



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: MARCH 9, 2026
FROM: ERIN VENTURA, CONTRACT PLANNER
SUBJECT: REVOCATION OF SHORT TERM RENTAL PERMITS FOR 44
OPAL STREET AND 70 HAYDEN ALLEY

RECOMMENDATION:

Conduct a public hearing and consider revoking the following Short-Term Rental (STR) Permits pursuant to the Conditions of Approval outlined in Resolutions 12-13-12 and 15-16-08 due to failure to comply with required reporting and operational provisions:

1. **Owner/Operator:** Carma Berglund / Michael Zisman
Property Address: 44 Opal Street, Sutter Creek
2. **Owner/Operator:** Carma Berglund / Michael Zisman
Property Address: 70 Hayden Alley, Sutter Creek

BACKGROUND:

The purpose of this hearing is to provide the owner/operator an opportunity to show cause why the short-term rental permits should not be revoked due to failure to comply with applicable requirements governing short-term rentals.

Pursuant to [Chapter 18.06.120](#) of the Municipal Code: **Revocation of a planning permit.** A planning permit approved under the provisions of this title may be revoked for noncompliance with the condition of the permit or for the creation of a nuisance as herein defined. The review procedure for a planning permit revocation proceeding shall be a public hearing by the review authority that approved the permit. Said proceeding can only be initiated by the community development director, planning commission, or city council after determining if there are sufficient reasons to conduct the hearing.

The City has complied with the required notice provisions set forth in the [code](#).

DISCUSSION:

1. 44 Opal Street (Zisman – Opal)

- No reported short-term rental activity since **September 2019**.
- No required STR reporting forms submitted since **April 2025**.

- Compliance reminder letter sent **December 30, 2025**.
- Public notice to consider revocation published in the ledger on **February 13, 2026**.
- Certified notice of public hearing mailed **February 19, 2026**.

The operator has failed to maintain required reporting and compliance documentation as required under the STR regulations.

2. 70 Hayden Alley (Zisman – Hayden)

- No reported short-term rental activity since **May 2025**.
- Rental activity has been inconsistent (“spotty”) since **2022**.
- No required STR reporting forms submitted since **May 2025**.
- Compliance reminder letter sent **December 30, 2025**.
- Public notice to consider revocation published in the ledger on **February 13, 2026**.
- Certified notice of public hearing mailed **February 19, 2026**.

The operator has failed to maintain consistent reporting and compliance as required by the STR ordinance.

The STR CUP requires permit holders to:

- Maintain active compliance with all operational standards;
- Submit required reporting documentation; and
- Remit applicable taxes and filings, **even if no rental activity occurs**, as required by City regulations.

Failure to submit required forms and maintain compliance constitutes a violation of the Conditional Use Permit and the Code and authorizes the Planning Commission to revoke a permit after proper notice and hearing.

The City has:

- Issued written compliance reminders;
- Provided certified notice of the public hearing;
- Published notice in the local newspaper; and
- Scheduled this public hearing to allow the owner/operator to show cause.

Based on the documented lack of reporting, inactivity, and failure to comply with administrative requirements, staff finds sufficient grounds to revoke both permits.

CONCLUSION

Staff finds that the owner/operator has failed to comply with the reporting and operational requirements of the Short-Term Rental Conditional Use Permit for both 44 Opal Street and 70 Hayden Alley. Proper notice has been provided in accordance with the municipal code.

Therefore, staff recommends that the Planning Commission revoke the Short-Term Rental Permits for both properties.

Attachments:

1. Resolution 12-13-12
2. Resolution 15-16-08
3. Letter from owner