



CITY COUNCIL AGENDA REPORT

Meeting Date: March 17, 2022

From: John Swiecki, Community Development Director

Subject: Short Term Rental Ordinance Implementation Update

Community Goal/Result

Safe Community - Residents and visitors will experience a sense of safety

Economic Development - Brisbane will work with the businesses and residents to provide for economic vitality/diversity

Purpose

To update the City Council regarding ongoing implementation of the City's short-term rental (STR) ordinance.

Recommendation

That the City Council receive and file this report and provide additional direction it deems appropriate.

Background

The City of Brisbane adopted an ordinance which took effect in summer 2020 permitting STRs subject to a number of operational and performance standards. Since early 2021 the City has been in contract with a vendor (Granicus) to automate the STR permit process and monitor STR activity on multiple listing sites, allowing the City to initiate code enforcement as needed and pursue the collection of transient occupancy tax (TOT). Lastly, the City Council passed an ordinance, pursuant to SB 60, to increase the fines for STRs operating in violation of the City's regulations on November 18, 2021. First offenses are subject to a \$1,500 fine; second offenses with a 12-month period are \$3,000; and third and any subsequent offense within a 12-month period, are \$5,000.

Discussion

The system went live in early summer 2021 and the City has been systematically and proactively monitoring STR listings, initiating code enforcement and TOT collection as warranted. In the approximately 9 months the system has been live, STR activity has been relatively modest and on the decline. Twelve (12) STRs were identified in June 2021 and the latest data from mid-February identified 5 STR units, with 2 recent listings being "not yet identified." The number of active code enforcement cases has dropped from 12 in June 2021 to 4 in October 2021 and 1 as of the writing of this staff report. Compliance has been achieved in a variety of ways. Listings have been removed and some STRs have been changed to long term (30-day plus) stays which are allowed. The City received its first STR permit application in October but it was denied in

January 2022 for noncompliance with the performance standards established under the City's ordinance, and one citation has been issued since the fines were increased.

Fiscal Impact

As of January 31, 2022, the City has collected approximately \$5,600 in TOT from STRs, with about \$1,100 collected since the last report to the City Council.

Measure of Success

Successful implementation of the City's STR Ordinance by permitting STRs consistent with the City's ordinance, eliminating unpermitted STRs and generating and collecting TOT.

Attachments

None

John Swiecki

John Swiecki, Community Development Director

Clayton L. Holstine

Clay Holstine, City Manager