

RECEIVED ON: July 23, 2024

From: [Marilyn Avila](#)
To: [WebMail - CCD](#)
Subject: City Council Mtg. 7/23/24 - #14.A - Short Term Rentals
Date: Tuesday, July 23, 2024 1:54:20 PM

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Mayor & City Council Members,

At the October 10, 2023 meeting, the city manager stated that being a resident of Whittier satisfies the primary residence only requirement to operate short term rentals. This does not satisfy the “primary residence only” requirement. Primary residence only means that the property where the STR takes place is the primary residence of the owner. It is the legal address for tax returns, US Postal Service, driver’s license, voter and vehicle registration. The owner lives there for 183 days or more a year. This is the only home the owner can rent out as a short term rental. This meets the requirement for a “primary residence only” short term rental.

Solely being a resident of the city of Whittier should not establish the right to own “non-primary residence” short term rental businesses in R-1 zones. “Non-primary residence” short term rental means that the property where the STR takes place is either a secondary residence or an investment property whose sole purpose is that of a short term rental business in an R-1 zone. Instead of having outside commercial investors ruining our residential neighborhoods with non-primary residence STR’s, you propose to permit our own Whittier neighbors to have non-primary residence STR’s. This is exactly the same problem with different owners damaging our good quality of life.

The City Council approves of collecting a 10% Transient Occupancy Tax on non-primary residence short term rentals in R-1 zones where they are not permitted. R-1 zones were never meant to include motel or hotel-like commercial businesses. “Non-primary residence” STR’s are prohibited by omission from the R-1 zone code permitted uses list. Our existing R-1 zone code needs to be enforced.

Money is not an entitlement that gives people the right to ruin other people’s lives just so they can enrich themselves. We do not want our peaceful, enjoyable residential home life sacrificed so that Whittier residents can operate non-primary residence short term rental businesses in our R-1 zones.

Whittier residents can own and operate long term rentals and still make money without ruining their neighbors’ quality of life. STR’s cannot comply with a good neighbor policy. Their mere presence ruins a neighborhood’s peaceful quality of life and right of quiet enjoyment.

The City Council is obligated to serve and protect the welfare of our residential neighborhoods. Do so by drafting the “primary residence only” requirement onto the short term rental ordinance and begin to enforce the R-1 zone code permitted uses list as it is currently written. Our R-1 zone code permitted uses list prohibits by omission “non-primary residence” short term rentals, no matter who the owners are.

Thank you.

Leonard Avila

CC: CM; ACM; CA; Council; Original to CC; Public Binder; Department