



PACIFIC PALISADES COMMUNITY COUNCIL

October 27, 2015

Councilmembers Jose Huizar (Chair, PLUM Committee and member, Housing Committee),
Marqueece Harris-Dawson (Vice-Chair, PLUM Committee and member, Housing Committee),
Gil Cedillo (Chair, Housing Committee and member, PLUM Committee), Felipe Fuentes
(Vice-Chair, Housing Committee and member, PLUM Committee), Mitchell Englander
(member, PLUM Committee) and Curren D. Price, Jr. (member, Housing Committee)
Councilmembers Mike Bonin, Herb J. Wesson, Jr. and Paul Koretz (respectively, co-sponsors and
second of "Short Term Rentals" Motion in CF-14-1635-S2)
Los Angeles City Hall, 200 North Spring Street, Los Angeles, CA 90012

Via Email

✓
Re: *OPPOSED - CF 14-1635-S2, "Short-Term Rentals / Transient Occupancy Tax / City's Affordable Housing Trust Fund" Motion*

Honorable Councilmembers:

Pacific Palisades Community Council (PPCC) is the most broad-based community organization and the voice of the Palisades since 1973. As explained in PPCC's letter of September 28, 2015 (on file in the above-referenced Council File), PPCC opposes the Motion by Councilmembers Bonin and Wesson and opposes any change in the current zoning laws regarding short-term rentals.

PPCC now understands that an ordinance is being drafted that would legalize short-term rentals in residential zones. In light of this fact, at its regular meeting on October 22, 2015 PPCC's board passed the motion attached to this letter (recommended to all member councils by the leadership of the Westside Regional Alliance of Councils, as amended by PPCC – "WRAC-Recommended Motion"). PPCC remains strongly opposed to legalization of short-term rentals and emphasizes that any ordinance now being drafted must, *at a minimum*, include language to effectuate all of the regulatory measures set forth in the WRAC-Recommended Motion.

We reiterate the position expressed in our letter of September 28: PPCC is extremely concerned about an increasing assault on low-density and in particular R-1 zoning by regulation and planning measures which erode traditional protections long relied-upon by homeowners. With respect and great urgency, we request that instead of legalizing short-term rentals, *the City should take firm steps to enforce existing law.*

Sincerely,

Christina Spitz
President
Pacific Palisades Community Council

Attachment: WRAC-Recommended Short Term Rentals Motion (as amended by PPCC), adopted 10/22/15

CC's (via email):

Hon. Eric Garcetti, Mayor, City of Los Angeles
Michael LoGrande, Director of Planning, Department of City Planning
Tom Rothmann, Senior City Planner, Department of City Planning
Raymond Chan, General Manager, Department of Building & Safety
Lincoln Lee, Chief, Code Enforcement Bureau, Department of Building & Safety
Larry Galstian, Chief, Inspection Bureau, Department of Building & Safety
David Lara, Assistant Chief, Inspection Bureau, Department of Building & Safety
Sharon Dickinson, Legislative Assistant, City Council PLUM Committee –
with request for filing in CF 14-1635-S2

WRAC-RECOMMENDED SHORT TERM RENTALS MOTION (AS AMENDED BY PPCC)

Whereas under the City of Los Angeles present zoning code, short term rentals [defined per the attached Alan Bell memo dated 4-19-2014 as “all or any portions of residential buildings that are designed or used for occupancy for a period of 30 calendar days or less”] are in fact prohibited in the following zones:

- Agricultural zones
- R1 and other single family zones
- R2, RD, lower multiple residential zones R3 and RAS3 [accessory services zone]

Pacific Palisades Community Council (PPCC) strongly opposes short-term rentals in all residentially zoned areas. PPCC understands, however, that efforts to draft an ordinance to legalize short-term rentals are underway. Such drafting must include, at minimum, language to effectuate the following:

- No rent stabilized units “RSO” shall be allowed to rent short term.
- Only owner-occupied primary residences shall be permitted to host for short term rentals, and only one unit shall be permitted per host.
- There shall be a cap of 30 nights per calendar year per host for short term rentals.
- Prior to listing, at their own expense hosts shall be responsible for verifying that their properties comply with the Los Angeles Building and Safety code and for making all necessary repairs.
- All hosts shall obtain a City permit and a permanent registration number. The condition of receiving a City permit and permanent registration number shall be the following: proof of primary residence plus liability insurance for this specific use including any rider that may be necessary for a non-conforming use on the property. “Primary residence” shall be defined as the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver license, voter registration, tax documents showing the unit as the host’s residence for the purposes of a homeowner’s tax exemption, or a utility bill. A person may have only one primary residence.
- Upon filing for a short term rentals permit, hosts shall notify property owners within 500 feet of each property line of the land upon which the unit is located.
- All hosts shall include their permanent City registration number on all advertised listings in all media.
- All hosts shall register with the City Department of Finance and remit transient occupancy taxes “TOT” including any and all back taxes owed. Short term rental TOT receipts shall not go into the general fund but shall be used to create a special enforcement/compliance unit charged exclusively with enforcing regulation of short term rentals. An example of this kind of compliance unit is the LAHD inspection program for multifamily units.
- Hosts shall be required to pay those who work to enable the hosts’ short term rentals the City’s legal minimum wage, abide by hotel employee protections and register with the State Employment Development Department.
- Hosts shall disclose such information as the City deems required for enforcement. Examples of this information shall include the type of rental whether one room or whole house, how many nights per year, how many guests and the like.
- Hosts who refuse to register or disclose information necessary for enforcement shall be prohibited from operating in the City and face such penalties and fines as may be deemed appropriate by the City under the new ordinance.
- Platforms shall only list City registered units and display the relevant registration number in each listing.

- Platforms shall disclose information deemed necessary by the City for enforcement and for collection of back taxes and shall be held accountable, including fines and other penalties as may be deemed appropriate by the City, for any unregistered online listings appearing upon the platforms' website.
- The ordinance shall establish a right of appeal by adversely affected residents of the issuance of a short term rental permit.
- The ordinance shall establish a private right of action by adversely affected residents in the community.

Adopted by Pacific Palisades Community Council as of 10/22/15