

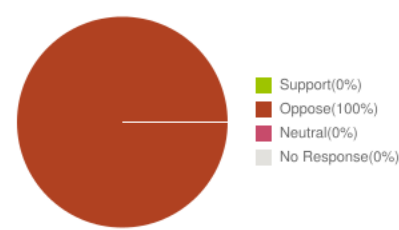
City Council Adjourned Regular Hybrid Meeting (Closed Session - 5:00 PM Open Session - 6:00 PM)
09-28-22 17:00

Agenda Name	Comments	Support	Oppose	Neutral
c) REPORT 22-0586 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA AMENDING CHAPTER 17.40 (CONDITIONAL USE PERMIT AND OTHER PERMIT STANDARDS) TO ADD SECTION 17.40.230 (TIMESHARE USES) TO TITLE 17 (ZONING), AND AMENDING SECTION 17.26.030 TO PERMIT TIMESHARE USES IN SPECIFIED COMMERCIAL ZONES PURSUANT TO A CONDITIONAL USE PERMIT AND DETERMINING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Community Development Director Jeannie Naughton)	2	0	2	0

Sentiments for All Agenda Items

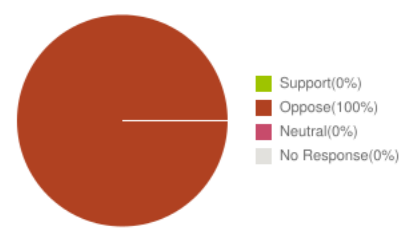
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for c) REPORT 22-0586 INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA AMENDING CHAPTER 17.40 (CONDITIONAL USE PERMIT AND OTHER PERMIT STANDARDS) TO ADD SECTION 17.40.230 (TIMESHARE USES) TO TITLE 17 (ZONING), AND AMENDING SECTION 17.26.030 TO PERMIT TIMESHARE USES IN SPECIFIED COMMERCIAL ZONES PURSUANT TO A CONDITIONAL USE PERMIT AND DETERMINING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Community Development Director Jeannie Naughton)

Overall Sentiment



Scott Hayes

Location:
Submitted At: 3:30pm 09-27-22

I am writing to express my strong opposition to Agenda Item XIII, c

First, I believe that the residents adjacent to C-1 Zones should have been directly noticed about this potential change to the zoning code. As stated in the staff report, timesharing projects have increased “likelihood of frequent gatherings and parties generating noise in excess of what the neighborhood normally generates.” Since staff acknowledges that there will be neighborhood impacts as a result of the proposed timeshare projects, I feel that the City should have gone over and above the minimum legal public noticing requirements. I respectfully request that this item be continued until such time that the neighbors are properly noticed.

If this item is not continued please consider the following argument against the proposed zoning changes.

Section 17.40.230, A of the proposed ordinance states “Timeshare uses are not an appropriate land use in the City’s residential zones due to the multiple occupancy of timeshare properties, the short-term, tourist oriented use of such property and commercial management of timeshare facilities, all of which create increased traffic generation, excessive noise, disruption to residential communities.” What the ordinance fails to recognize is that those exact same concerns also make timeshares unsuitable for the C-1 Neighborhood Commercial Zone.

Timeshares are almost always vacation properties. As such, they are essentially hotels which is a disruptive use when adjacent to a residential neighborhood. Our municipal code does not allow hotels in the C-1 zone and timeshares should be excluded as well. Municipal Code Section 17.26.020, B, 1 specifically states that the purpose of the C-1 Neighborhood Commercial Zone is “to provide sites for a mix of small local businesses appropriate for, and serving the daily needs of nearby residential neighborhoods; while establishing land use regulations that prevent significant adverse effects on abutting residential uses.” I do not see how a timeshare serves the daily needs of nearby residential neighborhoods but I can easily see how these neighborhoods would suffer significant adverse effects from timeshares.

People generally stay at timeshares for 1-2 weeks. As a result, they have nearly the same impact on neighborhoods as short term vacation rentals. Hermosa Beach only allows STVRs on commercially zoned parcels with non-conforming residential uses. Why are timeshares being treated any differently? Timeshares will have the same traffic and noise impacts as STVRs so they should be restricted to the same areas.

Additionally, there is no language in the ordinance to prohibit utilizing the timeshare as a short term vacation rental. If timeshares are approved, it will only be a matter of time before we start seeing the timeshare units showing up on Airbnb and VRBO.

The ordinance states that timeshares must be built above commercial space as part of a mixed use project. Why wouldn’t we require that the upper floors of mixed use developments be residential space to help the City meet its housing goals? Allowing this space to be used as timeshare vacation homes makes no sense. I would much prefer to have new neighbors contributing to the community that having to deal with new transient residents every week or 2.

The City is currently unable to do anything about the quality of life issues brought about by the MANY illegal short term vacation rentals in Hermosa Beach. I am concerned that timeshares will just add to the number of quality of life issues that the City will not be able to enforce. I happen to live nearby some of these illegal STVRs and no matter how frequently I report them to the City, new renters keep showing up. A quick search of Airbnb shows that there are dozens of STVRs that are advertising for stays of less than 30 days. If the stay is increased to 30 days the number grows to over 100. The City is just not able to do anything to contain these issues and I am worried that the City will not be able to do anything about the potential problems with timeshares.

I believe that there are a few different ways that Council should deal with this issue:

1. Allow timeshares in locations where hotels are permitted. If timeshares are strictly considered a residential use this may not be possible until the zoning code is changed to allow residential in mixed use projects in C-2 and C-3. I think that it is worth waiting for the zoning code update to properly deal with the timeshare issue.
2. Define timeshares in the municipal code as hotels or motels. This would allow them in zones where hotel use is allowed.
3. Allow timeshares at commercially zoned parcels with non-conforming residential uses similar to legal STVRs.
4. Prohibit timeshares anywhere in Hermosa Beach.

Please do not allow timeshares to further degrade our neighborhoods the way that STVRs already have.

Rachel Hayes

Location: 90254-5103, Hermosa Beach

Submitted At: 8:55am 09-27-22

While I am glad to see that the city is being proactive to prevent timeshare ownership of properties in the residential areas, I am not happy with the request to change the use of properties in zone C1 which is directly adjacent to residential properties.

For the same reason that you don't want one in your neighborhood, we don't want one in our neighborhood.

Please note that timeshares do not operate the way it was sold to the planning commission. Timeshare salesmen are very good sales people, and they have sold you a pack of lies. Think about what they are selling you. Eight families sharing one house. Eight families would get one week every other month. Who do you know who has six weeks of vacation time? And how many people want to use all six of those weeks to go to the same location? The eight families they are selling you on are "investors" in a property who will get their money back by renting the unit through the timeshare system.

The way timeshares work is owners either buy a designated week at one resort/location or they buy points which they can use to book a week at any of the timeshare's properties (owned or negotiated). People who own the same week can trade that week into the timeshare pool of units for a week at any other of the timeshare's properties. The timeshare companies pool their resources with other timeshare companies in order to offer more flexibility, as it helps generate more sales. So, what you think will be the same eight families using the unit, will end up becoming a short term rental with new tenants every single week. I belong to a timeshare and they use AirBnB as a selling point – seems they are getting into the business of subleasing out AirBnB's to their owners for points. The sales people will actually say "You don't have to stay at one of our resorts, we have contracts with AirBnBs all over. You can use your points to book one of those properties".

Avoidance of Taxes: Because allegedly only 'time share owners' will be using the unit, there will be no short term tax paid to the city for this unit. Timeshare fees are called maintenance fees (not rent), so technically they would not be subject to the short term tax like hotels or even AirBnBs.

Short Term Rentals kill neighborhoods. There is an illegal short term rental across the street from us. Every single new tenant drives the wrong way down the one-way alley. Every single one.... They don't care about our neighborhood. Sometimes they park a car in the alley blocking access to our garage. When I call the city, I am told the city will not tow. So the city is protecting the short term renters at the expense of the residents? If the city cannot help us now, imagine what it will be like when there are several places with new tenants every single week (unmanaged tenants).

C1 zone: I live next to a bar. I have no problems with the bar. They have a CUP and they follow their CUP, so we have lived in harmony. The bar has a paid staff member on site to manage the property. This timeshare (just another name for short term rental) will not have a staff member present to manage the property. I would rather have a pot dispensary next to me than another short term rental. At least the pot dispensary will have staff on site, and it will have specific hours of operation. And the City will have the ability to correct any unwanted behaviors with the pot dispensary operators. How can the city correct behavior of tenants who change over every single week.

With a timeshare owned property, once you open pandora's box, you will not be able to fix it. Please say no to timeshare properties in our city. Please say no to timeshare properties in Zone C1 as it is too close to residential properties. For the same reason that you don't want one in your neighborhood, we don't want one in our neighborhood.

Rachel Hayes, resident 122 1st Street, Hermosa Beach, CA