

Short-Term Rental Regulations

Take this survey to provide your input on potential short-term rental regulations in Cupertino.

Summary Of Responses

As of August 27, 2018, 9:22 AM, this forum had:		Topic Start
Attendees:	229	August 7, 2018, 1:51 PM
Responses:	140	
Hours of Public Comment:	7.0	

QUESTION 1

When considering regulations of short-term rentals, there are many different objectives to consider. Please rank the following objectives in order of importance.

- Addressing noise and nuisance issues arising from short-term rentals
- Reporting complaints easily and getting them resolved quickly
- Protecting the long-term housing stock from being converted to short-term rentals
- Addressing parking challenges due to short-term rentals
- Controlling the number of people per night in a short-term rental
- Allowing property owners (or leaseholders) to earn additional income from short-term rentals
- Allowing an alternative to standard hotels and motels

QUESTION 2

Short-term rental guests may require parking during their stays. Which of the following rules would you support to address short-term rental parking?

		%	Count
All short-term rental parking should be contained on site (no on-street parking)		27.9%	39
All short-term rental parking should be contained to on-site parking or street parking immediately adjacent to the property		21.4%	30
On-street parking should be limited to three guest vehicles per short-term rental		2.9%	4
On-street parking should be limited to two guest vehicles per short-term rental		8.6%	12
On-street parking should be limited to one guest vehicle per short-term rental		15.0%	21
At least one on-site parking spot should be made available for short-term rental parking		7.9%	11

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		%	Count
I am not concerned about short-term rental parking		16.4%	23

QUESTION 3

Please add additional thoughts on short-term rental parking:

Answered	29
Skipped	111

QUESTION 4

Sometimes properties are purchased as a business opportunity with the intent to rent them as short-term rentals rather than for long-term rentals or owner occupancy. Should the City allow short-term rentals on a property where there is no permanent resident?

		%	Count
Yes		27.3%	38
No		62.6%	87
Unsure		10.1%	14

QUESTION 5

Some short-term rental operators use their primary residence for short-term rentals in order to earn supplemental income. Should the City allow primary residents to use their homes for short-term rentals?

		%	Count
Yes		71.4%	100
No		21.4%	30
Unsure		7.1%	10

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QUESTION 6

Sometimes residents want to use their property for short-term rentals while they are away or on vacation. These are known as “un-hosted” stays. Do you feel short-term rentals should be allowed when the primary resident is not home?

		%	Count
Yes		57.9%	81
No		30.7%	43
Unsure		11.4%	16

QUESTION 7

If “un-hosted” stays are allowed, how many days out of the year do you feel a short-term rental operator should be allowed to have “un-hosted” stays?

		%	Count
30 days per year		47.8%	64
60 days per year		11.2%	15
90 days per year		8.2%	11
180 days per year		5.2%	7
There should be no day limit on “un-hosted” stays		27.6%	37

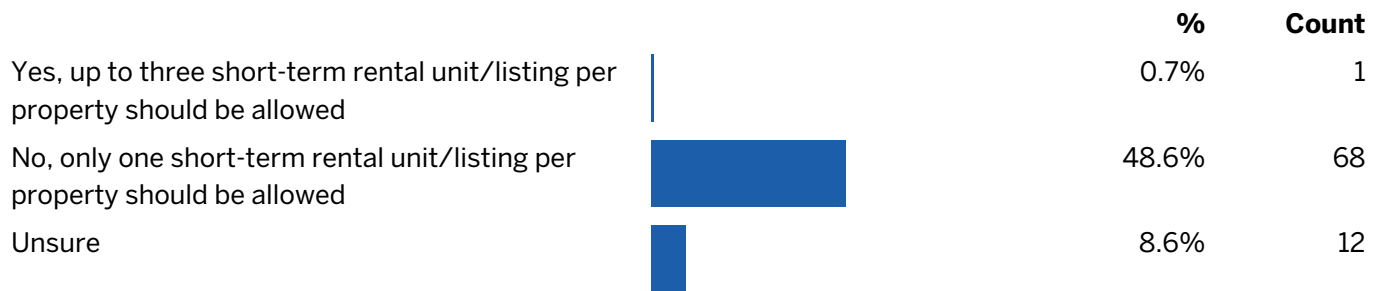
QUESTION 8

Sometimes short-term rental operators will list their main home and an accessory dwelling unit as separate listings. Should short-term rental operators be able to simultaneously use both their main home and accessory dwelling units for short-term rentals?

		%	Count
Yes, it should be unrestricted		30.7%	43
Yes, up to two short-term rental unit/listing per property should be allowed		11.4%	16

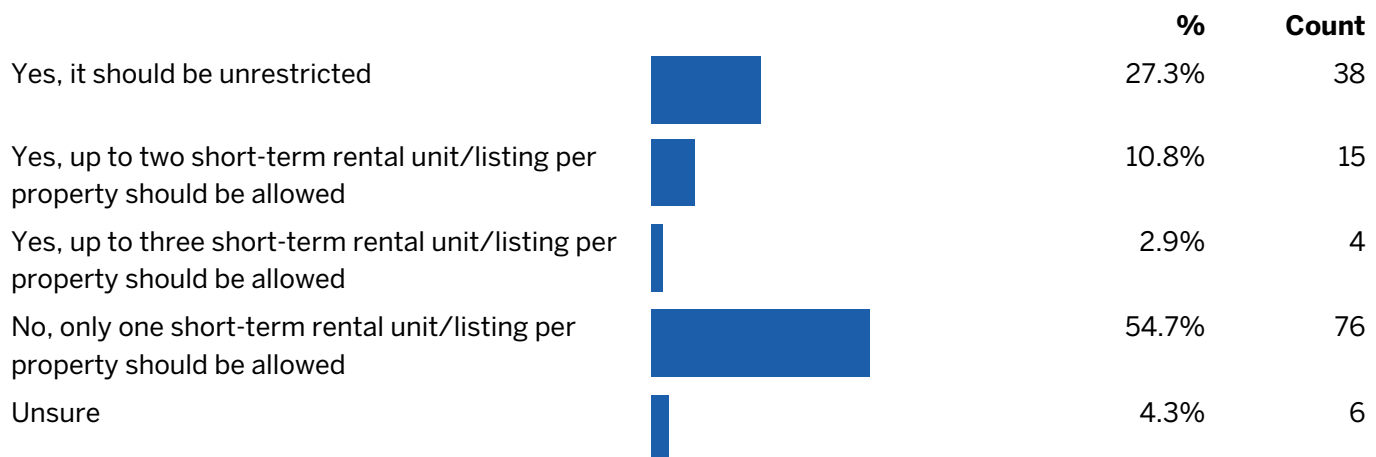
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QUESTION 9

Sometimes short-term rental operators list different rooms in one home as separate listings. Should more than one short-term rental unit/listing be allowed per property?



QUESTION 10

Do you have any additional comments regarding short-term rentals in Cupertino?

Answered	60 (attached)
Skipped	80

QUESTION 11

Please select all of the following that apply to you:

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		%	Count
Cupertino Resident		97.1%	135
Employee in Cupertino		5.0%	7
Homeowner		74.1%	103
Renter – Single Family Home		3.6%	5
Renter – Multifamily/Apartment		2.9%	4
Business Owner		7.9%	11
Short-Term Rental Operator		1.4%	2
Short-Term Rental Guest		1.4%	2
Other		0.7%	1

10. Do you have any additional comments regarding short-term rentals in Cupertino?

- Short-term rentals should be used for short-term residency only (i.e. alternative to hotels/motels), NOT as space for the guests to host parties and disturb the neighborhood.
- Please read my comments above. Cupertino City is NOT caring for our community as they could. Homes and property getting "junky," businesses also not cared for. There is a government facility on Bubb Road in the industrial section off of Stevens Creed that has patches of multicolored paint on the walls and no landscaping upkeep. Also an auto repair shop nearby. These are only a few examples of neighborhoods that the City is allowing to run down to the detriment of long-term and all Cupertino residents who want to be proud of our City.
- The city's regulations should focus primarily on those properties being operated by Renters as short-term rentals, rather than by Property Owners.
Renters should NOT be allowed to be short-term operators. ALSO, there should be a penalty against short-term rental operators if they are renters/ lessees subleasing the property in violation of their lease agreement and/or without properly notifying the Property Owners, because wear & tear and/or property damage will not be immediately discoverable by the Property Owner, who will ultimately have to take the hit in costs of repairs. The Renter-operator would instead be the pure-profit maker in such a situation.
- If there becomes abuse we can add laws as it comes up
- Complaints regarding noise, etc., should be easily and quickly addressed. When rooms are 'rented', I believe they should be taxed as any other business. I am also concerned that our long term housing stock may be converted into short term rentals.
- Units in townhouse complexes should get permission from their Homeowner Owner's Association to rent out their units as short term rentals.
- The number of people staying at a particular STR must be regulated and controlled. A house on our street is rented out as a STR for parties and often there are 4-6 vehicles at the house probably 10+ people staying there. This is a problem. Most recently there were approximately 20 people staying there for a week. I have reported this to Cupertino Code enforcement.
- I think it is fine and know people in Santa Clara who do this via AirBnB without any problems. Don't make it so restrictive as to be a hassle. Put things in place in case there are issues. Majority of people will be fine. The few bad experiences don't need to make it awful for the rest of the folks.
- The number of room in one address should be limited to one.
- It is too early to start passing regulation. I don't believe we should start regulating when we are yet to see any issues regarding short term housing. We should use tax dollars to address issues that we still face today on a daily basis, like traffic near school zones, school buses for children to alleviate traffic near schools.
- Renters never pull in garbage, pick up debris, and always have too many cars. Should not be allowed.
- I believe that it is important to establish a code of conduct for STR guests to address the types of usage that will create problems. Most Airbnb guests are going to be great people and this provides a better temporary housing option. If a guest makes a serious infraction or multiple infractions then they should be forced to vacate. If there are recurring problems, then that landlord should be put on probation or lift their license for six months.
I am not for encouraging 100% full property rental without a significant amount of resident time on the property. I would limit the amount of no-host time and outright forbid STR only usage.
I have not seen addressed if long term renters are allowed to host STRs.
I think we should consider how seniors may want to use STRs as a supplemental income source to allow them to age at home. Especially if they are below AMI. I would call for special rules for those 65 and over.
- Why are you charging fees?

10. Do you have any additional comments regarding short-term rentals in Cupertino?

- We've stayed in locations where we've met the owner and where we've not, the latter primarily due to scheduling conflicts, but it shouldn't be a requirement.
- Uncontrolled short term rental in residential neighborhoods will impact the neighborly cohesion and community.
- Short-term rentals should not be allowed as it would only serve to increase the housing cost in the area by encouraging owners to convert conventional rentals to more lucrative short term rentals.
- Individuals should be able to rent out a room in their home if the income is needed, but I don't approve of the idea of turning homes into multiple-rental buildings. Un-hosted stays should be capped at the vacation periods only, 2 -4 weeks max, so that guests must leave.
Neighbors to homes where short term rentals are occurring should have recourse to complain about any problems that impact them, and renters must leave immediately if a neighbor has a valid complaint. No pre-existing rental contract should stop the eviction of a renter in these cases.
- My friend lives in Pacific Grove with a short term rental 2 homes away from his. A catastrophe. Beer bottles on the street, police called to quiet down loud parties, difficult to find parking on street when the STR is rented. STR owner doesn't live anywhere near PG and doesn't care what goes on. Measure now on PG ballot to significantly limit STRs including where in the city they can be located. I'm ok with STRs as long the the owner is at home during rental and the rented unit is within the house.
- Whatever requirements that are put in place need to be reasonable. I would agree that short term rentals where the owner puts 16 bunk beds in a house to rent out crosses the line. Maybe the number of guests that could be accommodated in a short-term rental should be based on the number of bedrooms.
- There is critical shortage of housing in the area. Short-term rentals should be outlawed. Cupertino is not a vacation destination. It is a community of long-term residents. We need stable families living in our city, not tourists or business travelers using much needed long term housing for their short stays. That is what hotels are designed to accommodate.
- I think property owners or leaseholders should be allowed to rent their residence on any basis (i.e., short-term; long-term) that they want; subject to whatever regulations that the city deems necessary to protect the community at large.
- Properties that are primarily short term rentals should be rezoned as commercial and reassessed annually. After all they are doing commerce on the property.
- I wonder how feasible it is to make the homeowner be present during the rental. I would imagine that people would put their houses up for rent when they go on vacation and thus not be present.
- I
- Please study this very thoroughly and make a distinction between single family homes and multi-dwelling complexes. The parking issue alone should preclude this in complexes, let alone the additional disturbance of frequent visitors on holiday who have no consideration for residents on the other side of the wall.
- I think most short term rental people want to do a good job. There are usually a few though that don't care about neighbors, etc. It is important to have reasonable regulations in place and complaint system for residents. Enforcement is also key.
- It should always be "hosted" as originally intended. Ok on vacation (like some do for house swap) but not permanent absentee hosting.
- In a city that struggles with providing housing for those working in and near the community, there is a valid reason to have concern about "short-term" rentals affecting the availability and price for those who want to live in the community -- and I am comfortable with some bias towards those who live in the area over either business use or over visiting use. On the other hand just saying "No." is not reasonable so finding a supportable balance point is important.

10. Do you have any additional comments regarding short-term rentals in Cupertino?

- Regulation is not needed. We have too much regulation in our lives as it is.
- My kids feel unsafe playing outside because of the frequent strangers coming into our neighborhood. Property owners must pay property tax for road work that short term rentals use and don't pay their fair share.
- I am generally against rent control regulation. However, residential neighborhoods need to be protected as such and free of any nuisance or security issue that would degrade a neighborhood. Short term rentals create security issues because neighbors cannot assess whether unknown people in their neighborhood are burglars, threats or simply short term renters.
- Short term rentals are a basic violation of zoning in the neighborhood, you are converting a residential area into a commercial area. I see a lot of different cars, strange people, increased traffic. My neighborhood transfer to a "commercial" neighborhood, it is not fair to the resident neighbors. Many cities have made AirBnb illegal and so should you. Developers go through great extent to build hotels. You need to respect that. Permanent roommate is ok. Short term is NOT OK
- In Cupertino, it is very common for renters from India or China to have several houseguests, particularly in the summertime. There are also residents who have visiting college friends coming and going. (When you live in California, everyone you know will want to come and stay at your place, drive here and there, eat any food in your house.....) So how could these different folks be distinguished (from a fairness and enforcement perspective) from short-term renters, who would actually benefit the region through taxes? Each of these categories of visitors are likely to have rental car or summon Uber/Lyft rides, eat in local restaurants, and make noise talking on cell phones, bbq parties, etc. Regulations that limit one and not the other have to be based on something quite particular, as not to be a joke.
- With hotel prices in Cupertino and the Silicon Valley soaring, short term rentals provide a very needed alternative to hotels. Also, with inflation on the rise, "mom and pops" should be allowed to use their residences to earn extra income to help make ends meet. I do not think, however, that people should be allowed to use a property for short term rental if they do not live near that property (e.g. within 200 feet). If people live in the same neighborhood as their short term rental, they will be much more likely to operate the short term rental in a manner that is best for the neighborhood. I think the best approach at this point is to allow short term rentals with relatively few restrictions. If problems arise, additional regulations/restrictions can be imposed then to address the problems. There is no need to preemptively impose restrictions to prevent problems that may never occur.
- I don't agree with the answers to the Questions 6, 7 and 8. I don't agree with any Short Term Rentals so I wanted to answer No on all of those, but could not.
- Regulations should incentivize Cupertino to grow as a community, not as a tourist/transient destination.
- Stay out of people's business. The city does not have a stake in what home owners do with their private property. Cupertino should not be concerned with regulating private business, or protecting the existing hotel industry in Cupertino. AirBNB and other crowd sourcing or connectivity platforms give people an option to both earn extra income and work for themselves in an already high living cost area. If the burden outweighs the convenience and benefits to renters and operators the services will die out on their own.
- In regards to Question 1, there is an issue that is not included as an option: Allowing short-term rentals decreases safety as the short-term renter is a stranger, is unfamiliar with what is "normal" in the neighborhood, and does not necessarily have the best interest of the neighborhood or the neighborhood children in mind. I know the people in my immediate neighborhood and recognize those further away. With short-term renters, I would not know them. This is an issue for me as a mother of 3 young children. I want a community/neighborhood that i know and trust. We just had our

10. Do you have any additional comments regarding short-term rentals in Cupertino?

National Night Out day to get to know our neighbors and community. With short-term renters, we wouldn't know these people, they wouldn't be our neighbors. I believe any short-term rentals occurring must be in an owner-occupied home. Supplemental income is one thing, but if you're not living at the residence, then it's a rental property and should be treated as a rental property not a short-term rental property.

- AS A RELATIVE TO A HOMEOWNER WHO HAS A BNB ACROSS THE STREET, AND I ALSO LIVE THERE, THIS "WAS" A VERY PRIVATE NEIGHBORHOOD UNTIL A BNB ARRIVED AND THE RUNWAY FLOOD LIGHTS. THERE IS CONSTANT ACTIVITY DAILY AND WHY SHOULD WE BE SUBJECTED TO THIS. WHO KNOWS WHO IS STAYING IN THESE BNB'S SINCE THERE IS NO REGULATION (ONLY LAW ENFORCEMENT HAS A TRUE BACKGROUND OF SOMEONE) I HOPE THE CITY LISTENS TO THE HOMEOWNERS AND OF COURSE THE ONLY PEOPLE ARE EFFECTED ARE THE PEOPLE WHO LIVE CLOSE TO THE BNB....
- Short term rentals are not a re-zoning for hotel or motel. The use should be incidental and non-impactful. Having limitations on the number of such transactions, dates of transactions, parking and number of people is vital. Nobody in a neighborhood should see the house or residence as becoming a traffic, crime or congestion issue. Such uses should not exceed the zoning as well.
- The city needs to stop playing nanny state and allow homeowners to have the least restrictions as possible for the maximum property rights as possible without making things more complex than necessary.
- Stop exploiting east Cupertino as a cash cow to benefit selfish, elitist West Cupertino.
- I support allowing multiple listings for different rooms in a home but I'd prefer to see ADUs be available for long-term rental rather than short term rental.
- Chances are the people doing short term rentals are looking for quick money. How is this to be regulated - who will enforce them registering with the city or does that only happen when someone is reported? Who will enforce that the landowner is on site during the rental period? It causes a lot of transient activity in neighborhoods that is not necessary.
- I would not want them in my neighborhood!
- Try to minimize restrictions, but at the same time avoid having owners turn their property into a hotel when the neighborhood is not set up for that (number of cars, noise, etc.). It seems difficult to enforce restrictions on the number of vehicles or noise, because that places an onus on neighbors to complain on their neighbors. Instead, it may be simpler to put in place rules that can be automatically enforced by AirBnB or by the city based on AirBnB filings (tax transfers). An example of something easy to enforce would be restricting the number of renters at any given time in a given property.
- I would urge us to avoid pre-regulating before first observing the problems that actually turn out to affect residents' lives. There's nothing stopping us from implementing various regulations after first observing/extrapolating the effect that short term rentals are having, and these would likely be much more informed and efficient. The volume is so low today that we can't reasonably make any judgment about this yet, and the various proposals above strike me as being very far from data driven in any way.
- The hotel situation in Cupertino is very difficult and there are basically no affordable hotels. I think offering additional short term accommodation and giving residents who have huge rent and mortgage costs an opportunity to decrease their net living expenses is a good idea. Since Cupertino isn't exactly a vacation destination, I don't believe that the impact of short-term rentals is all that big.
- One rental only per residence
- The reason we have zoning and use rules is to allow property owners to know what to expect when they buy property. In Residential areas, folks are entitled to the level of quiet enjoyment they paid for when they purchased.

10. Do you have any additional comments regarding short-term rentals in Cupertino?

- We need to limit parking and noise issues created by short term rentals.
- City should have the residential block to have prerogative in deciding whether to allow STR in their block or not: overriding city's if so chosen.
Rationale: In a city - different residential blocks may have differing preferences based on their philosophy of quality of life impacted by floating population (makes it semi-commercial and brings with it challenges that not all residential blocks are built to deal with) ; however, this may dynamically change as per needs of time (and block-consensus). That granularity of freedom must be built in
- The city should be able to assess a fee equal to but not more than the tax/fee paid to the city by a hotel plus parking fees as in the above comment. Multi-unit rentals should be allowed only on a case by case basis depending on traffic, parking, and other quiet enjoyment concerns of the neighborhood. No separate contracts for multiple room occupancy should be allowed. A standard contract should be required by the city that allows for the termination of the contract and immediate eviction without notice of short term tenants by the sheriff in the event of illegal activities, persistent noise complaints or quiet enjoyment by neighbors. If 2 or more such evictions or quiet enjoyment complaints are registered against a landlord for 3 tenant in a one year period the short term occupancy permit should be revoked for a period of at least one year. If a landlord experiences a second revocation of permit that revocation should be permanent. The property owner should be required to carry insurance sufficient to cover restitution for property damage to neighbor properties and any criminal activity committed by the tenant or any guest that tenant may have invited or not. The property owner should be required to have a certificate of occupancy and annual renewal of that certificate.
- If we are to keep Cupertino a decent and safe city, short-term rental should be limited to minimal.
- Listing more than one short term rental increases number of vehicles & parking issues. Also could invite more violations of owner occupation requirements because it is harder to track what is rented when.
I am not in favor of short term rentals overall except one per year if owner is on vacation for say a month.
You must nail does definition of number of days allowed. I am not opposed to summer/intern rentals of example 30-60 days but every weekend having new people around is annoying & hurts property value if they become "party houses". Also pets are not discussed, visitors may be less likely to be responsible about cleaning up because no one knows them.
- Airbnb style renting should be allowed only if guests go through an additional background check. Otherwise, there could be a sex offender or other criminal could rent and stay in residential properties which are near children, schools, play grounds and churches.
- I do not prefer to regulate this at this time. It's too early. I would revisit this in 2 years and see if there are any real problems. Would not want to use tax dollars for something like this.
- "Short term" should be clearly defined. I believe anything over 30 days currently is considered a normal rental and not short term. Cupertino should define what it means by short term (e.g., 30 days, 14 days, 7 days).
- Only that, if two rentals are simultaneously listed, one of the vehicles needs on site (not street) parking.
- I would not be in favor of Cupertino turning into a massive hub for AirBnB where out of town guests have their quick stays. It is fine if the property owner has long-term rentals and short-term rentals at an extended length, but not operate their property as a hotel/motel where it affects the neighbors. I would not feel safe seeing someone new in the neighborhood every week.

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Survey Questions

QUESTION 1

1. When considering regulations of short-term rentals, there are many different objectives to consider. Please rank the following objectives in order of importance.

- Allowing property owners (or leaseholders) to earn additional income from short-term rentals
- Allowing an alternative to standard hotels and motels
- Addressing parking challenges due to short-term rentals
- Protecting the long-term housing stock from being converted to short-term rentals
- Addressing noise and nuisance issues arising from short-term rentals
- Controlling the number of people per night in a short-term rental
- Reporting complaints easily and getting them resolved quickly

QUESTION 2

2. Short-term rental guests may require parking during their stays. Which of the following rules would you support to address short-term rental parking?

- All short-term rental parking should be contained on site (no on-street parking)
- All short-term rental parking should be contained to on-site parking or street parking immediately adjacent to the property
- On-street parking should be limited to three guest vehicles per short-term rental
- On-street parking should be limited to two guest vehicles per short-term rental
- On-street parking should be limited to one guest vehicle per short-term rental
- At least one on-site parking spot should be made available for short-term rental parking
- I am not concerned about short-term rental parking

QUESTION 3

Please add additional thoughts on short-term rental parking:

QUESTION 4

3. Sometimes properties are purchased as a business opportunity with the intent to rent them as short-term rentals rather than for long-term rentals or owner occupancy. Should the City allow short-term rentals on a property where there is no permanent resident?

- Yes
- No

- Unsure

QUESTION 5

4. Some short-term rental operators use their primary residence for short-term rentals in order to earn supplemental income. Should the City allow primary residents to use their homes for short-term rentals?

- Yes
- No
- Unsure

QUESTION 6

5. Sometimes residents want to use their property for short-term rentals while they are away or on vacation. These are known as “un-hosted” stays. Do you feel short-term rentals should be allowed when the primary resident is not home?

- Yes
- No
- Unsure

QUESTION 7

6. If “un-hosted” stays are allowed, how many days out of the year do you feel a short-term rental operator should be allowed to have “un-hosted” stays?

- 30 days per year
- 60 days per year
- 90 days per year
- 180 days per year
- There should be no day limit on “un-hosted” stays

QUESTION 8

7. Sometimes short-term rental operators will list their main home and an accessory dwelling unit as separate listings. Should short-term rental operators be able to simultaneously use both their main home and accessory dwelling units for short-term rentals?

- Yes, it should be unrestricted
- Yes, up to two short-term rental unit/listing per property should be allowed
- Yes, up to three short-term rental unit/listing per property should be allowed
- No, only one short-term rental unit/listing per property should be

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allowed

- Unsure

QUESTION 9

8. Sometimes short-term rental operators list different rooms in one home as separate listings. Should more than one short-term rental unit/listing be allowed per property?

- Yes, it should be unrestricted
- Yes, up to two short-term rental unit/listing per property should be allowed
- Yes, up to three short-term rental unit/listing per property should be allowed
- No, only one short-term rental unit/listing per property should be allowed
- Unsure

QUESTION 10

9. Do you have any additional comments regarding short-term rentals in Cupertino?

QUESTION 11

10. Please select all of the following that apply to you:

- Cupertino Resident
- Employee in Cupertino
- Homeowner
- Renter – Single Family Home
- Renter – Multifamily/Apartment
- Business Owner
- Short-Term Rental Operator
- Short-Term Rental Guest
- Other

QUESTION 12

11. If you operate a short-term rental, how much income do you earn monthly from it? *NOTE: Your response to this question will not be visible to the public on this forum.

- Less than \$500
- Between \$500 and \$1,000
- Between \$1,000 and \$2,000
- Between \$2,000 and \$3,000
- Between \$3,000 and \$4,000
- More than \$4,000
- I do not operate a short-term rental
- Prefer not to state