

Public Comments

Agenda Item 1 – Strategic Planning

Written Comments Received By 12pm on 03/03/2023



March 4, 2023
City Council Meeting

From: Caitlin Quinn [REDACTED]
Sent: Thursday, March 2, 2023 4:13 PM
To: Public Comment
Cc: _City Council
Subject: City Council Study Session: ADD TO NEW FISCAL YEAR WORK PLAN THE CREATION OF NEW, ROBUST AMENDMENTS TO STR ORDINANCE

[CAUTION: External Email]

Dear Mayor Bigstych and City Council Members

I am writing to urge you to please **add to the Council's upcoming fiscal year work plan the creation of a new STR ordinance that contains the elements recommended by the Planning Commission at their January 17th meeting**, as follows:

*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.***

The above represents Pacifica's opportunity to follow the lead of coastal cities like Santa Cruz, Pacific Grove, Half Moon Bay--and many other cities around the world--and take the necessary steps to protect our residents from what has become a plague of greed and disruption by corporate investors who buy up Pacifica properties, depriving our neighborhoods of much-needed homes, robbing neighbors of peace of mind and quality of life, and destabilizing our community. None of the proposed factors above 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 suffering in our neighborhoods that have been overrun with unregulated hotels set up by corporate investors.**

As Councilmember Bier stated during the 2/13/23 Council 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 (the number grows weekly, 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. **Please do not read into 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 unhosted 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.

I am also writing to urge the City to add language to an amended STR ordinance that encourages and permits 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 (as of this date, we are going on three weeks of the STR's garbage festering outside our front door), 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. With no one on site to manage the property, my partner and I have been put in the unfair and untenable position of serving as defacto "hotel managers." When the unhosted STR next door had a gas leak, who smelled it and reported it to PG&E? Not the STR's owner or management company, and not the customers who were staying in it at the time. We did. And when the customers and PG&E called the owners/management company to inform them of what was happening, they were unable to reach anyone. How is this okay?

Please **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, in the meantime, we need to be able to sleep peacefully inside of our own homes. How is that asking too much?**

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.

In addition, 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.

Finally, it has been documented time and again that **unhosted STRs bring crime to neighborhoods**. They do this in both direct ways (murders, rapes inside the properties; criminals using unhosted STRs to get inside apartment buildings in order to rob the residents) and more insidious, indirect ways: a neighborhood's unhosted STR, with its constant revolving door of strangers, leaves neighbors forever unsure of who is meant to be on their block. And it's impossible to "see something, say something" when everything around you is suspicious. Back in December, we were 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."** Never forget that Airbnb spends annually the GDP of a small island nation to keep negative reports about STRs out of the news. I encourage you to read this chilling article:

<https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away>.

We've all heard about the murders that took place at the unhosted STR in Orinda. Here's a report from just a few months ago of over 100 gunshots fired at an unhosted STR in operation for only one year in Tempe: <https://www.youtube.com/watch?v=poFZ3CGDW3I>. Let us please get an amended STR ordinance in place with robust enforcement capacities before some unhosted STR-related tragedy happens in Pacifica. Otherwise, it is sadly only a matter of time.

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.

Your community is suffering because of unhosted STRs, Pacifica City Council. **Thank you in advance for doing the right thing and adding the creation of an amended STR ordinance to your new work plan.**

Thank you,

Caitlin Quinn
West Sharp Park

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From: Cheryl Greene [REDACTED]
Sent: Thursday, March 2, 2023 5:42 PM
To: _City Council; Public Comment
Subject: STRs and Fiscal Year Work Plan

[CAUTION: External Email]

Dear Mayor Bigstyk and City Council Members

Thank you for your tireless work to make Pacifica a better place.

I am writing today to urge you to regulate STRs in Pacifica in a way that is beneficial to all Pacifica residents. To do this, please add to the Council's upcoming fiscal year work plan the creation of a new STR ordinance that follows the recommendations outlined by the Planning Commission at their January 17th meeting.

Sincerely,
Cheryl Greene

[REDACTED]
Pacifica
[REDACTED]

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Sent from Gmail Mobile

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From: Pam Raymond [REDACTED]
Sent: Thursday, March 2, 2023 6:47 PM
To: Public Comment
Subject: March 4, 2023 Goal setting of the City Council

[CAUTION: External Email]

March 2, 2023

Dear Mayor Bigstyk, Councilmembers and City Staff,

I and my fellow west Sharp Park neighbors are sick of the transformation of our neighborhood into a slew of unhosted Airbnbs / unregulated hotels owned by corporations. Houses that stay vacant all week and then buzz all weekend long. What a shame that a family could not buy one of those homes. Corporations are incentivized to buy here BECAUSE PACIFICA'S STR ORDINANCE DOES NOT REQUIRE THE OWNER TO LIVE IN THE PROPERTY AT ALL. EVER. A newly constructed house on Salada Ave. was built with all intensive purposes of becoming an unhosted Airbnb / unregulated hotel. I shudder everytime I see a "for sale" sign in the neighborhood, knowing the corporation sharks are lurking out there to flip yet another property into an unhosted Airbnb / unregulated hotel. It has gotten out of control.

Please amend the 2018 ordinance to require residency for at least half of the year and stop the takeover of my neighborhood by greedy corporations. This has literally reached a state of intervention. I urge this very time-sensitive item to be part of your plans for the coming City Council work session / goal setting that you will be prioritizing on March 4, 2023.

A permit cap is NOT enough. Follow what Santa Cruz, Half Moon Bay, San Francisco has done to preserve their communities, their neighborhoods, and keep housing stock available in this devastating housing crisis we face as Californians.

The Planning Commission made a recommendation at the 1/17/2023 meeting.

"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 urge that you'll consider this to be your guideline. Also a subcommittee of City Council members and potentially community members to help the staff with this over burgeoning situation is an idea.

Thank you for all your work to prioritize this, and all the other important matters, for the upcoming goal-setting session.

Sincerely,

Pam Raymond

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From: Susanne C. Reed [REDACTED]
Sent: Friday, March 3, 2023 12:08 AM
To: Public Comment
Subject: STR

[CAUTION: External Email]

STRs should be minimally allowed within our community. These residences traditionally have resulted in visitors who bring very little positive elements to our community. The local hotels lose out on revenue. The City does not benefit from any taxes, neighbors must deal with loud parties, limos coming at all hours of the day and night and an increased demand on our already strapped police department.

STRs only benefit the owners who usually do not even live in the community and I would question how much money these tourists actually do spend in our community with world class destinations like San Francisco to the North and Half Moon Bay to the South in such close proximity.

Sent from my iPhone

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From: Ermelinda Wood [REDACTED]
Sent: Friday, March 3, 2023 7:42 AM
To: Public Comment
Cc: _City Council
Subject: Amended STR Ordinance Please read... thank you!

[CAUTION: External Email]

I am respectfully submitting a request to consider the problem with issuing a license to run an airbn/vrob property in Pacifica, especially if a unit is a condo/townhouse. With all the talk about rules and regulations regarding STRs, I have not seen any clarity about condos and townhouses, multi-owned units. This is a miss and a misrepresentation to owners of these properties that share expenses, assume liability and jointly maintain the properties.

The bylaws for most condo communities have CCR rulings that prohibit renting of any transient/hotel-style business. There has been a pattern of investors buying condos in Pacifica and renting them out on a nightly basis regardless of the CCR rules.

The problem with this is that all of a sudden a community that is co-owned and shares utilities, insurance coverage, and maintenance is now co-funding a business investor with no profit to any other unit. A two-bedroom condo can now house up to 8 people and often more. Leaving the association with the burden of the utilities including water usage on a monthly basis to be split with all the owners. When a community is small and has some owners on a fixed income it is a significant burden, on a property that is not a co-owned business.

But here's the travesty of this, at no point has there been any transparency by the investor with the owners or HOA of these units. There was no request or approval from the HOA board or community requesting to run this business at the expense of an entire community to share.

An application was filed through the city, and at no point did anyone come out and visit the property and no one has said that you have to get the permission of the condo association. Every condo owner should have been involved in this decision since we are paying out expenses for this business and we all are assuming the liability for the property, and for every person who stays at this condo. (This also puts the CCRs for the community at risk for non-compliance of any rules forcing ligation between residents, and a breakdown all around.)

How would any of you like to fund a business owner who has no interest in the community, and clears a check for every stay at everyone else's expense? Especially a small association of 13 homeowners. It's not our responsibility to bear the burden of a lucrative money-making business and yet we're put in the position of having to do just this. These are not solely owned properties in that all the expenses are paid out personally and individually. (We are not complaining about a neighbor who owns a free-standing home and pays their own expenses, and we are not complaining about roommates and renters with leases.)

These businesses come with overcrowding unsafe living conditions, litter, smoking, no consideration for parking, and yelling at homeowners. We are not running a concierge service, there is no property

superintendent, and we should not be asked to assume housing these renters if there's a problem with water, etc.

This puts the association in the position of being responsible for hotel issues, again at a cost to 12 other units that are not profiting one penny from a property that has a money-making business, and on the low side gets \$500 a night and has not been empty over a week in over 4 months.

Thank you all for your service and time to read this thoughtfully.

I hope that we can put clarity for communities that are co-owned and share property and expenses. It's not right for an investor to take advantage of a loophole that leaves more money and time in their favor.

Please put creation of an amended STR ordinance, in line with the Planning Commission's suggestions, on your new fiscal year work plan.

Ermelinda Wood
[REDACTED]
Pacifica CA

as always...

--Ermelinda



IMAGINE

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From: Summer Lee [REDACTED]
Sent: Friday, March 3, 2023 7:46 AM
To: Public Comment
Subject: Goal setting

[CAUTION: External Email]

Council and staff,

Please consider prioritizing an STR ordinance for this years work.

I also would like to see more community consensus building early on for big projects that affect many, not doing so drains staff time and resources when the public is allowed too late into the process. Reinvigorating OSPAC makes sense.

An affordable housing fund should be top priority as well as raising development impact fees, both of which can alleviate drain on staff resources. The boogeyman of RHNA numbers as well as city advocacy for for profit market rate housing isn't convincing Pacificans and will further complicate needed housing projects.

Frankly, and most importantly, an organizational health consultant process to alleviate systemic operating issues would be a better use of resources than consultants for projects that have no consensus.

Thank you for your time and service,
Summer

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From: victoria suarez [REDACTED]
Sent: Friday, March 3, 2023 8:52 AM
To: Public Comment
Subject: STR Ordinance recommendation

[CAUTION: External Email]

Please put the creation of an amended STR ordinance, in line with the Planning Commission's suggestions, on your new fiscal year work plan.

Thank you.

Victoria Suarez

Sent from my iPhone

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From: James Dull [REDACTED]
Sent: Friday, March 3, 2023 9:06 AM
To: Public Comment
Cc: _City Council
Subject: STR situation

[CAUTION: External Email]

Dear Mayor and council members,

As a 35 year resident of Pacifica I am imploring you to please put creation of an amended STR ordinance in line with the Planning Commission's suggestions, in your new fiscal year work plan. I am very concerned that the proliferation of STRs in our community is ruining the small town quality of our neighborhoods.

Thank you for your consideration.

Denise Dull

Sent from my iPad

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From: Suzanne Moore [REDACTED]
Sent: Friday, March 3, 2023 9:17 AM
To: Public Comment; _City Council; Murdock, Christian
Cc: Suzanne Moore
Subject: Public comment Goal setting session 3/4/23

[CAUTION: External Email]

CITY OF PACIFICA GOAL SETTING 3/4/23
COMMENTS FROM SUZANNE MOORE

I am responding to the City's invitation for community input on prioritization of City goals this year.

1. Please **advance efforts to Unite Pacifica Against Hate**. Invite the Pacifica Collaborative to bring suggestions from their recent work to our City Council for support. It is critical to help Pacificans increase awareness and mindfully change hearts and minds. Redwood City libraries recently offered Bystander and Deescalation Training hosted by CAIR California. This suggestion addresses Pacifica's strategic goals of an engaged community, a healthy and compassionate community, and maintenance of community safety.

2. Advance efforts to acutely stabilize housing for Pacifica's unhoused, those at risk for homelessness, and address displacement prevention. Pacifica has clear signs of community distress: struggles of our unhoused from winter storms and community harassment, Pacificans reaching out for services from the PRC in record numbers, reports of our County legal aid of record-increased numbers of evictions county-wide, and an impending projected recession.

To help our unhoused:

- a. Work with the PRC to **fully implement the PSPP and assure participant safety**.
- b. Address the needs of **Pacificans living in cars and vans**. This is Pacifica's largest increase in our unhoused population. Reach out to the County to assist this population this year and before next winter.

To prevent homelessness:

- a. **Adopt ordinances to address displacement.** Our County legal aid has identified loopholes in the State's Tenant Protection Act that exacerbate increased evictions. Pacifica can adopt ordinances, successful in other communities, to reduce displacement.
 - 1) Require **just cause for eviction from day one**. Tenants could still be evicted for just cause.
 - 2) **Increase tenant rental reimbursement** for eviction without cause to three months. This will better cover real costs of an unplanned relocation.
 - 3) Adopt a **Short Term Rental ordinance** that protects loss of our housing stock.
- b. Create a **dedicated housing fund, in advance of offering sale of our City's surplus lands**, to best incentivize non-profit developers. A dedicated housing fund can allow Pacifica to better collaborate with developers for low-income housing preservation and non-profit developers who specialize in low-income housing.

These items address Pacifica's strategic goals of fiscal sustainability, stewardship of infrastructure, healthy and compassionate city, strengthening of our workforce, and maintaining safety.

Thank you, Council and staff, for all your hard work.

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Suzanne Moore



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From: Cindy Abbott [REDACTED]
Sent: Friday, March 3, 2023 9:36 AM
To: Public Comment; Bigstyk, Tygarjas; Bier, Mary; Vaterlaus, Sue; Beckmeyer, Sue; Boles, Christine
Subject: 2023-2024 City Council Goal Setting: Please include Short Term Rentals in the upcoming workplan
Attachments: Feb 13, 2023, City Council Agenda Item #10, Short Term Rentals Public Comment.pdf

[CAUTION: External Email]

Dear Mayor Bigstyk and City Council Members,
I am again reaching out to request that City Council **place a robust update to the Short Term Rental Ordinance on the City's work plan for 2023-2024.**

The "Cap" on short term rentals should be considered as only a starting point to contain the detrimental impact of what has grown into being a significant commercial enterprise (only on occasion the individual homeowner trying to maintain living in their property, which I support) reducing housing stock in the city, creating a nuisance with safety, noise, trash and lack of care for neighborhoods and the City as long-term residents who give so much more back to Pacifica are reduced.

Pacifica has a history of being underfunded and historically looking to and welcoming support from community members to take on important subjects. Having served on various task forces for the City of Pacifica over the years, I recognize that staff support is still required to provide structure for a task force. The bulk of the work though can be done through other resources if the City opens up and shows a willingness to receive this volunteer time. Community members are ready and willing to take on this task. And there is no lack of Ordinances put in place in other coastal communities for reference.

Please recognize the strong input given by the City of Pacifica Planning Commission at their January 17, 2023 meeting, where they too urged the City Council to enact stronger law and regulation on short term rentals.

Below are a few of the remarks submitted for the Feb 13, 2023 City Council meeting, with my full public comment letter attached.

Many other jurisdictions - from locally, to State, throughout the country and abroad are taking on the negative impact of short term rentals. Please don't let Pacifica fall behind. Thank you for your consideration.

Cindy Abbott
West Sharp Park

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 coastal 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 website³ ; 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."

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February 12, 2023

Dear Mayor Bigstych 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).

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

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.

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

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 Commission¹ 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 notes² 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 coastal 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 website³; 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 Monterey County Planning Commission⁴ 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.

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 Marin⁵ (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 moratorium, 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: Erin Macias [REDACTED]
Sent: Friday, March 3, 2023 9:58 AM
To: Public Comment
Cc: _City Council
Subject: Goal Setting

[CAUTION: External Email]

Dear Council and Staff,

I am unable to attend goal setting in person: it is unfortunate the comment window is so narrow for the in person meeting.

I encourage you to add the following to your Goals for the coming year:

SHORT TERM RENTAL ORDINANCE: this is a priority as we are rapidly losing housing, displacing workers from our community, lowering school enrollment, compromising public safety with empty homes and crime being committed in STRs; and more. In short these are destroying the fabric of our community.

CODE ENFORCEMENT: the first step in ANY ordinance is the ability to ENFORCE IT. Currently, we have an ineffective Code Enforcement division with a laundry pile of complaints dating back over 10 years that are not abated. We need to revisit our Code Enforcement policies and update them so the City of Pacifica reduces the impact of nuisance properties including home with drug activity, crime, severe blight and public safety issues. There are countless resources available to homeowners who are socioeconomically disadvantaged and need assistance with major repairs rendering homes uninhabitable. After a certain period of time, the City of Pacifica must step in and perform repairs and lien the parcel. An excellent example of the inefficiency of Code Enforcement is the HAZMAT incident on Crespi Drive.

Vacant homes with intermittent parties and excessive landfill resulting from STRs is not sustainable for the City of Pacifica.

Thank you for your time and energy on these important issues.

Erin Macias

Linda Mar

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From: Katherine Chinca [REDACTED]
Sent: Friday, March 3, 2023 10:03 AM
To: Public Comment
Cc: _City Council
Subject: Creation of an amended STR ordinance like Planning Commission work plan for next fiscal year

[CAUTION: External Email]

Dear Mayor and Council Members,

Again, we ask that although your schedules are packed, please do not put off the amended STR ordinance. Besides the hardship this has created for so many of our citizens, it is still mind boggling that an entire building is allowed to run as a BUSINESS in our residential areas. Someone asked if they could put a cafe in their garage to serve the STR guests???? Where does it stop...only with your help!

Thank you.

Gary and Kate Chinca
Pacifica Residents for decades

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From: Sue Digre [REDACTED]
Sent: Friday, March 3, 2023 11:20 AM
To: Public Comment
Subject: City Council goal setting 3 03 2023

[CAUTION: External Email]

City Council goal setting 3 03 2023.

Suggestions:

....for transparency & respecting the public confidence.

Adopt a Council policy:

Once an ordinance voted on and passed on to the Public ballot, no sitting Council person will transmit in any way ,untruths about the contents of the ordinance.

Why.

(Yes it is legal to lie during the campaign cycle but the Public probably does not fathom that a sitting Council person has the right under free speech to engage in transmitting untruths about an ordinance already voted on by Council in a Council meeting. A policy would demonstrate respect for the voters).

...Council has the duty to protect the wellbeing of all Pacificans.

Sometimes it appears that renters and homeless are not treated with the same respectful diligence as property & homeowners . This appears to be the case at times. Commit to equal treatment.

....Council has discretionary powers. That is an incredible opportunity to protect the Public at Large. Commit today to exercise that privilege during the year should serious issues arise that may necessitate a re-evaluation of priorities determined today.

Of serious concern:

....the considerable amount of waivers to the Hillside Preservation Act

and

the loss of Cape Britan ,former Coastside Corral property, for non equestrian, non ag uses was startling to the Community.

These things do not encourage trust in elected representation.

Best wishes.

Sue Digre

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From: Cindy Abbott [REDACTED]
Sent: Friday, March 3, 2023 11:21 AM
To: Public Comment; Bigstyk, Tygarjas; Bier, Mary; Vaterlaus, Sue; Beckmeyer, Sue; Boles, Christine
Subject: City Council Goal Setting: Local Coastal Plan Approval and Planning Document Updates

[CAUTION: External Email]

Dear Mayor Bigstyk and City Council,

I've previously communicated concern with how the City of Pacifica has been working through important updates to strategic planning documents (i.e., General Plan, LCP/LUP, Sharp Park Specific Plan, BBIRP) seems out of sync. The City of Pacifica, with six miles of coastal shoreline, spent time over the past few years developing a Sharp Park Specific Plan and BBIRP that is in contention with the recommendations that are going in front of the California Coastal Commission regarding the plan the City submitted.

The City of Pacifica needs to make working with the CCC to approve the Local Coastal Plan a priority, accept the proposed changes that will be heard at the March 8 CCC meeting, and update other documents and plans accordingly. The long term health and safety of our community depends on it.

Thank you,
Cindy Abbott
West Sharp Park

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From: Sue Digre [REDACTED]
Sent: Friday, March 3, 2023 11:29 AM
To: Public Comment
Cc: Sue Digre (Contact)
Subject: Pacifica City Council goal setting 3 03-04 2023

[CAUTION: External Email]

Please address :

Pacifica has two ITS signals on Highway #1.

Caltrans assured the City they were capable of providing ITS.

We were in conversation with Rhythmn Engineering. Because # 1 belongs to CalTrans we had to accept their assurance at the time.

We, the Public have been waiting to hear an update on the commitment and ability submitted by Cal Trans.

The City continually asserts the goal of having vehicles avoid idling and the goal to keep traffic moving and safe for all: vehicles, pedestrians, cyclists.

Daly City more recently was supposed to get ITS.

Salinas had it before us.

*Please commit to researching and reporting on our ITS.

This is a 21st Century traffic management program across the world.

Thank you.

Sue Digre

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From: Mary Ann Provence [REDACTED]
Sent: Friday, March 3, 2023 11:43 AM
To: Public Comment
Subject: STR input

[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]
Pacifica, CA 94044

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From: James Kremer [REDACTED]
Sent: Friday, March 3, 2023 11:44 AM
To: Public Comment
Cc: Woodhouse, Kevin; Bigstych, Tygarjas
Subject: Goalsetting

[CAUTION: External Email]

I'd like to suggest that completing LCP revision and approval is very high priority. Without it, our hands are tied with uncertainty on so many other important items. I know it is scheduled for Mar 8, but the outcome may not be fully resolved... The City should not do anything that purposefully delays final Council action. I think it is important that it be explicitly identified as a priority.

Thanks!

(May I assume that official comments always go to the publiccomment@pacificacounty.gov email? ie about public input, regardless of the target list & venue? I wasn't sure so sent you you two, too.)

-- Jim

James Kremer
Pacifica, CA
[REDACTED]

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From: Clif Lawrence [REDACTED]
Sent: Friday, March 3, 2023 11:55 AM
To: Public Comment; Public Comment
Subject: Fwd: Delivery Status Notification (Failure)

[CAUTION: External Email]

----- Forwarded message -----

From: Clif Lawrence [REDACTED]
To: publiccomment@pacificagov
Cc:

Bcc:
Date: Fri, 3 Mar 2023 11:53:23 -0800
Subject: City of Pacifica - Goal Setting 2023

Goal Setting - 2023

- Approval LCP - with CCC changes.
- STR - change count from PERMITs to UNITs

Clifford Lawrence

From: Nancy Tierney [REDACTED]
Sent: Friday, March 3, 2023 11:51 AM
To: Public Comment; _City Council; cmurdock@ci.pacifica.ca.us; Murdock, Christian
Subject: Public comment goal setting session 3-4-2023

[CAUTION: External Email]

City of Pacifica Goal Setting March 4, 2023
Comments from Nancy Tierney

In response to the City's invitation for comments on this year's Goal Setting, i.e., Strategic Plan, I offer my thoughts. I refer to the Workplans document February 2023 provided for review.

- The City Council Goals adopted in April 2022 captures a comprehensive and relevant set of goals. The goals, of course, are not discrete, making the City's challenge to achieve certain milestones more difficult. I contend that Environmental Sustainability should serve as a filter for all others. The City's progress towards preserving coastal and hillsides areas depends on the various goals of engaging the community, of providing a healthy and compassionate community, of stewardship of infrastructure, and so on.

- Another theme that should permeate the City's strategic plan is Resilience, in all goal categories. That includes looking at alternative solutions, some more drastic than others involving moving infrastructure away from vulnerable areas and considering nature-based solutions (vs armoring). In a recent town hall in Half Moon Bay on Coastal Resilience, public officials including Senator Josh Becker and County Supervisor Ray Mueller addressed some of these measures, including their collective efforts to seek the necessary funding.

- Updating the City's Climate Action Plan, dating back to 2014, is critical. Basic information about GHG emissions and VMT should be updated. Maybe more important is community engagement on contentious matters like coastal protections. Further, the plan should be viewed as a CAAP, adding "Adaptation" to the plan, and including metrics and means to monitor progress.

- Priorities #10 and 11 address housing, updating the Housing Element (in progress) and discussing homelessness with the community. Between the rising cost of housing and the increased number of people who are unhoused, we need a robust plan for housing. That plan should include different types of housing, both permanent and short-term, a comprehensive response to the rise in short-term rentals (especially unhosted units), and a reasonable safe parking program. This reinforces the goal of providing a healthy and compassionate community.

- Clearly there's a lot at stake in our City, as laid out in last year's priorities. As a regular listener to City Council discussions, it's just as evident that we don't agree on what direction the City should take. Continue looking at what other cities are doing and for sources of funds through the county and state. We also are learning more about funding programs (some 400) associated with the recently adopted Inflation Reduction Act.

thanks for your commitment to our City and for listening to our comments.
Nancy Tierney

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From: Jen Hansen [REDACTED]
Sent: Friday, March 3, 2023 12:00 PM
To: Public Comment
Subject: Goal Setting

[CAUTION: External Email]

Good morning Council!

It's almost SPRING!!! I can feel it in the air!

As always, I want to let all of you know how much I do appreciate your love, support, and devotion in continuing to build the future of the City of Pacifica and bring change to the community.

While I want to acknowledge the extreme burden of the many projects brought before the city and council. We are a small coastal town with almost no sales tax revenue because we don't have a retail market like the cities and towns around us.

Which I why I have continued to stay in Pacifica. My parents still live in the house I came home from the hospital in April of '83. I've always loved the small town, small business feel of Pacifica.

But that reality brings its challenges, like not having an adequate budget for staff to support the extensive needs of the community as well as our federal, state, county, and environmental obligations.

As you have heard countless times, the impact of STR's in our community has been far reaching and has impacted many.

When the initial ordinances were adopted, the idea of STR's was new and evolving. Now, 5 years later, we have seen what that sector has transformed into. While it does bring in a significant revenue stream, our community as a whole has paid the price. Neighbors are literally losing sleep because of it. Real Estate conglomerates are buying up housing stock above asking, which is driving up the cost of housing and forcing neighbors to leave our beautiful city.

As you proceed to analyze at the variety of proposed projects before you and decide how to allocate staff time, I implore you to make developing a robust STR ordinance a priority.

I realize this will come at a cost. On a state level, we have the Local Coastal Plan that NEEDS to be addressed. We have the Manor overcrossing project with Caltrans that NEEDS the city's attention, both for structural and community SAFETY. The Palmetto business district plan is in the works to help bring more revenue to the city, which the city NEEDS. Focusing on the task ordinance task will mean another task is not getting worked on. By looking at the pros and cons of adding a project to the 2023-2024 goals, I hope council can find other projects that can be momentarily sidelined because they are not A NEED to address the effects STR's have had on our community, which really NEEDS to be addressed to support our residents.

Regards, Jen