

June 24, 2024
City Council Meeting

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 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.

Sincerely,

-
- Pam Raymond
Beach Blvd. 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: 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 Council 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 rarious 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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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 [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 str.

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 str 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 str 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 str's 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 detts, 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&frr=HSR&pwa_ts=1718637923278&referrerUrl=aHR0cHM6Ly93d3cudnJiby5jb20vSG90ZWwtU2VhcmNo&useRew

[ards=true&adults=9®ionId=9065&destination=Pacifica%2C+California%2C+United+States+of+America&destType=MARKET&neighborhoodId=553248635976471137&latLong=37.613827%2C-122.486916&privacyTrackingState=CAN_TRACK&searchId=6450557d-a899-48da-91da-5bbf55145bdb&sort=RECOMMENDED&userIntent=&expediaPropertyId=100779872](https://www.expedia.com/Hotels/HotelsList.aspx?ars=true&adults=9®ionId=9065&destination=Pacifica%2C+California%2C+United+States+of+America&destType=MARKET&neighborhoodId=553248635976471137&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]

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: 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 IMMEDIATE not just attention but **ACTION** to this serious problem is appreciated. Thank you

Darcy

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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:

DARCY DUCKENFIELD

Date:

6/19/2024

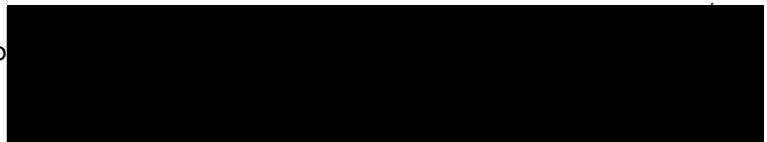
Signature:

Darcy Duckenfield

Neighborhood:

WEST SHARP PARK

Contact Information (email/phone <op



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

- 1) Scan your statement and email it to publiccomment@pacificagov. 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 Council) 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-term 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



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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 Pacifica 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](https://www.skift.com/article/2024/06/17/nyc-has-approved-just-2242-short-term-rental/) 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


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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 Pacifica 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](https://www.skift.com/article/2024/06/17/nyc-has-approved-just-2242-short-term-rental/) 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



From: info@pacificahomesarenohotels.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;
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

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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: _____

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@pacificagov. 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.

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Name: _____

Date: _____

Signature: Walter M. M. M. _____

Neighborhood: _____

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

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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: Debra Hirshlag

Date: 6/19/24

Signature: [Handwritten Signature]

Neighborhood: Pedro Point

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

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Name: Sam Casillas

Date: 6/13/24

Signature: [Handwritten Signature]

Neighborhood: Pedro Point

Contact Information (email/phone <optional>): 

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Name: Peter C. Garenani

Date: 17 June 2024

Signature: Peter C. Garenani

Neighborhood: Sharp Park

Contact Information (email/phone <optional>): 

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Name: Cynthia Kaufman

Date: 6/15/27

Signature: 

Neighborhood: Pedro Point

Contact Information (email/phone <optional>): 

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Name: Patricia Kephart

Date: 6/13/24

Signature: Patricia Kephart

Neighborhood: Linda Mar

Contact Information (email/phone <optional>):



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Name: Caitlin Quinn

Date: 6/13/24

Signature: [Handwritten Signature]

Neighborhood: West Sharp Park

Contact Information (email/phone <optional>): 

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Name: Stephynne Robbins

Date: 6-13-24

Signature: [Handwritten Signature]

Neighborhood: West Sharp Park

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

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Name: _____

Kathleen Shugar

Date: _____

01/13/24

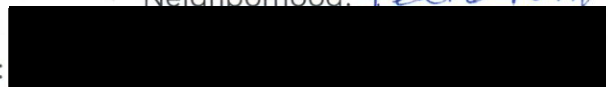
Signature: _____

Kathleen Shugar

Neighborhood: _____

Pedro Point

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



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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 supplemental 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

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.

SHORT TERM RENTALS (STRs): MYTHS vs FACTS

MYTH 1

STRs are 'mom-and-pops' trying to make house payments

FACTS

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 owners²

MYTH 2

STR companies (Airbnb, Expedia/HomeAway, etc.) prohibit party houses

FACTS

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

FACTS

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 taxes, siphoning off tax revenues cities would have received from hotel stays.

MYTH 4

City ordinances and codes can deal with the 'bad apple' STRs

FACTS

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

FACTS

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

FACTS

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

FACTS

Courts overwhelmingly side with cities and long-held zoning priorities, including US Supreme Court May 2020 ruling⁹

MYTH 8

I can do what I want with my private property

FACTS

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

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 3:39PM
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

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



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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 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 (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](https://www.insideairbnb.com) 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 unhosted 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 agendaed.

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 finances 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:

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 Francisco 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¤cy=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.pacificallighthouse.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

Anaheim⁴
 Atherton¹
 Belvedere²
 Carmel³
 Carlsbad^{3*}
 Colma¹
 Danville²
 Del Mar³
 El Cerrito²
 Hermosa Beach³
 Huntington Beach³
 Larkspur²
 Manhattan Beach³
 Ojai⁴
 Rancho Palos Verdes³
 Redondo Beach³
 San Juan Capistrano³
 Santa Ana⁴
 Sausalito²
 Sonoma⁴
 Tiburon²
 West Hollywood⁴
 Woodside¹
 Yountville⁴

Unhosted Banned/Hosted Only:

Brisbane¹
 Burlingame¹
 Orinda²

Redwood City¹
 San Francisco²
 Santa Monica³
 Sunnyvale²

Banned in Residential Zone/ Commercial Zones only

Buellton⁴
 Calistoga⁴
 Cloverdale⁴
 Healdsburg⁴
 Laguna Beach³
 Newport Beach³
 San Clemente³
 Santa Barbara³

STRs treated like Hotels and Motels:

Costa Mesa⁴

Must be Primary Residence

Berkeley²
 Brisbane¹
 Burlingame¹
 Daly City¹
 Emeryville²
 Half Moon Bay¹
 Millbrae¹
 Piedmont²
 Redwood City¹

San Francisco²
 South San Francisco¹
 Sunnyvale²

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 City¹
 Half Moon Bay¹
 Millbrae¹
 San Bruno¹
 San Mateo¹
 South San Francisco¹
 St Helena⁴

Local Contact must respond 24/7:

Daly City¹
 Half Moon Bay¹

⁺Data as of 12 June 2024; ¹San Mateo County, ²San Francisco Bay Area, ³CA Coastal City, ⁴CA non-coastal city; *Banned outside coastal zone

SHORT TERM RENTALS (STRs): MYTHS vs FACTS

MYTH 1	FACTS
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	FACTS 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	FACTS 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 taxes , siphoning off tax revenues cities would have received from hotel stays.
MYTH 4 City ordinances and codes can deal with the ‘bad apple’ STRs	FACTS 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	FACTS 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	FACTS 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	FACTS 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	FACTS 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; Bigstycck, 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%
<hr/>		
Sharp Park/Shoreview	63	37%
Manor	38	22%
Fairmont/Manor	5	3%
<hr/>		
	43	25%
Linda Mar	16	9%
Park Pacifica	14	8%
<hr/>		
	30	18%
Pedro Point	20	12%
Valleamar	7	4%
East Rockaway	6	4%
Fairway	2	1%
<hr/> <hr/>		

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; Renovation
145	1581 BEACH BLVD APT 2 In-Process	Not occupied; Renovation
146	1581 BEACH BLVD APT 4 In-Process	Not occupied; Renovation
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 RAINIER 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:**

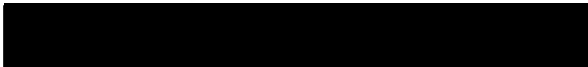
- **Limits STR permits to property owners who are "natural persons"** and for whom the property is their **primary residence**.
- Allows only **one** STR to be in effect within the City of Pacifica **for any owner and/or operator**.
- Sets an operating limit on **unhosted STRs to 60 rental nights per 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: 

Neighborhood: San Pablo Terrace

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@pacificagov. 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 surrounded 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.....

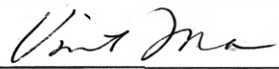
Last year, a stranger signed for my package at 11am (before check out time), therefore I lost my order.

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: 

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@pacificagov. 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

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.

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

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:

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

- 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 proliferation 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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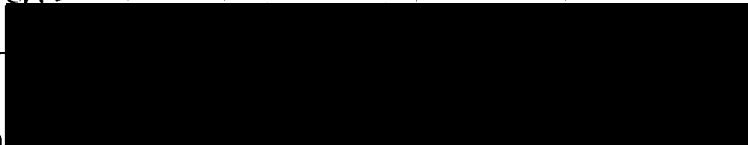
A Letter to Pacifica's City Council

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: Rick + Victoria DeAlba Date: 6-23-24
Signature: [Handwritten Signature] Neighborhood: East Sharp Park
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@pacificagov. 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 - 3am) 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~~ above normal in our area.

Name: Rick & Victoria DeAlba Date: 6-23-24

Signature:  Neighborhood: East Shore Park

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@pacificagov. 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: Jen Hansen [REDACTED]
Sent: Sunday, June 23, 2024 9:33 PM
To: Public Comment; Boles, Christine; Vaterlaus, Sue; Bigstycck, Tygarjas; Bier, Mary; Beckmeyer, Sue
Cc: Bryan Reiner; 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@pacificagov>; Vaterlaus, Sue <svaterlaus@pacificagov>; Beckmeyer, Sue <sbeckmeyer@pacificagov>; Bigstyck, Tygarjas <tbigstyck@pacificagov>; Bier, Mary <mbier@pacificagov>; Boles, Christine <CBoles@pacificagov>
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

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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

July 31, 2017

To Whom it May Concern:

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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).

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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))

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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



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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@better_LA
betterneighborsla.org

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

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://cityofpacificacounty.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/pacificacounty/americas-best-value-inn-san-francisco-pacificacounty>; The Anchor Inn: <https://anchorinnhotels.com/book-now/>; Fairfield Inn & Suites San Francisco 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¤cy=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.

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

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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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

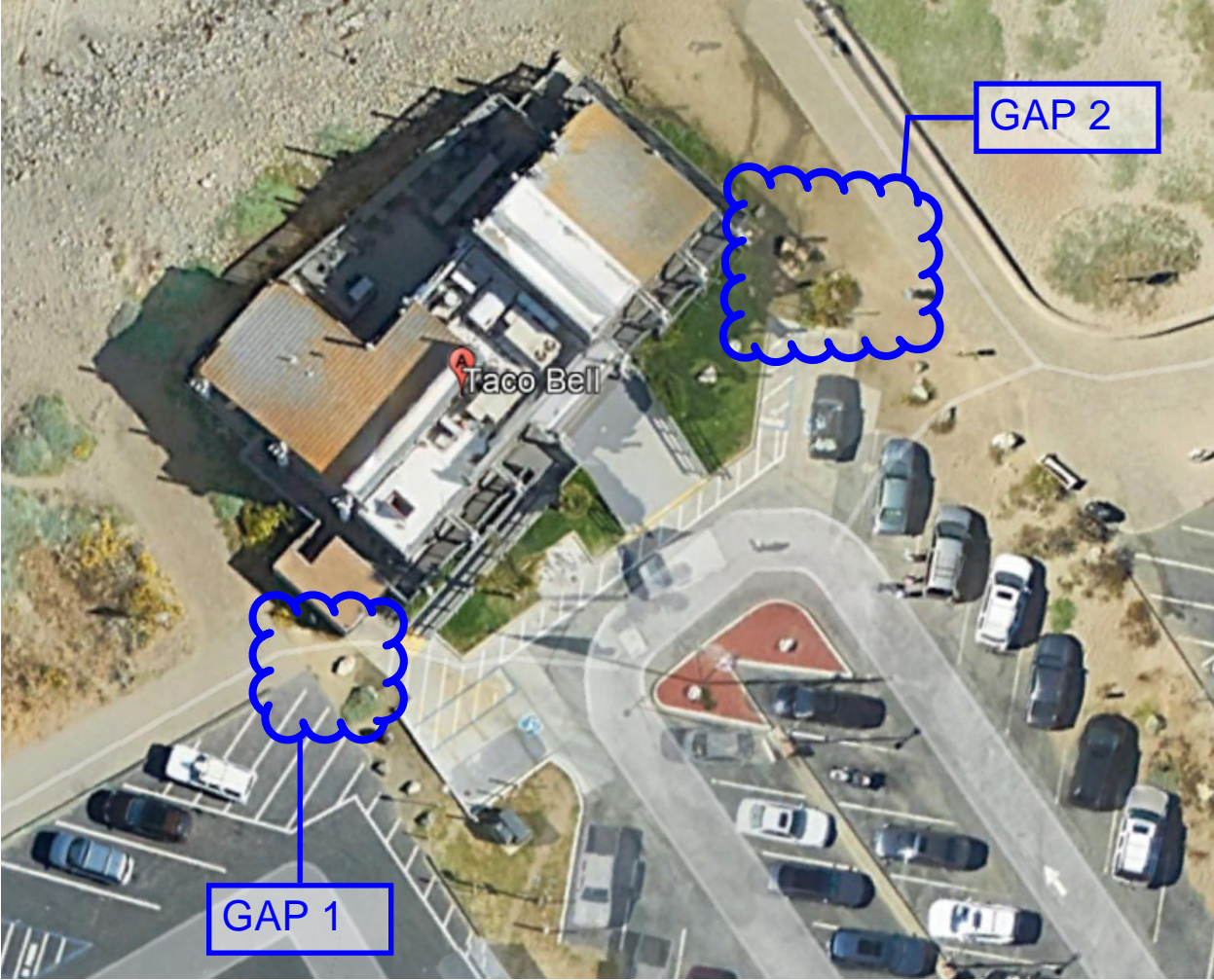
informed that Planning Commission did not have the ability to add the improvement into the CIP that night, so Staff advised that a recital be added to the Council's 2024-2025 Fiscal Year Capital Budget and CIP approval Public Hearing item at Council's June 24th meeting. I don't believe the recital made 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



ONLY HAD TIME TO PHOTOGRAPH GAP 1 DUE TO SCREAMING BABY IN STROLLER





CITY PROPERTY

TACO BELL PROPERTY

COASTAL TRAIL



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)

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