

9/24/19 AGENDA, ITEM 3a - ORDINANCE 19-1395

13 SUPPLEMENTAL WRITTEN COMMUNICATION RECEIVED BY THE CITY MANAGER'S
OFFICE BETWEEN 09/23/19 - 09/24/19

From: Paul Burke <pb628@verizon.net>
Sent: Monday, September 23, 2019 1:23 PM
To: Ann Yang <anny@hermosabch.org>
Subject: Short term rental agenda

Dear City Council,

My name is Jacqueline Torfin and I own and live at [659 6th street](#). I have been a resident since 1968.

I am strongly opposed to any short term vacation rentals. Living next door to a short term vacation rental can be completely life altering. Visitors come and go at all hours, there are noise disturbances, trash and parking issues, especially in our high density town. I am also concerned that it will change the character of Hermosa Beach.

We rely on you as our city council to do the right thing and ask you not pass this Pilot Program. I will be strongly opposed.

Jacqueline Torfin
[659 6th St](#)
[Hermosa Beach](#)

From: Nancy Roe <nancyroe1@icloud.com>
Sent: Monday, September 23, 2019 4:05 PM
To: Ann Yang <anny@hermosabch.org>
Subject: Short term rentals

Dear Hermosa Beach City Council:

I am writing to urge you to vote NO on allowing the pilot program for short term rentals in non conforming residential properties located in commercial zoning districts.

There will be issues of noise, parking, trash, and perhaps even safety for our residents. There are hotels for this purpose.

As a property owner and tax payer, I strongly encourage you to vote NO.

Thank you,
Nancy Griley

From: noreply@granicusideas.com <noreply@granicusideas.com>

Sent: Monday, September 23, 2019 4:30 PM

To: Ann Yang <anny@hermosabch.org>; City Council <citycouncil@hermosabch.org>; Suja Lowenthal <suja@hermosabch.org>

Subject: New eComment for City Council Meeting

New eComment for City Council Meeting

Scott Hayes submitted a new eComment.

Meeting: City Council Meeting

Item: 3a) REPORT 19-0637 ORDINANCE NO. 19-1395 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE HERMOSA BEACH MUNICIPAL CODE TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO REGULATE THE RENTAL OF EXISTING NONCONFORMING RESIDENTIAL PROPERTIES THAT ARE LOCATED IN COMMERCIAL ZONING DISTRICTS FOR FEWER THAN THIRTY DAYS" (City Clerk Elaine Doerfling)

eComment: I request that Agenda Item 3.a. – Report 19-0637 be removed from the consent calendar and be considered for modification. While I disagree with the Council's decision to allow Short Term Vacation Rentals in existing, non-conforming residential properties that are located in commercial zones, it is clear that this pilot program is moving forward. I would like for the Council to consider adding some additional restrictions to the program to help ensure that the negative effects on the residents of Hermosa Beach are minimized. The Coastal Commission has indicated in their letter dated 12-6-16 that restrictions may be appropriate when the City already provides an ample supply of vacation rentals. A quick search of Travelocity.com found the following hotels in Hermosa Beach: 1. The Beach House 2. Hotel Hermosa 3. Grandview Inn 4. Holiday Inn Express 5. Quality Inn & Suites 6. Hampton Inn The Travelocity list does not include the Sea Sprite or the Surf City Hostel. I believe that 8 different vacation rental options is an ample supply for a city of less than 1.5 square miles. Additionally, there are even more hotels, many of them walking distance, in cities immediately adjacent to Hermosa Beach: 1. The Redondo Beach Hotel, Redondo Beach 2. Portofino Hotel, Redondo Beach 3. Shade Hotel, Redondo Beach 4. Shade Hotel, Manhattan Beach 5. Crowne Plaza, Redondo Beach 6. Hi View Inn & Suites, Manhattan Beach 7. Seaside Motel, Redondo Beach 8. Redondo Pier Inn, Redondo Beach 9. Residence Inn & Suites, Manhattan Beach 10. The Wave, Manhattan Beach It is clear that there are plenty of places to stay for out of town visitors to Hermosa Beach. As a result I believe that it is appropriate to add a restriction requiring 24-hour onsite management of STVR's. STVR's in Hermosa Beach have been known to become "party houses" and a 30 or 45 minutes management response time is an eternity to a resident trying to sleep at 2 am. When a manager is on site the likelihood of compliance with the pilot program's requirements will increase dramatically. I believe that without this restriction, vacation rentals will proliferate to a

point where they will impair the character of our community. Per their letter dated 12-6-19 this type of regulation has been historically supported by the Coastal Commission. I also have a few comments on specific sections of the ordinance: Section 3.A.3.c of the proposed ordinance does not reflect what was approved at the previous City Council meeting. It was my understanding that the response time for complaints was cut from 45 to 30 minutes. As discussed above, I believe that this section should be changed to require 24-hour onsite management. Section 3.C. of the ordinance should be modified to read something like "Any Short-term vacation rental in the pilot program area that was in operation..." The way it is currently written makes it sound like STVR's that are currently operating in residential zones may stay in operation until April 24, 2020. I do not believe that this is the intent of this section. Section 3.D should clarify exactly what a violation is. Is a violation issued by a code compliance officer? Is a violation a visit from the police? What if the police do not file a report but just ask for immediate corrective action? My concern here is that violations may not be adequately reported and non-compliant STVR operators may end up with violations that do not get counted towards their maximum of 3. Section 5 – I believe that the parking requirement should be 1 space per bedroom with no maximum. I live across the street from a large illegal STVR and they regularly have 4 cars parked in the garage. While this particular unit has enough parking, in a situation with 4 bedroom STVR with only 2 parking spaces it would mean that 2 street spaces could be taken away from Hermosa Beach residences. Thank you for your consideration.

[View and Analyze eComments](#)

From: D FLASKA <dfaska@aol.com>
Sent: Monday, September 23, 2019 5:37 PM
To: Ann Yang <anny@hermosabch.org>
Cc: David Blumenthal <dblumenthal@hermosabch.org>; Ken Robertson <krobertson@hermosabch.org>; Bob Rollins <brollins@hermosabch.org>
Subject: Re: Short-term vacation rentals in comm zoned properties - comment

Hi Ann, I hope my written communication will be considered at tomorrow's City Council meeting on short term rentals. The unfortunate tragedy in Tarzana this weekend at an airbnb has caused that city to place a moratorium on short term rentals.

Thank you
Debra Flaska

Sent from my iPhone

On Aug 19, 2019, at 9:39 AM, Ann Yang <anny@hermosabch.org> wrote:

Good morning Debra,

Thank you for your email. This will be added to the August 27 City Council agenda item as written communication.

Ann Yang
Executive Assistant
Office of the City Manager and City Council
1315 Valley Drive | Hermosa Beach, CA 90254
Office: (310) 318-0216 | Fax: (310) 372-6186
Business Hours: M-Th, 7am-6pm
www.hermosabch.org



From: Debra Flaska <dfaska@aol.com>
Sent: Sunday, August 18, 2019 2:10 PM
To: Ann Yang <anny@hermosabch.org>
Cc: Debbie Flaska <dfaska@aol.com>
Subject: Short-term vacation rentals in comm zoned properties - comment

Hello,

My name is Debbie Flaska and I live at 735 8th St, Hermosa Beach. I received a courtesy notice in the mail that the HB City Council will be considering an ordinance that will establish a two-year pilot

program to allow and regulate short-term vacation rentals in existing non-conforming dwelling units on commercially zoned properties, and that my property is within 200 feet of a property that could be eligible to contain a short-term rental.

The commercially zoned property within 200 feet of me is already operating as an Air BNB. The host name is Aaron, co host is Taylor. They advertise 2 properties on [AirBNB.com](https://www.airbnb.com) and change the name of the rooms frequently, but if you look on the map on AirBNB with a zip code of 90254 you will find it. Currently, one room is called "Private Room by the Beach" and advertised at \$80 per night. The other room is called "The Minimalist Room" and is advertised at \$58/night. Aaron is even designated a "superhost" on AirBNB.

I became aware of it because people were parking in my driveway, stating they were staying at an AirBNB and looking for Aaron or Taylor, the hosts. So I researched on AirBNB and found their advertised rooms. I see people coming and going constantly with their roller board luggage. They enter the glass door marked "777" on Eighth St. People have dumped their pizza boxes in my trash can on the way to the beach (I work from home, and my trash cans are right outside my "office" window facing the sidewalk, so I see it happen). There are constantly empty food wrappers, marijuana empty wrappers and small pieces of trash such as napkins, snack bags in my front yard and driveway that I clean up. I installed video cameras in my back yard a few weeks ago, and found that I have 2 rats and 1 opossum that frequent my yard almost nightly. I purchased a rat zapper, which caught one, but still working on the other. It has no effect on the opossum unfortunately. I also have a video camera on my driveway and front door, and see people either parking in my driveway, or walking up and down it with their luggage in tow. If I am home, I tell the people they can't park in my driveway.

I am not in favor of the proposed pilot program, but if it does pass and you are going to regulate short-term rentals, I would ask that you designate a minimum stay, such as one week, and require the host to provide adequate trash bins, maintain a certain standard of cleanliness, and provide parking. One night rentals at \$58/night should be in a regulated motel, not next door to houses in Hermosa Beach.

Unfortunately, I am unable to attend the public hearing on Tuesday but will read the staff report when it is posted online.

Thank you for the opportunity to voice my concerns via email.

Debbie Flaska
735 8th St, Hermosa Beach
310-363-2120 (mobile)

From: jim catella <jcatell@hotmail.com>
Sent: Monday, September 23, 2019 7:35 PM
To: Ann Yang <anny@hermosabch.org>
Subject: Short term rentals

I had previously sent a email expressing my objection which apparently fell on deaf ears with the exception of Counselwomen Armento. God bless you. You have my vote in your next election. The opposite is the case for those voting in favor and I will actively work to see their defeat in their next elections.

Jim Catella 631 25th HB

From: Barry Fahr & Jane <bjfahr@yahoo.com>
Sent: Monday, September 23, 2019 8:02 PM
To: Ann Yang <anny@hermosabch.org>
Subject: Short term rentals

Dear Council members,

I'm writing you to tell you that I strongly oppose this land use decision of short term rentals.

There are so many reasons against this short term rental plan that will impact my neighborhood.

Here are just a few problems we will be facing if you let this bad decision happen:

1) loss of neighborhood. With 4 designated properties on the next street over, there's not even enough parking on my street!

2) short term rentals have no accountability for any safety issues like trash, noise and definitely crime.

3) short term rentals act like mini hotels, with parties, with no respect to neighbors.

I also will be voting for future Council members and will follow who is voting for this bad decision.

Regards,

Barry Fahr

From: Jane Miho <janemiho@me.com>
Sent: Monday, September 23, 2019 8:13 PM
To: Ann Yang <anny@hermosabch.org>
Subject: Re: Short term rentals

Dear City Council,

My family has lived in Hermosa since the late 1920's. I find it very disturbing that even when the planning commission thinks this land use decision is a bad one, why are you even considering short term rentals with all the problems that come with it?

Is the Hermosa Beach Council (with the exception of Stacy Armato) in the pockets of these commercial property owners?

I could tell you what I know from friends in Venice about short term rentals; crime, trash, noisy parties, too many cars and parking problems!!

All this seems to be poorly thought out and I do plan on talking with my neighbors about this terrible proposal along with who we should vote for in the upcoming election.

I'm opposed!!

Jane Miho

From: Fred Nichols <fredcnichols@yahoo.com>

Sent: Tuesday, September 24, 2019 8:59 AM

To: Ann Yang <anny@hermosabch.org>; David Blumenthal <dblumenthal@hermosabch.org>

Cc: City Council <citycouncil@hermosabch.org>

Subject: Hermosa Beach 2 year pilot program to allow & regulate short term rentals.....Request, Question & Comments to City Council

Dear City Council;

FOR TONIGHT'S MEETING

PLEASE DO NOT PASS THIS PILOT PROGRAM.

THE CITY'S OWN STAFF POINTS OUT THE DIFFICULTIES.

I VIEWED THE VIDEO OF THE LAST MEETING, SO MANY ARE AGAINST THIS.

AT A MINIMUM THIS SHOULD BE VOTED ON BY THE CITY.

JUST WHO, ARE YOU AS OUR CITY COUNCIL, REPRESENTING?

THIS PILOT PROGRAM WILL BENEFIT VERY FEW PEOPLE IN THE CITY, AND AT WHAT COST?

THANK YOU FOR READING.

THE Nichols Family

PO Box 1104

Hermosa Beach, California 90254

1-(310) 376-4224

Mobile 310 351-4636

From: Linda Lindsey <lindajlindsey@yahoo.com>

Sent: Tuesday, September 24, 2019 9:41 AM

To: Ann Yang <anny@hermosabch.org>

Subject: Sept 24, 2019 meeting

To whom it may concern regarding:

SHORT TERM RENTALS AT LEGAL NONCONFORMING COMMERCIAL PROPERTIES.

I am a home owner within just a few feet from the properties in this meeting.

A up standing citizen resident here not to far from the properties in this meeting and do not want sort term rentals near me. Me and my husband are retired Senior's. We have to much crime going on as it is. We do not need, LOUD PARTIES until all hours of the night. This is bringing in more theft and violence to out neighbors. Not to mention all the homeless people walking around.

I have lived here all my life and don't want to see our beautiful community go down the wrong path.

Thank you for you time and confederation,

Linda J. Lindsey

From: noreply@granicusideas.com <noreply@granicusideas.com>

Sent: Tuesday, September 24, 2019 11:03 AM

To: Ann Yang <anny@hermosabch.org>; City Council <citycouncil@hermosabch.org>; Suja Lowenthal <suja@hermosabch.org>

Subject: New eComment for City Council Meeting

New eComment for City Council Meeting

Skip Blomer submitted a new eComment.

Meeting: City Council Meeting

Item: 3a) REPORT 19-0637 ORDINANCE NO. 19-1395 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE HERMOSA BEACH MUNICIPAL CODE TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO REGULATE THE RENTAL OF EXISTING NONCONFORMING RESIDENTIAL PROPERTIES THAT ARE LOCATED IN COMMERCIAL ZONING DISTRICTS FOR FEWER THAN THIRTY DAYS" (City Clerk Elaine Doerfling)

eComment: As a resident and property owner in the City of Hermosa Beach, I am opposed to this proposal. Based on past experience, residents are deluged with those short term renters who stay for a weekend, contribute to the noise pollution with loud music or bands, make on-street parking even worse, and leave their, trash, liquor bottles, marijuana containers and other debris for others to clean up behind them. Code enforcement personnel are by their own admission unable to proactively police the violators themselves especially on the weekends when most violations occur, relying on residents to be the driving force in reporting violations after the fact. Yes there are fines for those property owners that violate the provisions of the proposed law, but only after the fact and the residents must endure the ruckus behavior in the meanwhile. Both myself and my neighbors will be closely watching how council members vote on this issue and will remember when elections are upon us.

[View and Analyze eComments](#)

From: Stephen Goodell <stephen.goodell@gmail.com>
Sent: Tuesday, September 24, 2019 11:15 AM
To: Ann Yang <anny@hermosabch.org>
Subject: Short Term Rental in Commercial Zones

Thank you Ann for passing this along to the Council and other City personnel involved.

In consideration for the pending vote for this evening, **we reiterate our opposition** to the pilot program for STVRs as structured. Our recent comments are attached again for convenience.

We applaud Commissioner Hoffman's position presented in December 2016 and Councilmember Armato's vote this month.

We believe the City can preserve access to the coast through intelligent, customary land use regulations. We wonder what motivates the Coastal Commission, or who is attempting it to pressure STVRs through it.

Hotels are structured to best accommodate STVRs Perhaps B&Bs also fit in commercial zones, but we haven't heard any debate or discussion.

Finally, to show how difficult it appears to be to enforce existing ordinances, please check these examples of violations discovered in just a few minutes today.

<https://www.vrbo.com/1760688?adultsCount=2&arrival=2019-10-02&departure=2019-10-04>
https://www.airbnb.com/rooms/plus/27830531?adults=2&check_in=2019-11-12&check_out=2019-11-16&source_impression_id=p3_1568939488_LT%2B3ocL4PhnWScfD

To all councilmembers, please vote no.

Respectfully,

Stephen Goodell
Patricia Hausler
1322 Sunset Drive
Hermosa Beach

August 26, 2019

To: Hermosa Beach City Council Members

RE: Consideration Of A Municipal Code Amendment To Establish A Two-Year Pilot Program To Allow And Regulate Short-Term Vacation

We **object** to the adoption of the pilot program for the following considerations. As you delve into these questions, it doesn't make sense. Most importantly, STVRs clearly change the right to quiet enjoyment of one's home – no matter how much enforcement may be promised.

How many properties involved are residences and how many are apartments? Residences were not intended to be businesses for valid reasons. Why are you proposing to convert apartments to STVRs? Two of three nearest to our residence on Pier Avenue are apartments.

What are the STVR incentives for owners involved? Strictly greed. Money.

What are the incentives for the City? TOT and sales tax. Why wasn't an estimated TOT revenue for the City calculated, included and published? How much is this additional revenue driving the effort?

What is the impact on affordable housing? Bad. Fewer monthly rentals guarantees higher rents by aggravating the housing shortage.

What is the potential model for a true residence in a commercial zone? B & B. That's a supportable, positive model.

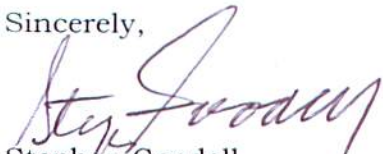
What is the natural role for hotels? They're the original and long-term solution to accommodate short-term visits. Support them.


How does the example nearest to our home work? The studio apartments at Pier and Loma triggered the notice to us. It appears it would have very limited ability to convert more than one studio apartment into a STVR based upon very limited parking. As an apartment building, does it really need any conversion?

Other residences located on commercial property have not been identified. Contact us if interested in one example near us.

Thank you for your consideration and support of citizens living in residential zones.

Sincerely,


Stephen Goodell
1322 Sunset Drive


Patricia Hausler
1322 Sunset Drive

To: Hermosa Beach City Council
From: Howard Longacre, Resident

September 24, 2019

Re: Objection to “Adoption” on 2nd-reading;

ORDINANCE NO. 19-1395 - “AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE HERMOSA BEACH MUNICIPAL CODE TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO REGULATE THE RENTAL OF EXISTING NONCONFORMING RESIDENTIAL PROPERTIES THAT ARE LOCATED IN COMMERCIAL ZONING DISTRICTS FOR FEWER THAN THIRTY DAYS”

Staff report w/attachments: (link may change after the meeting)

<https://hermosabeach.legistar.com/LegislationDetail.aspx?ID=4143212&GUID=FA82FCF1-1F87-44B8-9E56-5E6A80A499D1>

All in the following are my views.

It is my understanding that a California General Law City must wait 5 days following the “Introduction” (on 1st reading) of an ordinance, i.e., before its Council may “Adopt” (on 2nd reading) such ordinance. I believe this time period is to give the public and all concerned time to learn more fully that such ordinance is in fact about to potentially become law, 30 days after “Adoption”, and as such for all concerned, including the City Council, to reconsider whether they want to in fact take the final step to make a new and controversial law.

As such, residents of the City of Hermosa Beach have come to expect to view Council meetings in replay between the two regular meetings of “Introduction” and “Adoption” of a new law, especially after perhaps hearing of a reporting re: such potential new law,.

However due to a faulty recording of the September 10 meeting, along with the City’s Cable TV channel outage during this period, the September 10 Council meeting only today, September 24, received its first replay and that was at 4:06 AM this morning, a time that few probably were able to view the Public Hearing which contained many testimonies and when the subject ordinance was “Introduced” on first reading.

As such, notwithstanding a Granicus recording being available (that few utilized), and while not being a legal requirement, it would be appropriate (given that there is apparently no rush for the “Adoption” to take place) to continue the “Adoption” consideration until the Council’s next regular meeting such that more people may possibly view the cable-TV replay of the significant Public Hearing on this matter that

occurred in the meeting of September 10. Is there a particular rush to perform the "Adoption"?

With respect to the matter itself, due to my submittal of supplementals on two other matters for the September 10 meeting, I was unable to submit timely remarks for the September 10 Public Hearing re: this matter.

I strongly object to this ordinance.

1. This ordinance will seriously affect the quality of life and in my view also the safety for many residents in city.
2. The idea that the city will somehow reap additional TOT (Transient Occupancy Tax) revenue is not necessarily true, as such token TOT revenue will be eaten up by additional costs for the city bureaucracy and police to deal with this additional burden for the city and all the unintended consequences.
3. The action of enacting an ordinance that will somehow satisfy an implicit extortion of Hermosa Beach by the California Coastal Commission such that the City might obtain its long overdue and rightful Local Coastal Plan (LCP) that other cities obtained long before the issue of "Short Term Rentals", is nothing less than an outrageous proposition.
4. And further, kowtowing to such de facto extortion makes the concept of this being a "two-year-pilot-program" little more than a ludicrous joke. It will be locked in under such "extortion" scenario of the City on the part of an unelected, highly-political, Coastal Commission's heavy-handed methods, if true, to hold-up of the City's LCP approval is the case.
5. This ordinance clearly is something the residents should have the right to vote on. Place it on a future ballot.
6. Additionally given that Councilmember Jeff Duclos has evidently, already sold his home, with it possibly being in escrow, and given his lack of forthrightness in indicating whether he still is actually living in Hermosa Beach in a real sense, he most certainly should recuse himself from voting on this matter, which the property owners of Hermosa Beach will have to be dealing with long after he is likely completely moved from the city in less than a few weeks. If he no longer is spending other than token time in the City he should perhaps resign from office immediately, and not be setting policy and voting on laws of the city.
7. There are many significant questions as to why "non-conforming" residential units should not be codified into having additional rights. This makes little sense.

8. Further, it appears that this matter is little more than about a need-for-selfish-greed by a handful of individuals, and worse-yet by the City itself vis-à-vis token TOT.
9. I urge the City Council to not “Adopt” this farce of an ordinance, but instead move to formally ban the scourge of “short term rentals” from taking further hold in the city of Hermosa Beach, a city of approximately 1.3 square miles, and which is well known as one of the most-densely populated in the state, and which provides far more visitor amenities than most California coastal cities.

End of Supplemental testimony.

From: noreply@granicusideas.com <noreply@granicusideas.com>

Sent: Tuesday, September 24, 2019 3:29 PM

To: Ann Yang <anny@hermosabch.org>; City Council <citycouncil@hermosabch.org>; Suja Lowenthal <suja@hermosabch.org>

Subject: New eComment for City Council Meeting

New eComment for City Council Meeting

Marylou Puckett submitted a new eComment.

Meeting: City Council Meeting

Item: 3a) REPORT 19-0637 ORDINANCE NO. 19-1395 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE HERMOSA BEACH MUNICIPAL CODE TO ESTABLISH A TWO-YEAR PILOT PROGRAM TO REGULATE THE RENTAL OF EXISTING NONCONFORMING RESIDENTIAL PROPERTIES THAT ARE LOCATED IN COMMERCIAL ZONING DISTRICTS FOR FEWER THAN THIRTY DAYS" (City Clerk Elaine Doerfling)

eComment: Dear Honorable City Council Members, Please do not vote in favor of this ordinance, the way that it is currently worded. My husband, Kevan Puckett and I, originally sent you a detailed letter stating the reasons for our opposition. Since it appears that the majority of the members on the City Council are in favor of the ordinance, however, it would be wise to "polish the text of the ordinance up a little", before it receives a final vote. After the tragedy that befell the customers of an Air B and B in Tarzana, it became clear to us that the ordinance needs modifications. For example, posting too much information about the SVR on the outside of buildings could make the guests targets of crimes. Please re-read our original letter and also consider these additional thoughts on the issue, before putting this matter to a final vote! Yours sincerely, Kevan and Marylou Puckett Kevan and Marylou Puckett

[View and Analyze eComments](#)