RECEIVED ON: October 20, 2025
Council Meeting: 10/28/2025
Agenda Item No: 6

David Brent Miller Jr.
15714 Yermo St.
Whittier, CA 90603

October 20, 2025

Re: Zoning Amendment No. ZCA24-0003 (Short-term Rental Regulations).

Planning Commission
City of Whittier, California
13230 Penn Street
Whittier, CA 90602

Dear City of Whittier Planning Commission, City Council, and Staff,

I am a City of Whittier resident with extended family that operate a short-term rental property in Whittier. For the reasons discussed below, this letter respectfully requests reconsideration of subpart five of proposed Zoning Code Amendment No. ZCA24-0003 (Short-term Rental Regulations), which outlines the short-term rental requirement that "[t]he minimum number of days per stay shall be seven." Originally proposed at two days, increasing the minimum stay requirement to seven days came by direction of City Council, at the October 10, 2023, meeting.

Review of the October 10, 2023, minutes and other city resources show City Council adopted the seven-day minimum stay requirement concurrently with other requirements as part of a comprehensive regulatory framework of generalized solutions to the various difficulties presented by short-term rentals. Importantly, the October 10, 2023, minutes reveal that the seven-day minimum stay requirement was adopted without an attendant discussion of the likely effects of such a requirement on key stakeholders. Indeed, a seven-day minimum stay requirement was adopted without reference to the average number of days short-term rental guests stay within the City of Whittier, among other Whittier-specific data. This omission is notable as Whittier-specific data is readably available and easily accessible as short-term rental platforms, among others, have and continue to provide short-term rental data specific to the City of Whittier. Accordingly, a demonstratable need exists to collect and analyze data on the foreseeable loss of business a seven-day minimum stay requirement might pose to key short-term rental stakeholders.

Even more, a seven-day minimum stay requirement is likely to have tax implications for those who rely on short-term rental income. Specifically, as outlined in IRS Section 469, short-term rental hosts may reduce taxable rental income by using property-related losses to offset earned (as opposed to passive) income where the average guest stay is seven days or less. Here, the adopted seven-day minimum stay requirement will effectively mandate an average guest stay exceeding seven days; consequently, property-related losses would be deductible only from other passive income sources. The inability to deduct losses against earned income has the strong potential to effect economic consequences for those who have already advocated to the city the necessity of short-term rental income to maintain home affordability. Consequently, reconsideration of the adopted seven-day minimum stay requirement to discuss the economic effects of such regulation is needed.

Like others, I appreciate the careful deliberations of all stakeholders in the consideration of an ordinance that balances short-term rental concerns with the preservation of community benefits derived from such platforms. Thank you for your time and consideration of this issue.

Respectfully,

David Brent Miller Jr.

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