From:

Frakes, Sandie

Sent:

Monday, September 20, 2021 7:57 AM

To: Cc: Agenda Alerts Fikes, Cathy

Subject:

FW: Short term rental consideration

From: Julie Holson < julielholson@gmail.com> Sent: Sunday, September 19, 2021 12:18 PM To: CITY COUNCIL <city.council@surfcity-hb.org>

Subject: Short term rental consideration

Dear Mayor Carr and City Council Members,

SUPPLEMENTAL COMMUNICATION

9/21/2021 Meeting Date:

We are the Holson's, and this is why we host Short term rentals in downtown HB.

My Family moved to Huntington Beach in December 1976, my freshman year. My Sister and I attended HBHS and I got my first job at The End Cafe, at the age of 15. I was fortunate to work for the Gustafsons, off and on, throughout college, and formed the P.I.E.R. group (Persons Interested in Expediting Reconstruction) after we lost the End Cafe (and the Pier) in 1988. I served on the Pier Funding Committee and the Special Events Committee with Paul Cook, Howard Shankman and the honorable Harriet Weider. I worked as the HBTV Pier Watch Reporter for 3 years and have my name on the Pier Commemorative wall (ne; Julie Anello). I served on the 4th of July Board for one term as well. My husband Jeff and I were very fortunate to buy the home next door to my mother in 1995 - 220 7th street, where our youngest daughter was born.

My Mother is Natalie Kotsch, and was the biggest cheerleader for HB. She is the founder of the Huntington Beach International Surfing Museum. She owned and operated Pier Realty on Main Street from 1985-2005. She was President of the Downtown Merchants Association, and a major force in the Re-development of the downtown core. She is on the Honor Roll for the Surfing Walk of Fame, Citizen Grand Marshall for the 4th of July Parade and holds the "Key to the City".

Mother owned 218 7th street and converted it to a short term rental in 2005, housing many surfing teams from around the globe. When she went into hospice care, she returned to the home until she passed away peacefully on February 20, 2014.

In 2007 our careers took us out of state to Oregon, where we currently reside. In 2009 we converted our home to Short term Rental (following dismal success with long term tenants not maintaining our home). This allowed us the ability to have routine care, upkeep and maintenance to our home, as well as the opportunity to return to HB whenever we wanted!! These are our neighbors and our homes, we maintain a very high standard of care and communication.

This is our home and our legacy. We are fortunate to own side by side properties in HB and this is our retirement income and plan to return home often. It is our greatest wish to comply with City Regulations and contribute to the Tax revenue base. We ask for consideration for the same "Grandfather Clause" as owners in Sunset Beach enjoy.

We will be home in early December and would love to meet with you to answer any questions and discuss possible solutions and considerations.

We look forward to hearing from you. Warmly, Julie and Jeff Holson

From:

Julie Holson < julielholson@gmail.com> Sunday, September 19, 2021 12:23 PM

Sent: To:

supplementalcomm@surfcity-hb.org

Subject:

Short Term Rental Consideration

Honorable Mayor Carr and Council Members,

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My Family moved to Huntington Beach in December 1976, my freshman year. My Sister and I attended HBHS and I got my first job at The End Cafe, at the age of 15. I was fortunate to work for the Gustafsons, off and on, throughout college, and formed the P.I.E.R. group (Persons Interested in Expediting Reconstruction) after we lost the End Cafe (and the Pier) in 1988. I served on the Pier Funding Committee and the Special Events Committee with Paul Cook, Howard Shankman and the honorable Harriet Weider. I worked as the HBTV Pier Watch Reporter for 3 years and have my name on the Pier Commemorative wall (ne; Julie Anello). I served on the 4th of July Board for one term as well. My husband Jeff and I were very fortunate to buy the home next door to my mother in 1995 - 220 7th street, where our youngest daughter was born.

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We look forward to hearing from you. Warmly, Julie and Jeff Holson (503)866-6138

Meeting Date: 9/21/2021

Agenda No.: 19 (21-692)

From:

Keith.Bohr <keith.bohr@gmail.com>

Sent:

Sunday, September 19, 2021 9:44 PM

To:

Kathryn Levassiur

Cc: Subject: supplementalcomm@surfcity-hb.org

Re: Support for Agenda #19

Looks great Kathryn!

Thank you, Keith Bohr, Broker **TEAM Real Estate** 221 Main Street, Suite "S" Huntington Beach, CA. 92648 CA DRE License #0121667 714-315-2143 cell

On Sep 19, 2021, at 5:23 PM, Kathryn Levassiur < levassiurk@gmail.com> wrote:

Dear Mayor Carr and HB City Councilmembers,

The members of Huntington Beach Short-Term Rental Alliance are in support of item #19 on the 9/21/21 HB City Council agenda and we urge council to vote in favor of HB City Manager Oliver Chi's recommendation of adopting option B to delay the takedown of listings by platforms on Oct 1, to extend the deadline to obtain STR permits and to have staff return with an amended ordinance #4224 to allow STRs in zones of Huntington Beach. This strategy would accomplish the 1976 mandate by the California Coastal Commission of providing affordable overnight accommodations along the coastline and help get the city's Local Coastal Program approved by the CCC.

HBSTRA, which was founded in 2017 supports taxed and regulated STRs in Huntington Beach and Sunset Beach. Former HB Police Chief, Rob Handy said publicly at a hearing that STRs are not a problem in Huntington Beach. We advocate that council should consider how STRs are managed over where STRs are located in the city. Tourism revenue will be injected deeper throughout the city, benefitting more local businesses all areas of the city are allowed to apply and qualify for STR permits.

Taxed and regulated STRs will help accommodate the influx of visitors to HB for marquee events like the US Open of Surfing and Pacific Air Show, that will keep visitors within the city limits, rather than staying and spending in neighboring cities, thus supporting our local shops and restaurants. STRs support local business, generate sales tax and lodging tax revenue - and provide revenue to property owners in the city. The vast majority of this revenue stays right here in the city, to benefit all residents of Huntington Beach and Sunset Beach.

https://www.hbstra.org/

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Sent:

Sunday, September 19, 2021 9:44 PM

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supplementalcomm@surfcity-hb.org

Subject:

Re: Support for Agenda #19

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SUPPLEMENTAL COMMUNICATION

Meeting Date:

9/21/2021

Agenda Item No.:

19 (21-692)

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https://www.hbstra.org/

*

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From:

Candace Brunner < CBrunner@trinityprocesssolutions.com>

Sent:

Monday, September 20, 2021 12:34 PM

To:

supplementalcomm@surfcity-hb.org; CITY COUNCIL

Cc:

Jack Brunner; Candace Brunner

Subject:

STR Ordinance Council Meeting

Mayor Carr and Council Members,

Hello, our names are Jack and Candace Brunner, and we live in Huntington Beach, California. We are members of Huntington Beach Short-Term Rental Alliance.

We are emailing today in support of Agenda Item Number 19 to amend the existing Short-Term Rental Ordinance and to hold off causing the various rental platforms to delist until the city council considers an amended ordinance.

We began hosting in July 2021. We purchased the home as an investment, and hosting helps pay the mortgage, upkeep, and improvements on the home.

We love being hosts and meeting new people from all around the world. We have hosted multiple athletes, including professional volleyball players and professional surfers who are here to compete. They bring great shaka and good vibes to our city. Not to mention the money they spend.

In consideration of our neighbors, friends, and community, we screen all potential guests. If we have any inclination of a potential issue, we decline their request to stay in our home.

We try to focus on families, athletes, and chill, calm people. Any requests for hosting parties are declined. It is our upmost priority is to keep Huntington Beach a safe and peaceful community.

The guests who stay our home support local neighborhood businesses that are within walking distance of our rental. Our rental provides affordable overnight accommodations along the coastline for people who could not otherwise be able to afford to stay in Huntington Beach.

We urge city council members to vote in favor of Option B of Agenda Item Number 19.

It would be much appreciated if you would consider quickly bringing back an amended Short-Term Rental Ordinance that would allow permitted un-hosted short-term rentals in Huntington Beach.

Truly,
Jack and Candace Brunner

Candace Brunner
Trinity Process Solutions, Inc.

Office: 714-701-1112 Fax: 714-701-1115

<u>cbrunner@trinityprocesssolutions.com</u> www.trinityprocesssolutions.com SUPPLEMENTAL COMMUNICATION

Meeting Date:_

9/21/2021

Agenda Item No.: 19 (

Be the kind of woman that when your feet hit the ground in the morning the devil says "OH CRAP. SHE'S UP!"

From:

Frakes, Sandie

Sent:

Monday, September 20, 2021 12:47 PM

To: Cc:

Agenda Alerts Fikes, Cathy

Subject:

FW: Short Term Rentals - 30 Day Minimum

From: Jack Niekamp < jackniekamp@gmail.com> Sent: Monday, September 20, 2021 12:42 PM To: CITY COUNCIL <city.council@surfcity-hb.org> Subject: Short Term Rentals - 30 Day Minimum

HB City Council,

My wife and I, aged 56 and 59, live in our HB home about half the year and rent it to guests to the extent possible the other half of the year. We use the collected rent to improve the home which helps the local economy. Once we are fully retired, we will live in the home full time and not rent it out at all.

We have always complied with the 30 day minimum rental requirement, and have generally been successful finding renters. With a 30 day minimum I think you get people who are in HB to live, not just vacation, making them good neighbors.

Why the shift to a 31 day minimum? Many people conduct on-line searches for a set of dates, such as an entire month. If they search for a month with less than 31 days (i.e., September, April, June, November, and February), our property will not show as available with a 31 day minimum. And, the platforms (Airbnb, VRBO) appear to be going through a learning curve to effectuate the proposed change and there is some risk owners like us will lose business due to systems issues. Why not just enforce the old rules?

I recommend reducing the minimum rental period back to 30 days.

Respectfully submitted,

John (Jack) and Laura Niekamp

SUPPLEMENTAL COMMUNICATION

Meeting Date: 9/21/2021

Agenda Item No.: 19(21-692)

From:

Lisa Choi < lisa.j.choi@gmail.com>

Sent:

Monday, September 20, 2021 4:47 PM

To:

supplementalcomm@surfcity-hb.org; CITY COUNCIL

Subject:

Please Vote in Favor of Option B on Agenda #19, for Meeting on Tuesday 9/21/21

To City Council of Huntington Beach,

I am writing this letter to express my support as a discerning and professionally minded Airbnb Host in Huntington Beach. I am a member of Huntington Beach Short-Term Rental Alliance, and here in support of agenda item #19 to amend the existing STR ordinance and to hold off causing the rental platforms to de-list until the City Council considers an amended ordinance.

I am single, 34 years old and have been an Airbnb host for several years. My home is not along the coastal area, but located in a neighborhood 10 minutes inland from the coast. The income from hosting allows me to provide financial support for my single mother. I have also used the income to upgrade my home, by adding central air conditioning, upgrading the bathrooms, and the landscaping. It has helped me tremendously to cover some of my expenses and take care of my mom at the same time.

I have always hosted in a professional and responsible manner, always keeping my community in mind first. I recommend guests to local restaurants and shops and I am very careful to screen every single guest that requests to stay at the home and limit the maximum capacity of guests in my home to 6, as I have a 3 bedroom home, never more. 100% of my guests are families that visit Huntington Beach to visit other family members or to visit the neighboring beach area. I often have neighbors that are moving or renovating their home and need a place to stay in the meantime and unable to afford the high cost of hotels. Others are visiting Disneyland, going to weddings/visiting family members local to Huntington Beach, or attending an event in the Orange County area. I do not ever allow parties or allow large groups to reserve the home for any reason. My neighbors have my direct contact in case any issues arise, and try my best to respect the neighbors. Home sharing has allowed me to be a better community member, better daughter, and better person overall. It would be devastating to see a ban on unhosted short term rentals. I urge you to reconsider the decision, and ask council members to vote in favor of option B on agenda item #19 which would amend the ordinance and to consider allowing permitted unhosted STRs in Huntington Beach, not just in the coastal zone.

Thank you very much for your time.

Best regards, Lisa Choi 949.680.9487

> SUPPLEMENTAL COMMUNICATION

Maeting Date: 9/21/2021

Aganda No.: 19 (21-692)

From: Sent: To:	Ibenedetto2 <ibenedetto2@aol.com> Monday, September 20, 2021 8:11 PM supplementalcomm@surfcity-hb.org</ibenedetto2@aol.com>
Subject:	Item # 19
19 to amend the existing	e is Linda Kalicki and am a member of the STR Alliance. I'm here in support of agenda g STR ordinance and to hold off taking down the various rental platforms to de-list s an amended ordinance.
Huntington Beach. —— STR guests provif the city allowed unhosted STR everywhere.	vernight accommodations along the Coastline who cannot afford to otherwise stay in de generated lodging and local taxes from STR'S that would be in the millions annually e in the city. a lot of revenue to the cities businesses, restaurants, and other business's throughout the
city. ——- STR'S provide	y family to visit me without incurring expensive hotel costs.
a nightmare for the but been made. I strongly	me to truly understand how many citizens livelihoods will be affected. COVID has been nesses. Let's help our city thrive where we can be proud of the improvements that have rge you to extend the Oct 1st deadline and reconsider meowners. Kind Regards, Linda
Sent from the all new	OL app for iOS
	SUPPLEMENTAL
	Meeting Date: 9/21/2021
	Agenda Nem No.: 19 (21-692)

From:

Kathryn Levassiur <levassiurk@gmail.com>

Sent:

Monday, September 20, 2021 8:53 PM

To:

CITY COUNCIL

Cc:

supplementalcomm@surfcity-hb.org

Subject:

Support for Agenda #19

Dear Mayor Carr and HB City Councilmembers,

The members of Huntington Beach Short-Term Rental Alliance are in support of item #19 on the 9/21/21 HB City Council agenda and we urge council to vote in favor of HB City Manager Oliver Chi's recommendation of adopting option B to delay the takedown of listings by platforms on Oct 1, to extend the deadline to obtain STR permits and to have staff return with an amended ordinance #4224 to allow STRs in zones of Huntington Beach. This strategy would accomplish the 1976 mandate by the California Coastal Commission of providing affordable overnight accommodations along the coastline and help get the city's Local Coastal Program approved by the CCC.

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https://www.hbstra.org/



SUPPLEMENTAL COMMUNICATION

Meeting Date:_

genda Hem No.:

19 (21-692)

From:

Renee Leibowitz <rleibowitz4@gmail.com>

Sent:

Tuesday, September 21, 2021 8:53 AM

To:

supplementalcomm@surfcity-hb.org

Cc: Subject: CITY COUNCIL

Vote in favor of agenda item #19 options B

SUPPLEMENTAL COMMUNICATION

Meeting Date: 9/21/8

Dear Mayor Carr and members of the city council,

Agenda Hem No.: 19 (21-692)

I want to first thank you for taking the time to read my email and for your consideration on the agenda item #19 options B at tonight's city council meeting. My name is Renee Leibowitz and I am writing in hopes that you will vote in support of agenda item #19 option B that will hold off the various rental platforms from de-listing STR's and give the City Council time to amend the STR ordinances. I am a member of Huntington Beach STR Rental Alliance and it is my hope that the city council would work with our membership to draft ordinance's for both hosted and non hosted STR's that benefit not only the owners of the property but their neighbors and the city.

I would like to tell you a bit of why I started a STR in Huntington Beach. My husband and I have been coming to HB since our college days and the days of the Golden Bear. We saw the city as the place for our entrainment, shopping, dinning and recreating. We raised our four children on the beach, competing in boogie board competitions, birthdays and beach outings. Our boys played on various club soccer teams bearing the city's name and my daughter grew up being a talented equestrian at the HCPEC where we still board her horse today.

When we had the opportunity to purchase a home with our retirement funds and a block and half from the beach, we jumped on it. But the only way we could do this was though STR. By doing STR it has allowed us to grow our retirement and when we do retire it give us the beach house of our dreams to live in.

Our home has welcomed people from all across the US and the world. We have had visitors from the UK, Canada, Sweden, Australia, UAE. Our property is managed by local realtors that help make sure our guest adhere to our rules and are good quiet neighbors. Many of our quest come for long term stays, over a month, to work and enjoy the beach and its many amenities. The home offers affordable housing to our costal community per the CA costal act of 1976. STR gives us much control over the property, by controlling who is using the property and how they are using the property. If our guest are not good neighbors we have the power to remove them immediately, this is something a long term rental would not. We would have a long term eviction process and possibility of tenants squatting the property. People who rent our property come to enjoy the many events the city offers, 4th of July fireworks, US Open, South Huntington Beach Girls Fastpitch Softball, Surf City Cup, Pacific Air Show. These events and others has made HB a destination vacation spot. What the city has created for families to come and enjoyed these events, the beach, and bring commerce, should not be derailed. Families need affordable housing where they can house a family without the high cost of a hotel stay.

I am all for reasonable ordinances and taxes to maintain my STR. I would love to work with the city to come up with those ordinances for both hosted and non hosted STR's.

Lastly I would hope the city would work with the HB STR Rental Alliance to come up with a map that is reasonable and does include the areas with the greatest accessibility to the Main St. shops, restaurants, and the pier.

Once again thank you for taking the time to read this email and for your consideration to vote in favor of agenda item 19# option B.

Sincerely,

Renee Leibowitz

P.S. I just want to explain the reason I would not be able to attend tonight's meeting, is that I am moving my third son into his new apartment, where else but Huntington Beach.

Sent from my iPad

From:

Frakes, Sandie

Sent:

Tuesday, September 21, 2021 9:43 AM

To: Cc: Agenda Alerts Fikes, Cathy

Subject:

FW: STR agenda item today

----Original Message-----

From: doran solis <dorisolis@icloud.com>
Sent: Tuesday, September 21, 2021 9:42 AM
To: CITY COUNCIL <city.council@surfcity-hb.org>

Subject: STR agenda item today

As a long term resident, I am in support of the ordinance being presented today to extend the deadline and allow for unhosted rentals. It seems wrong to penalize home owners from earnings they are entitled to gain from their property. With the new laws, any owner who is violating the rules could be shut down, ie party houses, etc... and that would be a more fair way of managing the STR's in our area. Thank you for the work you do for our city.

Dori Solís 8261 Munster drive 92646

Sent from my iPhone

SUPPLEMENTAL COMMUNICATION

Meeting Date:_

7/21/2021

Agende Nem No.;

19 (21-692)

Estanislau, Robin

From:

Jina Provensen < jina.provensen@gmail.com>

Sent:

Tuesday, September 21, 2021 12:20 PM

To:

supplementalcomm@surfcity-hb.org; CITY COUNCIL

Cc:

Christian Provensen

SUPPLEMENTAL COMMUNICATION

Subject: Attachments: Support of Option B of Agenda Item 19 STR_HB Chapter_REDLINE_09-20-21.docx

Meeting Date:____

9/21/2021

Dear Mayor and City Council,

Agenda Nam No.: 19 (21-692)

I am submitting my comments and support by email regarding the permitted allowance of Short Term Rentals ("STR") because I will be unable to personally participate in the meeting.

19. 21-692 City Council to Consider Directing Staff to Draft an Amendment to the Short Term Rental Ordinance and an Extension of the De-Listing Deadline Page 6 of 8 City Council/Public Financing AGENDA September 21, 2021 Authority A) Direct staff to enforce the ordinance as adopted and cause the various platforms to de-list unpermitted short term rentals by October 1, 2021; or B) Direct staff to bring forward an amended ordinance that creates a zone structure within the Coastal Overlay District that will limit the number of short term rentals that can be operated within each zone, and hold off on causing the various rental platforms to de-list until the City Council considers an amended ordinance.

Thank you for reconsidering the land use restrictions presented in the current draft and delaying the enforcement of the STR ordinance as written and revising it to allow a permitted number of STR's rather than a blanket prohibition in the city of Huntington Beach. I hope the City Council will choose Option B and expand its current scope through the amendment.

I have enjoyed living in Huntington Beach for most of my life and have been a homeowner since 2011. From a practical standpoint, I also love to stay in STR's when I travel because as a family of 4 with dietary restrictions our ability to eat out at restaurants is extremely limited. It might seem silly, but I challenge each of you on the Council to go to a restaurant and find something vegetarian, gluten-free, soy-free, dairy-free and without red dye. It is nearly impossible. So whenever we travel we get a place on a STR platform that has a kitchen and is close to a grocery store and then we are able to enjoy touring an area and eat without being concerned that our trip will include projectile vomit. We are not alone as a family that needs reasonable accommodations that cannot be fulfilled by a hotel.

As a family we recently needed to rent an STR when our house had water damage and required repair. We were able to rent a house close to our home that was large enough for us all to live comfortably for several days while the repairs were completed. Trying to live in a hotel while getting the kids ready for school and parents ready for work would have added a significant level of complexity to an already difficult time. In my personal experience as a host I have met some amazing people and been able to help them in ways that hotels cannot. The great people that I have hosted all have different reasons for choosing a house with a yard instead of a hotel. A few examples include:

• a family staying to escape the heat of Palm Desert and to relax in the HB weather with their children under age 3 and a large elderly dog. A hotel would not work, try your own search for hotels that allow large dogs. This family would not have been able to stay and visit our great city the way they did at my house (which also means the revenue that they brought by going to get coffee, dinner and all of the other tourist activities would have been lost);

- a family visiting from Dubai whose parents live in Huntington Beach and they only get to see them once a year. The father is an attorney in the US / Dubai Commerce Consulate and very used to luxury accommodations. A for an extended period of time with 2 small children is not an option. If you disagree, just try it. If you don't have kids of your own, borrow some and stay in a 400 square foot room even only for one week.
- a family with multiple soccer tournaments in the area. Yes, a hotel might have worked, but not the same as a large home to get ready in all the soccer gear and a yard to practice in.
- a groom from Atlanta, Georgia whose family was traveling here to help with wedding preparations and had two small dogs staying with his mother, sister and father. They would have needed at least 3 hotel rooms and a place that would accept pets. Although hotels could have been possible, it would have been at a cost likely 10 times of the cost to stay at my house.
- a group of friends that were all Federal government employees in Washington, DC attending a wedding for a colleague and staying half at a hotel and half at our house.

For your consideration, I have enclosed a lightly redlined draft of the existing STR Ordinance / Chapter to propose revisions that would meet the objectives of the City in the collection of taxes and regulation of the STR activity, while allowing for the continued use of the property rights of the real estate owners in Huntington Beach. I would be happy to discuss the proposed modifications in more detail if the Council would like additional assistance in drafting of proposed alternatives to achieve compliance with the Coastal Overlay District that simplifies enforcement and the permit process.

I have recently learned of a new legal theory that I am interested in to see if any real property owner in the US might utilize to challenge regulatory takings by municipalities on a federal / constitutional level through zoning modifications.

Thank you for your time and consideration.

Jina and Christian Provensen

ORDINANCE NO. 4224 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING THE

HUNTINGTON BEACH MUNICIPAL CODE BY ADDING CHAPTER 5.120, REGULATING SHORT-TERM RENTALS

The City Council of the City of Huntington Beach ordains as follows: Section 1. The Huntington Municipal Code is amended by adding Chapter 5.120 to read as follows:

CHAPTER 5.120 SHORT-TERM RENTALS

5.120.010 Purpose

The purpose of this chapter is to establish regulations, standards, and a permitting process governing the renting or leasing of privately owned visitor serving residential dwelling units on a short-term basis in order to maintain the long-term rental housing stock in the City; ensure the collection and payment of Transient Occupancy Taxes ("TOT"); safeguard the residents of the City of Huntington Beach by ensuring that short-term rental activities do not threaten the character of residential neighborhoods; and ensuring that such short-term rental activities do not become a nuisance, or threaten the public health, safety, or welfare of neighboring properties. This chapter will establish two zones in the City where short-term rentals are permitted. Zone 1 will consist of all areas of the City excluding Sunset Beach. Zone 2 will consist of Sunset Beach. In Zone 1 and Zone 2, short-term rentals are permitted in owner occupied residential dwelling units as set forth herein. In Zone 2 sShort-term rentals are permitted for existing owner "unoccupied" residential dwelling units who obtain a permit within six months of the effective date of the resolution establishing the permit fee(s). After six months, no new permits for owner unoccupied residential dwelling units will be issued. (4224, 2/21)

5.120.020 Definitions

- A. "Booking Transaction" means any reservation and/or payment service provided by a person or entity who facilitates a short-term rental transaction between a prospective guest and a short-term rental host or operator.
- B. "City" means City of Huntington Beach.
- C. "Director" means the Director of Community Development or a designee.
- D "Guest" means any person or persons renting a short-term rental as a transient occupant.
- E. "Host" means a property owner who is an occupier of the property at the time of, and for the duration of, the short-term rental.
- F. "Hosted Stay" means a short-term rental at a primary residence whereby the host occupies the short-term rental property and remains on-site and resides in a habitable dwelling unit or portion thereof throughout the guest's stay (except during daytime and/or work hours).
- G. "Hosting Platform" means a person or entity that participates in the short-term rental business in exchange for a fee or other compensation, directly or indirectly through an agent or intermediary, by

conducting a booking transaction for a hosted or unhosted short-term rental using any medium of facilitation.

- H. "Local Contact Person" means the operator or host or person designated thereof to respond to and take remedial action regarding short-term rental issues or complaints.
- I. "Platform Agreement" means a signed agreement between a hosting platform and the City, which, among other things, provides that the hosting platform will collect and submit transient occupancy tax and any improvement district assessment established pursuant to California Streets and Highways Code Sections 36500 and 36600 to the City on behalf of short-term rental hosts or operators.
- J. "Primary Residence" means a person's permanent residence or usual place of return for housing as documented by at least two of the following: driver's license; voter registration; tax documents showing the residential unit as the person's residence; or a utility bill.
- K. "Prohibited Buildings List" means a list identifying the address(es) of all buildings whose owner(s), including any applicable homeowners' association or board of directors, have notified the City, pursuant to City procedures, that short-term rentals are not permitted to operate anywhere in such building, including deed restricted affordable housing units.
- L. "Short-Term Rental ("STR")" means a residential dwelling unit, or portion thereof, that is offered or provided to a paying guest(s) by a short-term rental host or operator for <u>twenty-seven 30-(27)</u> or fewer consecutive nights. The term "short-term rental" shall not include hotels, motels, inns, or bed and breakfast inns.
- M. "Short-Term Rental Advertisement" means any method of soliciting use of a dwelling unit for short-term rental purposes.
- N. "Short-Term Rental Operator" or "Operator" means property owner of a dwelling-unit in Sunset Beach, or portion thereof, who offers or provides that dwelling unit, or portion thereof, for an unhosted a short-term rental.
- O. "Short-Term Rental Permit" or "Permit" means a permit, with a permit number, issued by the City to allow hosted or unhosted short-term rentals.
- P. "Short-Term Rental Tenant" means a person who has entered into a short-term rental agreement for a dwelling unit in exchange for short-term occupancy of the dwelling unit.
- Q. "Transient Occupancy Tax" ("TOT") means local transient occupancy tax as set forth in Chapter 3.28 of the Huntington Beach Municipal Code.
- R. "Unhosted Short-Term Rental" means a short-term rental in Sunset Beach, where there is no host and the operator resides off-site during the guest's stay.
- S. "Zone 1" means the City of Huntington Beach excluding the property located within the Sunset Beach Specific Plan.
- T. "Zone 2" means property located within the Sunset Beach Specific Plan. (4224, 2/21)

5.120.030 Permit Required

- A. No person or entity shall advertise, rent, or operate a short-term rental (STR) in the City unless a permit has been issued by the City pursuant to this chapter. An operator or host of the STR shall apply with the City to obtain a permit and shall be responsible for complying with all requirements of this chapter. Application for a STR permit shall be in a form prescribed by the Director and include all information determined by the Director to be necessary to evaluate the eligibility of the host or operator, consistent with this chapter.
- B. An application for a STR permit shall be accompanied by a fee established by resolution of the City Council, provided, however, the fee shall be no greater than necessary to defer the cost incurred by the City in administering the provisions of this chapter.
- C. STR hosts or operators shall apply for STR permit pursuant to this chapter. Existing unpermitted STR hosts or operators shall apply for a STR permit within six months after the effective date of resolution adopting the STR permit fee. The host or operator shall provide proof of property ownership and shall be the person that signs the application.
- D. A STR permit is valid for one year from the date of issuance. The STR permit is personal and may not be transferred or assigned and does not run with the land. A STR permit may be renewed annually if STR operator or host: (1) pays the renewal fee; (2) provides information concerning any changes to the previous application for, or renewal of, the STR permit; (3) submits records to demonstrate compliance with this chapter as required by the Director. Failure to submit a renewal application to the City at least 30 days prior to the expiration of the STR permit shall render the STR permit and permission to operate an STR null and void.
- E. STR permits issued pursuant to this chapter are subject to the following standard STR permit conditions:
- 1. The host or operator shall, by written agreement with the tenant, limit overnight occupancy of the STR to a specific number of occupants, with the number of occupants not to exceed that permitted by the provisions of this section.
- 2. The host or operator shall insure that the occupants and/or guests of the STR do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions any Federal, State, or local (including the Huntington Beach Municipal Code) law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
- 3. The host or operator shall, upon notification that occupants and/or guests of his or her STR have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of any law, including those pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly prevent a recurrence of such conduct by those occupants or guests.
- 4. The host or operator of the STR unit shall post a copy of the STR permit and the STR permit conditions in a conspicuous place within the STR.
- 5. The host or operator shall provide a guest parking plan to the City for approval prior to issuance of a STR permit.

- 6. The maximum number of, guests who may occupy the STR at one time is two persons per bedroom, plus two additional guests (including children). Lofts that meet California Building Code egress requirements are considered a bedroom for the purposes of the occupancy calculation. In no event may the maximum occupancy exceed 10 persons in any STR. Large-scale events (i.e., exceeding maximum allowed occupancy) such as commercial parties, weddings, fundraisers, and conferences, are prohibited.
- F. Eligibility Requirements. In addition to any specific STR permit requirements set forth the by the Director, the following requirements must be met at the time of submitting a STR permit application:
- 1. The dwelling unit shall not be a deed restricted affordable housing unit, in a special group residence, a single room occupancy (as defined by the City Zoning Code), or included on the prohibited buildings list.
- 2. The operator or host shall not be granted a permit for more than one STR within the City of Huntington Beach (including Sunset Beach).
- 3. There will only be one STR permit issued per property except in multi-family single lot subdivisions (i.e. condominiums or townhomes) the number of STR permits allowed shall be as follows:

Number of units per property Number of STR permits

Up to 3 1

4 or more 3

- 4. The STR operator shall identify, to the satisfaction of the City, a local contact person, who shall be available 24 hours per day, seven days a week for: (a) responding within one hour to complaints regarding the condition, operation, or conduct of the STR or its occupants; and (b) taking any remedial action necessary to resolve such complaints. In the event the STR is "hosted," the host shall be the local contact person.
- 5. The dwelling unit or property used as a STR shall not be the subject of any active or pending code enforcement actions or violations pursuant to the City's Municipal Code.
- 6. If the dwelling unit or property used as a STR is subject to the rules of a homeowners' or condominium association, short-term rental activity must comply with those rules and this chapter shall not be inferred to grant any permission that invalidates or supersedes any provisions of those homeowners' or condominium associations.
- 7. The host or operator shall sign an indemnification and hold harmless agreement in a form approved by the City Attorney, agreeing to indemnify, save, protect, hold harmless, and defend the City of Huntington Beach, the City Council of the City of Huntington Beach, individually and collectively, and the City of Huntington Beach representatives, officers, officials, employees, agents, and volunteers from any and all claims, demands, damages, fines, obligations, suits, judgments, penalties, causes of action, losses, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising out of the

STR host or operator's actions or inaction in the operation, occupancy, use, and/or maintenance of the short-term rental.

- 8. The STR shall be a legally permitted dwelling unit. Accessory dwelling units or junior accessory dwelling units may be permitted as a STR only if the unit was legally established prior to the effective date of this ordinance and otherwise meets the requirements of this chapter.
- G. The host/operator shall <u>provide proofwarrant and represent</u> that the STR is not prohibited by the Homeowners' Association Conditions Covenants and Restrictions or any other community standards/guidelines, applicable to the proposed STR. (4224, 2/21)

5.120.040 STR Regulations

- A. All marketing and advertising of a STR, including any listing on a hosting platform, shall clearly list the City-issued STR permit number.
- B. STR is prohibited in any part of the property not approved and permitted for residential use including, but not limited to, vehicle(s) parked on the property, storage sheds, trailer(s), garage(s), boat(s) or similar watercraft, tree house(s), or any temporary structure(s), including, but not limited to, tent(s).
- C. Unhosted STRs are <u>prohibited permitted</u> in the City of Huntington Beach <u>except in Zone 2. Existing Unhosted STRs in Sunset Beach for current STR Operators have that apply within six (6) months from effective date of the adoption of a resolution establishing a STR permit fee to obtain a STR permit.</u>
- D. Each STR shall have a notice posted within the unit in a location clearly marked and accessible to the guest (e.g., posted on the refrigerator, included within a binder with additional information on the unit, etc.), containing the following information:
- 1. The maximum number of occupants permitted in the unit;
- 2. Location of parking spaces;
- Trash and recycling pickup information;
- 4. Emergency contact information for police, fire, or emergency medical services; and
- 5. Evacuation plan for the unit showing emergency exit routes, exits, and fire extinguisher locations.
- E. The name of the local contact and a telephone number at which that person may be reached on a 24-hour basis posted in a place that can be read by a member of the public without entering the STR.
- F. No sign shall be posted on the exterior of the STR to advertise the availability of the unit.
- G. It is unlawful for any STR operator, host, occupant, renter, lessee, person present upon, or person having charge or possession of the STR premises, to make or continue to cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitivities residing in the

area, or which violates any provision of Chapter 8.40 ("Noise Control") of the Huntington Beach Municipal Code.

- H. The minimum age of STR tenants shall be 25 years old.
- I. Following compliance with California Streets and Highways Code Section 36600 et seq., STRs will become part of the Huntington Beach Tourism Business Improvement District (BID) and comply with all requirements including payment of legally established BID assessments.
- J. The City will post STR contact information on the City website for the public to access.
- K. An STR may not be operated as any other commercial home-based business. (4224, 2/21)

5.120.050 STR Host or Operator Requirements

- A. The host or operator shall provide information on the maximum allowed number of occupants, parking capacity and location of parking spaces, noise regulations and quiet hours, and trash and recycling disposal requirements to prospective guests, prior to their occupancy.
- B. The host or operator shall provide and maintain working fire extinguishers, smoke detectors, and carbon monoxide detectors, in compliance with life, fire, and safety codes; and information related to emergency exit routes on the property, local contact, and emergency contact information.
- C. The host or operator shall maintain and provide proof of liability insurance appropriate to cover the STR as required by the City.
- D. Transient occupancy taxes shall be collected on all STRs pursuant to Huntington Beach Municipal Code Chapter 3.28. If a hosting platform does not collect payment for the rental, hosts or operators are solely responsible for the collection of all applicable TOT and remittance of the collected tax to the City in accordance with Chapter 3.28 (Uniform Transient Occupancy Tax). Upon compliance with California Streets and Highways Code Section 36600 et seq., the host or operator shall also be responsible for collection and remittance of all BID assessments. If a hosting platform does collect payment for the STRs, then the hosting platform and the operator and host shall both have legal responsibility for the collection and remittance of the TOT and BID assessment.
- E. The operator, host and/or property owner shall be jointly responsible and liable for any licit or illicit activity which may create a nuisance or other tortious violations arising at a STR.
- F. The host or operator shall authorize any hosting platform on which his or her STR(s) is listed to provide to the City the operator listing and other information to demonstrate compliance with all provisions of this chapter. (4224, 2/21)

5.120.060 Hosting Platform Responsibilities

A. Hosting platforms shall not process or complete any booking transaction for any STR, unless the STR has a valid current STR permit issued by the City. Hosting platforms are required to list the STR permit number and expiration date.

- B. Within 45 days of the effective date of this ordinance, hosting platforms with listings located in the City shall provide to the City contact information of the hosting platform.
- C. A hosting platform with listings located in the City shall provide to the City on a monthly basis, in a format specified by the City, the STR permit number of each listing, the name of the person responsible for each listing, the address of each such listing, and, for each booking transaction that occurs within the reporting period, the number of days booked, and the total price paid for each rental.
- D. Hosting platforms shall remove any listings for STRs, including those on the City's Prohibited Buildings List, from the platform upon notification by the City.
- E. Hosting platforms shall be responsible for collecting all applicable TOT and TBID assessments and remitting the same to the City. Should a hosting platform fail to fulfill its responsibilities under this section, or the hosting platform and the owner enter into an agreement regarding the fulfillment of this subsection, the owner shall remain responsible for collection and remittance of the TOT and TBID assessments the hosting platform failed to collect and/or remit to the City.
- F. All hosting platforms operating in the City must comply with all Federal, State, or local (including the Huntington Beach Municipal Code) laws. (4224, 2/21)

5.120.070 Enforcement

- A. Violations of this chapter include, but are not limited to:
- 1. Failure of the local contact person to take action to respond to a complaint within one hour after the complaint is received or a contact is attempted, and the local contact person cannot be reached;
- 2. Failure to notify the City when the local contact person's information changes;
- 3. Violation of the STR maximum occupancy, noise, or other requirements as set forth in this chapter;
- 4. Providing false or misleading information on a STR permit application, or other documentation required by this chapter;
- 5. Any attempt to rent an unregistered STR by advertising the property for short-term rental purposes;
- 6. Completing a booking transaction in the City without a valid City-issued STR permit number;
- Completing a booking transaction where the STR permit has been revoked or suspended by the City;
- 8. Violations of State, County, or City health, building, or fire regulations;
- 9. Conduct or activities at the STR that constitute a public nuisance or which otherwise constitute a hazard to public peace, health, or safety;
- 10. Authorizing, permitting, facilitating or otherwise allowing any unhosted STR occupancy or activity in any dwelling unit in the City, except as legally permitted in Sunset Beach.

- B. The fine for violations of any provision of this chapter shall be one thousand dollars (\$1,000.00) for each violation. Each separate day in which a violation exists may be considered a separate violation. However, a 30-day warning period shall be provided prior to issuing fines for advertising a STR without a valid STR permit number.
- C. If three fines have been issued against a STR host or operator within a 12-month period, the STR permit shall be revoked, or suspended, or additional conditions may be imposed by the Director by providing written notice to the STR host or operator setting forth the basis of the intended action and giving the STR host or operator an opportunity, within 14 calendar days, to present responding information to the Director. After the 14 day period, the Director may determine whether to revoke the STR permit, suspend the STR permit, or impose additional conditions upon the STR permit and thereafter give written notice of the decision to the STR host or operator. If a STR permit is revoked, the STR may not be re-registered with the City for a period of 12 months from the date of revocation.
- D. The City hereby finds and declares that repeated violations of this chapter constitute a public nuisance which may be enjoined under all applicable laws including Code of Civil Procedure Section 731.
- E. Any person, hosting platform, or STR host or operator convicted of violating any provision of this chapter in a criminal case or found to be in violation of this chapter in a civil or administrative action brought by the City shall be ordered to reimburse the City its full investigative and enforcement costs, pay back all unpaid TOT if applicable, and remit all illegally obtained rental related revenue to the City.
- F. Pursuant to the Huntington Beach Charter, the City may issue and serve administrative subpoenas as necessary to obtain specific information regarding STR listings located in the City, including, but not limited to, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay, to determine whether the STR listings comply with this chapter. Any subpoena issued pursuant to this section shall not require the production of information sooner than 30 days from the date of service. A person, hosting platform, or STR operator that has been served with an administrative subpoena may seek judicial review during that 30-day period.
- G. The remedies provided in this section are cumulative and not exclusive, and nothing in this section shall preclude the use or application of any other remedies, penalties, or procedures established by law.
- H. The City Manager, or designee, shall have the authority to establish administrative rules and regulations consistent with the provisions of this chapter for interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this chapter.
- I. If any provision of this chapter conflicts with any provision of Title 20-25 (Zoning), the terms of this chapter shall control. (4224, 2/21)

5.120.080 Severability Clause

If any provision or clause of this chapter or the application thereof to any person or circumstances is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other section provisions, or clauses, or applications, and to this end the provisions, sections, and clauses of this ordinance are declared to be severable. (4224, 2/21)

From:

Frakes, Sandie

Sent:

Tuesday, September 21, 2021 12:47 PM

To: Cc:

Agenda Alerts Fikes, Cathy

Subject:

FW: Agenda #19

From: Claudia Stubin <claudiastubin@yahoo.com> Sent: Tuesday, September 21, 2021 12:45 PM To: CITY COUNCIL <city.council@surfcity-hb.org>

Subject: Agenda #19

Dear Council Members,

Please vote in favor of Option B on agenda item #19. Allowing permitted- unhosted STRs in Huntington Beach is very important to allow families from all economic levels to be able to travel to Huntington Beach. I am a mother of two young boys and we when we travel as a family we stay in STRs. It is the only affordable option for a young family. Visiting a destination and living like a local is the best travel experience you can share with children. Having young children makes an unhosted STR feel more protected and comfortable for parents. For these reasons, I urge the City Council to allow for unhosted STRs to other parts or the coastal area outside of Sunset Beach, and delay the enforcement date until the ordinance is amended.

Best. Claudia Stubin 714-655-4114

I am a long time resident of Huntington Beach. My husband was born and raised here, as were my sons. We are very active in the community as our boys play Little League Baseball, Pee Wee Football and HBHS Football.

> SUPPLEMENTAL COMMUNICATION

Meeting Date:

9/21/2021

From:

Sent: To:

Subject:

JJ Hodson

beachstarved@yahoo.com>

Tuesday, September 21, 2021 1:01 PM

supplementalcomm@surfcity-hb.org

Comment

SUPPLEMENTAL COMMUNICATION

Meeting Date:____

9/21/2021

Agenda Nam No.: 19 (21-692)

Sent from my iPhone, so please excuse any errors.. Sincerely, Jonette Hodson

Dear Huntington Beach City Council and Mayor Carr;

Thank you for taking the time to consider my home for STR non primary resident. My name is Jonette Hodson and my husband Alex and I have had STR's for over 10 years on Luxury sites between Manhattan Beach and Huntington Beach. I also consider myself a STR professional due to the 30 years my family and I have rented homes up and down the California Coastline, and the years I have had my homes up for rent. I use a Professional Property Management Team called Turn Key Rentals, which was recently purchased by Vacasa, who are a world renowned Property Management Team. I have used TK for over 5 years and feel they are the best in the business. I can tell you from experience that the worse homes I have rented have been the ones that are hosted by homeowners, that move out of their homes and leave their personal property and mess behind. The cleanest and most organized homes have been the ones ran by Professional Property Management teams, and in my experience, there are very few of these properties on the STR sights. Our property team inspects our home after every guest and my husband I come down frequently to inspect it ourselves and do any repairs if needed. I have set up this home in Huntington Beach for several reasons, 1. As a young child and teen in the 70's I spent almost every weekend in Huntington Beach or Newport beach with my friends and at their homes here in HB, where I had dreamed to someday own a home at the beach. I had my 16th birthday dinner with my boyfriend at Maxwell's which as most of you would know is now Duke's. I have many fond memories here in Huntington Beach and am now sharing and making new memories with my children and grandchildren. 2. I also have many fond memories with my children as they grew up renting beach homes, because with a family of 7 it was difficult to afford a hotel and feed them at the hotels. I am forever grateful for the many homeowners that rented their homes out so I could capture the memories with my children. Especially with a daughter that has Autism, this was the only vacation we could take that was sensory safe when she was at a young age, letting her play in the waves, dig in the sand and run forever on the sand was perfect for her. With a family that ranged from toddler to 16, renting a beach house was the perfect summer vacation. This would not have been possible if STR were not allowed at that time, because we could only afford a week never a month at a time. I truly feel keeping this option from the public, whether people fly in from overseas or drive in from a neighboring state, is criminal. The Coastline is for all to enjoy not just the residence, I now feel it is my turn to give back to the community and share my home (even though it is not my primary home) with family, friends, and our guest from STR sites, to create their own memories that will last forever. Our home is as close to a hotel feel with all the amenities you could ask for. My husband and I have put many hours of sweat equity and over \$300,000 into this home on 9th street. I have enclosed pictures of our home and many reviews from happy guests that have made some wonderful memories for their own families. I am in support and ask humbly to vote in favor of the agenda item #19 option B to amend the existing STR ordinance that would allow permitted un hosted (by owner) STR's in Huntington Beach. We want to par our fair share in Taxes to help revitalize the City of Huntington Beach.

Thank you, Jonette and Alex Hodson

From:

Caroline Shen <cshen3@hotmail.com>

Sent:

Tuesday, September 21, 2021 1:03 PM

To:

supplementalcomm@surfcity-hb.org; CITY COUNCIL

Subject:

September 21 Council Meeting - Request for Council to Vote in Favor of Agenda Item #

19, Option B

Dear Mayor Carr and Council Members. My name is Caroline Shen. I am a 31-year resident of Huntington Beach and am a member of Huntington Beach Short-Term Rental Alliance. I am writing in support of agenda item #19 to amend the existing STR ordinance and to hold off causing the various rental platforms to de-list until the City Council considers an amended ordinance.

I have I began hosting four years ago to cover monthly expenses and avoid problems caused by long-term renters. I depend on this revenue and hosting has been a non-issue for neighbors.

People who stay in short-term rentals throughout the city support local neighborhood businesses that are often within walking distance of their rental. Additionally, visitor generated lodging and local taxes from short-term rentals would be in the millions annually if the city allowed permitted unhosted STRs everywhere in the city.

I urge council members to vote in favor of option B on agenda item #19 and work towards simplifying the burdensome permitting process so that residents like me can continue unhosted short-term rentals and provide for our families. I appreciate your time and consideration to direct staff to quickly bring back an amended STR ordinance that would allow unhosted STRs in Huntington Beach. Thank you.

Caroline Shen 714-642-4816

> SUPPLEMENTAL COMMUNICATION

Meeting Date: 9/21/2021

Agenda Item No.: 19 (21-692)

From:

Sent: To: JJ Hodson

beachstarved@yahoo.com>

Tuesday, September 21, 2021 1:18 PM

supplementalcomm@surfcity-hb.org

Subject:

Pics 9th st

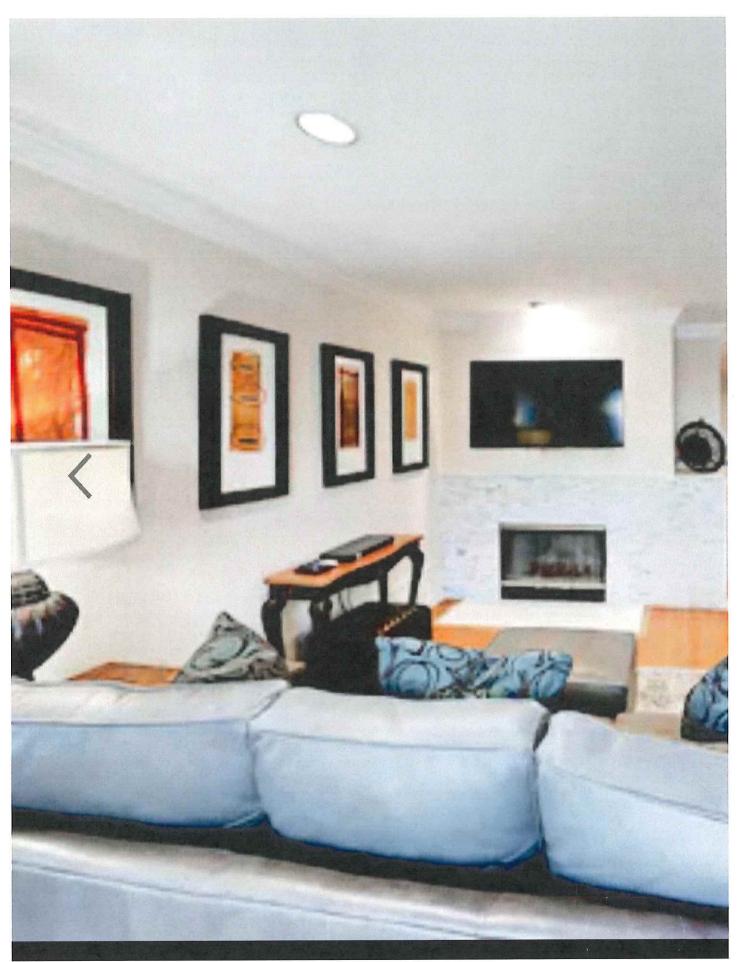
SUPPLEMENTAL

Meeting Date:

9/21/2021

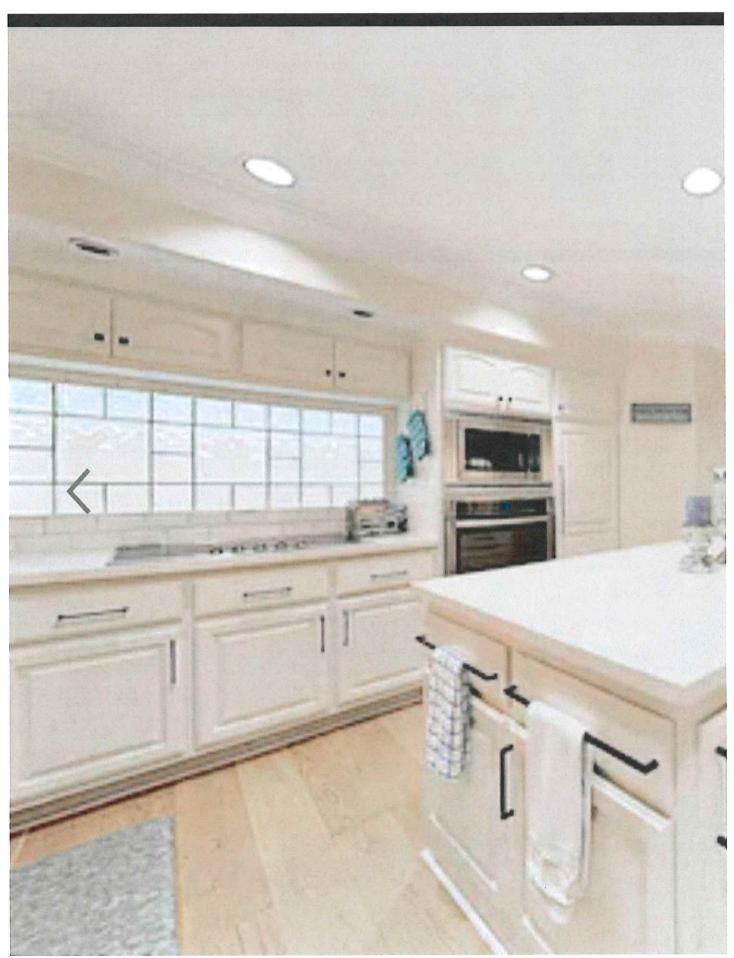
Agenda Nem No.:

7(21-692)



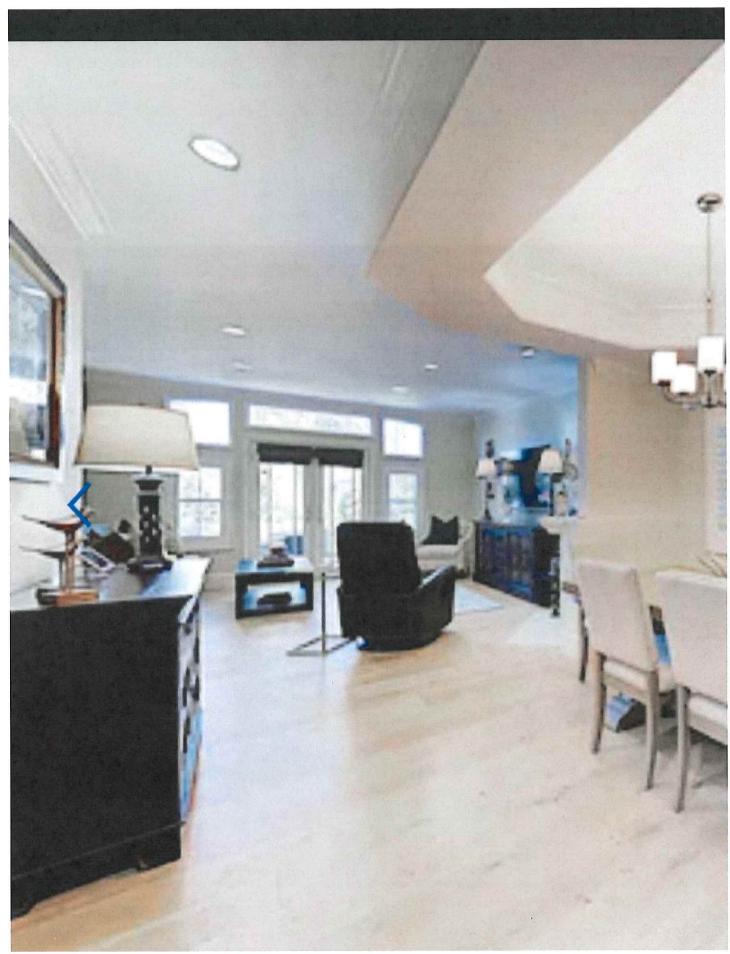
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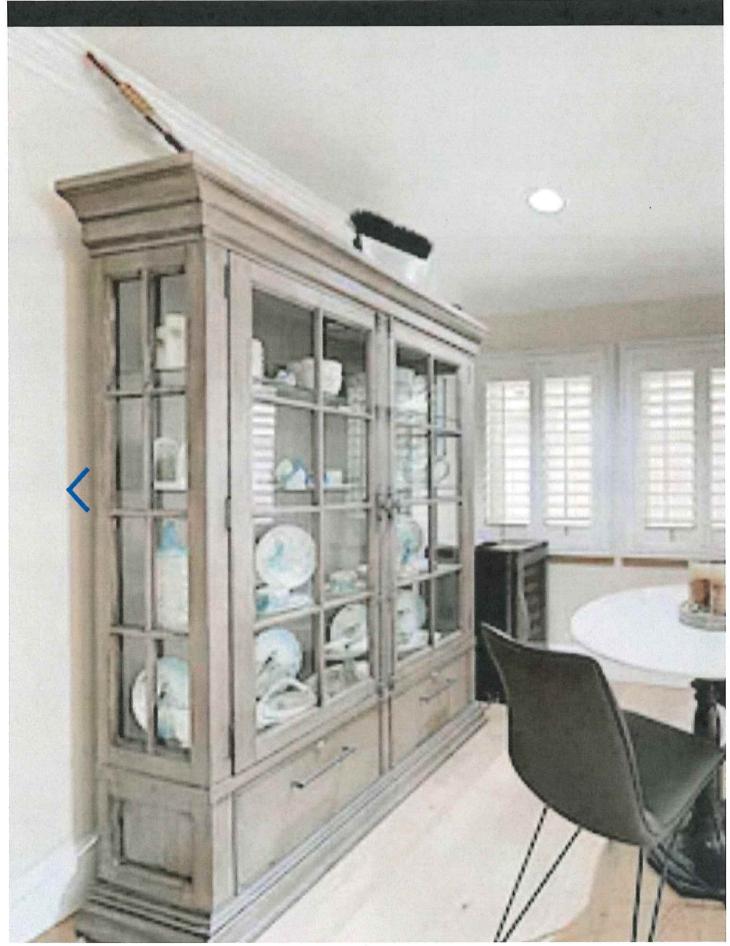


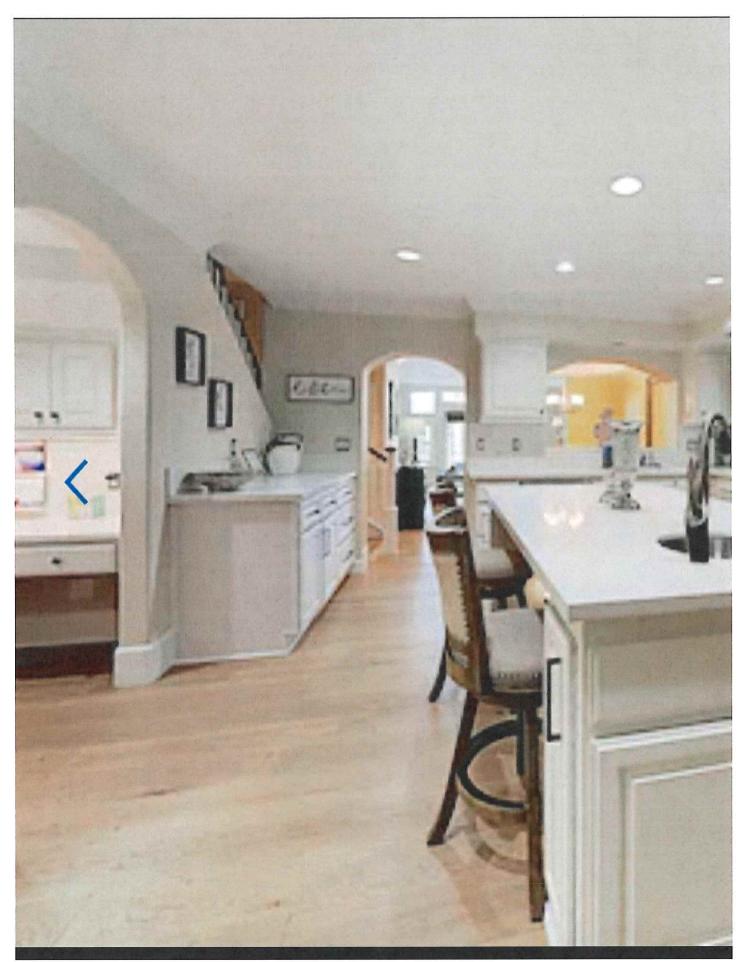
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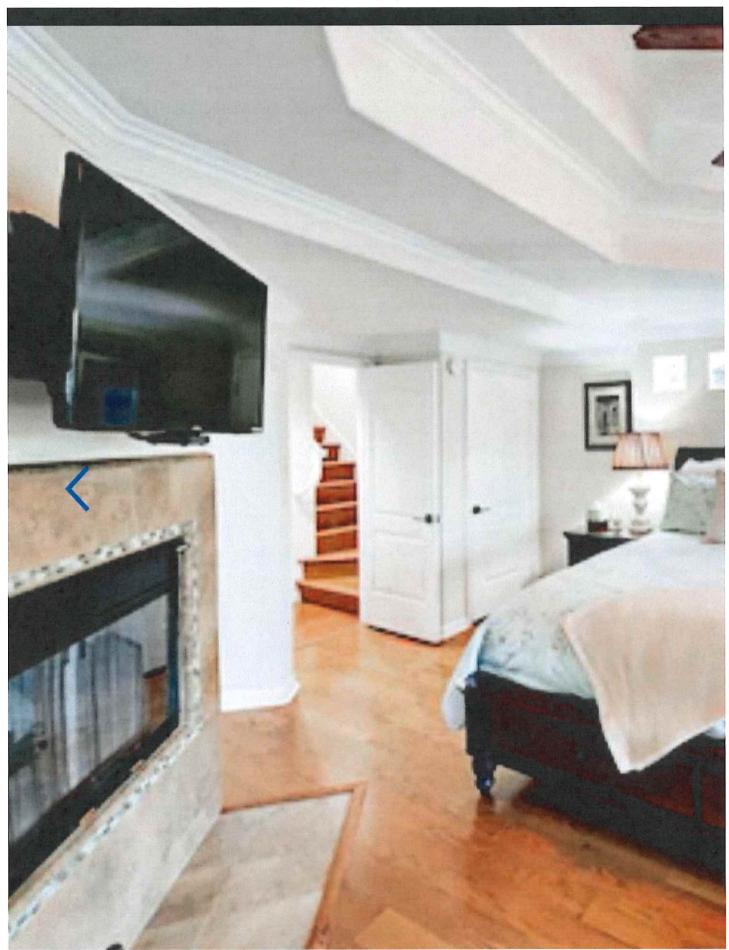




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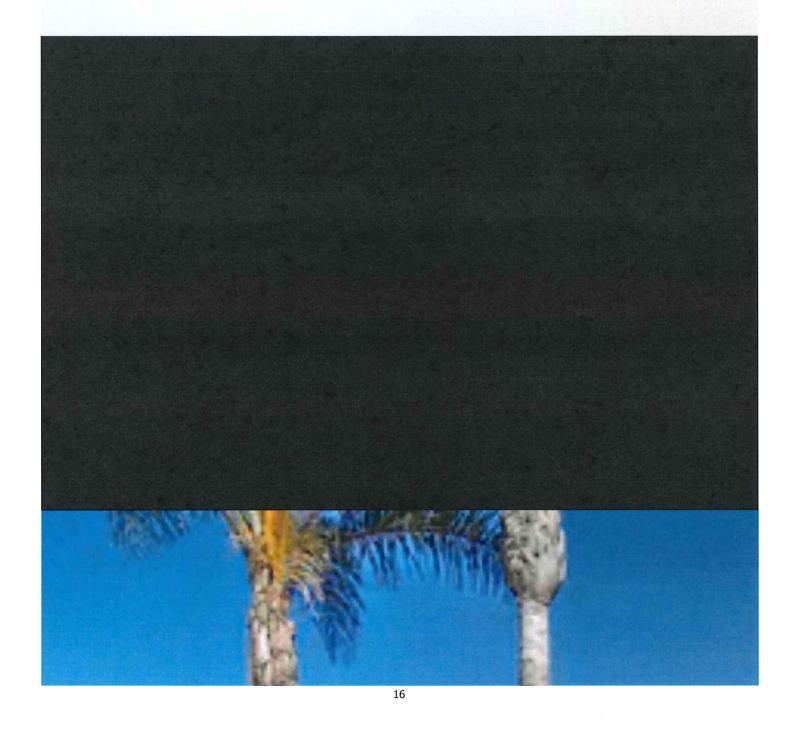


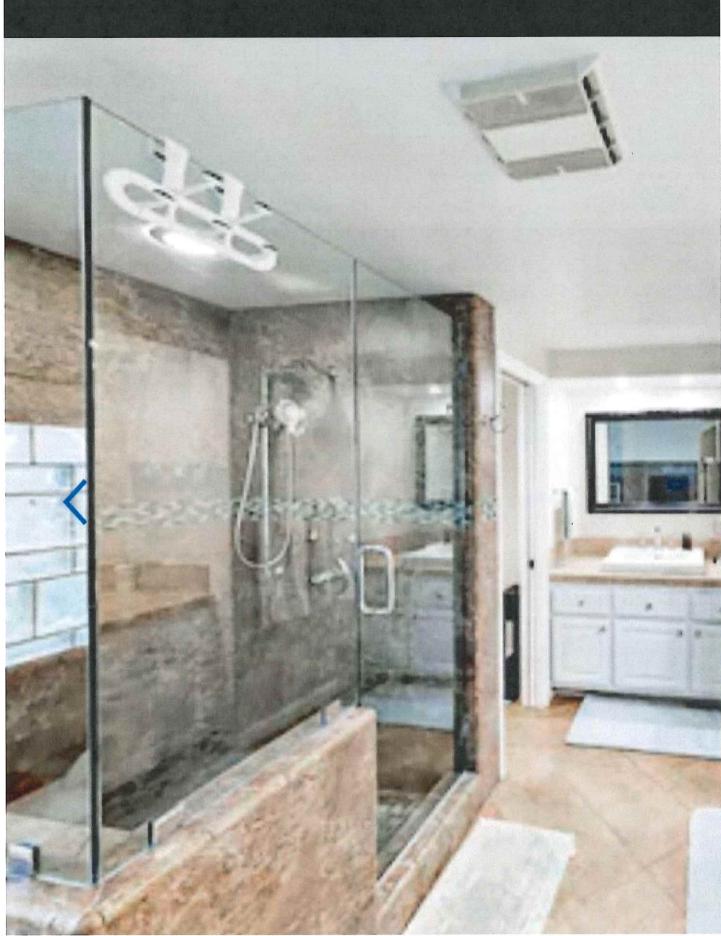




AA

a vrbo.c





Sent from my iPhone, so please excuse any errors.. Sincerely, Jonette Hodson

Moore, Tania

From:

C E Marti <frenchx2@yahoo.com>

Sent: To:

Tuesday, September 21, 2021 1:34 PM supplementalcomm@surfcity-hb.org

Subject:

Huntington Beach City Council meeting 9-21-2021 Short term rental

Good evening Mayor Carr and council members. My name is Eric Marti, I live in 515 13th street, Huntington Beach and am a member of Huntington Beach Short-Term Rental Alliance. I'm here tonight in support of agenda item #19 to amend the existing STR ordinance and to hold off causing on causing the various rental platforms to de-list until the City Council considers an amended ordinance.

I began hosting in 2016 after a divorce to help paying my bills, I still depend on this revenue otherwise I will need to have one or two roommates for addition income.

People who stay in short-term rentals throughout the city support local neighborhood businesses that are often within walking distance of their rental.

I ask council members to vote in favor of option B on agenda item #19 and I appreciate your time and consideration to direct staff to quickly bring back an amended STR ordinance that would allow permitted un-hosted STRs in Huntington Beach.

Thank you

Eric Marti

SUPPLEMENTAL COMMUNICATION

Meeting Date: 9/21/2021

Agenda No.: 19 (21-692)