

# *City of Brisbane*

## *Agenda Report*

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: Regulation of Short Term Residential Rentals

DATE: July 16, 2015

### **City Council Goals:**

To provide for effective and efficient delivery of City services. (Goal #1)

To preserve the unique current character of Brisbane. (Goal #16)

### **Purpose:**

To consider whether or not to modify City's current regulations on short term single family residential rentals.

### **Recommendation:**

To consider the Planning Commission's recommendation and provide further direction to staff.

### **Background:**

The City's zoning regulations do not recognize short term (less than 30-days) rentals of single family residences as a permitted or conditionally permitted use in residential zones. Rather, they are categorized as hotel uses and permitted only in commercial zones. In late 2014, a number of zoning complaints were filed against sites in Brisbane listed on Air BNB, a web-based home sharing site. In January 2015, the City Council directed the Planning Commission to study this issue and make recommendations on what, if any, changes to the City's regulations should be considered. Further code enforcement action was held in abeyance pending the outcome of this process.

The Planning Commission considered this matter over several workshops and meetings in March and April 2015. The workshops were supplemented by the results of a non-scientific, voluntary on-line survey sponsored by the City, which drew 188 responses. The Planning Commission workshop reports, minutes, and survey summary are attached for information.

**Discussion:**

On April 23, 2015 the Planning Commission expressed its opinion that this issue was of citywide concern and that the question of whether the City should adopt an ordinance to allow for and regulate short-term residential rentals or leave the current prohibition in place should be placed on a citywide election. The reasoning behind this recommendation is outlined in the attached letter from the Commission.

Should the City Council be inclined to support the Planning Commission’s recommendation, there are a number of issues that the Council would need to consider. First of all the City Council would need to determine the language of the specific question to be put before the voters. This involves a Council decision on how the issue should be framed, and determining whether the measure should be advisory or binding. Other considerations would be timing and cost. The least costly approach (an additional \$1,200-\$2,500 depending on whether via mail or in person) would be to add this item onto the scheduled election in November. This would involve a substantial commitment of City Council and staff time and resources. Specifically, the ballot question would need to be finalized by August 7. This would require one or more special city council meetings before the August 7 deadline to formulate the actual ballot measure language. Based on current scheduling considerations it is not expected that the full City Council would be available to meet before the August 7 deadline. Additionally, supporting ballot materials (analysis, pro and con arguments etc.) would need to be finalized within approximately 2 weeks following the August 7 deadline. It appears that completing all the required steps within the prescribed deadlines timelines would be extremely challenging. The alternative approach would be schedule this matter for a special election, which would eliminate the short time deadline to act, but would be more costly for the City to hold (\$25,000-\$35,000 depending on whether it is held in via mail or in-person).

If the City Council chooses not to support the Planning Commission’s recommendation, there are several options for the City Council to consider. If the City Council chooses to take no action, the current regulations will remain in place. Under this scenario the city will pursue the active code enforcement cases. Future enforcement would occur on a complaint-driven basis, which is the City’s current Code enforcement practice.

Alternatively the City Council could direct staff and the Planning Commission to initiate a zoning code amendment accommodating short term rentals in residential zones in some manner, and provide whatever guidance it deems appropriate. It should be noted the City Council’s direction to initiate a code amendment for consideration does not bind or obligate the City Council to approve such an amendment in the future.

**Fiscal Impact:**

Potential fiscal impact would be dependent on the City Council’s direction. Placing this matter on the ballot would involve both direct costs noted above and costs associated with staff time. Initiating a code amendment would result in costs associated with staff time, and taking no action would result in staff costs associated with code enforcement.

**Measure of Success:**

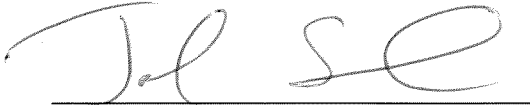
For the City Council to provide clear direction in addressing this issue.

**Attachments:**

July 16, 2015 Planning Commission Letter

Planning Commission Reports and Minutes-March 12, April 9&23, 2015

Survey Results Summary

Handwritten signature of John Swiecki in black ink, consisting of stylized initials 'J S' followed by a cursive 'E'.

John Swiecki, Community Development Director

Handwritten signature of Clay Holstine in black ink, featuring a large, looping initial 'C' followed by 'H' and 'L'.

Clay Holstine, City Manager

July 6, 2015

Honorable Mayor O'Connell and City Council members:

On January 15, 2015, the Planning Commission was directed by the City Council to study the issue of "short-term residential rentals," or rentals of a room or an entire home for a period of less than 30 days. Under the City's current Municipal Code regulations, this use is considered a hotel use, and is not permitted in residential zoning districts.

In response, the Planning Commission held workshops on March 12 and April 9, 2015 to discuss this matter. Over a dozen individuals participated in the community workshops. Commenters on both sides of the issue highlighted the far-reaching impact that regulating short-term residential rentals could have on the community, for better or for worse. Additionally, the Commission considered the results of a non-scientific survey undertaken by City staff to raise public awareness of the issue and solicit community feedback. The survey garnered 188 responses, and the Commission additionally received dozens of individual written comments from Brisbane residents.

These efforts culminated in the Planning Commission meeting of April 23, 2015 when a formal recommendation to the City Council was considered. Ultimately, the Commission collectively reached the following conclusions:

- There are many "unknowns," including potential traffic, parking, and neighborhood safety impacts.
- Further discussion and clarification from the City's legal counsel is needed regarding property owner rights, how the Municipal Code or other laws differentiate long-term and short-term rentals, and the many other legal questions raised by the community.
- The results of the community survey were inconclusive. It was not a scientific survey and with 188 responses it did not represent a statistically valid assessment of the entire community's perspective on this issue.

Given these issues and the significant concerns over community character that this land use potentially raises, the Commission felt strongly that the issue warrants consideration by Brisbane's full electorate as a ballot measure, specifically to determine whether a majority of Brisbane residents favor the adoption an ordinance to allow for and regulate short-term residential rentals, or whether they prefer to leave the current prohibition in place.

If the results of the vote favor adoption of an ordinance, the Commission recommends that staff collect additional information on possible traffic, parking, and safety impacts and seek legal counsel assistance in crafting a draft ordinance for the Planning Commission's subsequent consideration. The public would further have the opportunity to weigh in on the draft ordinance through the Planning Commission's public hearing process.

Respectfully,

TuongVan Do, Chairperson  
Brisbane Planning Commission

Encl.



# MEMORANDUM

DATE: 3/12/2015  
TO: Planning Commission  
FROM: Julia Capasso, Associate Planner, via John Swiecki, Community Development Director  
SUBJECT: **Workshop: Short-Term Vacation Rentals in Brisbane**

## Background

On January 15, 2015, the City Council directed the Planning Commission to review the City's current regulations regarding short-term vacation rentals under the Zoning Ordinance, Title 17 of the Brisbane Municipal Code (BMC) and make recommendations regarding what changes to the Municipal Code, if any, should be made. Short-term vacation rentals are defined and regulated in the Zoning Code as commercial hotel land uses, permitted to operate only within commercial zoning districts (SP-CRO, SCRO-1, and C-1 districts), and subject to the Transient Occupancy Tax under the Revenue and Finance Code. The January 15, 2015 City Council report and minutes are attached for reference. The entirety of the City Council's discussion of this matter can be viewed online at <http://www.ci.brisbane.ca.us/city-council/2015-01-15>.

Tonight's workshop is intended primarily to allow the community to provide input on this issue **before** a policy recommendation is developed. The City has been aggressively working to raise public awareness of this issue and specifically tonight's workshop. Along these lines, the City published a community survey on February 23, 2015 (available both on-line and via paper copy) intended to gauge community sentiment regarding short-term vacation rentals and identify potential concerns. As of the writing of this staff report, staff has received 116 survey responses, and the results will be updated at tonight's workshop. This workshop will provide a forum to discuss the community feedback resulting from the survey and from the audience in attendance.

Tonight's workshop is one step in the overall process. At a subsequent workshop or meeting, staff would be prepared to define a series of alternative approaches on how to address short-term rentals from a zoning perspective, and to provide additional information on how other jurisdictions in California regulate such uses. At the conclusion of this workshop, the Planning Commission should provide direction to staff regarding the recommended next steps in moving this process forward. It should be noted that the City Council anticipated that the Planning Commission's process would be completed in approximately 90-120 days.

## Attachments:

1. January 15, 2015 City Council Report and Minutes

# *City of Brisbane*

## *Agenda Report*

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: **City Regulations of Short Term Home and/or Room Rentals in Residential Zones**

DATE: January 15, 2015

### City Council Goals:

To provide for effective and efficient delivery of City services. (Goal#1)  
To preserve and enhance livability and diversity of neighborhoods. (Goal #14)

### Purpose:

For the City Council to determine if it wishes staff to initiate a review of city regulations regarding short term rentals in residential zones, including but not limited to Bed and Breakfast establishments, AirBNB and vacation home rentals.

### Recommendation:

That the City Council provide policy direction as it deems appropriate.

### Background/Discussion:

In late 2014, a citizen complaint was filed against all properties in Brisbane with an active AirBNB listing, a total of seven at the time the complaint was filed. Inasmuch as City regulations do not permit Bed and Breakfast establishments (B&Bs) in residential zones, all these properties were issued a Notice to Correct, which in this case would involve removing their AirBNB listing.

One of the parties cited has raised a number of concerns with the city's regulations and their applicability to internet-based "home sharing", along with a lack of clarity regarding the applicability of the City's regulations to other similar activities such as vacation rentals, home exchanges, and the like. An excerpt from the correspondence received from this party is attached for information. Since the matter is the subject of an active code enforcement action, the author is not identified in the attached correspondence.

Currently the City's zoning ordinance includes B&Bs in the definition of hotels, which are prohibited in residential zones (see attached zoning code excerpts), and is silent on other uses such as vacation rentals. The policy question before the City Council is whether the City's current zoning regulations are appropriate and adequately responsive to internet-based alternative lodging options that now exist, or whether the City Council wishes to have staff reevaluate the City's regulations.

If the City Council chooses to direct staff to study this matter further, this evaluation would typically occur in the form of a potential zoning code amendment subject to Planning Commission review, unless the City Council chooses to establish a different review process. If the City Council chooses not to direct staff to review the current regulations, any party cited by the City has the right to appeal the citation pursuant to the procedures set forth in Chapter 1.16 of the Brisbane Municipal Code, which provide for an administrative hearing before an independent hearing officer.

**Fiscal Impact:**

City staff time if authorized by the City Council. Any changes in the city regulations to permit B&Bs or other forms of short term rentals could result in the collection of transient occupancy tax (TOT) by the City.

**Measure of Success:**

For the City Council to provide the appropriate policy direction.

**Attachments:**

Correspondence Excerpt From Cited Party  
Zoning Code Excerpts



John Swiecki, Community Development Director



Clay Holstine, City Manager

## CORRESPONDENCE EXCERPT FROM CITED PARTY

Home sharing on the Internet is a new phenomenon. All municipalities are having to review their Municipal codes and debate how best to change with the times, to make forward thinking decisions that benefit the most people, and create new legislation that addresses new sharing and business models. San Francisco, after much deliberation and public outreach, decided to allow homesharing with some limits. Arbnb worked with SF and now takes taxes directly from the online accounts and sends the tax revenue directly to the the tax collector. A simple solution that costs the City nothing and produces significant revenue for SF. Has Brisbane considered this? Has Brisbane addressed what kind of homesharing constitutes commercial use..renting a room for a month, for two weeks, renting a whole unit for 6 months, renting your home for the summer when you travel? Home swapping? Subleasing a rental for a long trip? These are all questions to be considered and addressed. Reactive decision making denies residents and the City of Brisbane of additional income and that the sharing economy can bring to a community. My guests have loved hiking the mountain and eating at our local restaurants, businesses who can certainly use additional patrons.

... I am respectfully requesting a formal review that includes community outreach, and an openness to consider how a thoughtful definition and response to homesharing can benefit our community. If Brisbane wants to outlaw homesharing across the board, I am interested in equal enforcement that includes VRBO, Craig's List, and investigation into all of the other hybrid rental arrangements that exist across town that may not be as obvious as an Arbnb listing, but that do exist.



**17.02.420 - Hotel.**

"Hotel" means a building or group of buildings containing guest rooms or suites offered, for compensation, to the general public as transient lodging accommodations. The term includes motel, inn, motor court, bed and breakfast establishment or similar use, but excludes single-room-occupancy dwelling units operated as supportive housing.

(Ord. 422 § 4(part), 1998).

(Ord. No. 564, § 1, 10-3-11)

**17.06.020 - Permitted uses.**

The following permitted uses shall be allowed in the R-1 district:

- A. Single-family dwellings.
- B. Accessory structures and uses incidental to a permitted use.
- C. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- D. Small family day care homes.
- E. Secondary dwelling units, when authorized by a permit granted pursuant to Chapter 17.43 of this title.

(Ord. 479 § 2, 2003; Ord. 463 § 6(part), 2002).

**17.06.030 - Conditional uses.**

The following conditional uses may be allowed in the R-1 district, upon the granting of a use permit pursuant to Chapter 17.40 or 17.43 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- E. Large family day care homes.
- F. Meeting halls.
- G. Mobilehome parks
- H. Places of worship.

(Ord. 479 § 3, 2003; Ord. 463 § 6(part), 2002).

**17.08.020 - Permitted uses.**

The following permitted uses shall be allowed in the R-2 district:

- A. Single-family dwellings.
- B. Duplexes.
- C. Multiple family dwellings containing not more than six (6) dwelling units.
- D. Dwelling groups.
- E. Accessory structures and uses incidental to a permitted use.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- G. Small family day care homes.

(Ord. 463 § 7(part), 2002).

*(Ord. No. 575, § 3, 12-3-12)*

**17.08.030 - Conditional uses.**

The following conditional uses may be allowed in the R-2 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- E. Large family day care homes.
- F. Mobilehome parks.
- G. Multiple family dwellings containing seven (7) or more dwelling units.
- H. Meeting halls.
- I. Places of worship.

*(Ord. 463 § 7(part), 2002).*

*(Ord. No. 575, § 4, 12-3-12)*

After Councilmember clarifications and discussion, CM Conway made a motion, seconded by CM Lentz, to adopt Resolution No. 2015-02 as proposed. The motion carried unanimously by all present.

**C. Consider adoption of Resolution No. 2015-03 approving a loan to the Successor Agency in order to provide funding to cover the Successor Agency's 14-15B Recognized Obligation Payment Schedule (ROPS) obligations and providing the Successor Agency will place on its 15-16A ROPS this loan for repayment**

Administrative Services Director Schillinger said that when the Successor Agency had provided information to the Department of Finance (DOF), a duplicate subtraction had been approved by the DOF in error. He said that in speaking with the DOF, they concurred with the error and advised City Staff to put a loan on the 14-15 ROPS and then pay it back on the 15-16 ROPS. He said that the loan is necessary in order to avoid defaulting on an upcoming loan payment. He said the City would be getting back the shortfall in May or June so it would not affect any Marina projects.

Mayor O'Connell noted that the Successor Agency was meeting later this evening.

CM Miller asked about the e-mail from the DOF indicating that they would approve the repayment of the loan on the next ROPS and asked that a copy of that e-mail be provided to the Council and Oversight Board.

After Councilmember questions, CM Miller made a motion, seconded by CM Conway, to adopt the resolution as proposed. The motion carried unanimously by all present.

**D. Consider directing staff to review City Regulations of Short Term Home and/or Room Rentals in Residential Zones**

Community Development Director Swiecki said that in late 2014 a citizen complaint was filed against all properties in Brisbane with an active AirBNB listing. One party in that complaint questioned the City's current regulations. Mr. Swiecki indicated that a copy of the City's current regulations was provided in the Council packet for reference.

He said that under the current regulations AirBNB's would be included in the hotel category, which is not allowed in residential Brisbane. He indicated that the Council's decision, at this point, was whether or not staff should be directed to draft zoning changes allowing for this use in residential Brisbane. The draft would then go before the Planning Commission. He advised that if the Council chose not to direct staff to draft the change, the current complaint would move forward as usual. He also indicated that these regulations were in effect at least back to 1998 and clarified that the current regulations do not specifically define the term "Bed & Breakfast".

Councilmembers discussed they fact that a lot of thought to consider all of the complicated issues would need to be done to update the outdated regulations. They discussed sending it through the Planning Commission for a thorough review.

Due to the pending complaint and Councilmember discussion of the need for an update to the current regulations, they asked staff to work as expeditiously as possible to work through the many issues that were raised and draft needed changes for the Planning Commission's review and subsequent recommendations to the Council.

Community Development Director Swiecki said he thought the process might take approximately 90 days before coming back to the Council. Councilmembers agreed to put enforcement of the complaint in abeyance pending the regulation review.

**A. Consider authorizing the Mayor to sign the Professional Services Agreement with Erler & Kalinowski, Inc. in the amount of \$190,500 to perform work on Water and Sewer Master Plan Updates**

Public Works Director Breault said that the Water and Sewer Master Plans are important tools to evaluate the City's existing water and sewer infrastructure, and to recommend improvements necessary to handle the future anticipated demands on the utility systems. He said that regular updates of those plans on an approximate 10-year cycle are indispensable to maintaining a valid long-term Capital Improvement Plan (CIP) based on current engineering criteria and on the latest planning projections. He indicated that the latest Water and Sewer Master Plans were completed in 2003. He said that staff is recommending Council approve a contract with Erler & Kalinowski, Inc. (EKI) because of their professionalism and the ease in working with them on other projects.

Mr. Breault responded to questions from Councilmembers concerning why certain Baylands scenarios are being studied, sea level rise and settlement issues at Sierra Point and the Baylands, sewer infrastructure in the Baylands under the Bayshore Sanitary Districts' control and the lawsuit, invoicing milestones in the agreement, and the need for the Council Facilities Subcommittee and Council approval of the Master Plan.

Mayor O'Connell said she was not familiar with the Bayshore Sanitary District Lawsuit discussed earlier and asked that staff provide a detailed memo or make a presentation at a future Council meeting.

After further Councilmember discussion, Public Works Director Breault reiterated the changes proposed by Council including the highlighted language dealing with meeting appropriate milestones when billing is received, acknowledging the Bayshore Sanitary District in the scope of work, having the work product be subject to approval by the Council Subcommittee and Council, adding language explaining why only two Baylands alternatives are being studied, and adding language recognizing design challenges to settlement at Sierra Point and the Baylands.

With those proposed changes, CM Miller made a motion, seconded by CM Conway, to authorize the Mayor to sign the agreement as amended. The motion carried unanimously by all present.

**STAFF REPORTS**

**A. City Manager's Report on upcoming activities**

## G. WORKSHOP

### 1. Short-Term Vacation Rentals in Brisbane

Associate Planner Capasso gave the presentation. Director Swiecki answered questions from the Commissioners.

The following individuals from the public engaged in a discussion of concerns, potential benefits, and regulatory strategies for short-term rentals in residential districts: Barbara Ebel, Pete McGurty, Colleen Mackin, Aaron Kleven, Debbie Horn, Chris Land, Joel Diaz, Sandy McGurty, Greg Anderson, Barbara Raitz, and Alex Farris.

Throughout the discussion, the following themes emerged:

- Everyone's rights should be protected in balance: neighbors, property owners, long-term residents.
- If regulations are adopted, they should be realistic and enforceable.
- Short-term rentals should be incidental to existing residential uses, not standalone business ventures.
- Negative impacts of short-term rentals should be mitigated.
- Existing residential neighborhood character must be maintained
- Internet-based homesharing is already occurring; providing a regulatory path to approval would allow residents with short-term rentals to operate lawfully and create accountability.

Two speakers shared the opinion that short-term rentals should not be allowed since they may pose a threat to the residential character of Central Brisbane.

There being no further members of the public wishing to address the Commission, Chairperson Do opened the item for Commission discussion. The Commission directed staff to prepare information regarding potential regulatory strategies in response to the variety of concerns and suggestions put forward by the community and Commissioners. It was the consensus of the Commission to continue the workshop to the April 9, 2015 regular meeting.

## H. OLD BUSINESS

1. PUBLIC HEARING: Draft 2015-2022 Housing Element; General Plan Amendment GPA-1-14 and Negative Declaration; City of Brisbane, applicant; citywide.

Senior Planner Johnson gave the agenda report and presentation. He noted that staff has reviewed the letter from Mr. Miller and the alternative that Mr. Miller proposed. Senior Planner Johnson indicated that the staff conclusion and recommendation remain the same. Staff answered questions from the Commissioners regarding the evaluation of potential health impacts from particulate matter exposure in the Initial Study, significance thresholds established by the



# MEMORANDUM

DATE: April 9, 2015  
TO: Planning Commission  
FROM: Julia Capasso, Associate Planner, via John Swiecki, Community Development Director  
SUBJECT: **Workshop #2: Short-Term Residential Rentals in Brisbane**

## BACKGROUND

On March 12, 2015, the Planning Commission held a workshop to accept public input on the concept of short-term rentals in residential neighborhoods in Brisbane. Approximately 15 community members attended the workshop and engaged in a discussion with the Commission regarding potential benefits of allowing short-term rentals to operate in residential neighborhoods, as well as the potential negative impacts.

While the perspectives of workshop attendees ranged from opposition to short-term rentals in residential neighborhoods to advocating for their existence by-right, several themes emerged that touched upon ideas raised by all attendees.

- Everyone's rights should be protected in balance: neighbors, property owners, and long-term residents.
- If regulations are adopted, they should be realistic and enforceable.
- Negative impacts of short-term rentals should be mitigated.
- Short-term rentals should be incidental to existing residential uses, not standalone business ventures.
- Existing residential neighborhood character must be maintained
- Internet-based homesharing is already occurring; providing a regulatory path to approval would allow residents with short-term rentals to operate lawfully and create accountability.

## DISCUSSION

Following the discussion with the community, the Commission continued the workshop to the April 9, 2015 regular meeting and directed staff to provide information about how other communities regulate short-term residential rentals in response to the concerns and suggestions voiced by the workshop attendees. The Commission also asked staff to provide information regarding impacts to homeowners' insurance rates and how the hospitality industry has reacted to short-term residential rentals.

The discussion below addresses the following:

- The results of the community survey;

- Short-term rental regulations from other communities;
- Homeowner's insurance discussion;
- Hospitality industry stance;
- A summary of the City's existing home occupation regulations.

It should be noted that as this process is still in the information gathering stage, continued discussion of the issue does not commit the Commission to a particular policy direction.

### **Community Survey Results**

The community survey was released at February 23, 2015 and closed at midnight on March 27, 2015, with 188 responses submitted. The results of the survey will be presented at tonight's workshop. The survey responses show common themes in the concerns raised by community members and in potential regulatory strategies, should short-term rentals be allowed. These themes informed staff's review of short-term rental regulations in other communities, which are discussed below.

### **Regulation of Short-term Residential Rentals in Other Communities**

Based on the March 12 workshop discussion and community survey responses, staff gathered examples of regulations from other communities. Many of these examples respond to the potential issues of concern as noted above. The jurisdictions include St. Helena (Napa County), Petaluma (Sonoma County), and the County of Santa Cruz. San Francisco's ordinance is also included for comparison purposes; however, staff does not find the city's ordinance to be responsive to the types of concerns raised by the Brisbane community or to be easily enforceable by staff. The sample jurisdictions were chosen based on their relatively smaller population size, primarily residential character, and/or the specific components of their respective ordinances. The various ordinances are summarized in the attached table.

- Permit Type & Hearing Body

Many workshop attendees and survey respondents voiced interest in permitting short-term residential rentals either ministerially (permit issued by City staff, subject to compliance with defined standards), or with a conditional use permit or other special discretionary permit from the Planning Commission.

The selected ordinances demonstrate the wide range of discretionary control the City could maintain in regulating short-term residential rentals. Both St. Helena and Santa Cruz County require public notice prior to action on a permit, and refer applications to the Planning Commission when a certain threshold of neighbors voice opposition or at staff discretion. Petaluma and San Francisco have adopted ministerial processes with performance standards reviewed by city staff.

- Notice to Neighbors

While not a significant focus of discussion at the workshop, public noticing is a component of most short-term rental ordinances researched by staff. With the exception of San Francisco, all cities surveyed require some type of notice to neighbors either prior to action on the permit, or subsequent to action on the permit. In the case of St. Helena and Santa Cruz County, neighbor

opposition prior to permit approval is a mechanism to refer the application to the Planning Commission. In Petaluma, notification of permit approval is provided to immediate neighbors for informational purposes. Notification requirements are specifically linked to whatever permit process is established.

- Residency Requirement

There was majority support from both workshop attendees and survey participants that short-term rentals, if allowed, should be operated by permanent residents as an incidental use and not as a purely commercial venture by absentee property owners or corporations. This type of restriction would also help to protect the existing residential character of neighborhoods.

Both St. Helena's and San Francisco's ordinances restrict who may apply for a short-term rental permit (the property owner and the permanent resident, respectively). St. Helena's ordinance requires a public hearing before the Planning Commission if the property owner is a corporate entity. Further, San Francisco's and Petaluma's ordinances restrict the number of days per year that a vacant ("non-hosted") unit may be rented. Verification and enforcement of this requirement, however, could be difficult to achieve, and staff is uncertain how these limits are actually verified as it would require regular monitoring of rental activity.

- Type of Housing Permitted

Restricting the type of housing in which short-term rentals are permitted is one way to ensure the existing character of the neighborhood is maintained. Some workshop participants advocated for limiting the types of housing where short-term rentals may operate (e.g., only secondary dwelling units). The majority of survey participants identified single-family homes and secondary dwelling units as desirable for short-term rentals, with lesser support for duplex and multi-family dwellings. Both St. Helena's and San Francisco's ordinances contain restrictions on the types of units that may be rented.

- Ensuring Neighborhood Compatibility

There was majority support among workshop attendees and survey participants to require that short-term rentals, if allowed, comply with defined standards in order to ensure compatibility with the surrounding neighborhood, particularly in regards to on-street parking and noise.

Most surveyed ordinances limit how many renters may be on-site at any time, require on-site or other dedicated parking spaces, and require compliance with adopted noise standards to address the most common neighborhood disturbances. On-site parking may be verified through submittal of a site plan, and enforcement of noise violations is provided through existing Municipal Code provisions. Limiting how many renters are on-site may be difficult to enforce in the absence of other violations (e.g., noise).

- Management

While the concept of on- or off-site management was not discussed in detail at the workshop, many short-term rental ordinances researched by staff require a designated individual to be available to handle disturbances at the short-term rental within a specified response time. This information is provided to neighbors and kept on file by the city.



- Business License & TOT

All ordinances surveyed by staff require short-term rental operators to obtain a business license and to pay Transient Occupancy Tax. This is consistent with the community's desire to allow short-term rentals as incidental uses to the primary residential use, and with the City's existing home occupation regulations (see further discussion below).

- Permit Expiration/Revocation/Penalties

At the workshop, permit expiration was discussed as a potential mechanism for phasing out short-term rentals with chronic enforcement issues, or any other case where operation of the rental was inconstant with community standards. The surveyed ordinances differ in how long permits are valid and whether or not they may be renewed after expiration. Most ordinances utilize existing enforcement provisions in their respective Municipal Codes regarding permit revocation in instances of code or permit violations.

### **Short-Term Residential Rentals and Homeowner's Insurance**

Each homeowner's insurance policy is different, and varies in coverage; homeowners should read their policy carefully and consult with their insurance agent to understand the limitations of their current coverage. However, it is commonly acknowledged by rental hosting companies such as HomeAway and Airbnb that typical homeowner's insurance policies do not cover activities associated with home-based businesses, such as vacation or short-term rentals. A few major insurance companies offer insurance products specifically for vacation rentals or occasional short-term rentals of a primary residence. Landlord insurance for rental properties is a common product but may not be appropriate for occasional short-term rentals. Some rental hosting companies, including HomeAway and Airbnb, offer their own insurance products to clients for varying degrees of coverage. The cost to homeowners will inevitably vary by the product they choose, the company offering the coverage, and the extent of the policy's coverage. It should be noted that the City would not bear liability for any activities occurring on private property.

### **Hospitality Industry Responses to Short-Term Residential Rentals**

The California Lodging and Hospitality Association (CLHA) has been very active at a State level advocating for the interests of the hospitality industry in regards to the phenomenon of short-term residential rentals. At a March 18, 2015 joint meeting of the California State Assembly Local Government and Revenue and Taxation committees, a CLHA representative stated its members are not opposed to competition posed by short-term residential rentals, so long as there is a level regulatory playing field; i.e., equal taxation. Staff spoke with a representative of the San Francisco Hotel Council, which was actively involved in the community conversations for San Francisco's short-term residential rental ordinance. The Council representative confirmed that the primary concern of the hospitality industry in San Francisco is that short-term residential rentals pay the same transient occupancy tax as traditional lodging establishments.

### **Home Occupations in Residential Districts**

Concerns were raised at the previous workshop regarding the potential for commercial uses in residential zones to fundamentally alter the character of a residential neighborhood. Staff notes that existing home occupation regulations in Chapter 17.44 of the Zoning Ordinance allow residents to operate certain small-scale businesses from their homes in residential zoning districts. With granting of a home occupation permit from the Planning Director, a home occupation may be conducted in any dwelling unit, or in an accessory structure on the same site, subject to compliance with defined performance standards to protect the character of the surrounding residential neighborhood. The full text of the ordinance is attached for reference. This existing framework may be worth considering if changes to the Municipal Code are ultimately recommended by the Commission.

#### STAFF RECOMMENDATION

Staff recommends that the Commission consider the information presented, take public comment, and provide further direction to staff.

#### **Attachments:**

1. Comparison of short-term rental regulations
2. BMC Chapter 17.44, Home Occupations

Comparison of Short-term Rental Regulations

Jurisdiction	Type of Permit	Hearing Body	Notice to Neighbors	Residency Requirement	Inspection	Management	Occupancy Limits	Parking	Noise	Business License/TOT	Permit Revocation/Penalties
St. Helena (Napa County)	Discretionary; max 25 active permits \$1075 application fee	Director; PC review if ≥30% neighbors oppose notice, or if owner isn't a natural person	300 ft. radius prior to action on permit, and annually after permit granted	Only property owner may apply; single-family homes only	Annual inspection by FD	Manager who can respond within 30 min.	2x the # of bedrooms plus 2 people	Must provide 2 spaces on-site; no street parking allowed overnight.	Quiet hours 10 p.m.- 7 a.m	Yes/Yes	Permit valid for 2 yrs; may be revoked by Director if the owner violates Ordinance or conditions
Petaluma (Sonoma County) <sup>1</sup>	Ministerial; \$300 initial fee, \$100 renewal fee	Director	100 ft. radius AFTER approval	Non-hosted rentals capped at 90 days/yr	No; applicant self-certifies health & safety status	Manager who can respond with 1 hr.	2x the # of bedrooms plus 2 people	Must meet min. standard of district with adopted or apply for CUP noise standards	Must comply	Yes/Yes	May not be renewed if TOT is outstanding, neighbor complaints, etc.
County of Santa Cruz	Discretionary	Director; may refer to PC	Prior to action on permit	None	No; plans must show code compliance.	Manager who lives within 30 mi.	2x the # of bedrooms plus 2 people; 2x max for daytime gatherings	Renter's cars must be parked on-site except for 2 cars allowed on-street	Must comply with adopted noise standards; notice must be posted in unit	Yes/Yes	Conflict resolution accepted. Handled by County mediation center.
San Francisco <sup>2</sup>	Ministerial; \$50 fee. 1 permit per permanent resident. Proof of insurance req'd.	Planning Dept. staff	-	Permanent resident (natural person, owner or lessee). Primary residence only. Non-hosted rentals capped at 90 days/yr	-	Yes; permanent resident or other designated contact.	-	-	-	Yes/ Yes; collected by hosting platform	Permit valid for 2 yrs; code violations cause for revocation. Penalties may apply.

<sup>1</sup> Currently in public hearing process; subject to change.

<sup>2</sup> San Francisco ordinance may undergo further review and revisions due to difficulties in implementation.

G. I. G.

## Chapter 17.44 - HOME OCCUPATIONS\*

Sections:

## 17.44.010 - Purposes of chapter.

In addition to the objectives set forth in Section 17.01.030, home occupation permits are included in the Zoning Ordinance to achieve the following purposes:

- A. To support economic opportunities and encourage the development of small locally owned businesses by allowing certain commercial activities to be conducted by the occupants of residential dwellings.
- B. To protect the character of residential districts and the health and safety of the community by establishing performance standards for the conduct of home occupations.
- C. To implement and promote the goals and policies of the general plan so as to guide and manage home occupations in accordance with such plan.

*(Ord. 463 § 11(part), 2002).*

## 17.44.020 - Home occupation permit required.

- A. A home occupation may be conducted in any dwelling unit, or in an accessory structure on the same site, by the occupant of such dwelling unit, only upon the granting of a home occupation permit by the planning director pursuant to this chapter.
- B. No person, other than the person to whom the home occupation permit is issued, shall be authorized to conduct the home occupation. Home occupation permits shall constitute personal licenses granted to the individual applicant for the permit and may not be sold, transferred or assigned to any other person, nor shall such permits run with the land. If granted, the home occupation permit shall be effective only with respect to the particular property identified in the permit and may not be transferred or used for the conduct of a home occupation at any other location.

*(Ord. 463 § 11(part), 2002).*

## 17.44.030 - Application for permit.

- A. Application for a home occupation permit shall be made by the occupant to the planning director on such form as the planning director shall prescribe. The application shall be accompanied by payment of a filing fee established from time to time by resolution of the city council. The planning director may request the applicant to submit any additional information or documents the planning director deems necessary in order to evaluate the impacts of the proposed home occupation, and until such items are furnished, the application shall not be considered complete.
- B. Within thirty (30) days after receipt of the completed application, the planning director shall either grant or deny the home occupation permit. The permit may be granted subject to any conditions imposed by the planning director, and may be granted only for a specified period of time. The planning director shall give written notice to the applicant of the decision rendered by the planning director and such decision shall become effective as of the date of the notice.

*(Ord. 463 § 11(part), 2002).*

## 17.44.040 - Performance standards.

No home occupation permit shall be granted unless the planning director finds and determines that the proposed activity will be conducted in compliance with each of the following performance standards as may be applicable:

- A. The home occupation shall be conducted entirely within an enclosed structure; provided, however, the planning director may grant an exception to this standard if the planning director determines that the activity to be conducted outside of the structure:
  - 1. Shall not create a nuisance or in any way adversely affect neighboring properties or the public welfare; and
  - 2. Shall not create the appearance of a nonresidential use on the site.
- B. A home occupation conducted in a garage shall not reduce the parking required for the building site.
- C. The home occupation shall not generate pedestrian or vehicular traffic beyond that normal to the zoning district in which it is located.
- D. The home occupation shall not involve employees at the site other than those who reside at the dwelling unit; provided, however, the planning director may grant an exception to this standard if the planning director determines that:
  - 1. Occasional trips to the site by employees who generally work off the premises do not exceed the trip generations that would normally be expected for single family dwellings; and
  - 2. There are sufficient parking places available for employees visiting the; and
  - 3. Vehicles and equipment used by employees who generally work off the premises are not stored at the site.
- E. Commercial vehicles making deliveries to or from the premises shall be no larger than a step-van or similar vehicle normally used for making small package deliveries to residential neighborhoods.
- F. Stock in trade may be kept on the site provided the stock in trade is sold off the premises or by limited appointment.
- G. The home occupation shall not be conducted and the premises shall not be altered or used in a manner that would give the dwelling unit the appearance of a nonresidential use.
- H. No mechanical or electrical equipment shall be used on the premises which causes undue noise, electrical interference, or other adverse impact upon any adjacent properties.
- I. Signs for the home occupation shall comply with the regulations set forth in Chapter 17.36
- J. The home occupation shall not involve the use of any toxic, hazardous, flammable, or other material or waste that may cause a threat to the public health or safety.

*(Ord. 463 § 11(part), 2002).*

**17.44.050 - Modification or revocation of permit.**

- A. The planning director shall retain continuing jurisdiction over the home occupation permit and may, at any time, modify or revoke the permit, upon the occurrence of any of the following events:
  - 1. The home occupation is being conducted in violation of any condition of the home occupation permit, or in violation of any provision of this chapter or any other applicable statute, ordinance, rule or regulation of any governmental authority; or

2. The activity being conducted is materially different from the activity described in the application for the home occupation permit; or
  3. The home occupation, as conducted, does not comply with any of the applicable performance standards set forth in Section 17.44.050 of this chapter, or is otherwise found to be detrimental to the public health, safety or general welfare.
- B. In the event the planning director proposes to modify or revoke the home occupation permit, the director shall give a written notice of intent to the permittee and afford the permittee a period of at least ten (10) days to request a hearing before the planning director to protest the intended action. If no hearing is requested within the specified time, the planning director may proceed with the action described in the notice. If a hearing is requested, the planning director shall fix a time and place for the hearing, which shall be not less than ten (10) days after the director's receipt of the request. Following the conclusion of the hearing, the planning director shall issue to the permittee a written decision containing the findings of the director and the action taken with regard to the modification or revocation of the home occupation permit.

*(Ord. 463 § 11(part), 2002).*

**17.44.060 - Appeals.**

Any decision or determination by the planning director pursuant to this chapter may be appealed to the planning commission in accordance with the procedure set forth in Chapter 17.52 of this title.

*(Ord. 463 § 11(part), 2002).*

G.1.9.

BRISBANE PLANNING COMMISSION  
Action Minutes of April 9, 2015  
Regular Meeting

G. WORKSHOP

1. Short-Term Vacation Rentals in Brisbane (continued from March 12, 2015 meeting)

Chairperson Do opened the meeting at 7:33 p.m. and announced that this item would be taken out of order prior to the Call to Order as a quorum had not yet been established. Associate Planner Capasso gave the presentation.

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:52 p.m.

B. ROLL CALL

Present: Commissioners Munir, Parker, and Chairperson Do.

Absent: Commissioner Reinhardt.

Staff Present: Community Development Director Swiecki, Senior Planner Johnson, and Associate Planner Capasso.

C. ADOPTION OF AGENDA

Commissioner Parker moved and Commissioner Munir seconded to adopt the agenda, as amended to move item G prior to item D. The motion carried 3-0.

G. WORKSHOP (continued)

1. Short-Term Vacation Rentals in Brisbane (continued from March 12, 2015 meeting)

Chairperson Do invited public comment from the audience. The following individuals addressed the Commission: Peter McGurty, Colleen Mackin, and Kim Follien. After the Commission members shared their individual opinions, the Commission expressed their inclination not to change the city's current regulations pertaining to short term rentals. The Commission directed that this issue be agendaized for formal action at the April 23, 2015 regular meeting.

D. CONSENT CALENDAR

1. APPROVAL OF DRAFT ACTION MINUTES

- i. March 26, 2015 Regular Meeting

Commissioner Parker moved and Commissioner Munir seconded to adopt the consent calendar. The motion carried 3-0.

E. ORAL COMMUNICATIONS

None.

# *City of Brisbane*

## *Planning Commission Agenda Report*

**TO:** Planning Commission For the Meeting of 4/23/2015

**FROM:** Julia Capasso, Associate Planner, via John Swiecki, Community Development Director

**SUBJECT:** Consideration of recommendation to the City Council regarding short-term residential rental regulations.

### **BACKGROUND:**

On January 15, 2015, the City Council directed the Planning Commission to review the City's current regulations regarding short-term residential rentals under the Zoning Ordinance, Title 17 of the Brisbane Municipal Code (BMC) and to make recommendations regarding what changes to the Municipal Code, if any, should be made.

Consistent with the City Council's direction, the Planning Commission subsequently held workshops on March 12 and April 9, 2015 to hear community input on the advantages and disadvantages of allowing such uses in residential neighborhoods. Additionally, a community survey was released by City staff to raise community awareness of the issue and solicit community feedback. The City received 188 survey responses and numerous comments from residents on the perceived benefits and negative aspects of short-term rentals, as well as suggested regulatory strategies. The final survey results and staff memorandums for both workshops are attached to this report for the Commission's reference. [Note: The minutes of the March 12, 2015 workshop are available on the City's website, and draft meeting minutes from the April 9, 2015 workshop are included in this agenda packet.]

### **DISCUSSION:**

At the conclusion of the April 9, 2015 workshop, after the Planning Commission reviewed short-term residential rental regulations from other California communities and accepted comments from members of the public, the Commission made the following observations:

- There was no clear indication that the majority of Brisbane residents support allowing such uses in residential neighborhoods.
- The survey responses represent a small percentage of the community and show competing interests of supplemental income versus maintaining community character.
- Nonconforming structures should be required to be brought up to current health and safety standards, which could be very costly to residents.
- Topography constrains available parking and traffic.



- The concept of short-term rentals is relatively new and their permitting processes have not yet been tested.
- The City may not have the resources to regulate short-term rentals.

The Commission's general direction following discussion was not to support any changes to the City's regulations to allow for short term rentals in residential zones. Staff was instructed to schedule formal consideration of the Commission's recommendation on this matter for the next regular Planning Commission meeting,

#### Planning Commission Options

- 1) If it is the Commission's desire not to permit short-term rentals in residential districts, the Commission would recommend to the City Council that no amendments be made to the Zoning Ordinance. In this case, the existing prohibition of short-term rentals in residential zoning districts remain in place and city staff would continue to address reported cases of short-term rentals through the standard code enforcement process. Staff recommends that the Planning Commission make such a recommendation to the City Council in the form of a letter from the Chair to the City Council setting forth the Planning Commission's recommendation and supporting reasons.
- 2) If the Commission wishes to consider changes to the zoning ordinance to allow short-term rentals in residential districts, the Commission should provide direction to staff regarding the general parameters of what these regulations should be. Staff would then prepare a draft zoning ordinance amendment for the Commission's review at a future public hearing.

#### **Attachments**

Final community survey results (Not attached)  
March 12, 2015 staff memorandum (Not attached)  
April 9, 2015 staff memorandum (Not attached)  
Correspondence received after April 9, 2015 workshop

Capasso, Julia

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**From:** C.J. MacDonald <cjm@drmconsulting.com>  
**Sent:** Wednesday, April 15, 2015 6:05 PM  
**To:** Johnson, Kenneth; Capasso, Julia; Swiecki, John  
**Cc:** Aloft, Jessica  
**Subject:** Homesharing in Brisbane

Hello,

As I understand it the Planning Commission is currently deliberating and will make recommendations to the City Council regarding short term rentals.

I'd like to voice my concern that the planning commission may recommend a ban on short term rentals. San Francisco, after years of deliberation has developed fair guidelines. Does Brisbane want to be xenophobic and out of touch with technology, culture and the world around it? A clear and fair model exists where homeowners and other concerned citizens have their concerns well balanced.

I would hope that Brisbane would be the kind of hospitable place I would like to visit. As an avid user, both as a host and guest of AirBnB I really appreciate the home sharing paradigm. It's socially and environmentally responsible, and promotes community and is less cold and corporate than hotels and motels. Furthermore, we should be able to have the right to use our houses, as long as it doesn't directly impact others. Other people in town "not liking it" would not, in my mind, qualify as being impacted. Should we also ban allowing friends or family to use our houses when we're away? How about housesitting? Simply renting out a house is something we allow freely. In addition to being unfair, a ban makes very little sense.

Home sharing is different from short term rentals - it's literally, letting people come and stay at your home. With Homesharing, the host generally knows the guest better than renters, connecting with them online, and although the connection is brief and light, it's very friendly. It's nice to make some income from it, but really it never amounts to more than a couple thousand dollars a year in my experience. A bit reason I do it is to be connected with travelers and to introduce people to our great city.

I hope the city doesn't ban home sharing.

Thank you

C.J. MacDonald  
20 Inyo St  
415 283 7327

G.1.40

BRISBANE PLANNING COMMISSION  
Action Minutes of April 23, 2015  
Regular Meeting

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:32 p.m.

B. ROLL CALL

Present: Commissioners Munir, Parker, and Chairperson Do. Commissioner Reinhardt arrived at 7:38 p.m.

Absent: None.

Staff Present: Community Development Director Swiecki and Associate Planner Capasso.

C. ADOPTION OF AGENDA

Commissioner Parker moved and Commissioner Munir seconded to adopt the agenda. The motion carried 3-0.

D. CONSENT CALENDAR

1. APPROVAL OF DRAFT ACTION MINUTES

- i. June 12, 2014 Regular Meeting
- ii. July 10, 2014 Regular Meeting
- iii. April 9, 2015 Regular Meeting

Commissioner Parker moved and Commissioner Munir seconded to adopt the consent calendar. The motion carried 3-0.

E. ORAL COMMUNICATIONS

None.

F. WRITTEN COMMUNICATIONS

Chairperson Do acknowledged an invitation from Housing Leadership Council of San Mateo County and written communications regarding agenda item G.

G. NEW BUSINESS

1. Consideration of recommendation to the City Council regarding short-term residential rental regulations.

Associate Planner Capasso gave the staff report. Chairperson Do invited members of the public to address the Commission, including: Prem Lall, Peter McGurty, Aaron Kleven, Barbara Ebel, Greg Anderson, Deb Horne, and Karen Cunningham. There being no other individuals wishing to address the Commission, Commissioner Munir moved and Commissioner Parker seconded to close the public

hearing. The motion passed 4-0. The Commission engaged in a discussion and made the following observations:

- Commenters on both sides of the issue brought up very good points.
- There are a lot of “unknowns,” including traffic, parking, and neighborhood safety, and data was needed on their actual impacts.
- Further discussion and data was needed regarding property owner rights, the difference between long-term and short-term rentals, and other important questions posed by the community and Commission.
- City ordinances are based on community values, and without an accurate picture of community opinion it is not clear whether the regulations should be changed.

After discussion, it was the consensus of the Commission to recommend to the City Council that a ballot measure be placed on the next general election to determine the majority opinion of the community whether the City should adopt an ordinance to regulate short-term residential rentals. If the results of the vote favor adoption of an ordinance, the Commission would recommend that staff collect the necessary data and have legal counsel assistance in crafting the ordinance. The Commission directed staff to work with Chairperson Do to draft a letter to the City Council conveying that recommendation, to be endorsed by the Commission collectively.

Chairperson Do invited further public comment from the following individuals: Prem Lall, Barbara Ebel, Deb Horne, Aaron Kleven, and Joel Diaz.

#### H. ITEMS INITIATED BY STAFF

Director Swiecki announced City Clerk received eight applications for the Planning Commission vacancy. He said there would be a public scoping meeting on Thursday, April 30 at 7 p.m. at City Hall for the Notice of Preparation for the Recology modernization and expansion project Environmental Impact Report.

#### I. ITEMS INITIATED BY THE COMMISSION

Commissioner Reinhardt announced the Sustainability Committee would meet next on May 5.

#### J. ADJOURNMENT to the Regular Meeting of May 14, 2015 at 7:30 pm.

There being no further business, Commissioner Munir moved and Commissioner Parker seconded to adjourn to the meeting of May 14, 2015. The motion carried 4-0 and the meeting adjourned at 9:03 p.m.

Attest:

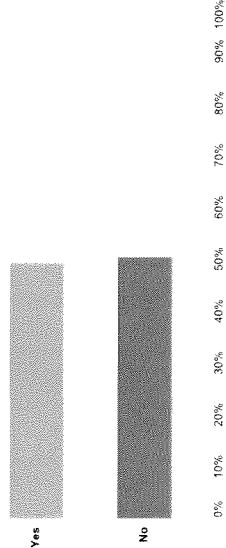
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John A. Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on DVD at City Hall and the City's website at [www.brisbaneca.org](http://www.brisbaneca.org).

**Q1 Short-term rentals are currently prohibited in residential zoning districts in Brisbane. Should the City of Brisbane consider amending the zoning ordinance to allow operation of short-term rentals in residential districts? If you answer No, please answer Q2 below. Otherwise, continue to Q3.**

Answered: 188, Skipped: 0



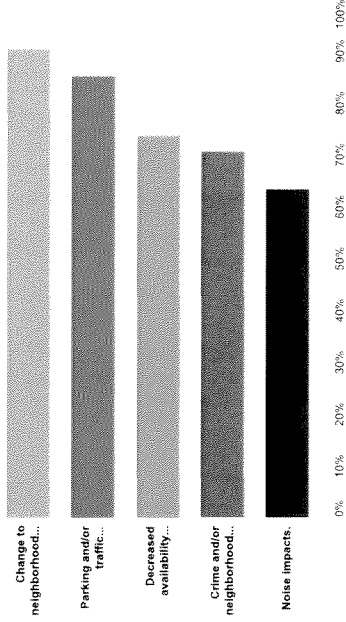
**Answer Choices**  
 Yes  
 No  
**Total**

**Responses**  
 49.47%  
 50.53%

93  
 95  
**188**

**Q2 If you answered No to Q1, please share why you think short-term rentals should continue to be prohibited. Check all of the boxes that apply.**

Answered: 86, Skipped: 12



**Answer Choices**  
 Change to neighborhood character.  
 Parking and/or traffic impacts.  
 Decreased availability of affordable long-term rental housing.  
 Crime and/or neighborhood safety.  
 Noise impacts.

**Responses**  
 90.69%  
 85.42%  
 73.96%  
 70.83%  
 63.54%

**Total Respondents: 86**

**# Other (please specify)**

#	Other (please specify)	Date
1	I like living in Brisbane because it feels friendly & people say hi-- I don't want the tourist feel of short-term renters.	3/30/2015 10:50 AM
2	There is no realistic way to regulate it	3/18/2015 1:33 PM
3	Would also lead to less occupancy tax revenue as would take away from hotels/B&B rentals that are actively regulated	3/14/2015 11:19 AM
4	Transient population	3/11/2015 6:25 PM
5	Short circuits hotel tax- unfair to hotels in Brisbane. Difficulty enforcing 30 day limit. Will encourage real estate speculation, leading to further decline in affordable housing.	3/11/2015 6:23 PM
6	This action would undermine that Character of the town. It is in opposition to building community character.	3/9/2015 4:15 PM
7	Trash	3/9/2015 2:57 PM

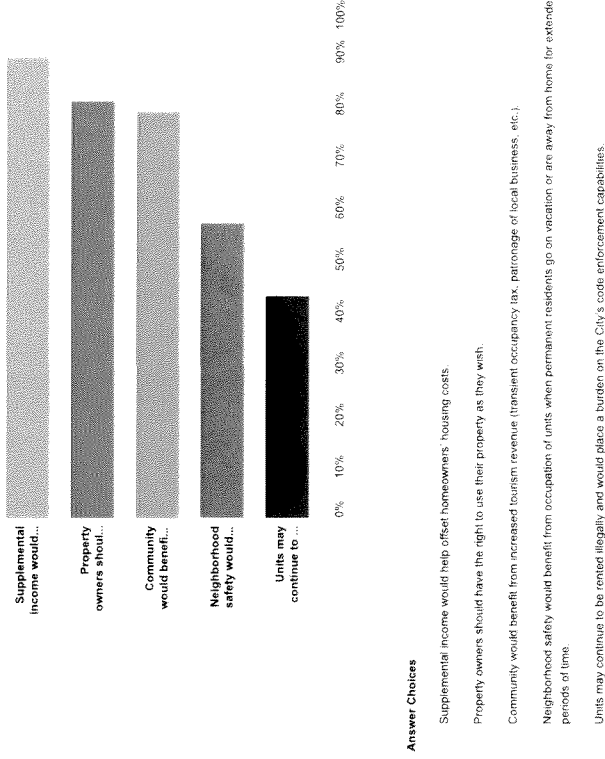
Short-term Rentals Survey

Short-term Rentals Survey

8	If this is allowed- must have off street parking! "Neighborhood" watch is dead with a bunch of strangers walking around.	3/5/2015 5:09 PM
9	People who have no stake in the neighborhood will not take care or concern with litter or one time only wild night behaviors.	3/5/2015 5:01 PM
10	Too nice of a town to have transient population.	3/5/2015 4:59 PM
11	This will hasten the discovery & justification of Brisbane, increase property prices so that eventually only those with money can live here and destroy the "down home" sense of community. What's happening in San Francisco (increase in rents and property prices beyond my imagination) will next happen here. Let's put it off as long as possible. Please!	3/5/2015 4:58 PM
12	It will change the whole character of Brisbane. The small town sense of community	3/5/2015 4:53 PM
13	Disputes between neighbors	3/2/2015 10:16 AM
14	Our kids play in the street. People who live here know that and neighbors police each other about speed on the streets. Strangers won't abide.	2/28/2015 6:32 AM
15	Could affect the sale of a property	2/27/2015 12:24 PM
16	Firmly opposed to amending this ordinance	2/26/2015 5:25 PM
17	loss of tax revenue generated if this was a hotel stay	2/26/2015 4:01 PM
18	Not knowing my neighbors would be difficult for me.	2/26/2015 9:50 AM
19	I don't want to live next to essentially a hotel. We bought our house in a residential neighborhood with the expectation that only permanent residents would live here. This would decrease our property values, and I also like to know who my neighbors are.	2/25/2015 8:46 PM
20	Brisbane has a hotel , nearby s.t. Also has multiple hotels	2/25/2015 7:50 PM
21	Not necessarily crime, but nuisance and inconvenience	2/25/2015 3:00 PM
22	Disruptive to the neighborhood, that is one of the benefits of life in Brisbane	2/24/2015 5:41 PM
23	brings in a lower class citizen not adhering to small town charm	2/24/2015 5:20 PM
24	people who will not respect surroundings that aren't theirs	2/24/2015 2:18 PM
25	corporate third party manipulation of local politics (through lobbying, campaign financing, ballot initiatives, etc.). increases in local taxes and fees encouraged by non-Brisbane owners of homes purchased for the purpose of short-term rental, overburdening of city infrastructure which will ultimately hit taxpayers in the pocketbook, more	2/23/2015 8:17 PM
26	If I wanted to live in a commercial district, I would move there	2/23/2015 8:13 PM
27	Brisbane all ready has enough problems with individual homeowners not taking care of their properties. Whatcha think is going to happen with a bunch of transients flooding in?	2/23/2015 5:31 PM
28	short term rentals are businesses, similar to hotels, this area is not zoned for that.	2/23/2015 4:29 PM
29	Reduced revenues from Hotels. Not clear on the impact on the hotels of reducing their revenue or the impact on the city. If the city decides to allow this then the properties should be taxed like hotel rooms are.	2/23/2015 4:06 PM

**Q3** If you answered Yes to Q1, please share why you believe short-term rentals should be allowed in residential zoning districts. Check all of the boxes below that apply.

Answered: 33 Skipped: 35



Answer Choices

Response	Percentage	Count
Supplemental income would help offset homeowners' housing costs.	89.25%	83
Property owners should have the right to use their property as they wish.	86.65%	75
Community would benefit from increased tourism revenue (transient occupancy tax, patronage of local businesses, etc.).	78.49%	73
Neighborhood safety would benefit from occupation of units when permanent residents go on vacation or are away from home for extended periods of time.	56.99%	53
Units may continue to be rented illegally and would place a burden on the City's code enforcement capabilities.	43.01%	40

Total Respondents: 33

#	Other (please specify)	Date
1	Brisbane should be consistent with other municipalities in the Bay Area	3/27/2015 8:21 PM
2	Long term residents who think they own the town and long term rentals are far worse of a problem	3/11/2015 8:09 PM
3	The short term rentals foster community and cross-cultural exchange. They bring people together from all over the world.	3/11/2015 6:05 PM
4	Giving more visitors an inside view of Brisbane will contribute to raising property values overall	3/10/2015 2:55 PM
5	Tourism revenue is a joke!	3/5/2015 5:09 PM
6	very few people in the bay even know where brisbane is or that it exists. This could help show our neighbors what a great town we are. that said, theres not much in brisbane, so i dont think we will see a huge volume of people renting short-term rooms, so i dont think there is much risk of this getting out of hand.	3/5/2015 7:38 AM

Short-term Rentals Survey

SurveyMonkey

Short-term Rentals Survey

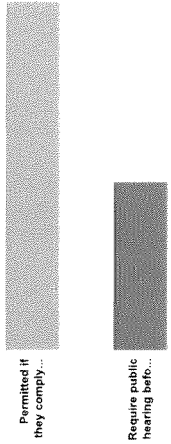
SurveyMonkey

- 7 tax income for out city
- 8 Within reason, I like the idea of short term rentals
- 9 They are already being done in Brisbane, you cannot stop it so at least make it legal
- 10 I think it would build goodwill and create greater awareness of Brisbane
- 11 The City of Brisbane should not get involved and let home owners make these decisions
- 12 It's a wonderful way to introduce people to the community that staying in a hotel doesn't provide

- 2/26/2015 12:37 PM
- 2/25/2015 1:38 PM
- 2/24/2015 11:05 AM
- 2/23/2015 7:53 PM
- 2/23/2015 6:03 PM
- 2/23/2015 3:45 PM

Q4 How should short-term rentals be regulated?

Answered: 132 / Skipped: 56



0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

Answer Choices

- Permitted if they comply with defined standards.
- Require public hearing before the Planning Commission.

Responses

67.42% 89  
32.58% 43  
132

Total

#	Other (please specify)	Date
1	Not be permitted	3/25/2015 8:48 AM
2	Parking	3/25/2015 8:47 AM
3	if short term rentals are allowed they need to pass public health standards and be inspected for transmissible parasites etc.	3/14/2015 11:19 AM
4	Short-term rentals should be treated the same as long-term rentals in that the city does not interfere with a private property owner's right to rent his or her property be it for a year or more, or less than 30 days	3/11/2015 8:24 PM
5	It shouldn't be regulated	3/11/2015 8:09 PM
6	Both	3/11/2015 6:30 PM
7	Should not be allowed at all. Leave the ordinance the way it currently stands.	3/11/2015 6:23 PM
8	Permitted	3/11/2015 6:17 PM
9	Permitted	3/11/2015 6:09 PM
10	None	3/11/2015 6:03 PM
11	No harassment from the City	3/11/2015 6:01 PM
12	And permitted if they comply with defined standards.	3/11/2015 5:59 PM
13	Must follow same rules as motels and hotels in the area and pay the same taxes.	3/5/2015 5:09 PM
14	The defined standards are already required by California law. fit to live in safety	3/5/2015 5:07 PM
15	perhaps define a minimum rate, a maximum occupancy period, and the number of times a room can be rented each month. To prevent full time 'hoteles' being established, or making the rooms so cheap they would attract people who otherwise wouldnt consider staying in brisbane.	3/5/2015 7:38 AM

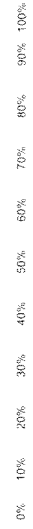
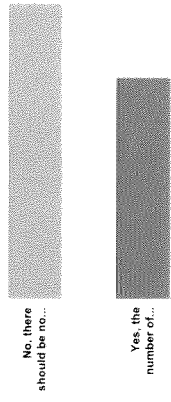
### Short-term Rentals Survey

### Short-term Rentals Survey

- 16 Put any affected rental on City website, apply for a separate permit for each weekend the house is rented.
- 17 Not an option
- 18 Short-term rentals should NOT be regulated, (like so many other things we try to make rules for) we should not have short term rentals.
- 19 I don't think any short terms rentals should be allowed
- 20 minimum regulations
- 21 I do not think we should allow rentals at all
- 22 They shouldn't be allowed, period
- 24 Should not be permitted
- 25 just like long-term rentals
- 26 They should not be allowed. Maintain the status quo.
- 27 unsure Further thought and discussion needed
- 28 They should only be permitted in a commercial district.
- 29 maybe one or two in the business district
- 30 Continue current prohibition
- 31 Brisbane is a bedroom community not party city
- 32 SHOULD NOT BE PERMITTED
- 33 Not allowed
- 34 home needs to be maintained, clean
- 35 They should only be permitted in a commercial district
- 36 Up to the owner to regulate
- 37 There shouldn't be any allowed, period.
- 38 What is the point of standards? Just have the m charge tax so the city can benefit.
- 39 They should be allowed for properties whose owners live in the property or in town.
- 40 Unregulated
- 41 and they pay taxes appropriately.
- 42 taxes paid through the booking web site, Airbnb, VRBO, etc.
- 43 They should not be regulated. If problems arise, they should be dealt with on a case by case basis.

### Q5 Should the City limit the number of short-term rentals that are allowed to operate in the City?

Answers: 145 Skipped: 43



Answer Choices	Responses
No, there should be no limit to the number of short-term rentals permitted.	83
Yes, the number of permitted short-term rentals should be limited.	62
<b>Total</b>	<b>145</b>

#	If you answer Yes, please explain why you think it would be necessary (e.g., protect long-term rental housing supply, limit potential negative impacts to neighborhoods, etc.).	Date
1	Want a neighborhood, not a transient/stranger community.	3/30/2015 10:53 AM
2	We have a limited number long-term rental housing supply, and it will limit and strangle affordable housing.	3/26/2015 9:19 PM
3	I do not want to live in a neighborhood of hotels/motels. I want to live around residents, have a place for my children to rent or buy	3/25/2015 8:48 AM
4	City too crowded already	3/25/2015 8:47 AM
5	Many because any change should be undertaken gradually and to protect long term housing supply.	3/17/2015 9:16 AM
6	need to protect long term housing supply, noise control, parking.	3/14/2015 11:19 AM
7	Brisbane would become a transit site for the city.	3/12/2015 4:33 PM
8	negative impact to close-knit community and safety	3/11/2015 6:30 PM
9	It would be unfair if short-term rentals were permitted to allow some residents to take advantage and not others.	3/11/2015 6:29 PM
10	No short term rentals at all.	3/11/2015 6:27 PM
11	Should not be allowed at all.	3/11/2015 6:23 PM
12	Not everyone wants to host. N/A	3/11/2015 6:05 PM
13	Stay out of this!	3/11/2015 6:03 PM
14	short-term rentals turn into slum houses	3/11/2015 5:59 PM
15	limit negative impacts on neighbourhood	3/7/2015 4:35 PM
16	Protect community neighbourhoods	3/6/2015 10:01 AM



Short-term Rentals Survey

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17	Protect long-term rentals, negative impacts on neighborhood	3/6/2015 9:59 AM
18	All of question 2's answers	3/6/2015 9:59 AM
19	Loadstar question there should be NO short-term rentals	3/5/2015 9:11 PM
20	To fulfill the greater good of the community of Brisbane	3/5/2015 5:07 PM
21	To keep Brisbane unique	3/5/2015 5:03 PM
22	People want more money and will rent to anyone to make a dollar	3/5/2015 5:01 PM
23	We should be careful to avoid this becoming an industry in our city. Perhaps at the very least, require that homes cannot be rented in this way, unless the owner occupies the unit for the majority of the year	3/5/2015 7:38 AM
24	I would rather there not be any short term renting allowed.	3/4/2015 6:52 PM
25	protect housing supply	3/3/2015 1:06 PM
26	To protect the quality of life in the city of Brisbane	3/2/2015 1:43 PM
27	To limit potential impacts to neighborhoods	3/2/2015 10:04 AM
28	limit potential negative impacts to neighborhoods	3/2/2015 9:31 AM
29	I don't think any short terms rentals should be allowed	3/1/2015 1:50 PM
30	Limit negative impacts to neighborhood	3/1/2015 11:21 AM
31	We're already losing our small town charm due to influx of rentals	3/28/2015 4:47 PM
32	I think people would take a vantage of the situation. Longterm housing stock must be protected	2/28/2015 3:26 PM
33	They shouldn't be allowed, period	2/27/2015 4:01 PM
34	Should not be admitted	2/27/2015 12:24 PM
35	not far to allow one and not the other	2/27/2015 2:28 AM
36	unknown Further thought and discussion needed	2/26/2015 4:01 PM
37	Because I would hate to see family's loose their homes to this	2/26/2015 12:37 PM
38	Negative impact on our community.	2/26/2015 9:50 AM
39	same reasons noted in question 2	2/25/2015 8:30 PM
40	eventually on SEFR only, condo and town homes could not have short term rentals	2/25/2015 5:19 PM
41	limit potential negative impacts to neighborhoods	2/25/2015 4:34 PM
42	I think that the owner should MANUALLY occupy the unit, not run a business, hence ShortTerm should be over 6 months per year	2/25/2015 4:21 PM
43	limit potential negative impacts to neighborhoods	2/25/2015 3:48 PM
44	Don't want the entire city to become "non-resident."	2/25/2015 1:38 PM
45	limit potential negative impacts to neighborhoods	2/24/2015 6:45 PM
46	Prefer continuation of current prohibition	2/24/2015 5:41 PM
47	all issues already identified in question 2	2/24/2015 5:28 PM
48	no to very short term rentals	2/24/2015 5:20 PM
49	Do not want the purchase of property just for use as short term rentals.	2/24/2015 2:40 PM
50	Not allowed	2/24/2015 11:36 AM
51	Given the proximity to San Francisco, Brisbane could easily turn into hosting community	2/24/2015 10:32 AM
52	protect long-term rental housing supply	2/24/2015 8:54 AM

53	I don't think it should be limited, because given Brisbane's relatively limited access to public transportation in residential areas, I don't think there will be an overwhelming amount of short-term rentals	2/24/2015 7:56 AM
54	NO because if it is limited the owner could bring prices way up and take advantage of the situation	2/24/2015 7:02 AM
55	So we don't end up with entire neighborhoods full of residential "hotels"	2/23/2015 9:02 PM
56	limit negative impacts to neighborhoods	2/23/2015 6:50 PM
57	They should be limited to the commercial districts	2/23/2015 8:13 PM
58	I would worry about food pantries, parking impact and an influx of strangers in our tight knit community	2/23/2015 8:01 PM
59	too many might bring unwanted renters to the neighborhood	2/23/2015 6:47 PM
60	This is ridiculous. Home owners should have the right to rent their property short or long term.	2/23/2015 5:03 PM
61	Ditto my previous	2/23/2015 5:31 PM
62	how would you do that and why would it be fair? do you really think our little hamlet is going to be the hot bed of tourism or become a vacation community? We are a bedroom community there is low risk of that changing	2/23/2015 5:23 PM
63	if we put a cap on the number of short term rentals, we artificially skew the market	2/23/2015 5:09 PM
64	if there are too many short term rentals available then that reduces the number of long term rentals AND negatively impacts Hotel room tax revenue to the city	2/23/2015 4:06 PM
65	protect long-term rental housing supply	2/23/2015 3:29 PM

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Q6 Should short-term rental operators be required to reside in the unit for a certain amount of time to prevent year-round vacation rentals? If you answer Yes, please indicate the length of time (months) a homeowner should be required to occupy the unit, e.g. at least 9 months out of the year.

Answered: 148, Skipped: 40

Yes, short-term...

No, there should be no...



Answer Choices

- Yes, short-term rental operators should be required to reside in the unit for a defined period of time.
- No, there should be no residency requirement for short-term rental operators.

Total

#	If you answer Yes, please indicate the length of time rental operators should be required to occupy the unit (months).	Date	Responses
1	9 months	3/30/2015 10:53 AM	65.54%
2	9 months	3/27/2015 10:39 PM	97
3	If yes, then people need to think about the burden that places on individuals and the community to 'prove' residency periods	3/27/2015 8:21 PM	34.46%
4	9	3/27/2015 5:24 PM	148
5	This should be considered bed and breakfast and the owner should be on the premises most of the time. In other words they should live in the home. This will keep the neighborhood safe.	3/26/2015 9:19 PM	
6	10 months	3/25/2015 8:48 AM	
7	6 months	3/25/2015 8:47 AM	
8	9 mos	3/18/2015 1:35 PM	
9	9 months sounds about right. Certainly no less than 6	3/17/2015 9:16 AM	
10	9	3/16/2015 5:20 PM	
11	10 months per year	3/14/2015 11:19 AM	

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12	Operators should live in the house at least 75% of the time	3/11/2015 8:09 PM
13	6 months	3/11/2015 7:36 PM
14	12 months. The purpose should be for a supplemental income and side-business to your own property, not a business for a gross landlord.	3/11/2015 6:43 PM
15	9 mos	3/11/2015 6:30 PM
16	6-9 mos.	3/11/2015 6:29 PM
17	San Francisco has tried this to abate Ellis Act evictions. Extremely difficult to elicit homeowner honesty- leads to lawsuits. Brisbane is too small to take this on. Codes are already not being enforced!	3/11/2015 6:23 PM
18	At least 9 months	3/11/2015 6:11 PM
19	7 mo	3/11/2015 6:08 PM
20	6 months	3/11/2015 6:06 PM
21	6 months	3/11/2015 6:05 PM
22	Maybe- not sure of potential impact.	3/11/2015 6:03 PM
23	6 months	3/11/2015 6:01 PM
24	At least 9 mos.	3/11/2015 5:59 PM
25	3 months to ensure longterm rentals stay on the market and to ensure proper oversight	3/6/2015 8:30 AM
26	12 months	3/7/2015 4:35 PM
27	8 mos.	3/6/2015 10:01 AM
28	10 months	3/6/2015 9:59 AM
29	9 mos.	3/6/2015 9:59 AM
30	Loaded questions allow no short-term rentals	3/5/2015 9:11 PM
31	11 months	3/5/2015 5:09 PM
32	Have 2 categories- 1 for householder living in their home and have guests in house (then should be more free). 2- Limited number of properties without resident homeowner.	3/5/2015 5:07 PM
33	9 months	3/5/2015 5:04 PM
34	At least 10 months during a year	3/5/2015 5:01 PM
35	10	3/5/2015 3:23 PM
36	yes, I believe we need to ensure that people are actually renting rooms in their permanent residence, so as to avoid realtors exploiting the opportunity and creating full time short-term rental properties	3/5/2015 7:38 AM
37	9 months	3/3/2015 2:32 PM
38	10 months	3/3/2015 1:06 PM
39	335 days a year	3/2/2015 10:16 AM
40	50 weeks of year	3/2/2015 10:04 AM
41	11	3/2/2015 10:02 AM
42	at least 9 months out of the year	3/2/2015 9:31 AM
43	I don't think any short terms rentals should be allowed	3/1/2015 1:50 PM
44	min 9 months	3/1/2015 12:40 PM
45	11 months	3/1/2015 11:21 AM
46	I don't know how to answer this one	2/28/2015 4:47 PM
47	12	2/28/2015 3:26 PM

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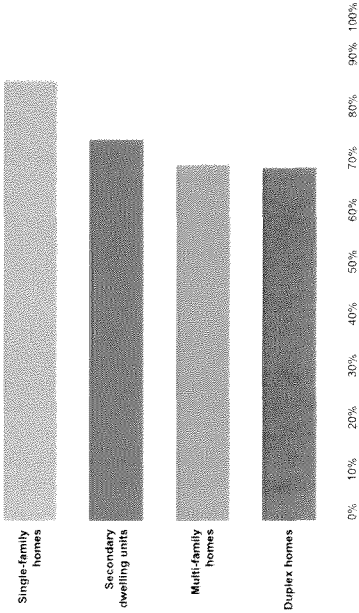
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48	If a homeowner is going out of country for 6 months and rents their home. That is different. That person becomes part of the community. It is the one night or one week rentals that worry me.	2/28/2015 6:32 AM	85	At least 6 mos/year	2/23/2015 3:43 PM
49	Should not be permitted	2/27/2015 12:24 PM	86	protect long-term rental housing supply	2/23/2015 3:29 PM
50	up to a month	2/27/2015 9:50 AM			
51	6	2/28/2015 8:55 PM			
52	9 months	2/26/2015 12:37 PM			
53	8 + months	2/26/2015 9:50 AM			
54	At least 10 months/year	2/25/2015 8:46 PM			
55	at least 75% of the time	2/25/2015 8:30 PM			
56	6	2/25/2015 7:04 PM			
57	2 months	2/25/2015 4:34 PM			
58	6-9 months out of the year	2/25/2015 3:49 PM			
59	9	2/25/2015 3:00 PM			
60	Minimum 8 months (or maybe even 9 months)	2/25/2015 1:38 PM			
61	1 month	2/25/2015 10:04 AM			
62	11 1/2 months	2/24/2015 8:56 PM			
63	at least 9 months out of the year	2/24/2015 6:45 PM			
64	at a minimum 8 months	2/24/2015 5:28 PM			
65	permanently reside in unit	2/24/2015 5:20 PM			
66	10	2/24/2015 4:44 PM			
67	A housing exchange could be over a period of a year, so no	2/24/2015 2:49 PM			
68	6-9 months	2/24/2015 12:46 PM			
69	Not allowed	2/24/2015 11:36 AM			
70	2 years	2/24/2015 10:32 AM			
71	at least 9 months of each year	2/24/2015 8:54 AM			
72	At least six months	2/24/2015 7:29 AM			
73	At least 8 months	2/23/2015 9:02 PM			
74	at least 10 months out of the year	2/23/2015 8:50 PM			
75	owner should occupy at least 11 months per year	2/23/2015 8:13 PM			
76	9 mos or more per calendar year	2/23/2015 8:01 PM			
77	Either they should rent their residence on a 6-12 month lease or live their themselves at least 9 months out of the year.	2/23/2015 5:23 PM			
78	4 months of the year.	2/23/2015 5:09 PM			
79	it should be the owner's primary residence or rented fewer than 3 months/year	2/23/2015 4:29 PM			
80	6 months	2/23/2015 4:15 PM			
81	10 months out of a year	2/23/2015 4:06 PM			
82	I can't think of a good reason to do this. I'd be open to hearing some	2/23/2015 4:06 PM			
83	owner should occupy the property for 6 months of each year	2/23/2015 3:48 PM			
84	"It's a free country" - let's live up to this motto	2/23/2015 3:45 PM			

**Q7 In what kind of housing should short-term rentals be allowed to operate? Check all that apply.**

Answered: 129 Skipped: 59



**Answer Choices**

- Single-family homes
- Secondary dwelling units
- Multi-family homes
- Duplex homes

**Total Respondents: 129**

**Q8 Do you have any other comments regarding short-term rentals that were not addressed in the previous questions? If so, indicate them below.**

Answered: 75 Skipped: 113

#	Responses	Date
1	Property swap/trading is fine.	3/30/2015 10:53 AM
2	Brisbane is a wonderful community that is safe, family friendly and close to SF / other Bay Area attractions. In that context, short-term rentals provide a more affordable, safe and home-like, community experience that many families / travelers seek, especially when faced with the alternative of high-rise hotels or urban neighborhoods that are not as welcoming.	3/27/2015 6:21 PM
3	Property owners should be required to give short-term renters a "welcome packet" containing a brief statement about Brisbane that reflects the town's history and character, information on local rules or practices regarding parking, information on local businesses and events, and any other information that would be helpful to their stay.	3/27/2015 5:24 PM
4	This should have conditions regarding disturbances to other neighbors etc. If a property becomes a nuisance the permit should be able to be revoked	3/27/2015 4:08 PM
5	If we do have air bnb or something else, it should be regulated and zoned its bed and breakfast. I do not support bed and breakfast in Brisbane.	3/26/2015 9:19 PM
6	We are surrounded by hotels in commercial districts less than a mile away in SF that's enough hotels to satisfy demand	3/25/2015 8:48 AM
7	We are a community. Please don't destroy it	3/18/2015 1:32 PM
8	yes, but I will send them in a separate email	3/16/2015 5:20 PM
9	The only form of short term rental that should be allowed is for a traditional regulated bed and breakfast business.	3/14/2015 11:10 AM
10	Short term rentals would alter the tone and character of Brisbane. We have a safe community. It should stay that way.	3/12/2015 4:33 PM
11	The right to rent out one's home or rental unit or sublet a room is a fundamental aspect of one's private property rights. All the concerns stated in question number 2 could easily apply to long-term tenants, yet neither the neighborhood nor the City has any say in who long-term tenants are, and nor should they. In the case of a short-term rental, if there ever is a nuisance, the property owner is still responsible and at the very least the short term renters will be gone in a matter of days or weeks at most. Additionally, the positive aspects far outweigh the fears and concerns. This is a way for Brisbane property owners to keep their homes, perhaps afford to get away on a long dreamed of vacation, meanwhile keeping Brisbane populated, keeping our local stores and restaurants patronized, keeping lights on and eyes on the street. If the City is interested in "shaming the wealthy," Brisbane should look to other nearby municipalities like San Francisco where the discussion is leaning more toward assessing a hotel tax equivalent on the services such as Airbnb or VRBO, rather than trying fees or onerous permitting requirements onto Brisbane homeowners.	3/11/2015 8:24 PM
12	Short term rentals can be the difference of someone off setting their rent to take the vacation of a lifetime. An person who just needs to rent out their room temporarily without the burden of a full time renter. This practice is very common in Europe and around the world without problems or nuisance. Besides the potential revenue local business would receive compared to locals who barely patronize our local stores. Also, this is a property right of any landlord in the city to do with their property as they choose. If it becomes a big problem then lets address the issue.	3/11/2015 6:00 PM
13	The stability of residential Brisbane is due to long term residents. Short term rentals are not going to benefit the general community, and will potentially add problems. I did not buy my home here to live with a transient community!	3/11/2015 6:25 PM
14	If the Planning Commission thinks the Zoning Ordinances should be changed to allow short-term rentals, I strongly suggest this be brought to the residents of Brisbane directly to vote on.	3/11/2015 6:23 PM

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- 15. My experience, we have met people from Spain, Germany, France, Poland, England and Denmark. 96% used public transportation. We were able to provide some economy boost locally as well as represent California and America in a very good light.
- 16. Having the chance to host other people in your home from other countries is an amazing opportunity for growth, learning, and expansion.
- 17. Connecting people is the most valuable thing we can do as humans.
- 18. PAPERING (Should not make parking worse )
- 19. The principles behind the Council's decision can be that short-term rentals should: 1) do not harm to the community and 2) benefit the property owners. Property owners who choose to make their home available for short-term rentals, for personal and withoutthought through reasons, should have to abide by rules and guidelines that protect the neighborhood and quality of life in the immediate vicinity, but also that protect the investment of the owners and their ability to leverage it to the full extent possible... without doing any harm. Owners who violate the guidelines should stand to lose the privilege of renting short-term. But owners who make every effort to abide by the letter and spirit of the guidelines should be free to rent to whom and for how long they please. My wife and I have rented our house in Brisbane, short term, on and off over the past year. The extra income has enabled us to rebuild a firm in Central America which employs 50-100 very poor people over the course of a year and which affects the income of 250 through family ties. The guests we have met have been delightful, educated, respectful people who have been happy to learn of Brisbane and who have appreciated the views, quietude, and comfort that we all know so well. They have come from Russia, Japan, Bulgaria, China, Germany, and from across the U.S. We now have a number of guests who have stayed with us 3-4 times, on business trips. All of them, we screen carefully. Recently we turned down a short-term stay offer by a film crew that wanted to shoot a scene on the steps and front door during the night. We wrote and told them (nicely) it would create too much disturbance for our neighbors. So we are very selective and our rules state no large gatherings or noise at night, and request strict adherence to parking guidelines. Further, Airbnb manages the "reputation" of both property owners and renters alike on their website. If you're an owner and a guest is checking availability of your property, the first thing you do is check the prospective guest's ratings by other owners. And owners (and their property) are rated by guests at the conclusion of each stay. So guests can check out the owners as well for good service and good cheer. Overall, everyone in this system is building their reputation online and anyone can read it - especially in the next rental situation. It keeps everyone on their toes. It is self-regulating. If the proverbial "wild party" happens during a short-term stay, and complaints are registered, neighbors make sure, owners embarrassed, you can be sure that the perpetrators will have a huge black mark in their online persona and not be able to do it again. So that situation is rare and does not need to be legislated against.
- 20. Destruction of the community's character to make TOT tax is not protecting Brisbane's welfare.
- 21. there should be regulations that protect neighbors from noise, transients, and limits parking to protect and maintain the residential nature of the neighborhoods. If something of this nature is put in place, neighbors have recourse for complaints of non-compliant landlords. A certain amount of complaints should result in a fine to the city.
- 22. So long as the owners are responsible for the short-term renters and follow all of the noise ordinances, there should be no reason why an owner cannot do with their property as they wish. Housing costs in the Bay Area are astronomical and anything that can help offset that (without becoming a true nuisance) should not be restricted.
- 23. Neighbors should have to agree w/ short term rentals, at hearing (each rental).
- 24. Most of these questions assume that short-term rental is going to be a fact and as such is a factored survey.
- 25. Tourist will spend their money in S.F. NOT Brisbane. If they can't afford a hotel, they should stay home.
- 26. There are 2 categories: those who live in the house and have guests, and those who own it and live elsewhere = vacation rental. They should be treated differently.
- 27. Assessee owners of property already select tenants based on the rent they pay. They do not care about sound profiles as long as they pocket the rent payments.
- 28. Brisbane already has transient populations in town. I do not want to see that increase and crime also increase.

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- 29. With respect to question 7, I think it would be fine if duplex and multi-family homes were also included, but only if all residence in the building are ok with the arrangement. It would be unpleasant for a lower tenant to have to deal with noise from short term renters upstairs, without receiving any income. This would depend on the sound-proof nature of the building. In the end, I think this is going to happen, whether the town permits it or not. I would love to see Brisbane introduce a small tax on such rentals, where a minimum rate is prescribed, and a percentage (of that rate) is given to Brisbane (payments \$??). This would give us additional income, as well as moderate the volume of such rental properties in the town, if the volume gets too high, the tax can be increased. Without making this officially allowed, it will force people to be covert in their efforts. This means it will be harder to enforce, and it will be more disruptive to the community. The type of arrangement is the future of travel, and we certainly shouldn't just pretend it's not happening and hope things don't go south. This is very much like what Uber has done to the taxi industry. Despite all the fighting with Taxi companies, and the regulations, Uber continues to take over the private transportation industry. Finally, Brisbane has very few places to stay when visiting. Allowing short term rentals is unlikely to reduce business for the few establishments that do exist here. The only negative impact of short term rentals in my opinion, is the potential for increased parking conflicts. So perhaps one additional requirement might be that any short term rentals need to have a dedicated parking space for guests which is owned/reserved for the property.
- 30. I believe the integrity and safety that makes Brisbane what it is will disappear.
- 31. Short term rentals are a commercial activity. No commercial activity should be allowed in residential areas. Internet enabling short term rentals is not a reason to change code. the same way no bakeries should be allowed in residential zones, even if internet were to enable them.
- 32. Brisbane has hotels, no need for short-term rentals.
- 33. there are already 4 illegal units on our block...and it creates all the above problems.
- 34. Brisbane is a small town and there are very few rentals available at any given time. I do not think there are that many landlords in Brisbane who want to rent their house out while on vacation. The problem is that some people will say it is for a vacation but really are looking to profit on a continuing basis throughout the year, and how will you be able to monitor that, other than a neighbor complaining.
- 35. A really bad idea. Will need more police patrols, adds costs to City budget!
- 36. Not a good idea. Building planning has a team enough/cannot regulate what it has no.
- 37. If people truly care for Brisbane, they should own the houses and live in it themselves, and not make money out of it!!!
- 38. Regulating this is trying to solve a problem that doesn't exist. If there is an issue w/ short-term rentals, then we should fix the root of it. Not the other way around!
- 39. There should be no short term rentals allowed in Brisbane.
- 40. I don't think any short term rentals should be allowed.
- 41. I think this is a terrible idea. We do not want more transient, less locally involved individuals to swarm our current rental homes. There isn't enough parking as it is. BAD idea!
- 42. I think it is okay for a homeowner to rent their home to one tenant if on an extended trip (3 months +). It is the Airbnb style rentals that worry me. Mostly because of our kids and all of the people walking their dogs on the streets. We do not have sidewalks. Renters will not understand that. There will be accidents.
- 43. This is a very shallow survey seemingly in favor of short term rentals. I, John, sent the first response and with the approval of my other half, David, am sending his feelings as well. Hence, the second response from a shared e-mail address. Lets see if your SurveyMonkey kicks it back....
- 44. short term rentals can decrease property values & should not be permitted under any circumstances not at this time.
- 45. Amount of tax income the city should be collecting.
- 47. Not a good idea!
- 48. Only the owner of the property should be allowed to rent it out. People who are renting should not be allowed to rent the property out to others. Additionally, it would be nice to know what triggered this discussion. Did Airbnb pay the city a visit? Are they contributing to someone's campaign?
- 49. No short term rentals. Takes away character of our small town. Takes away existing hotel business.

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- 50 Related issue - vacation house exchanges where no rent is involved should be discussed and permitted within appropriate rules
- 51 Given the small number of short-term rentals in the city, this almost seems like a non-issue... absent the need for permitting
- 52 Some home owners require additional income to afford their mortgage payments. Some people want to return their property while they travel. Retirees may want to use vacation rental income to finance their retirement. While vacation rental is a growing trend and I visit some days I want to put my house to work. When I travel the first thing I look for is vacation rentals. With proper regulations in place this should not be a problem for the city or the citizens of Brisbane. I would warn that regulations should not contain language that allows one resident to complain and shut down another neighbors vacation rental. Brisbane already has a long history of neighbors complaining loudly just to get their way. It may be that if regulations are not put in place this activity will occur illegally. With regulations in place the city of Brisbane could benefit from permit charges and the business in Brisbane would benefit from increased flow of vacation income.
- 53 mostly a bad idea
- 54 no
- 55 Short-term rentals redistribute available rental housing from the poor and middle to make \$74k per year and can barely manage the rent on a tiny cottage in Brisbane) to the rich who can pay premium prices. Airbnb and their ilk are contributing to the exodus of middle income people from the Bay Area. Short-term rentals are unlikely to know and help their neighbors. volunteer their time on city business, or otherwise contribute to civic life in Brisbane
- 56 Vacation rentals is a disturbance to stacked living
- 57 I AM COMPLETELY AGAINST IT! DO NOT LET IT IN BRISBANE!
- 58 As a home owner and previous renter in Brisbane, I do not recommend we allow short term rentals into our small community. There is no real way to regulate a short term rental. Like there is for a long term rental and there is no ability to monitor whether they are caring for the property and surrounding areas appropriately. I am strongly opposed to this.
- 59 Should not be allowed
- 60 Short-term rentals should not be allowed in Brisbane
- 61 We have had a second home on the Russian River for 30 years. The passage of an ordinance on short term rentals was brought in people who are investors to buy single family homes, and HAS LOWERED PROPERTY VALUES SIGNIFICANTLY. Marge Bushman
- 62 Regarding #7, except for secondary dwelling units, each unit should be occupied by the host, and tenants need to be made aware that leases may not allow for this.
- 63 I have many friends in southern California that use this for supplemental income. Also, when I travel I like to use short term rentals. My only concern is if you find how many homes do this, the prices of short term rentals would sky rocket. The more choices there are, it keeps the prices fair for everyone.
- 64 To add to #7 - while I do not support changing prohibition of short term rentals in residential areas, if I change were to happen, I do not think we should limit the kind of housing where short term rentals be allowed to operate if a change were to happen.
- 65 only property owners should be allowed to rent out the property short-term. Renters of properties should never be permitted to sub-lease or rent out the property for short (or any length) terms.
- 66 just would hope that the people who were given these options were checked out and not negative impacts
- 67 Affordable housing is getting harder and harder to find and keep. If it helps a homeowner to offset costs by renting a room, or the whole home, I don't see the harm. I don't realize it was something that needed to be regulated, unless there is an opportunity for the City to collect a tax. In addition to AirBnB check out Vacation Rentals by Owners. We use them every summer when we go to Russian River. Check out Russian River's ordinance/guidelines if you are looking for a model? Just a thought.
- 68 Short term renters need to abide by the laws like everyone else living in the neighborhood
- 69 If folks are just interested in paying their mortgage and making \$\$\$ by renting out their home, it's pretty sad

- 70 What is YOUR purpose of regulating and changing the current why people rent out their homes? I hope this is something you convey and make transparent to us. Why are you not mentioning anything about taxes in this survey with the exception of the Q.3 which is vague?
- 71 Would prefer that short term rentals are for short periods in single family occupied homes when the owners are out of town, or in secondary dwelling units. There was no opportunity to give nuanced answers to Q6 and 7
- 72 While I'd love to see additional revenue
- 73 There is obviously a strong demand for short term rentals. The few market society that we live in has spoken about this. A few loud citizens complaining might make a bit of noise at a meeting, but no matter how much they shout, the people and free markets have already spoken
- 74 I don't want all the houses to be bought only by investors, rather than people who want to live in the houses. If people who live in the houses want to rent out one of their rooms, or if they want to rent out their home while on vacation, I have no problem with that.
- 75 This is a private use of a people's home. It is not the city's business