

Holly Zappala

From: Laurel Prevetti
Sent: Thursday, December 20, 2018 3:28 PM
To: Martha Sterne
Cc: Holly Zappala
Subject: RE: Managing Short-term Rentals in Los Gatos

Good afternoon,

Thank you for your comments. I am providing them to Holly Zappala who is preparing the ordinance. Holly will let you know how you can stay in touch with this effort.

Thank you,
Laurel

From: Martha Sterne [mailto:msterne@yahoo.com]
Sent: Thursday, December 20, 2018 11:08 AM
To: Town Manager
Subject: Managing Short-term Rentals in Los Gatos

Dear Laurel,

I have learned that the Council is looking into how to address the short-term rental (STR) market in Los Gatos. I've read the notes/minutes from November 30th and the various directions in which the Council is considering how to proceed.

My request to members of the Council is please do not try to find solutions to problems that do not exist.

Please allow home owners to rent out a room or their residence as they wish and just see that home owners and renters comply with existing laws and town ordinances.

There is a noise ordinance in place. There are parking ordinances in place. There are numerous ordinances which dictate what residents can and cannot do. Home owners have invested millions into their properties. If they want to rent out a room, let them, on the condition that they adhere to existing laws and existing town ordinances.

While I haven't yet engaged in the STR market, I have 2 boys that just went off to college. I am now considering renting out one or both rooms on a limited basis because those rooms are empty. I still have another child who is in a local school, so I'm anchored to a half full house. It is extremely irritating that the Council is entertaining the notion of controlling what happens under my roof.

If the Council wants to find another revenue source and assign an occupancy tax, I can appreciate that. Or assign the need for a home occupation permit. But please do not get into the business of managing how I operate my home assuming I'm following the law and noise, safety, and parking ordinances, and that I/guests are considerate of my neighbors.

Thank you for considering my input.

Sincerely,

Martha Sterne
463 San Benito Ave
Los Gatos, CA 95030

Good afternoon, Laurel.

I represent numerous homeowners associations in the Bay Area, including several in Los Gatos. I am writing today in my personal capacity and not on behalf of clients or my firm.

Please know that I strongly support Subsection (g) of Section 14.140.025 of the draft ordinance. It requires that the owner of any property that is part of a homeowners association to obtain a letter of approval from the association authorizing use of the premises as a sort term rental as a condition of obtaining a license at the subject property.

Homeowners associations find numerous problems with short term rentals. Such renters often violate the association's declarations of covenants, conditions and restrictions and the association rules, being generally unfamiliar with them. Short term rentals degrade the character of the subdivision as one of single family homes, creating an atmosphere of a rental complex. Many associations now have covenants restricting short term rentals, but they are difficult to enforce.

In short, the draft ordinance would materially assist homeowners associations in the preservation of the quality of life in the community and the enforcement the regulations which are key to the use and enjoyment of those living in common interest developments.

Respectfully,



Jeffrey A. Barnett, Esq.
Partner



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January 31, 2019

To: Town Council
Town of Los Gatos
110 E Main Street
Los Gatos, CA 95030

Re: Proposed Short-Term Rental of Residential Property Ordinance, section 14.140

Dear Sirs:

Regarding the use of Auxiliary Dwelling Units (ADUs) for short-term rentals, the most important thing to us is the loss of privacy. One of the reasons we chose to live in the Hillside Residential (HR2.5) area was to enjoy peace and quiet, reduced traffic, and the ability to keep our drapes open if we so chose. We did not ever expect to have a “Hotel Los Gatos” next to us, but that is what is happening in our neighborhood.

We want to offer several comments on the proposed ordinance.

1. First, it is not clear what the relationship is between short-term and long-term rental on the same property. Will both be allowed to co-exist?
2. Can there be more than one ADU on a property? If so, can they be rented concurrently? Proposed section 14.140.085(a)(2) would seem to bar that practice, but from a business perspective why would anyone have more than one rentable ADU if only one can be rented at a time? Allowing more than 1 ADU per parcel that can be rented is particularly troublesome to us for HR2.5 properties.
3. Section 14.140.055 (Duration). Allowing up to 180 nights per calendar year is too much. That’s half of the time. It would be less impact on the neighbors (e.g., parking, traffic, nuisances) if it were a long-term rental. At least the period should be reduced to more like 100 days.
4. Enforcement. We think staffing of the Code Compliance office is far too low to be able to police and enforce the proposed rules. We don’t like the concept of having neighbors snitch on other neighbors as a basis for code enforcement by the Town, so serious consideration should be given to increasing the Code Compliance staff.
5. Section 14.140.085(a)(2) (Penalties). A \$250 fine is way too low to deter violations – that’s probably only one night’s rental in the current market. It should be more like \$1000. And for third time violators it should be more like \$10,000.

We hope you will consider our concerns when deciding on the new town ordinance.

Craig and Suzanne Sawyer
63 Highland Ave