



City of Santa Rosa

City Hall, Council Chamber
100 Santa Rosa Ave
Santa Rosa, CA

Planning Commission Regular Meeting Minutes - Draft

Thursday, April 27, 2023

4:30 PM

1. CALL TO ORDER AND ROLL CALL

Chair Weeks called the meeting to order at 4:30 p.m.

Present 6 - Chair Karen Weeks, Vice Chair Julian Peterson, Commissioner Vicki Duggan, Commissioner Terrence Sanders, Commissioner Charles Carter, and Commissioner Patti Cisco

Absent 1 - Commissioner Jeffrey Holton

2. APPROVAL OF MINUTES

None.

3. PUBLIC COMMENTS

Duane Dewitt spoke about Extended Stay suites for seniors.

4. COMMISSION BUSINESS

4.1 STATEMENT OF PURPOSE

Chair Weeks read aloud the Statement of Purpose.

4.2 COMMISSIONER REPORTS

None.

4.3 OTHER (i.e. VICE CHAIR ELECTION, NEW MEMBER INTRODUCTIONS)

None.

5. DEPARTMENT REPORTS

Staff Liaison Jones reported.

6. STATEMENTS OF ABSTENTION BY COMMISSIONERS

None.

7. CONSENT ITEM(S)

None.

8. SCHEDULED ITEM(S)

- 8.1* PUBLIC HEARING - LAZZINI'S MARKET TYPE 21 - OFF-SALE ABC LICENSE, EXEMPT PROJECT - CONDITIONAL USE PERMIT - 3449 BENNETT VALLEY RD - CUP22-074

BACKGROUND: Change existing ABC license from a Type 20 (Off-Sale Beer & Wine) to a Type 21 (Off-Sale General) to include the additional sale of distilled spirits for off-site consumption at the existing market. No interior or exterior alterations are proposed.

PROJECT PLANNER: Mike Janusek

Ex Parte Disclosures: None.

Planner Janusek made a presentation.

Chair Weeks opened the public hearing at 4:50 p.m.

Chair Weeks closed the public hearing at 4:51 p.m.

Chair Weeks closed item 8.1, and called a recess at 4:56 p.m.

Chair Weeks reconvened the meeting at 4:58 p.m.

A motion was made by Commissioner Duggan, seconded by Vice Chair Peterson, to waive reading of the text and adopt:

RESOLUTION NO. ENTITLED PC-2023-012: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOL FOR OFF-SITE CONSUMPTION AT THE EXISTING COMMERCIAL BUILDING LOCATED AT 3449 BENNETT VALLEY ROAD, APN NO. 049-260-013, FILE NUMBER CUP22-074

The motion carried by the following vote:

Yes: 6 - Chair Weeks, Vice Chair Peterson, Commissioner Duggan, Commissioner Sanders, Commissioner Carter and Commissioner Cisco

Absent: 1 - Commissioner Holton

8.2* PUBLIC HEARING - SHORT-TERM RENTALS ORDINANCE AMENDMENTS

BACKGROUND: The City's Short-Term Rentals (STR) Ordinance (Ordinance) was adopted on October 13, 2021, with minor amendments subsequently adopted on August 9, 2022, to limit the number of non-hosted STRs within the City and to provide code enforcement regulations. City staff and constituents who have utilized, implemented, or enforced the Ordinance over the past 18 months have identified sections within the Ordinance that would benefit from technical changes to assist in implementation and enforcement. The proposed Zoning Code text amendments (Amendments) include such technical changes and the addition of new and revised definitions and policies that have been informed by prior City Council discussion and public engagement over the past eight months. New policies include: adding unit type restrictions, establishing a maximum number of STR Permits allowed per owner, and adding outdoor lighting standards, trash and recycling facilities restrictions, and water conservation signage requirements. Revisions are also proposed for accessory dwelling unit (ADU) and code enforcement policies.

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, recommend to City Council adoption of Zoning Code text amendments to Title 20 of the Santa Rosa City Code, Chapter 20-48, Short-Term Rentals, to revise and add new definitions and policies, and to incorporate technical changes including reorganization and clarifying language to improve functionality and aid in implementation and enforcement.

PRESENTED BY: Shari Meads

Staff Liaison Jones introduced item 8.2, Short-Term Rental Ordinance Amendments.

Planner Meads made a presentation.

Chair Weeks called a recess at 5:11 p.m.

Chair Weeks reconvened the meeting at 5:16 p.m.

Planner Meads continued her presentation.

Staff responded to Commissioner inquiries.

Chair Weeks called a recess at 6:50 p.m.

Chair Weeks reconvened the meeting at 6:57 p.m.

Chair Weeks opened the public hearing at 6:59 p.m.

Chris Clark explained how short term rentals help Santa Rosa, local businesses, and boost the economy.

Scanda Visvanathan commented in opposition of the 1000 ft. rule for non-hosted rentals and the restrictions of non-hosted rental permits beyond the 198 cap.

Sarah Faulkner spoke in opposition of regulations against short term rentals.

Marsha Shotwell expressed concerns about lack of response to complaints of short term rentals in her neighborhood and potential fires due to fire pits. She requested fire pits not be permitted.

Erich Rail is in opposition of short term rentals and commented on several short term rentals around his property that cause disruption to him, his wife and neighbors.

Gary Lentz explained how short term rentals helped him and his family financially. He is in opposition of the "one home per owner" rule and the fee schedule for miss worded ads. He believes Staff should go after unlicensed short term rental owners. He suggested to Staff that they should be going after the 350 unlicensed short

term rental owners.

Jennifer Cogliandro, a property manager of 7 years, spoke in support of short term rentals and her positive experience as a manager of several properties.

Charles suggested short term rental owners should be allowed to rent out more than 1 property. He explained how renting out his property provided income to help his family and how it is part of his retirement plan.

Pricilla Bale spoke in opposition of short term rentals. She commented on the short term rental behind her house and constant parties. She commented on how her and her neighbors don't feel safe. She believes short terms rentals reduce the economy and the value of homes.

Ed Kinney, a short term rental owner, expressed concerns about short term rentals. He offered statistics and asked questions of Staff. He is pro short term rentals and wants better code enforcement so he can keep operating his short term rental.

Tim Delugo commented on his positive experience as a short term rental owner. He expressed concerns about the 1000 ft. rule for non-hosted short term rentals.

Sheila Lawrence believes both sides are right. She thinks the problem lies with the system, and the amendments make it impossible for short term rental owners to meet those goals. She believes neighbors to short term rentals also deserve a right to peace and quiet.

Marie Piazza spoke in opposition of short term rentals. She believes there are more than enough short term rentals to accommodate visitors. She does not want short term rentals in residential neighborhoods.

Maureen Lindy spoke in opposition of short term rentals and commented on the constant noise and partying of short term rentals in her neighborhood. She commented on the difficulty of doing business in their home with all the noise. She commented on the lack of enforcement to address these issues.

Larry Lapeere, a short term rental owner, offered suggestions to other short term rental owners to better address the noise complaints and parties.

Eric Dietz empathizes with short term rental owners who need the additional income to continue living in Sonoma County however, he is less sympathetic to short term rental owners that generate a greater profit compared to long term rental owners. He believes it is less disruptive to rent out properties long term and it would add to Santa Rosa's housing stock.

Cynthia Hermosillo commented on threats she has received from the public in regards to hosting a short term rental and offered suggestions to City Staff.

Bernadette Burrel is in opposition of non-hosted short term rentals. She commented she has never had an issue with the hosted short term rental in her neighborhood. She commented on lack of enforcement and violations that were dismissed. She advised the City to remove short term rentals in residential neighborhoods.

Rick Abbott spoke in opposition of short term rentals in residential zoning districts. He offered statistics and commented short term rentals are a drain on our economy, not a benefit.

Chris Henty Clark asked to remove the 198 non-hosted short term rental cap and spoke in favor of short term rentals.

Sean Hermosillo spoke in favor of short term rentals and offered suggestions to City Staff. He commented that rights should be taken from short term rental owners who are not following the rules.

Dan Gunino understands concerns of neighbors who are faced with disruptions and commented there is a difference between amateur and professional short term rental management. He made recommendations to City Staff for better enforcement and is in support of short term rentals.

Ted Aanestad wants to find compromise and proposed changes to the short term rental ordinance.

Mike Bryant is in opposition of short term rentals and does not want non hosted short term in residential neighborhoods. He suggested non hosted short term rentals should be permitted in commercial areas only.

Daniel Gill offered statistical data to address short term rental concerns from the public and commented on how he runs his short term rental. He is in support of short term rentals.

David Long spoke in opposition of short term rentals. He believes the short term rental ordinance should increase restrictions for operation in residential neighborhoods.

Joe Romano, a short term rental owner of a large property, spoke in opposition of the short term rental ordinance restrictions.

Vladan Temer spoke in opposition of non hosted short term rentals.

Christopher Cain spoke in opposition of non hosted short term rentals in residential neighborhoods.

Luke Mcgarva spoke in opposition of short term rentals in his neighborhood. He commented on lack of enforcement at night time and the effects transient occupants have in disrupting everyday life.

Jeff Bean, owns a non-hosted short term rental very close to his home. He is in support of short term rentals and commented he

wants peace and quiet too.

Chair Weeks called a recess at 8:09 p.m.

Chair Weeks reconvened the meeting at 8:27 p.m.

Maria Wystalski makes her income from short term rentals and spoke in favor of short term rentals.

Amanda Niegart commented that she wants to see fair legislation of short term rentals. She offered suggestions to City Staff and commented on the stress she feels towards the one permit per person rule. She makes an income off of her short term rentals. She is in support of short term rentals.

Carl Rashad Jaeger, a non hosted short term rental owner, spoke in favor of short term rentals. Short term rental ownership allows him to take care of his parents. He offered suggestions to short term rental owners and City Staff.

Eric Fraser, spoke about his perception that there are defects in the staff presentation and the urgency ordinance. He made a claim of wanting true facts.

Alex commented on the financial benefits short term rentals offer and gave his opinion about previous comments from the public.

Jessica is in support of short term rentals and believes we should limit the restrictions on the short term rental ordinance. She commented on the financial benefit and the increase in revenue for local businesses that short term rentals provide.

Joe Schneider expressed concerns about restrictions on the short term rental ordinance. Believes the 198 cap on non hosted rentals closes the door to financial benefit for owners.

Christianne Gonzales commented her neighbor has 5 short term

rental permits however, she cannot apply. She is disappointed by this restrictions in the short term rental ordinance. She asked questions and offered suggestions to other short term rental owners, the public and City Staff.

Chair Weeks closed the public hearing at 8:46 p.m.

Commissioners provided comments and asked questions of staff.

Staff responded to Commissioner inquiries.

A motion was made by Commissioner Cisco, seconded by Commissioner Duggan, to waive reading of the text and adopt as amended:

RESOLUTION NO. ENTITLED PC-2023-013: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA RECOMMENDING TO CITY COUNCIL THE ADOPTION OF ZONING CODE TEXT AMENDMENTS TO TITLE 20 OF THE SANTA ROSA CITY CODE, CHAPTER 20-48, SHORT-TERM RENTALS, TO REVISE AND ADD NEW DEFINITIONS AND POLICIES, AND TO INCORPORATE TECHNICAL CHANGES TO IMPROVE FUNCTIONALITY AND AID IN IMPLEMENTATION AND ENFORCEMENT; FILE NUMBER REZ23-001

The motion carried by the following vote:

Yes: 4 - Chair Weeks, Commissioner Duggan, Commissioner Carter and Commissioner Cisco

No: 2 - Vice Chair Peterson and Commissioner Sanders

Absent: 1 - Commissioner Holton

9. ADJOURNMENT

Chair Weeks adjourned the meeting at 10:15 p.m.

Approved on:

Lani Buckheit,
Recording Secretary