Print

City: Pacifica CA

No. of Item on Agenda or Subject: 10

City of Pacifica
City Council Regular Meeting

15

Name Debra Crumrine Date 8-11-25
Please Print

City: Pacifica

No. of Item on Agenda or Subject: General Comments

NOT HERE

City of Pacifica
City Council Regular Meeting

2

Name René Blanco Date 8/11/2025
Please Print

City: Pacifica 10

No. of Item on Agenda or Subject: Sanchez Art Sanchez
re zoning

City of Pacifica
City Council Regular Meeting

4

Name Jerry Barrish Date 8/11/25
Please Print

City: Pacifica 10

No. of Item on Agenda or Subject: Sanchez Art Center
public comments

City of Pacifica

City Council Regular Meeting

5

Name Richard Watkins (Please Print) Date 8/11/25

City: Pacifica

No. of Item on Agenda or Subject: Parking Variances #10

City of Pacifica

City Council Regular Meeting

6

Name MICHAEL WAHLMAN (Please Print) Date 8/11/25

City: PACIFICA

No. of Item on Agenda or Subject: #10 HOUSING ELEMENT PLAN

City of Pacifica

City Council Regular Meeting

8

Name Sara Woodhull (Please Print) Date 8/11/25

City: Pacifica Item 10.

No. of Item on Agenda or Subject: Public Comments not on agenda

City of Pacifica

City Council Regular Meeting

9

Name ANDREW LEONE (Please Print) Date 8/11/25

City: Pacifica CA

No. of Item on Agenda or Subject: Public Comm. 10 & Andrew

City of Pacifica

City Council Regular Meeting

10

Name Kimberly Finale (Please Print) Date 8.11.25

City: Pacifica

No. of Item on Agenda or Subject: 10

City of Pacifica

City Council Regular Meeting

11

Name Cindy Abbott (Please Print) Date 8-11-25

City: Pacifica

No. of Item on Agenda or Subject: #10

City of Pacifica

City Council Regular Meeting

12

Name BRIAN RENERO Date 8-11

Please Print

City: PACIFICA

No. of Item on Agenda or Subject: ITEM 10

City of Pacifica

City Council Regular Meeting

13

Name Lyci Renero Date 8-11-25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: #10

City of Pacifica

City Council Regular Meeting

7

Name Jon of Tooney Date 8-11-25

Please Print

City: Pacifica

No. of Item on Agenda or Subject: Low income Housing on #21 401 Palmetto 10.

NOT here