



**COUNCILMEMBER CHRIS CATE  
CITY OF SAN DIEGO  
SIXTH DISTRICT**

**M E M O R A N D U M**

**DATE:** September 3, 2015

**TO:** Council President Sherri Lightner

**FROM:** Councilmember Chris Cate 

**SUBJECT:** Amendments to Short-Term Vacation Rental/Home Sharing Proposal

---

On August 12, the Development Services Director released draft regulations for Short-Term Vacation Rental/Home Sharing properties. The proposed regulations made modifications to a number of Municipal Code sections, and left void sections potentially pertaining to occupancy limits, frequency limits, and limitations on companion units.

Any proposal that is adopted requires strong enforcement. After meeting with several stakeholders and researching various mechanisms for enforcement, I offer the following as a potential proposal to increase enforcement and maintain the quality of life in San Diego neighborhoods:

- An adjustment during the mid-year budget review process to hire three (3) Police Investigative Service Officers (PISOs) at a cost of approximately \$255,000, who would be dedicated to responding to Short-Term Vacation Rental/Home Sharing property nuisance issues.
- Assuming any nuisance is unable to be resolved by a neighbor-to-neighbor interaction via the posted 24 hour contact, the impacted neighbor should contact the PISO to lodge the complaint. The PISO would phone the local contact person for the problem property and give a warning that an ongoing disturbance would result in the response of a police officer.
- After giving the appropriate amount of time for the local contact to address the problem the PISO would then contact the originating complainant to determine that there has been resolution.
- If the complaint has not been resolved, the PISO would add this complaint to dispatch for a police officer to respond based on the highest priority available.
- Under the City's Administrative Citation Program, the officer would have the ability to immediately assess fines and penalties to tenants and the property owner upon verifying the validity of the complaint.

I request that the adoption of a policy include the funding for a one-year pilot program that includes the above-detailed process of working with residents, property owners, the San Diego Police

Department, and Development Services Department. I am committed to working with the San Diego Police Department to determine the true cost and how this process can be most effective.

In reviewing the proposed regulations, I request the following amendments be included in order to provide additional clarifications in specific sections. In particular, my proposal:

- Replaces the term "visitor" with "transient," as it is already defined within the Municipal Code
- Adds language pertaining to the payment of necessary taxes and fees
- Requires the local contact to forward all responses to complaints to the City
- Replaces proposed occupancy limit language with State of California best practices of 2+1
- Eliminates sections pertaining to frequency limits
- Eliminates sections pertaining to limits on companion units
- Requires the operator or property owner to place the TOT Registration Certificate number within all online advertisements and postings
- Amends the Boarder, Lodger, and Home Sharing Accommodations section to require the dwelling unit to be the primary residence of the property owner
- Limits total number of parking spaces able to be provided to visitor tenants and transients during each stay to three (3)
- Maintains the current definition of a Bed and Breakfast Establishment
- Adds language anybody found in violation of these requirements and/or documented nuisances may be subjected to the City's Administrative Citation Program

I request these amendments be brought forward for consideration by the City Council when this subject matter is deliberated, following the public input process headed by Councilmember Lorie Zapf as Chair of the Smart Growth and Land Use Committee.

I believe this proposal is the best way to balance the quality of life in our neighborhoods while also promoting the evolving innovative economy within the City of San Diego.

cc: Honorable Mayor Kevin L. Faulconer  
Honorable Members of the City Council  
Robert Vacchi, Director, Development Services Department