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# Short-Term Rentals Zoning Amendments Urgency Ordinance and Renewal Fee Adoption

**City Council**

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## **Short Term Rentals Urgency Ordinance**

- Set a maximum number of non-hosted Short-Term Rental (STR) Permits to be issued citywide
- Clarify that enforcement penalties apply to permit holders and operators in good standing

## **Fee Resolution**

- Establish a STR Permit annual renewal fee

# What is a Short-Term Rental

Rental of a private residence for 30 days or less



**Hosted STR:** Rental of a bedroom within a dwelling unit, where the property owner remains in residence during the STR period.

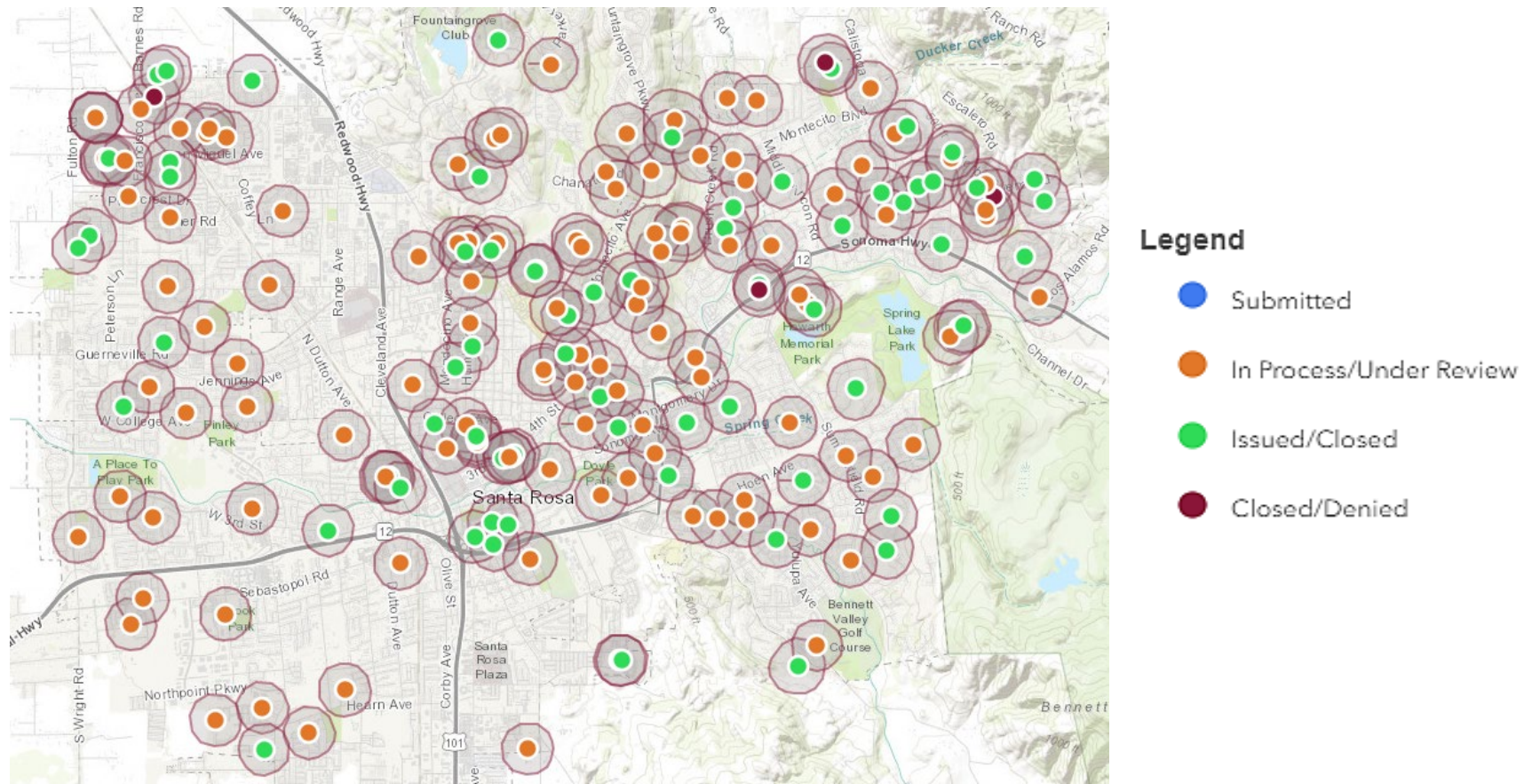


**Non-Hosted STR:** Property owner is not in residence during the STR period.

- **Prior to 10/13/21** - No regulations for STRs, other than prohibiting accessory dwelling units, with more than 350 STRs (estimate) operating in the City
- **8/10/21 and 9/14/21** - Economic Development Subcommittee directed staff to regulate STRs
- **10/13/21** - City Council adopted Ordinance No. ORD 2021-011 to add Chapter 20-48, Short-Term Rentals to the Zoning Code

- **5/17/22 - Economic Development Subcommittee:**
  - Allow the City to impose penalties against “operators in good standing” to address increased complaints; and
  - Stop accepting new applications for non-hosted STRs and focus on processing of pending applications; and
  - Establish a process for renewal of annual permits.
- **As of 7/1/22:**
  - 273 STR Applications submitted (205 non-hosted, 68 hosted)
  - 136 STR related complaints received (73 open Code Enforcement cases, and 42 cases closed)

# Non-Hosted Short-Term Rentals - Locations



<https://ws.srcity.org/PWMaps/PermitSearch.aspx?STR=1>

# Proposed Amendment

## Maximum Number of Non-Hosted STRs

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### Section 20-48.040(A), Permit required:

1. Hosted short-term rental. Hosted short-term rentals are allowed with a Short-Term Rental Permit in all City zoning districts.
2. Non-hosted short-term rentals are allowed with a Short-Term Rental Permit in the Core Mixed Use (CMU), Station Mixed Use (SMU), Maker Mixed Use (MMU), and Neighborhood Mixed Use (NMU), Rural Residential (RR), Single Family Dwelling (R-1), Residential Planned Development (PD) where not explicitly prohibited, Medium Density Multi-Family Residential (R-2), Multi-Family Residential (R-3), Transit Village Residential (TV-R), Office Commercial (CO), Neighborhood Commercial (CN), Community Shopping Center (CSC), General Commercial (CG), and Transit Village-Mixed (TVM) zoning districts. Non-hosted short-term rentals are prohibited in all other zoning districts.
  - a. The maximum number of Short-Term Rental Permits issued, at any one time, for non-hosted short-term rentals shall be 215 citywide.

# Proposed Amendment Enforcement – Table 48.1

<b><u>Enforcement Penalties</u></b>		
<b>First Violation</b>	<b>Second Violation within one year</b>	<b>Third Violation within one year</b>
\$500.00 and education	\$1,000.00	\$2,000 and permit revocation <u>or revocation of operator in good standing status. The result of operator in good standing revocation shall be the same as denial of an STR Application which is that the operator is no longer an operator in good standing and shall immediately cease renting, offering, or advertising the short-term rental pursuant to Section 20-48.040(B)(1)(b).</u>



# Urgency Ordinance Guidelines

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- Government Code Section 36937(b) allows an ordinance to take effect immediately, if it is an ordinance for the immediate preservation of public peace, health or safety and it contains a declaration of the facts constituting the urgency.
- Section 8 of the Santa Rosa City Charter authorizes the City Council to adopt an urgency measure to take effect immediately upon its adoption if necessary to preserve the public peace, health or safety if such ordinance contains the reasons for its urgency.
- **Requires a 5/7 Council vote for adoption**

# Proposed Renewal Fee Resolution

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- STR permits are valid for one-year with no renewal fee adopted
- Recommending a fee to reflect staff time to review request
- Where re-noticing is required, fees shall be determined by the Director based on staff time involved associated with the public notice and postage (pursuant to the City of Santa Rosa Fee Schedule, Planning Applications Fees procedure for where no fee is specified)

# California Environmental Quality Act

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- Not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c) - The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
- Not a project as defined in CEQA Guidelines section 15378, as it has no potential for resulting in physical change to the environment, directly or indirectly.
- Exempt under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that this Ordinance or its implementation would have a significant effect on the environment.

### **Continue to:**

- Process All Existing STR Permit Applications
- Process Existing and New Hosted STR Permit Applications
- Evaluate Code Complaints
- Resolve Open Code Enforcement Cases

### **Initiate:**

- Community Engagement
- Additional Amendments as Necessary

## Recommendation

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It is recommended by the Planning and Economic Development Department that the Council:

- 1) adopt an urgency ordinance to amend Title 20 of the Zoning Code, Chapter 20-48, Short-Term Rentals, to set a maximum number of 215 non-hosted Short-Term Rental Permits to be issued citywide and to clarify that enforcement penalties apply to permit holders and operators in good standing; and
- 2) by resolution, assign existing service fees to short-term rental permit renewal applications and authorize the Director of Planning and Economic Development to approve future fee adoptions and changes to the Short-Term Rental Permitting Process.

- Shari Meads, Senior Planner
- Clare Hartman, PED Director
- Jessica Jones, Deputy Director-Planning
- Amy Lyle, Supervising Planner-Advance Planning
- Jesse Oswald, Chief Building Official
- Cassidy Anderson, Senior Code Enforcement Officer
- Paul Lowenthal, Division Chief Fire Marshal
- Ryan Corcoran, Police Captain

Short-Term Rentals webpage:  
[srcity.org/STR](http://srcity.org/STR)

Short-Term Rentals dedicated email address:  
[shorttermrentals@srcity.org](mailto:shorttermrentals@srcity.org)