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ITEM NO. M.1

September 17, 2012

REC'D SEP 18 2012

City Council, City of Dana Point
Doug Chotkevys, City Manager
Kyle Butterwick, Director of Community Development
Christy Teague, Economic Development Manager

CAPISTRANO BAY DISTRICT - DON RUSSELL MANAGER

Re: Short Term Vacation Rentals

Dear Honorable Mayor Laura Anderson and Council Members:

I am writing to you to urge the council to take the necessary steps to enforce our city zoning ordinance, which prohibits short term vacation rentals in our residential neighborhoods.

As a 35 year resident of our community we have had to endure this activity next door to us for over the past eight years.

I believe that your planning commission has failed to assess the true nature of this activity in residential neighborhoods. In 2009 the council asked them to consider the "appropriateness of short term vacation rentals in residential neighborhoods."

I do not think they understood just how degrading it is to the residents' quality of life. You need to realize that the greatest harm is done to those residents who live next door or in the immediate area.

From our experience, I will tell you that the activity is not compatible, nor is it appropriate in any way, in our residential communities. Our city founders and their professional planners were correct in providing separation of this activity from our residential properties.

It is troubling to see that after more than five years city input on the issue, the practice continues and is expanding. Your staff identified some 226 properties which actively advertise as short term vacation rentals. This represents a 70% increase in the number of properties engaged in this illegal activity.

In our very small community we have approximately 50 properties out of 190+ lots. This intense commercial use strains our resources and is difficult to deal with.

Our property manager and his staff are forced to act as processing agents for all of the vacation rentals and their guests. They then must deal with all of the issues that they bring to our private community. If you add up the number of renters that we could accommodate it would fill a 250 room hotel at double occupancy. They generate so much trash that we currently provide a second weekly trash pick up for those properties engaged in Vacation Rentals.

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I would like to respectfully suggest to council that if you surveyed those residents in the immediate area of the commercial use you would get a more accurate picture of just how degrading to our quality of life this activity really is.

The fact that 76% of the residents surveyed were not aware of the city's zoning code that prohibits short term vacation rental properties in residential areas suggests that the study may not have been effective in gauging the real damage that is done by this commercial activity in our residential neighborhoods.

One final element of this issue, which has received little note, is our hotel industry. They have come to Dana Point and invested millions of dollars and they provide our visitors with the finest array of accommodations available. I know you all cherish their commitment to our city and I trust you will act to support their industry.

I do not believe that the city should be engaged in activity that would collect TOT taxes in our residential communities.

I would like to thank the council and all of the city's staff who has expended much time and effort on the issue. I appreciate all of the input that has been provided and I thank you for your consideration.

Sincerely,



Charles Hoose