

## **Planning Commission April 11, 2022**

### **Public Comment on Item 2 - STR Workshop**

**From:** Sabrina Must <[sabrinamust@gmail.com](mailto:sabrinamust@gmail.com)>

**Sent:** Tuesday, February 22, 2022 6:48 PM

**To:** Johnathan Ciampa <[JCiampa@DanaPoint.org](mailto:JCiampa@DanaPoint.org)>

**Cc:** Mike Frost <[MFrost@DanaPoint.org](mailto:MFrost@DanaPoint.org)>; Shayna Sharke <[SSHARKE@DanaPoint.org](mailto:SSHARKE@DanaPoint.org)>

**Subject:** Re: Please add Sabrina Must to the interest list

Hi, Shayna,

Please share my thoughts below with the council members. Thank you!

I believe all homeowners should have the right to rent out their properties as they see fit—long or short term.

There is a misunderstanding and belief among those who are not in the STR business that all STRs host parties and large groups. That is the opposite of what I personally do. I would (and currently do in Encinitas) offer 1- or 2-bedroom stay for singles, couples, and/or small families.

I have had terrible long-term tenants who disrupt neighbors for months, while I've had amazing str guests whom my neighbors didn't know were there because they were so quiet and respectful.

In the situation of bad tenants/guests: Long-term tenants who do not care for the properties and are disruptive are there for months, even years and there's very little landlords can do about it, while short-term tenants who do not care for properties and are disruptive are only there for days or weeks. The negative impact is much less in the latter situation.

I hope the city offers more STR permits soon in Dana Point. Not doing so significantly impacts income for those who have paid premiums for their properties. By renting short-term, not only do hosts help pump money into the economy (since vacationers spend significantly more on food and entertainment, and hosts also pay TOT to the city) but it allows hosts to enjoy their properties as well and stay in between reservations. Hosts can be much-more hands-on property owners that way.

Hosting a couple for a romantic weekend does not disturb the neighborhood. It's brings DP more business and money, which improves the city.

There is also a huge difference of short-term renting your 16-bedroom mansion vs your 1-bedroom home. They should be handled differently from a permitting standpoint.

Please speak with those who are seasoned hosts and landlords to fully understand how beneficial STRs are and also how thoroughly most hosts vet guests so there is no disruption to neighbors.

## **Public Comment on Item 2 – STR Workshop**

**From:** John Faulkner <[jmfaulkner@cox.net](mailto:jmfaulkner@cox.net)>

**Sent:** Wednesday, April 6, 2022 5:32 PM

**To:** Johnathan Ciampa <[JCiampa@DanaPoint.org](mailto:JCiampa@DanaPoint.org)>

**Subject:** Re: Short-Term Rental Program Public Workshop April 11, 2022 at 6:00 p.m. in the City Council Chambers

John,

I am very disappointed with what I have read about STR policy that has come from the City.

I am convinced nothing will come from a workshop to stop the city council members from forcing through their agenda, which is always pro-business and never citizen-centric. The conflict of interest with at least one council member is also troubling.

I will not be attending the workshop. I learned my lesson during the harbor revitalization process, where it became quickly apparent Dana Point residents could not affect what the County wanted to do, which was also pro-developer and was supported by the majority on the city council.

I will await whatever decision comes from the city council, knowing their half-hearted attempt to control and curtail STRs was all window dressing, and only for show.

John Faulkner

41+ Year Dana Point Resident

[jmfaulkner@cox.net](mailto:jmfaulkner@cox.net)

## **Public Comment on Item 2 – STR Workshop**

**From:** Kelly Perdue <kellyperdue@icloud.com>

**Sent:** Friday, April 8, 2022 2:03 PM

**To:** Johnathan Ciampa <Jciampa@DanaPoint.org>; Jeff Rosaler <JROSALER@DanaPoint.org>; Ted Harris <THARRIS@DanaPoint.org>

**Cc:** Devin Sutorius <dsutorius@danapoint.org>; Joe Muller <JMULLER@DanaPoint.org>; Richard Viczorek <RVICZOREK@DanaPoint.org>; Jamey Federico <JFederico@DanaPoint.org>; Mike Frost <MFrost@DanaPoint.org>

**Subject:** Short Term Housing / Transient Occupancy / South Cove SOS

I would like to propose that the city of Dana Point expand the language for short term rentals to include short term corporate housing/rentals or transient occupancy.

After retiring from a 25 year career in law enforcement, I sold my home in Los Angeles and bought a luxury condo by the beach at the new South Cove community. I was told by the realtors that there's no short term rentals / housing allowed and I have been sorely disappointed.

There is a constant flow of people in and out of the unit above me. Late check ins, rolling luggage and dropping bags have been annoying but the least of the horrible behaviors I have had to endure over the last year. I am not able to have peaceful enjoyment of my retirement home and life on the beach.

I am at the point of possibility considering selling my home but I'm now faced with the disclosure of the short term housing above me and the loss of property value because of that.

I have reached out to the STR compliance unit, and my HOA. The STR compliance unit states that the LLC / unit above me is operating in a loophole of the policy. My HOA is controlled by the builder and has been minimally helpful. The HOA manager claims to have reached out to the city of Dana Point for assistance but he's received no response.

Please consider a change in the policy/ordinance language to include corporate or transient housing. I am requesting assistance from Dana Point government officials because I do not know where else to turn. I am at a complete loss of ideas and avenues to reach resolution. I dedicated my career to being of service to my community and I hope my community can now be of service to me.

Thank you for reading my email. Please feel free to contact me by email or phone.

Kelly Perdue

(909) 576-5738

## **Public Comment on Item 2 – STR Workshop**

From: Susan H Hill <susanhatchardhill@gmail.com>

Sent: Monday, April 11, 2022 9:49 AM

To: Johnathan Ciampa <JCiampa@DanaPoint.org>; Devin Sutorius <dsutorius@danapoint.org>

Cc: Susan Hill <susanhatchardhill@gmail.com>; Lee Hill <lelandrayhill@gmail.com>

Subject: Our Short Term Rental (STR) Workshop Comments

Good morning Jonathan and Devin,

My husband and I are unable to attend the workshop tonight as we are out of town. We are long time Dana Point homeowners and are very unhappy with the recommendations included in the STR Draft document.

Over the past 10 years, the City has transformed from a charming beachside community into developers' paradise. In addition to the explosive growth in STR throughout the City, there are NINE more small to medium sized hotels now approved for construction. Dana Point is rapidly becoming a tourist "destination" versus a place where families live and raise their children and senior citizens can enjoy their retirement.

We have nothing against short term rentals per se, but believe they should only be allowed in areas zoned commercial or mixed use. They should not be allowed in any residentially zoned areas. STR's are businesses pure and simple. That is why they should only be allowed in commercial areas along with other similar businesses.

Your draft document states that STR's will be categorized into 3 types and that 2 of the STR categories will be allowed in 'all residential areas throughout the City'. Further the 2 categories permitted in residential areas appears to have no restrictions as to the number of STR's allowed to function. What happens if a HOA CC&R's or their Rules and Regulations prohibit such business enterprises within the HOA boundaries? Does the City's requirement over rule the HOA's documents? Or, will HOA's be able to continue to prohibit them within the HOA's boundaries? Would you please let us know.

We feel strongly that Dana Point is heading in the wrong direction regarding this issue. We understand Laguna Beach has successfully restricted STR's to areas within their City zoned commercial and mixed use. We hope Dana Point City Council reconsiders and reverses the recommendations included in this draft. Failure to do this will forever change the character and charm of our wonderful City. A few years ago, voters in Dana Point voiced their opposition to the pro-development orientation of the Planning Commission and City Council with an initiative designed to control or restrict further development. That initiative passed easily so that now such development must comply with current zoning requirements or face greater public scrutiny.

For us, the issue of STR's in Dana Point falls into this same category. STR's are businesses and attract guests who are coming to our city to party and play. This is not consistent with residential zoning. STR's belong in the same areas as hotels and not next door to families trying to raise their children in areas zoned residential. If the City Council allows STR's to exist in residentially zoned areas, what is the purpose of a residential zone? STR's are businesses and do not belong in residential areas.

We are sorry to miss tonight's workshop, but hope our comments will be shared at tonight's meeting. Most importantly, we look forward to your response relative to our HOA vscity of Dana Point question.

Thank you,

Lee and Susan Hill  
32392 Via Antibes  
Dana Point, 92629

## **Public Comment on Item 2 – NOTE: This Public Comment is 4 pages**

**From:** mark zanides <[mzanides@gmail.com](mailto:mzanides@gmail.com)>

**Sent:** Monday, April 11, 2022 12:10 PM

**To:** Comment <[Comment@danapoint.org](mailto:Comment@danapoint.org)>

**Subject:** My letter of today:

**Mark Zanides** Dana  
Point, CA. 92629  
mzanides@gmail.com

April 11,  
2021

### **1. The staff proposed to codify a de facto zoning change.**

First, I am not surprised that the staff has recommended such a thoughtless program, since on July 21 2020, this Council “directed staff and the Planning Commission to develop an STR program and conduct public outreach to guide (sic) this process.” That is, shoot first [we will have STRS] and aim later [you guys figure it out].

Since that time the Planning Commission has formed an STR subcommittee which purports to have identified “enhanced STR enforcement, penalties and health and safety regulations”.

In short, the Council has already decided to sacrifice residential neighborhoods to the greed of out of town investors with nary a nod to the four thousand residents who signed the anti STR referendum in 2016.

While we all know that this destruction of our neighborhoods is based on greed, and nothing more, this Council’s purported justification is that we must “respect the private property rights of all property owners (both those who favor and those who oppose short term rentals.”) See, Staff report at 3.<sup>1</sup>

This witless recitation ignores, of course that the zoning regulations in Dana Point **already** “balance the rights and responsibilities of residents and homeowners.” Those zoning regulations

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<sup>1</sup> Mr. Federico and others have repeatedly made statements to the effect that property owners have “rights” to rent out their homes. No, they don’t in Dana Point. Those “rights” have long been circumscribed by zoning laws, which have been upheld by the United States Supreme Court for nearly a century. See, *Village of Euclid, Ohio v. Ambler Realty Co.*, 272 U.S. 365 (1926). There, the Supreme Court rejected a claim that a zoning scheme which barred commercial activity from residential areas constituted an unlawful taking. As the Supreme Court said: “[a] nuisance may be merely a right thing in the wrong place, like a pig in the parlor instead of the barnyard.” This STR proposal merely attempts to put lipstick on the pig.

**Do not permit** businesses to operate in residential zones. They do not permit tattoo parlors, restaurants, gas stations, hotels or other commercial businesses in residential districts. They also do not permit STRs, as the Planning Commission has admitted. Indeed, the entire current STR regime has been illegal from its inception in 2013.

So let us be clear: what the Council has directed the staff and Planning Commission to propose is to fundamentally alter the zoning in Dana Point and to burden residents who purchased homes in districts zoned residential with a commercial operations in their neighborhoods. Make no mistake about it, Airbnb, Vrbo and the owners of these STRs are in business. They earn untold millions of dollars per year in Dana Point. Indeed, Chapter 5.38, which purports to govern STRs, is found in the City's Business Code. It follows that STRs cannot be permitted in areas zoned residential absent a change to the zoning code.

**2. Enhanced STR enforcement, even if applied, does not address the fundamental objection to STRs.**

One common reply by the Council, the Planning Commission and the staff, is that "enhanced regulations" will somehow address objections to STRs.

They will not.

The primary objection to STRs is that they fundamentally alter the character of our neighborhoods. A well run tattoo parlor is still a tattoo parlor. A well run pot shop is still a pot shop. A well run restaurant is still a restaurant. And a well run hotel is still a hotel.

I live in the Lantern district. I love my neighbors. It is a wonderful community. I want to preserve it for the neighbors, not transients. I don't want vacationers traipsing in and out every couple of days. By the very nature of their transience, they cannot be neighbors. That is the real issue, and even if effectively applied, no regulation could ever change that.

**3. The City staff has never effectively regulated STRs and this proposal does not address their many shortcomings.**

First, let's be honest. The City has not and does not now enforce the existing, lamentably weak regulations on the books. It has no mechanism for collection of TOTs **and contrary to the recommendations of many Dana Point residents, the new proposal contains no such mechanism, even though many, if not most, coastal cities require the rental platforms to collect taxes.**<sup>2</sup>

In years past, until members of the public brought this to the attention of the Council, the staff did not collect approximately 80% of the fines it purported to levy. The fines it did collect are too

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<sup>2</sup> Santa Monica successfully defended this requirement. So the Council and City Attorney cannot credibly claim it will cause legal problems.

The real point is that in the absence of a legal requirement that the platforms collect the TOT, the Council will not only be giving away the character of our neighborhoods, but will literally be giving away the TOT that should be collected. It is inconceivable that the staff would not include this feature in any STR proposal.

small to deter illegal behavior. To my knowledge, the City has never revoked a permit for non-payment of fines, nor for any other reason, despite regulations permitting such action.

The staff has apparently never inspected permitted STRs. I has no records to confirm that they were even initially inspected. As of last year staff had never insisted that STR permittees even produce the required insurance certificate. A public records request yielded only expired insurance certificates, many of which did not even comply with the \$1 million insurance requirement.

In short, the City's failure to enforce existing regulations is shameful and embarrassing. Before this Council even considers moving forward with new STR program, it must audit STR compliance by the staff and be prepared to address: a) the [in] adequacy of enforcement of behavior guidelines (particularly in the wee hours of the morning when many nuisances occur); b) the inadequacy of current fines for non compliance by STR permit holders, c) why the staff has only collected approximately 20% of the STR fines it has levied and d) what principled basis there is for believing that staff is willing and able to enforce any STR regulations adopted, including specifically, the behavior regulations, and d) how the staff will adequately collect TOTs.

Perhaps most importantly, the City does not effectively enforce the existing ban on non permitted STRs. The staff has apparently told the Council that very few such non permitted STRs exist. We disagree. The Council has relied on the staff to investigate, and has apparently accepted the staff's assurances that there are very few, if any, unpermitted STRs. With all due respect, this is like accepting a Russian police report assuring you that the FSB had nothing to do with the poisoning of noted dissident Alexander Navalny.

The importance of the failure to enforce the STR regulations cannot be overstated. The City must assess the impact of any new STR program on 1) existing rental stock; 2) the availability of low cost housing; and 3) protecting the peaceful and quiet enjoyment of the community by its residents. All of these issues are impacted by the current existence of hundreds of unpermitted STRs. An expanded STR program will surely exacerbate the issue. With lax enforcement in Dana Point, why should investors bother permitting and paying taxes when they can rent under the table?

Finally, the new proposal contains a number of features which, if implemented, would require a level of vigilance and enforcement far beyond the capability, such as it is, of this staff. Who is going to determine what a "primary residence" is, and what criteria will be used to determine this undefined How will anyone know if a "primary residence" is rented for more than 60 days?

What are you going to do about the hundreds of unpermitted STRs? Are you really going to the Coastal Commission and representing that there is a cap of 185 permits citywide on investor owned permitted STRs **and that there are no unpermitted STRs in the City?** Really?<sup>3</sup>

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<sup>3</sup> I note that the staff report asserts that it "conducted a thorough review of the data presented on AirDNA to determine the validity of the information on this website. The conclusions of this investigation will be presented to the Planning Commission at the April 11, 1022 meeting." Report at 4.

First, it is absurd that with regard to an issue so central to this discussion the staff did not see fit to present such data attached to the staff report.



#### 4. The STR issue must be put to a district vote.

Several members of this Council were on the Council when it rammed through District voting. The stated basis for imposition of district by district voting was to give more representation to members of the Hispanic community. Given the Council's expressed sensitivity to this issue, it seems only logical that if the Council is now truly concerned about minority rights, it should demand that the staff 1) address specifically and with data what the impact of the new STR program will be on members of the Hispanic community, and 2) permit the minority communities to vote on the STR issue within their own districts.

There are two additional separate and compelling reasons to put this issue to a district by district vote. First, as I have previously stated, STRs affect the very nature and quality of life in Dana Point. While I believe a majority of Dana Point residents oppose STRs, what cannot be contested is that in 2016 over 4,000 residents signed a referendum opposing the City Council's proposed ordinance authorizing STRs. The signatures were gathered in less than three weeks. After the results were certified, the City Council declined to place the issue on a ballot, thus depriving the residents of the opportunity to vote directly on this issue. No one was surprised at the cowardice of the City Council: a majority of the then Council operated at the behest of real estate interests, not the residents of Dana Point. The Council knew that STRs would be soundly defeated, and made a tactical retreat to live to fight another day, meanwhile voting to continue the illegal STR program, which has plagued the City for the last five years or so.

Second, I observe that three of the Council members who support STRs have a total of approximately 27% of STRs in their three districts combined. Why should representatives of unaffected districts make this decision? STRs threaten neighborhoods. Common sense and basic fairness dictate that the citizens affected should make the decision. It is unfair that residents of districts not directly affected by STRs should be able to inflict them on homeowners in other districts. The remedy is simple: **the STR referendum election should be conducted by district.** For example, the Planning Commission has contended that there is a long tradition of STRs in Dana Point. Aside from the fact that they have always been illegal, if the neighborhood tradition of, say, Beach Road in Capo Beach, supports STRs, then District 5, or even Beach Road as a separate community, could decide whether or not to approve them. The same goes with the Lantern District.

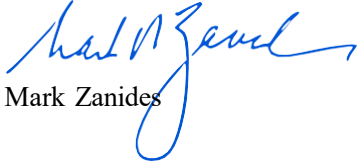
In short, any program which authorizes any additional permits should be put to a vote of the citizens of Dana Point. No program is worthy of passage if not approved by a majority of voters. And even if you could fashion an STR ordinance that is acceptable to the voters, many in town would support locking it in, so that it could not be changed by the next Council majority at its whim. Regrettably, it appears that we don't have a history in Dana Point of electing City Councils that can be trusted to represent the desires of residents.

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Second, over the years we have repeatedly heard staff make representations to the Council which, on further inspection, and in my opinion, turn out to be inaccurate and/or misleading. At this stage, the residents are not interested in the staff's "conclusions." Rather, the Council must direct the staff to produce all books, papers, records, reports and any other information in any form related to such inquiries of AirDNA it made in respect of the AirDNA website, and any other information it has, relating to illegally operating STRs in Dana Point. We will be happy to review the actual methodology and data, and be prepared to respond promptly.

If you present an acceptable ordinance it will be acceptable to the residents. To prohibit a public vote is simply a craven concession to the foreign real estate interests which appear to have an outsized influence in our town.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Mark Zanides", with a large, stylized flourish at the end.

Mark Zanides

## **Public Comment on Item 2 – STR Workshop**

**From:** Buck Hill <[buckhill10@gmail.com](mailto:buckhill10@gmail.com)>

**Date:** April 11, 2022 at 12:08:43 PM PDT

**To:** Mike Killebrew <[MKILLEBREW@danapoint.org](mailto:MKILLEBREW@danapoint.org)>

**Subject:** Fwd: letter to City Council and Planning Commission

Mike,

The residents of Dana Point neighborhoods are restless because they are not being taken care of by city government. I realize that you must support the City Councilman's interests. But the staff work on managing, controlling, and now proposing a new program on Short Term Rentals seems unacceptably lame. Residents' only alternative is to use the initiative process to set city rules. Could you do anything to reign in the current plans and avoid a new controversy.

Buck

## **Public Comment on Item 2 – STR Workshop**

From: [Bettyhill@savedanapoint.com](mailto:Bettyhill@savedanapoint.com)

### STATEMENT TO THE PLANNING COMMISSION AND THE CITY COUNCIL

1. It would be easy for the City Council to put the STR plan to a public vote. Within just weeks in 2016, the City Council put Measure I on the ballot to try but fail to defeat the residents' Measure H. I believe that the Council and the Planning Commission know that this plan would never be approved by a majority of Dana Point's voters.
2. The definitions given in this plan for various types of STRs will essentially allow unlimited STRs in our residential neighborhoods. This proposal appears to contain a wish list for STR and real estate interests, including out of town investors.
3. Other approaches are possible. In Santa Monica as of today, only Home Sharing is permitted in primary residences where the host is present throughout the Guest's stay. Vacation rentals for less than 30 days are not allowed in any residential property. Attached are the CCC's modifications to Laguna Beach's STR ordinance that prohibited STR's in residential neighborhoods.
4. The Planning Commission's public meetings resulted in a long list of regulations and ways to have exceptions approved. The regulations will be difficult and costly to enforce and the fines vague and toothless. The Planning Commission needs to provide a budget of expected enforcement costs and explain why Airbnb will not be required to provide the TOT as in other cities?
5. Certain districts and people who are not protected by a Homeowner Association, where they are prohibited, will bear the brunt of this policy. Statistics already bear that out and even the EIR cites this problem. This policy will have a negative effect on affordable housing and result in discrimination against our minority population and other workers wanting to live in Dana Point.
6. This plan is outdated and does not reflect the current negative impacts and costs of having an increasing number of STR's in our residential neighborhoods. Dana Point can and must do better for its residents. For example, the CCC allows cities to put limits on the number of STRs in various parts of the city.
7. Trying to pass additional requirements or penalties to offset problems will be met with fierce resistance and lawsuits from the same groups that are supporting this policy today. This policy changes long established zoning code protections and will affect the salability and value of neighborhood homes. The proximity of STR's should require disclosure. Will our community suffer when strangers and outside investors inundate our neighborhoods?

Betty Hill  
Dana Point Resident

## THE CALIFORNIA COASTAL COMMISSION AND THE LAGUNA BEACH STL ORDINANCE

The modifications to Laguna's proposed STL Ordinance currently presented are a reasonable attempt to respond to the various goals and suggestions of the Coastal Commission and the City.

The Ordinance, as modified:

- provides opportunities for a significant number of additional STLs in the areas along the lengthy coast which are zoned for various forms of commercial and mixed use, but also limits the proportion of units that can be converted,
- provides incentives for home-sharing that further expand the number of affordable STLs,
- preserves the quiet enjoyment of housing and long-term rental units in our residential neighborhoods by preventing additional legal STLs in those neighborhoods,
- protects existing senior and affordable housing in the designated areas,
- requires an analysis of the Ordinance in three years to insure that the impacts have not had serious adverse effects on accommodations and affordable housing

## **Public Comment on Item 2 – STR Workshop**

From: [paul@pnwyatt.com](mailto:paul@pnwyatt.com)

**Planning Commission Agenda Item 2 - STR Workshop**

**Wyatt Public Comments**

My name is Paul Wyatt, and I am a resident of Dana Point.

I am concerned that without significant revisions, the ordinance being reviewed tonight will result in a Residents Referendum and put us back where we were in November 2016.

In November 2016, the City Council rescinded a Short-Term Rental Ordinance that, as noted in the Coastal Commission letter dated 04/01/2022, was "substantially similar" to the draft ordinance being discussed tonight. By the summer of 2016 it was evident that the advent of AirBnB-type platforms had changed the nature and number of short-term rental bookings.

Enough residents were concerned about the impact on residential neighborhoods to pass a referendum.

The draft ordinance being discussed tonight does not address these concerns. The minimum stay remains 2 nights, the parties and events prohibition has been deleted and replaced by an arbitrary maximum occupancy of 20 guests which the Coastal Commission has challenged, and the client type is addressed by a minimum age requirement of 25 which the Coastal Commission also challenged. Further, the Coastal Commissions' suggested taking the business rules including the formula for the maximum cap on units out of City control by inserting them into the ordinance itself.

At its October 1, 2019 meeting, the City Council set three short-term rental objectives:

1. Maintain the character of our neighborhoods by not encouraging absentee corporate investment,
2. firmly protect against nuisances, and
3. balance the rights and responsibilities of all residents and homeowners and honor all HOA regulations.

The draft ordinance reviewed tonight does not restrict absentee corporate investment. Although the penalties have been increased, removing the events restriction increases the likelihood of nuisances. And the Coastal Commission "urges" the City to find a way to overcome the HOA regulations, stating that since an "outsized portion" of the residents, 42 percent, reside in HOAs, this is an "inherent obstacle to providing equitable public access and recreational opportunities along the coast".

At a time when the City struggles to provide workforce housing, and the State of California through its Regional Housing Needs Assessment is requiring Dana Point to add 530 additional housing units (231 very low and low income, 299 moderate and above moderate income), this ordinance diverts 185 housing units for STRs. Further, the Coastal Commission's request to have ADUs included in Home Stay STRs would reduce the by-right intent of ADUs to supply very low- and low-income housing.

## **Public Comment on Item 2 – STR Workshop**

**From:** [webmaster@danapoint.org](mailto:webmaster@danapoint.org) <[webmaster@danapoint.org](mailto:webmaster@danapoint.org)>

**Sent:** Monday, April 11, 2022 7:48 PM

**To:** Johnathan Ciampa <[JCiampa@DanaPoint.org](mailto:JCiampa@DanaPoint.org)>

**Subject:** Email contact from City of Dana Point

Message submitted from the <City of Dana Point> website.

**Site Visitor Name:** Stephanie Harvey

**Site Visitor Email:** [stephanieharvey2012@gmail.com](mailto:stephanieharvey2012@gmail.com)

Mr. Ciampa-

Thank you for the meeting tonight on STRs. I have some thoughts, that came to mind, after the public comments portion of the evening. Please add these to comments from tonight, if possible.

-Our family has lived in the Lantern District since 2010, we live right in the hub of STRs plus other rental units, plus have a 30day min rental on our property, over our detached garage.

-I am also a local realtor and put people in rentals and STRs all the time.

-The average STR renter, from what we see and what I see in real estate, are couples, families who are more comfortable in a rental than a hotel, people who have sold their home and their new home is not ready to be occupied yet or they are unsure of their next home and just want to store their belongings and live in a furnished rental awhile.

-The cost to rent a STR is quite high and not attracting a party crowd or people that would abuse a property, they are paying way too much, plus high deposits, to jeopardize destroying someones rental. Plus, again, the demographics of who is renting STR, are above... families, couples, people in between homes

-Your program has been well designed and thoughtfully written.

-The apartment buildings that are run down and charging low rent are way more of a nuisance then STRs in our area, plus, as mentioned, the neighborhood is stuck with those tenants, whereas STRs are short term.

-In our experience, if a nuisance occurs after 10 or 11PM, the police have been quick to act.

-Our city is charming, a destination, STRs are listed for quite a high price and we see your proposed program as very beneficial for the reasons mentioned. Again, renovating existing apt buildings in our area and city would be a great idea, raise the rents, allowing for a high caliber of people.

Thank you,  
Stephanie Harvey

## **Public Comment on Item 2 – STR Workshop**

**From:** MARCELLA SEIDENSTICKER <[marcella@lagunabeachsales.com](mailto:marcella@lagunabeachsales.com)>

**Sent:** Monday, April 11, 2022 9:31 PM

**To:** Johnathan Ciampa <[JCiampa@DanaPoint.org](mailto:JCiampa@DanaPoint.org)>

**Subject:** April 11th STR comment after meeting

Hi Mr. Ciampa,

I hope I am sending this email to the right person. If not please forward it to the right person.

I was at the meeting today and did not speak because I want to be sensitive to people's real concerns. My intention was to be a good listener, learn, and reflect on what people shared without reacting or offending. As a resident, I understand the need and right for privacy, quietness, safety, and respect for my property.

I am a homeowner on Beach Road. The neighborhood already had a lot of STR permits when I purchased and I moved into the area knowing this. It is a vacation home for my family because it is too small to live in full time. I have worked very hard to be able to purchase a small home in this area. I consider myself very lucky to be able to own my little beach house for as long as I possibly can with today's incredible rising property prices, taxes, and the price of maintenance and repairs, especially for a home on the ocean with the salty ocean air and eroding sand.

It is fair and compassionate to allow homeowners to rent to keep their homes or their parents or grandparents in their homes for as long as possible. The only other option is to sell all beachfront properties to the super-rich and that will for sure change the dynamics of Dana Point. As a Laguna Beach resident, I can tell you that the dynamics have changed drastically now that any single-family home takes \$3,000,000 to purchase. I am a resident and a Realtor in Laguna Beach but love the still relaxed and neighborly feel of Dana Point and Beach Road still have but Laguna Beach has lost.

It is fair that both I and homeowners that have been there a long time be able to share it with others if that helps them keep their homes. Families that are not able to own should have the opportunity to enjoy it for one week or two a year. I have had so many people tell me about all their wonderful memories of growing up renting on Beach Road. I think it is selfish to take this opportunity and experience away from hard-working people.

It is fair that oceanfront homes be accessible to more than just those lucky enough to be able to own even if there are strict restrictions. Maybe homeowners can rent only a certain time a year, or a minimum of a week at a time so it is more attractive for families and less for loud partyers.

It was greedy for current STR permit holders to feel they deserve more than one permit. Why not allow one permit per person so that others can have the



opportunity too. This is a very selfish view to feel one group deserves more than there other because they were there first. It's entitlement.

Most all agree that corporations and group investors buying up homes to convert to purely money-making businesses should not have the privilege of holding an STR permit. They are the real problem.

It was extreme and unfair for no new permits to be issued allowing the opportunity for some but not for others. Again entitlement. There should be a class, prerequisites, and a process that is fair and accessible to be able to qualify and apply for a new STR permit.

I agree with heavy regulation and strict penalties for STRs to ensure other residents' rights are preserved. Holding an STR permit should be a privilege that can easily take away due to noncompliance.

A fair compromise can be reached so that there is a process to apply and regulate STRs and I am sure you have the ability, knowledge, and compassion to do it.

Thank you,  
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