

Attachment F

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From: [Beretti, Melanie x5285](#)
To: [194-RMAComments: Magana, Sophia x5305](#)
Subject: FW: Major news: Coastal Commission OKs Laguna Beach ban on new short-term rentals in residential zones -
Date: Wednesday, October 28, 2020 3:52:25 PM
Attachments: [Coastal Commission OKs Laguna Beach ban on new short-term rentals in residential zones - Laguna Beach Local News.pdf](#)

From: Robert Danziger <bobdanziger@mac.com>
Sent: Monday, October 19, 2020 10:27 AM
To: Beretti, Melanie x5285 <BerettiM@co.monterey.ca.us>; Holm, Carl P. x5103 <HolmCP@co.monterey.ca.us>; Dugan, John x6654 <DuganJ@co.monterey.ca.us>; Anderson, Yuri <AndersonY@co.monterey.ca.us>; Supervisor Mary Adams <maryadams2016@gmail.com>; Kate Daniels <daniels.kate@gmail.com>; Martha Diehl <mvdiehl@mindspring.com>
Subject: Major news: Coastal Commission OKs Laguna Beach ban on new short-term rentals in residential zones -

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Please add to the record. Obviously this changes the picture dramatically.

Coastal Commission OKs Laguna Beach ban on new short-term rentals in residential zones - Laguna Beach Local News

<https://www.lagunabeachindy.com/coastal-commission-oks-laguna-beach-ban-on-new-short-term-rentals-in-residential-zones/>

Coastal Commission OKs Laguna Beach ban on short-term rentals in residential zones

By **Daniel Langhorne** - October 7, 2020

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An aerial overview of North Laguna. Photo by Daniel Langhorne

The California Coastal Commission unanimously approved Laguna Beach's new plan to regulate short-term rental units in residential-zoned neighborhoods, at its virtual meeting on Wednesday.

The Commission's decision effectively concentrates the conversion of residences into short-term rentals in designated districts. This would provide relief to some residents who fear a proliferation of commercial ventures in neighborhoods, parties, parking shortages, and trash.

Mayor Bob Whalen said in a statement Wednesday night that city leadership is very gratified by the Coastal Commission's approval today of the short-term lodging ordinance.

"This culminates years of public hearings and work by City staff," Whalen wrote. "I believe the result, which regulates short-term lodging in residential zones, is strongly supported by our residents who value greatly the peace and quiet that helps to preserve our long-term rental housing supply and protects residents who are renting units in the area from the impact of short-term lodging. This is a very positive outcome for our city."

Laguna Beach currently has 117 short-term lodging units currently operating in the city limits, including of these units will be allowed to continue operations.

Following the Coastal Commission's approval on Wednesday, Laguna Beach could allow up to 465 short-term home sharing units and 165 home-share units.

The amendment also allows existing residential units that don't conform to city development standards, zoned districts to be converted into short-term lodging, except for units restricted by covenant.

The Coastal Commission has taken the position in recent years that short-term rentals are an essential commodity—especially to families who can't afford a traditional hotel room. Some local advocates have pushed back, saying Beach rentals actually cater to wealthier customers.

"Us as an aggregated group tends to have a higher income than the rest of the state," Commissioner Mikalynne says. "Understand that shared homes—even in the early days or AirBnb with couches—do allow people who can't afford a hotel room to afford a place to stay."

Carl Kikerpill, a Laguna Beach resident and co-founder of Home Share 4 Laguna, said he was disappointed that the city rejected a simple solution presented by aspiring hosts.

"It's going to limit the amount of families that are going to be able to come to Laguna Beach and visit," Kikerpill says. "Our proposal is a much more reasonable approach than allowing new buildings in the commercial zones for short-term rentals."

Home Share 4 Laguna had hoped to allow Laguna Beach homeowners to rent their primary residence when they're out of town, but that they'd be very careful about who they rent it to.

"For some people, the only ways they can afford their home is to rent it out in the summer," he said.

The Commission's decision lands at a time when Laguna Beach and other Orange County cities are pushing for a regional housing allocation benchmark set by the Southern California Association of Governments (SCAG).

Commissioner Katie Rice asked Marc Wiener, community development director for Laguna Beach, if the ban on short-term rentals would have any impact on the city's Regional Housing Needs Allocation. Wiener said SCAG officials are working on that at this time.

"We want to make sure that any units that are converted don't end up with a vested right to be a short-term rental," Rice said.

As a condition of approval, city officials must report back to the Commission in three years to revisit the study whether the new units are contributing to the loss of lower-cost hotel and motel rooms or affordable housing.

This story is developing and will be updated as necessary.

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- **Libelous language, whether or not the writer knows what they're saying is false.**

We require users to provide their true full name, including first and last names, as a condition right to change this policy based on future developments.

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Daniel Langhorne

From: vtorcolini@aol.com
To: [194-RMAComments](#); vtorcolini@aol.com
Subject: Comment for Supervisors" Public Hearing Nov. 17,2020
Date: Friday, November 6, 2020 7:20:10 PM
Attachments: [str comments. 11.17.2020.docx](#)

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Dear Ms. Beretti,

At your earliest convenience,
please forward copies of this attached letter
to each of the County Supervisors for their review prior to the Nov. 17 hearing.

Thank you for your time and efforts on this matter.

Sincerely,
Victoria Torcolini

High Meadow Development
Carmel, CA 93923.

From: [Beretti, Melanie x5285](#)
To: [194-RMAComments](#)
Subject: Fwd: Nov 17 Supervisors Meeting letter
Date: Monday, November 9, 2020 7:54:01 AM
Attachments: [str comments. 11.17.2020.docx](#)

From: vtorcolini@aol.com

Date: November 8, 2020 at 10:05:30 PST
To: vtorcolini@aol.com, "Beretti, Melanie x5285"
<BerettiM@co.monterey.ca.us>
Subject: Fwd: Nov 17 Supervisors Meeting letter
Reply-To: vtorcolini@aol.com

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Hello Ms. Beretti,

Attached is the Word doc letter I sent to you via hard copy on Friday, requesting you to forward it to the 5 Supervisors both via email and hard copy.

At this time, I plan to obtain the ZOOM meeting information link and attend the meeting on Nov 17, but if I am unable to do so, these letters should get to the Supervisors as testimonial evidence.

My understanding is that these letter go into testimonial evidence and only what is covered in testimony at the Nov 17 meeting will be permitted in future litigation.

If this is incorrect, please contact me at this email or (831) 620-5108.

Stay well and thank you for your time and consideration,

Victoria Torcolini

November 7, 2020

Re: Direction on the Draft Ordinances prior to environmental review at the November 17, 2020 Hearing on Short- term/ Vacation Rentals in unincorporated Monterey County

Dear Monterey County Supervisors,

I am writing to you today as the Board President of High Meadow HOA #2 and as the Sec./Treas. Board Member of High Meadow HOA #1. Our neighborhood consists of 232 homeowners who collaborate with adjacent Rancho Mar Monte and Eastfield developments for a total of 314 single-family residences in unincorporated Carmel.

On November 17, the Board of Supervisors will consider a recommendation to modify/ amend Monterey County Code [MCC] to include but not be limited to TITLE 21 [INLAND ZONING] including amending Section 21.64.280 [Administrative permits for transient use of residential property for remuneration], adding section 21.64.290 [Regulations for Vacation rentals], and amending other sections of Title 21 in relation to vacation rentals.

Presently, our High Meadow neighborhood has short term rental homeowners who are carrying on illegal transient businesses that impact the other residents. Many homeowners are senior citizens and second-generation families who have been in their residential homes for thirty, forty and fifty years.

ENVIRONMENTAL IMPACT: The purpose of this communication is to urge you to oppose the expansion of Ordinance 21 in the unincorporated areas of Monterey County due to the excessive and unconscionable impact these modifications will have on the character, intensity, and safety of unique neighborhoods.

Permitting broader exceptions will unreasonably open up our neighborhoods to more transient occupancy of less than 30 days, violating the zoning laws that the present homeowners intentionally relied upon when they purchased their residential properties

In pertinent part, there are three (3) major recommendations before the Board of Supervisors:

1. "follow the lead" - align the unincorporated County to the narrow interpretations voted in by Pacific Grove, Pebble Beach, Carmel-by-the-Sea, Carmel Highlands, and Big Sur.

2. "Open up" the unincorporated areas of Monterey County to full-blown transient business occupancy. This basically takes on the environmental impacts that the communities in 1 above did not want and were able to deflect/ eliminate.

3. permit a "permanent resident" to "homestay" – to rent out short term rental/ vacation rooms in the residential home.

Our neighbors are strongly opposed to "permanent residents". This is a serious issue and a disguise for a full-fledged transient business [2], because "permanent resident" is another term for a managing tenant running an Airbnb or VRBO for an absentee homeowner. At the very least, "permanent resident" must read "PROPERTY OWNER".

We urge you to consider the severe environmental impacts of:

- Discontinuing to honor/ the individual neighborhood CC&R's and governing restrictions in unincorporated communities that have existing homeowners' association restrictions or outright prohibition on short-term rentals,
- Ignoring issues of safety, traffic, and other nuisances created by chronic transient occupancies in a residential neighborhood, and
- Ignoring zoning violations when, in the past twelve years, homes are purchased with the specific intent of a transient business operation, such as Airbnb and VRBO short-term/vacation rentals in a residentially zoned neighborhood that prohibits business activity. [Real estate agents often ignore a legal duty to disclose CC&R's that prohibit such activity].

REGULATION AND ENFORCEMENT issues can be mitigated by:

1) DIRECT EVIDENCE- Advertisements on Airbnb, VRBO, and other publications as short-term/vacation rentals of less than 30 days are evidence per se (defacto) of STR violations.

2) JUDICIAL REVIEW - County violations may fall under the jurisdiction of the district attorney's office due to

- a. a violation of Ordinance 21 and/or
- b. intentional failure to pay transient taxes [tax fraud]. As is presently stated online, *paying a transient tax without a short-term rental permit does not pardon the violating owner.*

In conclusion, we urge you to keep the status quo - keep Monterey County Ordinance 21 "as is."

Sincerely,

Victoria Torcolini