December 28, 2025

City of Whittier

Mayor and Council Members via ccd@cityofwhittier.org COPY ATTACHED AS PDF.

RE: Short-Term Residential Rental Ordinance- Zoning Code Amendment No. ZCA24-0003

Dear Mayor and Council Members:

The City Council sent a draft zoning code amendment ("ZCA") to the Planning Commission ("PC") that included numerous findings based on staff recommendations and public comment. The ZCA would allow Short Term Rentals (STRs) in the parts of Whittier that are not in Fire Hazard Zones, with some conditions.

At the PC meeting on November 3, which we attended, there were numerous public comments from people supporting the ZCA and people who wanted modifications. To my recollection, at that time no one suggested ignoring the new fire map, as apparently happened at your December 9 meeting. There were comments at the PC meeting about allowing STRs when the property owner lived on the property concurrently with the renter (i.e., "hosted"), but the PC chose not to make that recommendation. While we would have preferred to have the ZCA sent back to you as-is, we felt we could live with the recommendations the PC made.

Since public comments are no longer available on the City website after the fact, we are unable to specifically address anything that was said at the December 9 meeting. Someone who did attend told us that the people who are currently operating STRs in Whittier showed up in force and wanted a range of changes to weaken the ZCA, while relatively few people who supported the ZCA as modified by the PC showed up. Please do not mistake the lack of attendance at that meeting for lack of concern. Speaking for ourselves, we felt that the City Council had provided guidance to the PC via its findings, that both sides of the issue had been heard, and that the commissioners decided to follow the guidance you gave them.

We were able to review all the comments posted to the City website as of the date of this letter. Again, most of the letters are from people who want the ZCA weakened. At first glance, there appear to be a lot but on closer inspection there are multiple letters from the same people and additional letters from family members, up to 5 from one family, making it seem like there is more opposition than there really is. To our reading, only 2 writers advocate allowing STRs without restrictions. Among the rest, almost all acknowledge the need for regulation of STRs in Fire Hazard Zones and all seek a carve-out for the particular circumstances of their property, e.g., hosted, allowing multiple permits per owner, lowering the distance between STRs, etc. Granting these exceptions would gut the ZCA.

The most common request is for delay. This would be laughable except is seems the STR operators are serious. This process has been going on for almost 3 years and rather than engage with it from the outset, they want to swoop in after the ordinance is drafted and stall implementation. Where have these people been? For almost 3 years those of us who want this Ordinance out of concern for our personal safety and that of our neighborhoods have had open meetings with our council members, met with staff, and attended Council and Planning Commission meetings all along the way. People with opposing viewpoints could have joined the process at any time, but they didn’t. Now that the destination is in sight they want you to change course. Don’t do it.

A repeated request by the STR operators asks the City Council to "grandfather" existing STRs, including those in Fire Hazard Zones and those that would violate either the restriction on owning multiple STRs, the distance between STRs, or both. That argument has been laid to rest. Simply put, the accepted definition of "grandfathering" is: a section of a law, regulation, or other legal document that limits how changes will be applied **to legal relations and activities existing prior to the change**. (Emphasis mine). Since STRs are a commercial use not enumerated as permitted in the R-1 zoning code they have never been legal in R-1 zones. As such, there is nothing to "grandfather". People who, knowingly or otherwise, violated the zoning code should not be given additional consideration or preference once there is a path to permitting the use.

We draw your attention back to the language in the proposed ordinance:

"WHEREAS, the City Council finds that requiring licensing and establishing standards for the operation of short-term rentals will address the negative impacts associated with these businesses and that **this Ordinance is necessary for the preservation of the public health, safety and welfare of the community**;" (emphasis mine).

We urge you not to dilute the regulations set forth in the draft Zoning Code Amendment. Doing so would jeopardize the stated objectives of the ZCA.

The arguments of those who want you to relax the conditions for operating a STR in the City are almost entirely economic and show no concern for "the preservation of the public health, safety and welfare of the community". The arguments fall into 2 general categories: (1) the conditions would deprive them of the economic use of their property; and (2) the existence of STRs benefits the City economy at large. Both arguments are specious at best.

With regard to (1), I visited the website airbnb.com in November and searched for a 4 night rental for 2 adults and 2 children in Whittier. I was offered 6 choices with an average cost of $335 per night. This is roughly 3 times the daily rate for traditional or long term rentals so it is easy to see that STR operators mostly want to preserve their cash cows. But they fail to mention the alternative of renting long term which could provide a commensurate return, depending on how many nights per month the STR is occupied and considering the less frequent turnover of long term tenancies. All of the properties listed on airbnb.com were "unhosted" and are therefore investment properties for tax purposes. That means if the owners want to have STRs, they could do so in cities with more favorable or no regulations. They could complete a tax deferred exchange and, as the name implies, defer payment of capital gains taxes.

With regard to (2), the letter writers would have you believe that STRs are economic powerhouses, driving commerce into the City. When a residence is used as an STR, the transient (2 day?) occupants may or may not have meals in the City and may or may not buy gas. That's about it. The owner may clean the residence between occupants themselves (generating no new commerce) or they may hire individuals or companies to do so. If they hire the job out, there is no reason to believe that the hired individuals or companies will be based in Whittier, or that the cleaning supplies will be purchased in Whittier, or that the workers will live in Whittier, or that they will spend any money while working.

There is a severe housing shortage and each unhosted STR reduces the housing supply. There is no community housing benefit.

Instead of transients (who the STR operators want you allow to stay in Whittier for as little as 2 days), if the residence is occupied by a long term tenant or owner, there are both tangible and intangible benefits to the community. People who live in Whittier will shop here for food, clothing, necessities,

and incidentals. Over months and years of residency they will vote, patronize local restaurants, dry cleaners, barbers and hair salons, pharmacies, fitness clubs, etc. Their children will attend local schools, join sports teams, scouts, the YMCA, and use the public library. Long term residents become part of Whittier and will call it “home”.

As noted in the Ordinance, STR tenants cause “. . . many disturbances to the residents of the City, including noise, increased traffic, parking problems, litter, excessive trash, police response to party complaints and public indecency”. The ZCA goes on to say, “these disturbances have a tendency to deteriorate the neighborhood characteristics”. Recall Romero Investments and Summit Drive. Such occurrences may be infrequent but when they happen they can be dire, damaging to the community, and take a long time and a lot of resources to resolve.

We live at the foot of Hellman Park in the High Fire Hazard Severity Zone. From years of experience with fireworks being set off in Starlight Estates (and not just leading up to Independence Day), we know that STRs are an existential threat to our lives and our property. It is within the City's power to protect the people and property located in the Fire Hazard Zones and you should do so. In your own words, "this Ordinance is necessary for the preservation of the public health, safety and welfare of the community”. If, for some reason we cannot imagine, the Council decides to delay or postpone implementation of the full ZCA, we urgently ask that you immediately enact at least the portions of the ZCA that apply to Fire Hazard Zone neighborhoods and get those on the books ASAP. **The recent rain means that the hillsides will be covered in dry brush come summer.**

In conclusion, many of those who want you to water down the Ordinance show little regard for the law, their neighbors, or the community. Don’t risk what happened in Eaton Canyon and Pacific Palisades happening in Whittier. Don’t leave the door open to another Summit Drive situation. Don’t let those who put safety and community last rewrite the proposed Zoning Code Amendment. Whittier needs the Council to enact this ZCA immediately to protect its residents.

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