



February 9th, 2021
Ocean Beach Planning Board
4876 Santa Monica Ave.
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San Diego, CA 92107

TO: Todd Gloria, Mayor of the City of San Diego
Joe LaCava, San Diego City Councilmember District One
Jennifer Campbell, San Diego City Councilmember District Two
Stephen Whitburn, San Diego City Councilmember District Three
Monica Montgomery, San Diego City Councilmember District Four
Marni Von Wilpert, San Diego City Councilmember District Five
Chris Cate, San Diego City Councilmember District Six
Raul Campillo, San Diego City Councilmember District Seven
Viviana Moreno, San Diego City Councilmember District Eight
Sean Elo-Riviera, San Diego City Councilmember District Nine

CC: Randy Wilde, Office of The Mayor of San Diego
Venus Molina, Chief of Staff for Councilmember Campbell

RE: The Ocean Beach Planning Board's Proposed Amendments to the Short Term Vacation Rental Ordinance, to be Docketed on February 23rd

The Ocean Beach Planning Board opposes the conversion of long-term housing to Short Term Vacation Rentals (STVRs). Whole home rentals without an owner or longterm lessee on sight are not a compatible use in residential zones. STVRs exacerbate the housing crisis by increasing investor speculation in the housing market and thus the price. The board is disappointed that despite our persistent efforts, the city has allowed this illegal use to propagate to the extent that host platforms and corporate hosts now control the policy making process.

The board would like to note that the City would not be in this position if the big money players behind STVR proliferation had not spent millions on rescinding the last ordinance that was passed. However, in response to the draft ordinance from Councilmember Campbell's office going before City Council on February 23rd, the board recommends the following modifications to lessen the detrimental impacts on our neighborhoods and housing supply:

1. The ordinance must hold platforms accountable for listing illegal units, and must include fines. The current draft relies too heavily on enforcement of hosts. In other cities without strict platform accountability, platforms have refused to abide by regulations, refused to remove illegal listings, negotiated secret non-auditable tax agreements, and sued to avoid transparency. Additionally, if the overall STVR compliance rate to these regulations is less than 80%, it should trigger a re-evaluation of the ordinance.

2. Adopt the Planning Commission's recommendation to cap permits by District to reduce over-concentrations in certain communities and equitably distribute STVR income opportunities to other districts.

3. Require 100-ft distance separation between Tier 3 parcels in low/medium density zones (RM1,2,3, RT, RX) to reduce impact on residents. Require 300-ft distance between Tier 3 parcels in single family zones (RS, RE). Distance restrictions are already in use by the city for



other land use matters, and used in other cities to regulate STVRs. Applicants seeking exceptions to this can utilize the CUP/NUP process.

4. STVRs in Commercial and RM-4,5 zones should be exempt from caps and distance restrictions. The Board encourages this type of use in these zones.

5. Parcels that benefit from any housing subsidies (new ADUs, density bonuses, reduced fees, etc) should be expressly prohibited from full-time STVR use on the same parcel. Housing subsidies should not be used to reward STVR investor activity at the expense of long-term housing.

6. Duplexes or ADU properties should be Tier 3, not Tier 2. These are not home shares and remove naturally occurring affordable housing inventory. It also creates possible loopholes on multifamily complexes where multiple units could be listed as STVRs.

7. The ordinance should reiterate occupancy limits from the Building Code to reduce propensity for party houses.

8. Fees covering enforcement should be based on nights rented. Part-time hosts and home shares do not create the same nuisance burdens as full time hosts and therefore should not share the same fee burden. Disproportionate fees on part-time hosts and home shares would discourage these types of STVRs that the Board endorses.

9. The term “Short Term Residential Occupancy” should be changed to “Short Term Rental Occupancy”. This is not a residential use and classifying it as such could lead to legal challenges.”

The unmitigated allowance of STVRs has to stop. With these changes to the proposed ordinance the Ocean Beach Planning Board is confident the City can successfully reign in the overabundance of STVRs.

The residents of San Diego have made it clear: we want to live in neighborhoods next to neighbors, not visitor accommodations. We respectfully ask the City Council to advocate for the interests of the majority of San Diegans, rather than placating real estate speculators and corporations.

Sincerely,



Andrea Schlageter
Chair, Ocean Beach Planning Board