

Public Comments
Fiscal Year 2023-24 Budget
Written Comments Received By 12pm on 06/12/2023



June 12, 2023
City Council Meeting

From: Jen Hansen [REDACTED]
Sent: Monday, June 12, 2023 11:15 AM
To: Public Comment; Beckmeyer, Sue; Vaterlaus, Sue; Boles, Christine; Bier, Mary; Bigstycck, Tygarjas
Subject: Re: *UPDATED* STR compliance program

[CAUTION: External Email]

Sarah,

I am so so so so so so so so so so so sorry to have you do this twice, but I was able to sit down on AirBnB and found 7 more listings, so wanted to update the numbers in my comment to reflect the newest data.

I've copied everything exactly and updated the numbers, so you can just delete the whole email and paste in this, please.

Again, I APOLOGIZE sooooo much!

Jen

Good evening esteemed council members,

Wanted to touch base and strongly encourage you to approve the STR compliance program set forth in Monday, June 12ths City Council meeting.

As a community, STR's have been an extremely challenging nuisance to many Pacifica residents. Coupled with a ineffective code enforcement program, the little sanctuaries we call our homes have become places full of stress and anxiety. We have homes like 1164 Crespi and 959 Regina Way who have allowed their homes to fall into disrepair, causing health and safety situations for the inhabitants, their neighbors, and the environment. Because code enforcement complaints have been repeatedly filed on both properties, the city now becomes ***liable*** for any damage incurred to the residents, their properties, their pets, and the environmental impact of failing to abate. **We need a stronger enforcement arm to uphold our ordinances and protect our residents.**

In every meeting I have attended in the past 6+ months where STR's have been addressed, city staff has been able to give a definitive answer as to how many STR permits that have been issued. The **lack of transparency** makes me extremely uncomfortable, especially when the city has hired a third party, HdL Companies, to compile that information. While I very much understand the fluidity of the situation at any given moment, the city should always have a reasonable approximation of STR permits issued readily available.

I would also like some clarification on permits. **Is it one permit per address, one permit per listing (meaning an apartment complex advertising 4 units would need 4 permits, one for each unit), or per person (meaning one person can operate as many addresses/listings)?** We currently have at least 3, possibly 5, Real Estate Investment Trust (REIT) managers operating 36 (or 55 if you include the 5th) listings. Many of these REIT properties have repeated disturbance complaints and property managers have ignored residents concerns. The city must step in to help support our residents.

I have compiled a list of 200 active STR listings from the AirBnB website. I have approximately 111 addresses (a handful have multiple listings for 1 address, like apartment complexes and houses with in law units, duplexes, triplexes, and quadplexes) and 28 listings in which I have yet to uncover the addresses. There are 7 properties boasting 6 or more bedrooms, which by the city's own definition, these properties are acting as hotels, which should be held to the same health/safety and zoning regulations. There are 22 properties advertising they house 12-16+ guests. One 12 guest property is only a 3 bedroom property. Having 4 people per room sounds like a safety issue to me.

Currently, there are at least 5 apartment complexes where more than one unit is being used as an STR. Also, there are 45 guest/in-law/studio listings where a large percentage of them appear to be ADU's, which according to Pacifica's current ordinances, are being illegally used as STR's. Also, there are 3 "tiny trailer" listings currently operating, which, again, violates our own city ordinances.

It currently came to my attention that there is a STR property at 1215 Lerida Way that advertises a swimming pool, but the pictures of the house clearly show that there is NO FENCE to ensure the safety of guests and their children.

We NEED an effective code enforcement officer that is going to verify compliance of the properties before the permits are issued to make sure the health and safety of renters. This has proven to be a large undertaking and clearly the code enforcement department **needs more support**. By issuing a permit, the city certifies that the property meets applicable codes and failing to due diligence to ensure safety adds a liability component our budget cannot support.

In looking at the figures provided in the agenda, I appreciate the city increasing the STR permit fee, I would urge the city to charge more. When there is a subset of the community financially benefitting from the resources in our community, it should be up to that subset to absorb 100% of the cost for the city to maintain the program created to ensure compliance. The city and it's taxpayers should not have to cover the approximately \$43,000 for others to run their businesses.

While the city of Pacifica may have been a front runner in STR ordinance adoption many years ago, the current system is failing Pacifica residents. While you have a huge amount of support for ensuring the creation of a robust STR ordinance on your calendar this year, your valuable time would be **wasted if we do not have an efficient and effective code enforcement arm to uphold those ordinances** we are all going to work so hard to develop.

As always, I appreciate your time,

Jen Hansen

From: Erin Macias [REDACTED]
Sent: Monday, June 12, 2023 11:47 AM
To: Public Comment
Subject: Budget: Short-Term Rental (STR) Program Ordinance and Compliance Enhancements

[CAUTION: External Email]

Thank you for adding enforcement of the STR ordinance to the Budget.

A Short Term Rental program offers hotel accommodations in a residential neighborhood therefore STR operators are paying TOTs which generate income for the City of Pacifica.

1. Short Term Rental program as an income generating opportunity in the city **should generate permit revenue and TOT revenue. Additionally, enforcement should pay for itself not be an expense of the TOT or permit revenue.** Enforcement should have its own separate fine structure.

2. Nuisance properties are set up by investors in residential neighborhoods in a manner that directly contribute to nuisance behaviors: outdoor game spaces, hot tubs and large capacity sleeping accommodations to name a few. Repeat offenders should be fined with a tiered system that makes operating nuisance properties unattractive to investors. Before a permit is issued, a certificate to operate should be issued after the following has taken place: dwelling is to code; electrical and plumbing are permitted; fire extinguishers and CO2/Smoke detectors are operable and in the correct place. **The permit fee should reflect the staff time behind the desk and in the field.** Is \$1622 sufficient?

3. When entering into an agreement aka the STR permit with the City, **why are STR operators not contractually obligated to pay for any legal or enforcement fees that result as a consequence of their business operations?**

4. A Senior Code Enforcement officer implies there is a Code Enforcement Officer working under a Senior Code Enforcement Officer. Increasing the salary of our current Code Enforcement officer to continue to do the 'status quo' of ineffective abatement over many years is not acceptable. I would ask the City of Pacifica Council and Staff to hire a Senior who will supervise our current ineffective Code Enforcement Officer Gwendolyn White. If you need data to drive that assertion, please review the hazmat incident at 1164 Crespi Drive as one example of 13 years of an unabated nuisance, regular police activity, and with hazardous conditions present on the parcel resulting in a red tag of the entire building.

5. The 150 cap is ineffective as one permit holder has purchased two more properties and is now operating them under the same permit bringing one permit to count of at least 14 STRs that have been identified. These are REIT's or real estate investment trusts being operated by a group of investors. The permit should be PER ADDRESS and we should not allow one permit holder to operate multiple properties. **One permit for one property is the only way the City can even begin to manage this growing problem.**

Erin Macias, Linda Mar

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