

Rec'd at Meeting	6/6/23
Item No.	16.1
From	Marakeshia Smith

Below are questions raised by Council Members, along with responses to each: *City Manager*

1. Is my understanding correct that the purpose of this is to revise the urgency ordinance and not to make substantive changes?

*City staff did not have direction to make substantive changes, so yes, the proposed amendments were focused on more technical amendments to provide clarification and ease of administration of the Ordinance.*

2. Presentation Page 7 - After third violation, who determines the status vs fine?

*This is a joint effort between Code Enforcement, Planning, and the City Attorney's Office. A third strike STR with a permit would be referred for revocation. An unpermitted third strike STR would be referred to the City Attorney's Office for legal action (most commonly, a civil injunction would be the first step).*

- a. Is revocation mid-term or only at renewal?

*Revocation efforts commence immediately upon a third violation.*

3. Presentation Page 10 - How are violations tracked?

*Code Enforcement tracks all STR violations through use of software solutions and through other administrative methods.*

- a. Do we have statistics on what justified the violation (e.g. leaving garbage cans out, noise complaint, too many cars, etc.)

*The following table summarizes the subject matter of the complaints received. Please note that many complaints contain multiple subjects, so the total numbers will exceed the total number of cases (which is 309).*

<b>Complaint subject</b>	<b>Number of complaints</b>
<i>Advertisement Violations</i>	<i>274</i>
<i>Excessive Occupants/Guests</i>	<i>39</i>
<i>Noise Violations</i>	<i>22</i>
<i>Nuisance Lighting</i>	<i>9</i>
<i>Trash Can Violations</i>	<i>4</i>
<i>Unpermitted STR</i>	<i>197</i>
<i>Vehicle/Parking Related</i>	<i>19</i>
<i>(Not Confirmed)</i>	<i>129</i>

4. Presentation Page 9 – Do we have statistics on how many non-hosted are full-time as in not used as a primary residence?

*No, the City does not have a mechanism or staff resources to track how many non-hosted STRs are only used during part of the year versus year-round.*

5. Presentation Page 10 - Of the \$100,000 assessed penalties, how much has been collected?

*To date, \$52,000 has been collected, largely cooperatively, through the City's third-party contractor. Where necessary, the contractor refers outstanding fine amounts for processing through California's Franchise Tax Board Interagency Intercept Program, which collects the fines through tax refunds, lottery winnings, or unclaimed property.*

6. Proposed Code Redline.

- a. 20.48.030 F -

Define "consisting solely of". Does that mean trustors, guarantors and successors or trustees or beneficiaries or all?

*The only trusts eligible to own and operate an STR are personal and family trusts in which all beneficiaries are natural persons.*

Define "fractional interests". Is this members of the trust/beneficiaries?

*"Fractional ownership" is the practice where ownership of a home is shared among multiple parties. Fractional ownership can take several different forms. With respect to vacation or second homes, it is commonly structured so that each owner owns a percentage of the home, with an accompanying right to use the home for a corresponding percentage of time each year (e.g. an owner with a 1/8 share would "own" around 45 days per year at the home)." The ordinance does not allow for operation of an STR by a fractional ownership that includes six or more interests.*

- b. 20.48.030 J –

Can someone live in an ADU and rent out the main house and still be considered a "hosted" STR?

*Yes, per the City's definition of "hosted short-term rental", the host must live or sleep in the dwelling unit or live or sleep in another legal dwelling unit on the same parcel throughout the STR period.*

How do we verify residency of "hosted" STRs?

*The host is required to be the person identified by County records as the owner and the City accepts the application information stating that they will be living on site. If the City receives a complaint that the host is not living on site, then Code Enforcement would go through the enforcement process. The STR Permit Application has been updated to*

*require two forms of identification which show the owner lives at the address included on the STR application.*

**c. 20.48.040 B.2.A -**

What was the original staff recommendation on cap?

*The original staff recommendation was 215, which was based on the number of non-hosted STR Permits issued, the number in process, and the anticipated number that might be submitted prior to the 8/9/2022 Council meeting. That number was adjusted to 198 based on the actual number of Permits issued and in process as of 5 p.m. on 8/9/2022. The cap was proposed as a way to put a pause on the number of applications coming in, due to the large volume of applications and limited staff capacity. Council had asked about a moratorium on applications, but by law moratoria apply to prevent issuance of the permit, so the City would still have to accept and process applications. As such, a cap was adopted to allow the City to stop accepting new applications while those in the pipeline continued to be processed. Now that staff is caught up with applications, there may not be a need to continue to keep the cap in place.*

**d. 20.48.040 G –**

If a trust is created for a minor and they turn 18, can they not take hold of the permit? It is then void?

*Upon termination of the trust, the beneficiary of the trust (the minor) may assume the STR permit. The trust has simply held and managed the real property for the benefit of the minor during its pendency.*

*As further explanation, a trust created for a minor will commonly have the minor identified as the sole beneficiary. A trusted adult will be appointed as the trustee to manage the assets during the pendency of the trust. The assets will be transferred to the minor at the date stated in the trust, perhaps at age 18 or other identified age, or perhaps upon a certain event (graduation, marriage, etc.) The transfer of the real property from the trust to the trust's beneficiary will not be deemed a transfer in ownership under section 20.48-48.040 G.*

**e. 20-48.070**

Are there any requirements to notice HOA regulations for things such as trash, parking etc.?

*Not based on the current ordinance. However, there is language on the City's website and on the STR Permit application recommending that property owners check with their HOA to determine if STRs are allowed.*

f. 20-48.070 A.2 –

What is the definition of noise?

*The Santa Rosa City Code does not explicitly define “noise.” The Oxford English dictionary defines “noise” as “Sound; the aggregate of sounds occurring in a particular place or at a particular time; (also) disturbance caused by sounds, discordancy, (in early use) esp. disturbance made by voices; shouting, outcry;” or “A sound of any kind, esp. a loud, harsh, or unpleasant one.”*

g. 20-48.080

Why are there not tiers of fines for various infractions based on severity?

*The current method for establishing fines follows the precedents set by the urgency ordinances. A change to a tier system is something that can be considered if desired by the Council.*

7. 20-48.030 (G) - How do we verify “hosted” and “non-hosted” status? Have heard stories from neighbors of approved “hosted” units where the owner never actually lives there/have never met the owner.

*Property owners must identify on their application if the request is for hosted or non-hosted. If it is hosted, then the floor plan needs to clearly show that there is a room on the property or in the residential unit where the owner would be able to sleep/live (if it is a 4 bedroom house for example, only 3 bedrooms would be able to be used for the STR). Beyond that there is no further verification. Code Enforcement would investigate any complaints of a violation that the host is not living on site.*

8. Section 20-48.040(A)(4)(b) - Prohibition on allowing STR in the ADU/JADU of a hosted STR. Clean up – would also need to clean up 20-48.030 Definitions (G).

*Section 20-48.030(G) clarifies that the host is required to live in the main dwelling unit or another legal dwelling unit on the same property, and that the STR can only be in the main dwelling unit except there allowed in an ADU pursuant to 20-48.040(A)(4)(b) – this section allows ADUs that were issued an STR to be grandfathered in until such time as they do not renew their Permit.*

9. Section 20-48.040(B)(2)(A) - Maximum number of STR permits (non-hosted) at 198. Do we need to change this to accommodate some of the issues around permit renewals? Is the intent a permanent cap?

*As noted in number 6(c) above, the cap was proposed as a way to put a pause on the number of applications coming in due to the large volume of applications and limited staff capacity. Now that staff is caught up with applications, there may not be a need to continue to keep the cap in place*

10. Section 20-48.040(B)(3) - Limit of one non-hosted per person (hosted is Section 20-48.040(B)(1)(c)). What is this trying to accomplish? Do other jurisdictions do this? Can we apply this to non-Santa Rosa residents ONLY – IE, if you live here, you can do more? Need to grandfather in existing multiple permit holders. How does the LLC prohibition work? Can someone control a family trust, made up of many trusts, where each has a permit?

*Limiting the number of non-hosted STRs per owner came up at Economic Development Subcommittee (8/2021) and City Council meeting (10/2021). Council directed staff to bring the idea back with a future amendment package. The purpose of the limitation would be to open up opportunities for more property owners to have a non-hosted STR, particularly if the current cap on the number of non-hosted STRs Citywide is retained. Rohnert Park, Cotati and Healdsburg do not allow non-hosted STRs at all. Petaluma limited them to 90 days. City of Sonoma prohibits them as of 12/4/2017, unless it is an adaptive reuse of a historic structure. The County of Sonoma only allows non-hosted STRs in commercial districts.*

*The current ordinance does not allow properties owned by an LLC. If a property owner wants to do an STR and has the property in an LLC, they have to take it out of the LLC prior to STR Permit approval.*

*If a family trust includes multiple people and the trust owns multiple properties with an STR Permit, under the proposed ordinance language limiting non-hosted STRs to one per person, the trust would need to be revised so that each trust is under one owner name with one STR per trust.*

11. Section 20-48.040(D) - Change to longer permit – two years before renewal if no major issues? How do we currently notify people their renewal is due?

*The ordinance could be amended to extend the Permit time from 12 months to 24 months if the Council wants to make such a change. Council would need to clarify if such a change would apply to Permits moving forward, or if it would be retroactive for Permits that have already expired*

*The City does not currently send notices to Permit holders reminding them that their renewal is due, the Permit document states that it is the responsibility of the property owner to monitor and submit a Renewal application.*

12. Section 20-48.040(E)(1) - How many of the existing 198 STR permits have gone through their first renewal, and how many were not renewed? Why? Why don't we have all permits start on January 1 of each year to keep tracking and compliance easier?

*70 non-hosted STR Permits have submitted a Renewal application. 24 non-hosted STR Permits expired prior to a Renewal application being submitted.*

*If all STR Permits had a single issuance date (such as January 1), there would impact on City staff resources, as it would require processing all Permits at one time. Having issue dates and renewal dates spread throughout the year then spreads the review by staff over the year as well.*

13. Section 20-48.040(H)(1) - Do administrative mistakes (typos in ads, etc) count towards the three strikes to maintain operating in good standing status?

*Any citation resulting from a violation complaint of the STR ordinance would count toward the three citation tier, resulting in revocation of the Permit after the third citation. This includes citations based on errors in advertising.*

14. Section 20-48.040(H)(4) - Another spot to possibly fix renewal issues.

*This section is referring to loss of "operator in good standing" status, and states that if a Renewal application is not submitted prior to the expiration of the issued STR Permit then the operator would lose their "operator in good standing" status. If this status is lost, then the property would be subject to all regulations associated with non-hosted STR permits, including the 1,000 foot separation (per the original Ordinance, if a property owner submitted an application by 12/3/2021 and previously paid TOT, they would be an "operator in good standing" and were not subject to the 1,000 foot distance requirement). If the owner loses their "operator in good standing" status, a new non-hosted Permit may not be possible if the property is within 1,000 feet of another non-hosted.*

15. Section 20-48.040(I)(5) - Are TOT/BIA numbers self reported by the STR owner? Do we verify?

*As part of the application process owners are required to provide their TOT/BIA number that was issued by the City and provide proof of payment.*

16. Section 20-48.040(J) - Why is the appeal body the planning commission? Why not the City Manager or Council?

*Zoning Code Chapter 20-62, Appeals, provides the review authority for decisions made under the Zoning Code. Section 20-62.020(A) states that "a determination or decision by the Director may be appealed to the DRB, CHB, Commission, or Council as applicable to the decision". It was determined that the Director determination for an STR Permit was similar in nature to the Zoning Administrator's determination on a Minor Conditional Use Permit, which is appealable to the Planning Commission. Appeals are required to be public hearings, which would not work at the City Manager level.*

17. 20-48.060 (B) - Why do we care how many daytime guests there are so long as the parking is being adhered to?

*The intent of this section was as another way to limit the potential for events.*

18. 20-48.070(B)(5) - Fire prohibition – remove BBQ/grills from the list. Maintain other open flames/bon fires.

*The proposed amendments, as recommended by the Planning Commission, prohibit all outdoor burning, including barbeques and grills. The Council can consider adding barbeques and grills back into the ordinance. The City's Division Chief Fire Marshal will be*

*at the Council meeting with suggested language should the Council want to add language back into the draft ordinance.*

- 19.** 20-48.080(B) - Fines “shall not apply to a first-time offense of failure to register or pay the City’s Transient Occupancy Tax (TOT) or Santa Rosa Tourism Business Improvement Area (BIA) assessments” – why? We should be more strict on people who don’t apply for a permit or pay their taxes.

*TOT/BIA penalties are also addressed in two other chapters of the Municipal Code (Chapter 3-28 and 6-56). The proposed language in the ordinance addresses TOT/BIA registration requirements and refers back to those sections of the Code.*

**From:** [Ananda Sweet](#)  
**To:** [\\_CityCouncilListPublic](#); [City Council Public Comments](#)  
**Subject:** [EXTERNAL] Short-term Rentals Item 16.1  
**Date:** Monday, June 5, 2023 8:49:38 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Short Term Rentals 2023.pdf](#)

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Good evening Mayor Rogers and Council Members,  
Please see the Santa Rosa Metro Chamber's letter, attached, regarding short-term rentals for tomorrow's public hearing, item 16.1.

Thank you,

Ananda Sweet

**ANANDA SWEET** | VP of Public Policy & Workforce Development

**SANTA ROSA METRO CHAMBER**

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June 5, 2023

Santa Rosa City Council  
City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404

RE: Short Term Rentals

Mayor Rogers and Members of the City Council,

As you explore potential changes to the Short-Term Rental Policies that have been adopted and amended over the last year and a half, we urge you to consider the results of what has been established to date and refrain from adding new restrictions on short term rental owners.

Short-term rentals play an important part in our local economy. In particular, they provide options for our critical hospitality/tourism industry, the total of which provides approximately \$2.3 billion to our County's economy. In addition to tourism, short term rentals provide housing for part-time and traveling workers, create an ongoing emergency housing resource, and contribute to the local economy beyond tourism, creating jobs and contracts for local workers and small businesses providing property care and maintenance services. Short term rentals also provide critical investment and retirement income for people living in our community, who rely on this income to support themselves and their families.

Negative impacts from occupants of short-term rentals can and should be addressed by targeting the behavior, which can create damage and other nuisance for the property owner as well – neither the neighbors nor the property owner desire bad behavior. Regulating, capping or otherwise limiting the property rights of short-term rental and rental owners rather than focusing on and responding to negative behavior does little to address the issues raised by the community. And further placing or dictating ownership structure on property owners introduces questionable legal implications with likely unforeseen consequences for the property owner and for the City.

We believe that sensible regulation targeting negative behavior and encouraging investment from local residents is the best approach to addressing this important segment of our tourism economy.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter Rumble", with a stylized flourish at the end.

Peter Rumble  
CEO, Santa Rosa Metro Chamber

**From:** [mjmack@sbcglobal.net](mailto:mjmack@sbcglobal.net)  
**To:** [CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] City Council vote taking place at 5pm on June 6th, 2023 agenda item 16.1  
**Date:** Tuesday, June 6, 2023 7:31:55 AM

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Short term rental owners need more time to consider whether mounting an appeal is worth their time and resources. Their ability to research their grounds for appeal and discuss with relevant professionals is greatly curtailed.

Is it legal to to request an inspection of a home (hosted and non-hosted) at any time. Please do not set Santa Rosa up for law suits to defend illegal laws.

The city should have a requirement for sending out renewal notice reminders, given that permit holders have already paid fees that are meant to cover the administration of this program.

We oppose the CAP of 198 permits citywide. We believe that all homeowners (and renters if their landlord allows) should be able to engage in this economic activity if they do so within the current noise and nuisance standards.

We believe that it is a dangerous precedent to set for the city of Santa Rosa to take away rights previously granted to people to operate their short-term rentals if homeowners who have received their permits, have operated responsibly, and paid their taxes will be required to relinquish non-hosted permits if they have more than one inside of city limits

A spouse, legal domestic partner or common law partner, should be able to assume a hosted or non hosted rental permit in the event that the primary permit holder becomes incapacitated or dies. A legal guardian should be able to assume a hosted or non hosted rental permit in the event the primary permit holder becomes incapacitated.

To require no outdoor barbecues of any kind can be used at a short-term rental even if barbecues and outdoor kitchens meet current safety standards at any home in Santa Rosa, then there should be no discrimination as to which families may operate them. They should be allowed for cooking, pleasure, religious, ceremonial, warmth or similar purposes. To deny a few hundred homes from cooking a meal, when more than 65,000 homes in Santa Rosa are able to engage in that very activity. If it is unsafe for visitors to operate a barbecue, then it is unsafe for all residents.

We oppose the 1000 ft limit between non-hosted STR's. This arbitrarily allows one neighbor to take away the rights of homeowners near them to engage in this economic activity.

Thank you for reading this in full.

Mary & Jo

**From:** [Jackie Guilford](#)  
**To:** [CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] Public Comment for City Council Meeting June 6, 2023  
**Date:** Tuesday, June 6, 2023 8:04:25 AM

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**I am IN FAVOR of keeping the current STR Rules the way that they are.**

I am a single working mom with one hosted and one non-hosted short term rental. I live in Santa Rosa with my two daughters. I am not wealthy and I am not a corporation. The extra income provided by listing these homes on Airbnb is critical for paying my family's bills.

I am friendly and in constant communication with my neighbors and I have stricter house rules than the ordinance requires. I have a noise monitor and I am available 24/7 in case an incident comes up. I have been compliant with all rules and have been paying TOT/BIA since 2017.

I appreciate that rules are being developed around short term rentals and I think that the ones in place are fair and should remain. If anything were to change, I would like to see limitations on short term rental operators that live out of the county or are corporate entities.

One other concern that I have is the use of noise monitors. The one that I have notifies me of sounds outside louder than 65 decibels, which I think is quite strict. I would appreciate more guidance on what decibel level constitutes a noise violation as it seems to be quite arbitrary right now. I want to be sure I am in compliance but there is presently not guidance in this area.

Thank you for considering community voices on this ordinance.

-Jackie Guilford

STR operator and resident, Montgomery Village Neighborhood

**From:** [City Council Public Comments](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] proposed STR Ordinance problems  
**Date:** Wednesday, June 7, 2023 11:51:47 AM  
**Attachments:** [Rebuttal to STR Consistency Determinations 230606.pdf](#)

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**From:** David Long <[REDACTED]>

**Sent:** Tuesday, June 6, 2023 9:23 AM

**To:** Rogers, Natalie <[NRogers@srcity.org](mailto:NRogers@srcity.org)>; MacDonald, Dianna <[dmacdonald@srcity.org](mailto:dmacdonald@srcity.org)>; Stapp, Mark <[MStapp@srcity.org](mailto:MStapp@srcity.org)>; Okrepkie, Jeff <[JOkrepkie@srcity.org](mailto:JOkrepkie@srcity.org)>; Rogers, Chris <[CRogers@srcity.org](mailto:CRogers@srcity.org)>; Fleming, Victoria <[VFleming@srcity.org](mailto:VFleming@srcity.org)>; Alvarez, Eddie <[EAlvarez@srcity.org](mailto:EAlvarez@srcity.org)>; Smith, Maraskeshia <[msmith@srcity.org](mailto:msmith@srcity.org)>; Dunston, Daryel <[ddunston@srcity.org](mailto:ddunston@srcity.org)>; Hartman, Clare <[CHartman@srcity.org](mailto:CHartman@srcity.org)>; Jones, Jessica <[jjones@srcity.org](mailto:jjones@srcity.org)>; Meads, Shari <[SMeads@srcity.org](mailto:SMeads@srcity.org)>

**Subject:** [EXTERNAL] proposed STR Ordinance problems

Please review the attached document that presents reasons why the proposed STR Ordinance must be modified further and take action to do that at tonight's Council meeting.

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Thanks!

**David Long**

707.322.8823

**To:** Santa Rosa City Council, City Manager Maraskeshia Smith,  
Asst. City Manager Daryel Dunston, Clare Hartman, Jessica Jones, Shari Meads

**From:** David Long, Save Our Santa Rosa

**Subject:** Rebuttal to Consistency Determinations in the proposed Ordinance Amendment

**Date:** June 6, 2023

The new consistency claims in Section 1, Paragraphs A and C of the proposed Ordinance Amendment are weak and, in most cases, unsubstantiated. Some of these claims appear to be direct rebuttals to the evidence of inconsistency that were provided to staff and Council in the essay entitled “The Short-Term Rental Ordinance is Failing – Here are the Reasons Why” by David Long, Save Our Santa Rosa dated May 25, 2023 (SOSR Essay).

Rebuttals to these new claims are presented below. A Conclusion follows on Page 2 at the end of this document.

**Staff Claim #1:** In Paragraph A., staff cites that the seven residential land use classifications in the General Plan have been established to “provide for a full range of housing types with a goal to maintain a diversity of neighborhoods and varied housing stock to satisfy a wide range of needs.”

**Rebuttal:** *Although this statement is true, it does not provide any support for the determination of General Plan consistency. Non-Hosted Short-Term Rentals are not a housing type, but rather are a use of primarily one housing type – single family dwellings - in a manner that is not consistent with the intent of the quoted statement. This statement in the Land and Livability Element is clearly intended to allow City planners to permit development of varied types of housing units so that neighborhood residents of all ages, backgrounds and financial resources can coexist and thrive in a traditional residential setting. Non-Hosted Rentals do not support the stated goal, in fact they are a hinderance.*

**Staff Claim #2:** In Paragraph A., staff claims that the Short-Term rental Ordinance “does not permanently remove those (housing) units as residential” and that they will continue to count toward the City’s overall housing stock and not impact the ability of the City to meet its Regional Housing Needs Allocation (RHNA). Additionally, staff claims that “the (short-term rental) units will not be altered such that they cannot be immediately returned to longer term residential use at the end of the one-year term of a Short-Term Rental Permit.”

**Rebuttal:** *This claim is weak, intentionally misleading, and merely a statistical aberration used to satisfy a bureaucratic program goal. It has little or nothing to do with General Plan consistency. Just because a unit can be returned to long-term residential at the end of a one-year permit term, does not mean that it will. In fact, the vast majority of Non-Hosted Short-Term Rental permits will continue indefinitely as long as the City supports their existence and fails to adequately enforce the Ordinance’s terms of operation. Achieving consistency is a matter of various allowed uses being compatible with one another at all times, not just when a property reverts to a conforming use.*

**Staff Claim #3:** In Paragraph A., staff states that the 1,000-foot separation for Non-Hosted Rentals further limits their (negative) impact on housing stock.

**Rebuttal:** *The degree to which this concentration requirement limits the housing stock impacts is dubious and insufficient. In a housing shortage situation, every residential unit that is removed from the stock has a negative impact. Limiting a negative impact is not sufficient reason for such action to be considered successful or even adequate towards achieving a stated goal when eliminating the impact is within reach.*

**Staff Claim #4:** In Paragraph C., staff cites from Zoning Code Chapter 20-22, Residential Zoning Districts, the purposes of those Districts and the land uses allowed therein. Staff goes on to state that while residential uses are the primary use allowed, “compatible accessory uses” are also allowed and then cites a list of those allowed accessory uses.

**Rebuttal:** Staff fails to make clear that Chapter 20-22.020 identifies “compatible accessory uses” as applicable only to the purpose of Rural Residential (RR) districts. The Zoning Code makes no mention of “compatible accessory uses” being part of the purpose for any other residential zoning district. Here staff appears to confuse “compatible accessory uses” with Residential Uses and Service Uses listed in Table 2-2 for which standards are further specified in Chapter 20-42, Standards for Specific Land Uses.

For instance, in Chapter 20-42.070 the Home Occupation use is allowed only when it constitutes “limited business activity in a residence that is clearly incidental to the primary residential use.” Non-Hosted Rentals are clearly not that type of use. The SOSR Essay, evidences that the Non-Hosted Rental use is not at all similar to any of the other Residential Uses listed by staff. The SOSR Essay also evidences that Non-Hosted Rentals are mostly not similar to the staff-listed Service Uses from Table 2-2.

**Staff Claim #5:** In the later part of Paragraph C, staff reasons that the Short-Term Rental Ordinance does not enable a transient occupancy use of residential units that permanently removes the units from residential use.

**Rebuttal:** The rebuttal made to Staff Claim #2 also applies here – just because a non-compatible use is potentially temporary in nature and does not alter unit’s physical residential characteristics, does not make a case that the non-compatible use is consistent with the Zoning Code.

## **Conclusion**

Staff appears resolved with making determinations of consistency for the Short-Term Rental Ordinance by using sweeping claims that are either unsubstantiated or poorly substantiated. Even in the face of three comprehensive and well-reasoned challenges to those determinations, one from Planning Commissioner Peterson on April 27, 2023 and two from Save Our Santa Rosa, staff continues to perform marginally when researching and applying the Zoning Code and General Plan to the Short-Term Rental Ordinance. The issue of Non-Hosted Short-Term Rentals in residential neighborhoods has been controversial from the outset and staff has provided members of the City Council and Planning Commission with unreliable guidance on this issue for over three years running. This is wrong and it’s time to follow a different course.

Limiting ownership of Non-Hosted Short-Term Rentals to one per person does nothing to lessen the problems that Non-Hosted Rentals are causing, it simply perpetuates having 198 in operation, allows new owners and locations to create more problems and does nothing to improve the ordinance’s consistency with the Zoning Code and General Plan.

Ordinance modifications must either eliminate or more stringently restrict Non-Hosted Rentals in all residential zoning districts.

Save Our Santa Rosa has put forth several specific proposed Short-Term Rental Ordinance revisions that offer reasonable solutions to the current dilemma of Code consistency. In doing so, these changes will also restore safety and traditional character to residential neighborhoods, while also providing more opportunities for Hosted and Seasonal Short-Term Rentals to operate. One of those solutions must be pursued and adopted.

**From:** [Eric Fraser](#)  
**To:** [\\_CityCouncilListPublic](#); [Rogers, Chris](#); [Rogers, Natalie](#); [Alvarez, Eddie](#); [Fleming, Victoria](#); [MacDonald, Dianna](#); [Stapp, Mark](#); [Okrepkie, Jeff](#)  
**Cc:** [Carter, Charles](#); [Holton, Jeffrey](#); [Weeks, Karen](#); [Cisco, Patti](#); [Sanders, Terrence](#); [Duggan, Vicki](#)  
**Subject:** [EXTERNAL] 6/6 City Council: Agenda Item 16.1: Timeline for STR Regulations  
**Date:** Tuesday, June 6, 2023 12:25:42 PM

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Dear Mayor, City Council, and Planning Commission;

In the linked google sheet, please find a timeline for the history of STR regulations. It includes dates, both major and trifling, from the staff report prepared for this agenda item. It also includes dates for contacts our research group has had with other government agencies, as well as dates from source documents provided by the city.

It is significant because it shows the touchpoints STRs have had with City's administration, TOT/BIA, PED and more, from different facets. Included will be the datelines regarding 2017 disaster response by STRs, accounting inquiries regarding SRTBIA, Arthouse, and more. It shows how the Urgency Ordinance was a backroom deal and how PEDs mismanagement of the STR opportunities have brought us to this juncture.

We are adding more information to this link, so it's worthwhile checking back.

<https://docs.google.com/spreadsheets/d/1r4sSgCApd4SXMec5YJxpX5c0uSg53m8wAr2ARy-fHGI/edit?usp=sharing>

Looking forward to being of service,

Eric Fraser  
TRUTH IN TOURISM  
[truthintourism@gmail.com](mailto:truthintourism@gmail.com)

**From:** [REDACTED]  
**To:** [CityCouncilListPublic](#); [Meads, Shari](#); [Kirk, Lou](#)  
**Cc:** [Hartman, Suzanne](#); [CMOffice](#); [smurry@srcity.org](mailto:smurry@srcity.org); [Jones, Jessica](#); [Oswald, Jesse](#); [Hartman, Clare](#)  
**Subject:** [EXTERNAL] STR-Permit Renewal  
**Date:** Tuesday, June 6, 2023 1:13:52 PM

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Dear Council,

We are asking for your help to become compliant with all our permits. We submitted all 4 for renewal in May 2023. We have always been good operators and have always paid our taxes.

The process for the STR ordinance has been exceedingly difficult for both owners and planning staff. Planning staff struggled with staffing shortages and inconsistent personal in charge of permits. We valiantly endeavored to fulfill the ever-changing requirements and information. We applied for our 3 properties- which are all in the station area- and had to deal with several different temporary and regular staff planners. We were even told, after many months that our 3 properties needed 4 permits. We eventually received the permits in July. I was very busy with work and did not look at the permit details and assumed they were issued in July of 2022.

This May, we re-applied for our permits and were told that the permits we received in July were actually due in March.

We are exactly the type of operators that Santa Rosa wants to have. Lea and I live in the West End Neighborhood where we have owned and operated rentals since 1998. We have a deep love for the area and have worked hard to improve our properties and working with the City of Santa Rosa to enhance our part of Downtown Santa Rosa.

We turned our first long-term rental into at short term rental in 2013 only after one of our tenants bought a home here in the West End. We carefully asked what Santa Rosa required- were told that the only requirement was to pay our TOT taxes- so we did and have done so every quarter. After other long-term tenants left, we started renting two more properties for short- term. We have been able to house Santa Rosa families that lost their homes in October 2017. We have housed residents of West County when they had to leave their homes due to the threat of fire. We have always been responsible landlords – taking responsibility for our properties and expecting other landlords to do the same.

We are asking for your help to become compliant with all our permits. We submitted all four for renewal in May. We have always been good operators and have always paid our taxes.

Thank You for your service,

Allen Barron-Thomas

[REDACTED]  
Santa Rosa, Ca. 95401



**From:** [City Council Public Comments](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] For City Council: STR Permits Expiration  
**Date:** Wednesday, June 7, 2023 11:58:07 AM

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**From:** Laura Holliday <[REDACTED]>  
**Sent:** Monday, June 5, 2023 3:07 PM  
**To:** Short Term Rentals <[shorttermrentals@srcity.org](mailto:shorttermrentals@srcity.org)>  
**Subject:** [EXTERNAL] For City Council: STR Permits Expiration

My name is Laura Holliday, and I am a proud Santa Rosa native whose family still live here. I now live abroad with my husband and three children, but hope to return to Santa Rosa sometime in the next 5 years. With the price of property going up and up in the area, my husband and I decided to buy a house in 2021 with the plan of making it a short term rental until we could move back one day. The house needed a lot of updating - think carpeted bathrooms, no water pressure, and ungrounded sockets everywhere! But once we got our short term rental permit in 2022, we knew we could afford to renovate it, since it would be bringing in income. We've spent the past 1.5 years and most of our savings painstakingly making it into what we think will be an ideal short term rental. We would not have been able to afford the level of improvements we made, except that we were confident that this was an investment in our family's future and we would be able to recover most of our expenses.

Living so far away, the process of obtaining our permit from the City and doing the renovations was difficult and confusing. Somehow, we missed the email that told us we needed to renew our permit. From what we can tell, around 10% of the permit holders were similarly unaware and had their permits expire. As soon as we realized this, just two weeks later, we promptly made an appointment and met with the Planning department. We've been told there is nothing we can do to renew our permit, and that the city isn't accepting applications for new permits.

Rebuilding this house has become a huge part of our lives, and renting it out is a critical part of our financial future. We missed the renewal date by less than a month, but losing the permit will have vast implications for our lives. We very much hope that, for the first year of this confusing and often changing process, the city will do the right thing and extend a grace period to the previous permit holders to allow us to continue the businesses that we've worked so hard to build.

Best,  
Laura & Tim Holliday

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laura wales holliday

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] Short term rental permit  
**Date:** Tuesday, June 6, 2023 9:49:40 PM

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Hello,

I am reaching out to see if you are aware that the planning dept sent APPROVED permit to homes and then WEEKS later, revoked them due to THEIR mistake??

One of our homes was granted a renewal permit. This home is in perfect standings with the city. Zero complaints in the last 3 years.

The planning dept. granted a renewal permit for this home. Then 3 weeks later, revoked it. Due to miscommunication the owner didn't realize he missed the renewal application by 2 days.

However, because it was granted we opened the calendar for the year, only to receive an email weeks later stating they made a mistake and they were taking the permit away.

We had several bookings already. All of which were supposed to cancel because of their mistakes??? We get horrendous penalties for canceling. This is ridiculous.

Please be realistic and take ownership for their mistake by granting the home it's intended permit.

Best,  
Kristy Dominquez

**From:** [Carl Jaeger](#)  
**To:** [CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] Fwd: STR Permit Renewal Quarterly Reminder  
**Date:** Tuesday, June 6, 2023 10:19:08 PM

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Here is where it says you get the reminder once per quarter.

----- Forwarded message -----

**From:** Carl Jaeger <[REDACTED]>  
**Date:** Tue, Jun 6, 2023 at 10:14 PM  
**Subject:** Fwd: STR Permit Renewal Quarterly Reminder  
**To:** <[city.administrator@sfgov.org](mailto:city.administrator@sfgov.org)>, Rogers, Chris <[crogers@srcity.org](mailto:crogers@srcity.org)>, <[nrogers@srcity.org](mailto:nrogers@srcity.org)>

Please share with your council members.

ONCE PER QUARTER it says

----- Forwarded message -----

**From:** Carl Jaeger <[REDACTED]>  
**Date:** Tue, Jun 6, 2023 at 9:20 PM  
**Subject:** Fwd: STR Permit Renewal Quarterly Reminder  
**To:** Leo Chyi <[REDACTED]>

Sent from my iPhone

Begin forwarded message:

**From:** The City of Santa Rosa <[srcity.org@service.govdelivery.com](mailto:srcity.org@service.govdelivery.com)>  
**Date:** December 16, 2022 at 9:15:54 AM PST  
**To:** [REDACTED]  
**Subject:** STR Permit Renewal Quarterly Reminder  
**Reply-To:** [srcity.org@service.govdelivery.com](mailto:srcity.org@service.govdelivery.com)



Hello,

Once per quarter, the City of Santa Rosa will send a reminder to all Short-Term Rental (STR) Permit holders that STR Permits expire one (1) year after the date of issuance. Calendar year quarters are January through March, April through June, July through September, and October through December. This email is that quarterly reminder to you, a STR Permit holder, to check the expiration date of your STR permit, and start the required annual renewal process if necessary.

Permit renewal is the responsibility of the operator. Please review your permit and check the date of issuance. Your permit must be renewed prior to one year from this date. If you have lost or do not have access to your STR Permit, you can use the City's [Permit Search Tool](#) (Tool) to find this information. The Tool will automatically default to displaying non-hosted short-term rentals. If your STR is hosted, select the "Go to Hosted Only" option. Once the correct layer is displayed, find your location via the address search bar or by moving the map as needed. Click on the dot representing your location and select the appropriate

SVR Permit from the pop-up window. The resulting Parcel Report document will include a Permit Progress Timeline that shows the issuance date.

If your STR Permit is not due for renewal this quarter, you can ignore and delete this email; however, you may wish to set a calendar reminder allowing adequate time to prepare for permit renewal. Note that new requirements have been added to the [STR Permit application](#). Be sure to review the application to allow adequate time to gather all required documents and information.

A complete STR Permit application accompanied by the renewal fee and required documents (complete renewal package) must be submitted before the permit expiration date. The current STR Permit renewal application fee is \$256. This amount is subject to change after January 1, 2023, when a new City of Santa Rosa [Fee Schedule](#) will be published.

If a complete renewal package is submitted prior to the permit expiration date, the permit will remain active until a decision on the renewal request has been made. If a complete renewal package is not submitted prior to the permit end date, the permit shall automatically expire and be void. Upon expiration of any STR Permit, a new STR Permit is required, and the applicant will be considered a new operator subject to all regulations in place at the time the new application is filed. **Note: the City is currently not accepting STR Permit applications for non-hosted STRs. To start the renewal process, please follow the Step Two and Three instructions provided [here](#).** Your renewal permit will be valid for one year from the date it is issued.

If you have questions about submitting your permit, please send them to [shorttermrentals@srcity.org](mailto:shorttermrentals@srcity.org).

Thank you again for your punctuality and for staying in compliance with the STR Ordinance.

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This email notification is provided to you at no charge by [The City of Santa Rosa, CA](#). Update your subscriptions, modify your password or e-mail address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your e-mail address to log in. If you have questions or problems with the subscription service, please contact [subscriberhelp.govdelivery.com](mailto:subscriberhelp.govdelivery.com).

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This email was sent to [REDACTED] using GovDelivery Communications Cloud on behalf of: The City of Santa Rosa  
100 Santa Rosa Ave Santa Rosa, CA 95404 707-543-3000



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Carl Rashad Jaeger  
ScottStreetFilms.com - Light+Sound+Big Ideas  
[REDACTED]

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Carl Rashad Jaeger  
ScottStreetFilms.com - Light+Sound+Big Ideas  
[REDACTED]