

Planning Commission Amendment Tracking

17 C20-2024-014 - STR Modifications

(Hempel, Azhar) Base Motion: Staff recommendation – passes 9-0-1 (Commissioner Cox abstained)

(Maxwell 1, Haney) – A requirement that the provisions of the ordinance be reviewed in a report from the Development Services Department in a 12-month timeframe subsequent to enactment - Passes unanimously

(Azhar 1, Cox) – Passes unanimously (Commissioner Anderson was off the dais)

Language: Revise § 4-23-3X - Eligibility to Operate a Short-Term Rental to include the text below as follows:

- On a site with more than four but less than 51 dwelling units, an owner may operate at least one but no more than 20% of the units
- On a site with more than 50 but less than 101 dwelling units, an owner may operate at least one but no more than 10% of the units
- On a site with more than 100 but less than 251 dwelling units, an owner may operate at least one but no more than 5% of the units
- On a site with more than 250 dwelling units, an owner may operate at least one but no more than 3% of the units

(Hempel 1, Cox) (substituted so **does not pass**): If there is a nuisance that involves a criminal activity an owner cannot operate an STR at that location or any other location in perpetuity or a considerable amount of time, subject to legal review, until there is a change of ownership at that property.

Substitute Hempel 1: (Cox, failed due to lack of a second): Instead of the owner being banned from operating an STR, the physical property is banned from continuing to be an STR.

Substitute to Hempel 1: (Barrera-Ramirez, Johnson) – Passes unanimously

If there are three or more nuisance activities that involve a violent criminal activity at a unit, an owner cannot operate an STR in a unit in perpetuity or a considerable amount of time, subject to legal review, until there is a change of ownership of the unit.

(Woods 1, Maxwell) – Passes unanimously

General recommendation to staff to consider establishing a single city phone number for STR complaints/compliance issues, not to replace 911, and establish a system to first route those calls to the local contact for the STR before routing them to compliance staff.

(Cox 1, Azhar) – Passes unanimously (Commissioner Anderson was off the dais)

Direct staff to review the feasibility of assessing of a separate fee for STR's paid at license application and/or renewal for contribution to and recognition of the additional City staff time required for adequate enforcement of these STR regulations.

(Haney 1, Cox) – Passes unanimously (Commissioner Anderson was off the dais)

Upon issuing a notice of violation for operating an unlicensed short-term rental, the director shall also refer the matter to the State Comptroller's Criminal Investigation Division and the City Comptroller.

(Maxwell 2, Woods) – Passes unanimously

Direct staff to assess considering allowing a tenant to operate an STR, as long as they meet the requirements of the ordinance and are allowed to do so by their landlord, in limited cases.

(Azhar 2, Haney) – Passes unanimously

Staff to consider the possibility that in the case of the designation of a local contact, the operator may submit an alternate local contact/s to designate when the primary local contact is unavailable. The application fee and renotification fees should be waived when only the primary or alternate local contact are changed.

(Woods 2, Azhar) – Passes unanimously

Amend the ordinance as follows:

4-23-4A To obtain a new operator license, a person who owns the housing unit to be licensed as a short-term rental must apply on a form approved by the director **and they and their designated local contact must** complete an online training course approved by the director.

4-23-4B9- proof of completion of the online training course **including for their designated local contact**

(Cox 2, Azhar) – Passes unanimously, (Commissioner Anderson was off the dais)

4-23-2X REQUIREMENTS FOR ADVERTISEMENTS AND PROMOTIONS. Add the sentence: A platform is required to disclose the physical address of a listing to the Director when requested for the purposes of enforcement of these regulations.

(Cox 3, Johnson) – Passes unanimously

4-23-2X OBLIGATION TO DELIST STRs. Add a section (D): subject to legal feasibility analysis by staff, a platform that fails to satisfy their obligation to delist a short-term rental shall be assessed a fine of \$500 per day, per listing, until the delisting obligation in this section is satisfied.

(Cox 4, Maxwell) – Passes unanimously

Amend 4-23-3X OPERATIONAL REQUIREMENTS, (E) An operator must make a copy of the information packet as described in Section 4-23-XX and Section 4-23-3X (Operational Requirements) (F), (G), and (H) available to each guest.