1. ROLL CALL


3. SWEARING IN OF ALL WHO WILL TESTIFY

4. ADMINISTRATIVE HEARINGS

   Code Enforcement

   Item #1. Administrative Citation Appeal – 11613 Ridgewood Road
   Appellant(s): Robert Phillips

   Recommendation:
   Conduct a public hearing and, upon conclusion affirm Administrative Citation No. C1746 for the amount cited, for the reasons presented at the hearing.

5. PUBLIC COMMENT - for non-agendized matters within the city’s jurisdiction.

   PUBLIC COMMENT ALLOWS MEMBERS OF THE PUBLIC TO SPEAK FOR A MAXIMUM OF THREE MINUTES ON ANY SUBJECT WITHIN THE SUBJECT MATTER JURISDICTION OF THE ADMINISTRATIVE HEARINGS BOARD, WHICH IS NOT ON THE AGENDA. THE ADMINISTRATIVE HEARINGS BOARD CANNOT TAKE ACTION ON PUBLIC COMMENT ITEMS.

6. DISCUSS AND ACCEPTANCE OF STATUS REPORT ON PENDING ORDERS

7. ADJOURNMENT

   Pursuant to the Brown Act, non-confidential materials related to an item on this agenda submitted after distribution of the agenda packets are available for inspection during normal
business hours in the Development Services Department in City Hall, 1st Floor, 777 Cypress Avenue, Redding, California. Staff reports are available online at the City’s website at www.cityofredding.org, or in the Public View binder located on the table in the lobby of the Council Chambers.

In compliance with Title II of the Americans with Disabilities Act, the City of Redding will make available to persons with disabilities modifications or accommodations including auxiliary aids or services necessary to participate in public meetings. A person needing assistance should contact the Redding City Clerk by telephone at (530) 225-4447 or in person, or by mail at 777 Cypress Avenue, 3rd Floor, Redding, California 96001 at least three (3) working days in advance.

The City of Redding will ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of its projects, activities, services, or business opportunities on the basis of race, color, national origin, age, sex, or disability, as afforded by Title VI of the Civil Rights Act of 1964 and related statutes as amended. All persons, regardless of their citizenship status, are covered under this regulation.

Questions, complaints, or requests for accommodations or additional information may be forwarded to the ADA & Title VI Coordinator at 777 Cypress Avenue, Attn: Personnel Dept., Redding, California 96001, Phone (530) 225-4065.
CITY OF REDDING
REPORT TO ADMINISTRATIVE HEARINGS BOARD

**MEETING DATE:** March 18, 2020
**ITEM NO.:** 1
**FROM:** Steve Willkomm, Code Enforcement Supervisor

**SUBJECT:** Item #1--Administrative Citation Appeal, 11613 Ridgewood Road

---

**Recommendation**

The Building and Code Enforcement Division recommends that the Administrative Hearings Board affirm Administrative Citation No. C1746, for the amount cited, for the reasons set forth below and as presented at the hearing. This recommendation is based, in large part, on the significant health, safety, and general welfare issues associated with the alleged violations of the Redding Municipal Code, set forth below.

**RESPONSIBLE PARTY/PROPERTY OWNER:** Robert Phillips

**ASSessor'S PARCEL NUMBER:** 073-420-011-000

**LOCATION OF VIOLATIONS(S):**

11613 Ridgewood Road
Redding, CA 96002

**CITATION NUMBER(S):** C1746

**CITATION DATE(S):** December 30, 2019

**VIOLATIONS ALLEGED:**

After staff efforts to resolve the code violation(s), with the responsible parties, Code Enforcement Supervisor Steve Willkomm issued an administrative citation to the responsible parties for the following violations:

**Redding Municipal Code § 4.12.060:**

Each operator shall, within twenty (20) days following the close of each month, make a return to the finance officer, on forms provided by him, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is
filed, the full amount of the tax collected shall be remitted to the city finance officer. The finance officer may establish a shorter reporting period for any certificate holder if he deems it necessary in order to insure collection of the tax, and he may require further information on the return. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the city until payment thereof is made to the city finance officer.

SUPPORTING EVIDENCE:

Responsible party is a Site Development Permittee for a Short-Term Rental. As a Short-Term Rental Operator, the responsible party is also a Transient Occupancy Tax Account Registrant. The process to accomplish permittee, operator and registrant status provides multiple opportunities to be instructed and advised in writing about the obligations to file a monthly Transient Occupancy Tax Return. The Responsible Party failed to submit such returns for several months. After a delinquency notice was sent to the Responsible Party with no response, staff issued the subject citation. The supporting evidence is attached to this report and summarized, below.

FACTS AND BACKGROUND:

The Planning Division distributes a handout to any member of the public seeking information about Short-term Rentals (see attached). On October 5, 2018, the Responsible Party applied for a Site Development Permit to operate a Vacation Rental/Short-term Rental at the subject location (see attached). On October 23, 2018, a Notice of Decision By the Director Of Development Services was issued (see attached). On November 5, 2018, staff issued Site Development Permit SDD-2018-01233, effective November 2, 2018, to the Responsible Party. The approval and issuance of the permit included Conditions of Approval (see attached). A permittee is obligated to establish and register with the Finance Department for an account for the collection of Transient Occupancy Tax (TOT). Once an account is established, a completed tax return is required to be filed with the Finance Department each month (see attached). If a tax amount is due to be paid to the City due to transient occupancy, such a remittance is required at that same time. In addition, the City’s website posts information and instructions regarding Short-term Rentals (see attached).

On December 9, 2019, staff sent a letter to the Responsible Party (see attached). It also stated a Tax Return is required to be submitted, even if no rents were received. The months that were delinquent at the time of the letter were for August, September and October of 2019 (three (3) months). Every attachment states completed tax return/taxes are required. Several of the attachments also stated a Tax Return is required to be submitted, whether or not taxes are due. The letter also stated that the matter would be referred to Code Enforcement if the required completed forms are not filed by December 20, 2019.

On December 26, 2019, Responsible Party still had not complied. Code Enforcement staff reviewed the circumstances surrounding the violation and found the Responsible Party to be an “Operator” within the meaning of Chapter 4.12 of the Redding Municipal Code, and further found the Responsible Party had not made the necessary returns to the City, despite months of reminders and requests from City staff. As such, Code Enforcement Supervisor, Steve Willkomm, found the Responsible Party to be in violation of RMC 4.12.060, and issued Administrative Citation No. 1746. The total amount of the citation reflects three (3) months delinquencies. Staff has evidence of documented stays through September 2019. In addition,
staff has evidence of documented stays at the subject location, for more than several months previous dating back to May 2019.

NOTICE OF HEARING

On February 21, 2020, a Notice of Hearing before the Administrative Hearings Board was sent via first-class mail to the property owner/responsible parties (attached hereto).

Attachments

Administrative Citation No. C1746
Hearing and Hardship Requests
Hardship Approval Letter and Deposit Receipt
Supporting Evidence
Proposed Administrative Hearing Order
**CITY OF REDDING**
**ADMINISTRATIVE CITATION**

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<th>Case:</th>
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<td>432</td>
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| NAME (First, Middle, Last) |  |   |
|---------------------------| |   |
| ROBERT PHILLIPS            | |   |

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<th>CITY</th>
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<tr>
<td>1775 ALCOS RICO DRIVE</td>
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<td>11613 RIDGEWOOD ROAD</td>
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**VIOLATIONS**

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<th>DESCRIPTION</th>
<th>FINE AMOUNT</th>
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<tr>
<td>4.12.6.0</td>
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<td>$500</td>
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<td></td>
<td>SUBMIT TAX RETURNS TO FINANCE FOR EACH MONTH WHETHER GUEST STAY OR NOT</td>
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</table>

I CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT AND EXECUTED ON THE DATE SHOWN ABOVE AT REDDING, CALIFORNIA.

S. WILLKOMM # 7335 / 12/26/19
Issuing Officer Signature and Badge Number

Make all checks payable to "City of Redding" to the total amount due. Send your remittance with the bottom portion of this citation to:

CITY OF REDDING TREASURER'S OFFICE
P.O. BOX 496071, REDDING CA 96001-6071

DATE OF CITATION:   
AMOUNT PAID:   

SEE REVERSE SIDE FOR FURTHER INFORMATION AND INSTRUCTIONS REGARDING APPEAL OF THIS CITATION.

02/26 Original White-Person Cited  Pink-Finance  Yellow-Office
CITY OF REDDING
REQUEST FOR HEARING
ADMINISTRATIVE CITATION

NOTICE TO CITED PERSONS:

If you have received an Administrative Citation from the City of Redding, you have the right to contest the Citation at a public hearing before a Administrative Hearing Board. Upon receipt of the Request for a Hearing form and payment of the deposit and/or Advance Deposit Hardship Waiver, the City will notify you of the date and time set for your hearing. At the hearing, you will be given the opportunity to testify and to present evidence of the cited violation or as to whether you are the responsible party.

TO REQUEST A HEARING:

1. You must complete and return this form together with proof of payment of the total administrative fine amount listed on the Administrative Citation, by mail or in person, to the Permit Center at Redding City Hall located at 777 Cypress Avenue 1st Floor, Redding CA 96001 within thirty (30) days of the date of the issuance of the Administrative Citation.

2. If you are financially unable to pay the total amount of the administrative fine and want to contest the Administrative Citation, you may obtain an Advance Deposit Hardship Waiver (ADHW) application from the Permit Center at City Hall. The ADHW application and all supporting documentation must be submitted to the City of Redding Permit Center within thirty (30) days from the date of the issuance of the Administrative Citation. See the ADHW application for more information.

I hereby request a hearing to contest issuance of an Administrative Citation that I have received. I certify under penalty of perjury, that the foregoing is true and correct to the best of my knowledge: (Please Print)

Name: Bob Phillips
Mailing Address: 1163 Ridgewood Rd
Physical Address: same
City/State/Zip: Redding CA 96003
Citation Number: 1746
Citation Amount: $150
Issue Date: 12-06-19
Officer Name: Will Kamm

I understand that if I fail to appear at the hearing, this failure will result in the forfeiture of my deposit of the administrative fine OR if I have requested a Hardship Waiver and fail to pay the deposit 10 days after the date of the approval letter, I understand that will constitute a failure to exhaust my administrative remedies.

Basis of Appeal

Income ended suddenly, personal income taken by cancer treatment bills

Name: Bob Phillips
Signature: Bob Phillips
Date: 12/20
DECLARATION

I am contesting an Administrative Citation, and I hereby request an Advance Deposit Hardship Waiver for fees associated with the Citation pending the Administrative Hearing decision. I certify under penalty of perjury, that the foregoing is true and correct to the best of my knowledge:

(Please Print)

Name: Bob Phillips
Phone Number: 530-515-4442

Address: 11613 Ridgewood Rd City/State/Zip: Red Ca 96003

Citation Number: 1746 Citation Amount: $15.00

Issuance Date: 12-26-19 Officer Name: W. Johnson

- I have requested a hearing to contest the Administrative Citation. I understand that I am required to deposit the full amount of the fine in advance of the hearing unless I receive an ADHW from the City of Redding.
- I have/have not (circle one) attached copies of financial documents to this application.
- I am financially unable to deposit with the City of Redding the full amount of the fine in advance of the hearing. The reason is as follows:

We stopped doing AB3 to rent the house to a fire victim.
We cancelled our AB3 dates, then the renters backed out leaving us with no income to pay anything. We chose to move back into our home. Other income is currently being spent on cancer treatment and debts.

I understand that if I am granted this hardship waiver, I still must complete the Request for Administrative Hearing to contest the citation. If I fail to appear at the hearing, this failure will result in the forfeiture of my deposit of the administrative fine, and will constitute a failure to exhaust my administrative remedies.

I UNDERSTAND THAT THE INFORMATION I PROVIDE ON THIS FORM WILL BE PART OF THE ADMINISTRATIVE RECORD; AS SUCH, IT WILL BE CONSIDERED A MATTER OF PUBLIC RECORD.

Name: Bob Phillips

(Please Print)

Your Signature: Bob Phillips Date: 1-26-20
February 5, 2020

Robert Phillips
11613 Ridgewood Road
Redding CA 96003

RE: Hardship Waiver Request #C-1746, Account #056-1704-21898

Dear David Anderson,

According to the City of Redding Municipal Code “the City may issue an advance deposit hardship waiver that waives the requirement of an advance deposit of the fine or requires a partial deposit of the fine, only if the person requesting the waiver has demonstrated an actual inability to deposit with the City the full amount of the fine in advance of the hearing.” Based on my review of your waiver application, I have determined that you will be required to deposit $150.00.

Please be advised that your deposit must be received by the City within 10 calendar days of the date of this letter or 30 calendar days from the date of the administrative citation, whichever is later, for your appeal to proceed [RMC 1.13.120 (F)].

Allyn Feci Van Hooser
City of Redding, Finance Director

cg

c: Alisa Sanborn, Planning
Steve Willkomm, Code Enforcement
Ellen Grannis, Accounts Receivable
PHILLIPS ROBERT

CASH

150.00

CHECK

0.00

TOTAL

150.00

PAID BY:

PHILLIPS ROBERT

Attachment: Hardship Approval Letter and Deposit Receipt (Item #1—Administrative Citation Appeal, 11613 Ridgewood Road)
### Owner Information

**Owner Name:** Phillips Robert W / Phillips Sharon  
**Vesting:** Husband And Wife / Joint Tenant  
**Mailing Address:** 11613 Ridgewood Rd, Redding, CA 96003-7577  
**Occupancy:** Owner Occupied

### Location Information

- **Legal Description:** County: Shasta, CA  
- **APN:** 073-420-011-000  
- **Munic / Twrshp:** Twnshp-Rng-Sec:  
- **Neighborhood:** North Redding  
- **Elementary School:** Columbia Elementary School  
- **Latitude:** 40.62519  
- **County:** Shasta, CA  
- **Census Tract / Block:** 010807 / 1062  
- **APN:** 073420011000  
- **Alternate APN:**  
- **School District:** Mountain View School District  
- **Longitude:** -122.34414  
- **Tract #:**  
- **Legal Lot / Block:**  
- **Legal Book / Page:**  
- **Occupancy:** Owner Occupied  
- **Subdivision:**  
- **Neighborhood:** North Redding  
- **Elementary School:** Columbia Elementary School District  
- **Latitude:** 40.62519  
- **Longitude:** -122.34414  
- **Transfer / Rec Date:** 11/03/2016 / 11/08/2016  
- **Property Type:** SFR  
- **Total Rooms:** 7  
- **Living Area:** 2,316 Sq. Ft.  
- **Basement Area:**  
- **Story:** 1  
- **Bedrooms:** 3  
- **Above Grade:**  
- **Total Adj. Area:** 2,836 Sq. Ft.  
- **Foundation:** Average  
- **Condition:** Average  
- **Foundation:**  
- **Foundation:** Average  
- **Condition:** Average  
- **Land Use:** SFR  
- **Lot Area:** 27,007 Sq. Ft.  
- **Res / Comm Units:** 1  
- **Lot Width / Depth:**  
- **Usable Lot Acrs:** 0.62  
- **Flood Zone Code:** X  
- **Flood Map #:** 06089C1238G  
- **Flood Panel #:** 1238G

### Prior Sale Information

- **Sale / Rec Date:** 04/06/2015 / 05/28/2015  
- **Sale Price / Type:** $368,500 / Full Value  
- **1st Mtg Rate / Type:**  
- **2nd Mtg Rate / Type:**  
- **1st Mtg Amt / Type:** $370,500 / Conventional  
- **2nd Mtg Amt / Type:**  
- **Prior Sale Doc #:** 2007.7033  
- **Prior Lender:** Wells Fargo Bank  
- **Prior Deed Type:** Deed  
- **Prior Sale Doc #:** 2007.7033  
- **Seller Name:** Butler Jimmie H II & Deborah E  
- **Lender:** Prime Lndg  
- **Sale / Rec Date:** 02/02/2007 / 02/13/2007  
- **Sale Price / Type:** $430,000 / Full Value  
- **1st Mtg Rate / Type:** / Fix  
- **2nd Mtg Rate / Type:**  
- **1st Mtg Amt / Type:** $280,000 / Conventional  
- **2nd Mtg Amt / Type:**  
- **Prior Sale Doc #:** 2007.7033  
- **Prior Lender:** Wells Fargo Bank  
- **Prior Deed Type:** Deed  
- **Prior Sale Doc #:** 2007.7033

### Property Characteristics

- **Gross Living Area:** 2,836 Sq. Ft.  
- **Living Area:** 2,316 Sq. Ft.  
- **Total Adj. Area:** 2,836 Sq. Ft.  
- **Above Grade:**  
- **Basement Area:**  
- **Foundation:** Average  
- **Condition:** Average  
- **Land Use:** SFR  
- **Lot Area:** 27,007 Sq. Ft.  
- **Res / Comm Units:** 1  
- **Lot Width / Depth:**  
- **Usable Lot Acrs:** 0.62  
- **Flood Zone Code:** X  
- **Flood Map #:** 06089C1238G  
- **Flood Panel #:** 1238G  
- **Community Name:** City Of Redding  
- **City Of Redding:**  
- **County:** Shasta  
- **State:** CA  
- **Type:** SFR  
- **Zoning:**  
- **# of Buildings:** 1  
- **Res / Comm Units:** 1  
- **Water / Sewer Type:**  
- **Flood Map Date:** 03/17/2011  
- **Inside SFHA:** False

### Tax Information

- **Assessed Year:** 2019  
- **Assessed Value:** $397,014  
- **Market Total Value:**  
- **Market Land Value:**  
- **Market Imprv Value:**  
- **Market Imprv %:**  
- **Tax Year:** 2019  
- **Tax Area:** 1-275  
- **Property Tax:** $4,574.98  
- **Exemption:**  
- **Delinquent Year:**  
- **Improvement Value:** $316,212  
- **Land Value:** $80,802  
- **Improved %:** 79.65%  
- **Market Imprv %:**  
- © 2020 FIRST AMERICAN DATA TREE AND/OR ITS AFFILIATES. ALL RIGHTS RESERVED.
2. The following additional provisions shall also be applicable to Vacation Rentals, which may be supplemented by requirements established by the Director with approval of the required Site Development Permit, as necessary to maintain compatibility of the use with the surrounding properties. The Site Development Permit shall expire 12 months from issuance and needs to be renewed annually.
   a. A vacation rental shall not be rented to multiple separate parties concurrently unless the owner (or primary occupant with the written permission of the owner) is residing on the premises during the rental period, in which case the vacation rental shall be limited to two unrelated parties.
   b. The owner/applicant shall keep on file with the City the name, telephone number, and email address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the vacation rental. This information shall be posted in a conspicuous location within the vacation rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the vacation rental within sixty (60) minutes, if necessary. The name and contact information of the local contact person will be made available to the public.
   c. Depending on the physical nature of the property and surrounding properties, the Director may allow, with approval of the site development permit, on-street guest parking.
   d. The number of guests permitted at any given time is limited to the number of bedrooms multiplied by two.

Note: In addition to the above requirements, the City advises that short-term rental owners/operators determine whether liability and/or other insurance for the use is required by their insurance company.
The City of Redding recognizes that some property owners may desire to use their home to provide short-term lodging for overnight guests as an alternative to the typical hotel, motel, and bed and breakfast accommodations customarily available to Redding visitors.

**STEPS TO OPERATING A SHORT-TERM RENTAL:**

**Step 1: Determine whether an affidavit or permit is required.**

Redding Municipal Code provides for two types of short-term rentals, Hosted Homestay or Vacation Rental. Depending on the type of short-term rental you have (see General Requirements), you will either need to sign a Hosted Homestay Affidavit or obtain a Site Development Permit. Appropriate documents can be found at the City of Redding Permit Center.

**Step 2: Determine whether a business license is required.**

To obtain business license information, bring a copy of your Hosted Homestay Affidavit or Site Development Permit to the City Clerk’s Office. The typical fee is $50 annually.

**Step 3: Create an account for Transient Occupancy Tax.**

Accounts for Transient Occupancy Tax will be created in the City of Redding’s Finance Department. An information packet will be mailed to you or you can visit the Finance Department for more information.

**Step 4: Enjoy playing host to visitors from all over the world.**

This is a perfect opportunity to show visitors all our great city has to offer.

**Step 5: Complete Transient Occupancy Tax Forms.**

The City of Redding Finance Department will send Transient Occupancy Tax forms on a monthly basis. It is important that these forms are filled out and submitted each month.

**GENERAL REQUIREMENTS:**

**Hosted Homestays (Affidavit)**

1. No more than one dwelling unit on a lot may be used at any one time for short-term rental purposes.
2. A maximum of two (2) rooms may be available for rent at any time.
3. Occupancy shall be limited to a maximum of two adults per rented room. Room rental shall be limited to a maximum of 180 rental days per calendar year.
4. The property owner must occupy the residence at all times when rooms are being provided for rent.
5. A minimum of one on-site parking space shall be provided for each room rented. Guest parking spaces shall be within the primary driveway or other on-site location. External changes to a property such as converting significant areas of front yard landscape for purposes of meeting parking requirements is not allowed.
6. Short-term rentals shall meet all applicable building, health, fire and related safety codes at all times, including provision of working smoke and carbon monoxide detectors.
7. The owner shall post emergency evacuation instructions and “house policies” within each guest bedroom. The house policies shall be included in the rental agreement and shall be enforced by the owner. At a minimum, the house policies should:
   a. Reinforce the City of Redding’s Noise Standards (RMC Section 18.40.100) by establishing outdoor “quiet hours” between 10:00 pm and 7:00 am. to minimize disturbance to neighboring residences. Outdoor activities are prohibited during quiet hours
   b. Require that guest vehicles be parked on the premises, not the street, in compliance with this Section.
8. The property shall not be used to host non-owner related weddings, parties, and other similar events.
9. On-site advertising signs or other displays indicating that the residence is being utilized as a short-term rental are prohibited.
10. A City business license shall be obtained and transient occupancy taxes paid in accordance with Chapter 4.12. All advertising for any short-term rental shall include the City of Redding transient occupancy tax number, and the City of Redding business license number assigned to the owner/applicant. With submittal of transient occupancy taxes, the operator shall include the number of guest stays and the number of guests for the reporting period.
11. The permit is not transferrable to a subsequent property owner or to another property.
12. Redding Municipal Code shall not be construed as waiving or otherwise impacting the rights and obligations of any individual, group, or the members of any homeowners association, as defined, to comply with or enforce Conditions, Covenants, and Restrictions (CC&R’s).

**Vacation Rentals (Permit)**

1. With the exception of numbers 1 through 4 of the General Requirements for Hosted Homestays, all other requirements shall apply to Vacation Rentals.
**PLANNING APPLICATION**

**TYPE OR PRINT CLEARLY**

**MAKE CHECKS PAYABLE TO CITY OF REDDING**

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<th>Applicant</th>
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<th>Day Phone</th>
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<tr>
<td>Robert Phillips</td>
<td>4775 Alta Reo</td>
<td>(530) 575 4442</td>
</tr>
<tr>
<td></td>
<td>City Redding</td>
<td>(530) 229-1264</td>
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<td></td>
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<td>RS-2</td>
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**Type of Application and Description of Proposed Project (attach sheets if necessary):**

Short term vacation rental - Air B&B. We have a nice 4 brdm 2 bath w/ pool in a desirable location. We wish to Air B&B our home.

---

**Applicant/Representative:** I have reviewed this application and the attached material. The provided information is accurate.

Signed: Bob Phillips, Date: 10-5-18

**Property Owner/Authorized Agent:** I have read this application and consent to its filing.

Signed: Bob Phillips, Date: 10-5-18

---

**FOR OFFICE USE ONLY**

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<thead>
<tr>
<th>Fees Received</th>
<th>Environmental Review Required</th>
<th>Site in 100-Year Floodplain</th>
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<tbody>
<tr>
<td>$315.00</td>
<td>Yes</td>
<td>Yes (MW and/or FEMA)</td>
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<tr>
<td></td>
<td>No Categorical Exemption</td>
<td>No</td>
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<table>
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<tr>
<th>Staff Assigned</th>
<th>Date Staff Assigned</th>
<th>Date Application Certified Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
NOTICE OF DECISION
BY THE DIRECTOR OF DEVELOPMENT SERVICES
TO APPROVE SDD-2018-01233

Dear Property Owner:

Notice is hereby given that Robert Phillips has requested approval to operate a Vacation Rental on property located at 11613 Ridgewood Road in an “RS-2” Residential Single Family District.

Based upon information supplied by the applicant and upon information gained by the investigation of the request, the Development Services Director finds that the application is consistent with the City of Redding General Plan and Zoning Ordinance, and it is the decision of the Director that the request is granted subject to the following conditions:

1. A minimum of one on-site parking space shall be provided for each room rented.

2. The rental shall meet all applicable building, health, fire, and related safety codes at all times, including provision of working smoke and carbon monoxide detectors.

3. The owner shall post emergency evacuation instructions and “house policies” within each guest room. The house policies shall be included in the rental agreement, and shall be enforced by the owner. At a minimum, the house policies should reinforce the City of Redding’s Noise Standards (RMC Section 18.40.100) and require that guest vehicles be parked on the premises, not on the street.

4. The property shall not be used to host non-owner related weddings, parties, and other similar events.

5. On-site advertising signs or other displays indicating that the residence is being utilized as a short-term rental, is prohibited.

6. A City business license shall be obtained and transient occupancy taxes paid. All advertising for any short-term rental shall include the transient occupancy tax number assigned to the owner-applicant. With submittal of transient occupancy taxes, the operator shall also submit a statement indicating the number of guest stays, and the number of guests for the reporting period.

7. This permit is not transferrable to a subsequent property owner or to another party.

8. This permit shall not be construed as waiving or otherwise impacting the rights and obligations of any individual, group, or the members of any homeowner’s association to comply with or enforce CC&R’s.

9. The vacation rental shall not be rented to multiple separate parties concurrently unless the owner is residing on the premises during the rental period.

10. The owner/applicant shall keep on file with the City the name, telephone number, and email address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the vacation rental. This information shall be posted in a conspicuous location within the vacation rental. The local contact person shall be available twenty-four hours a day to accept telephone calls and respond physically to the vacation rental within sixty minutes.
If you have any questions, comments, or concerns regarding this decision, or if you have information indicating that the applicant may be unable to comply with the above conditions, please contact Anna Noel at (530) 225-4020, by email at anoe@cityofredding.org, or by letter delivered to the Development Services Department, 777 Cypress Avenue, Redding, California by 5 p.m., Thursday, November 1, 2018. If an appeal is received by this date, a hearing will be held by the City’s Board of Administrative Review to consider valid appeals. Property owners within 300 feet of the project site will be notified of the time and place of the hearing and will be given an opportunity to testify either for or against the project.

If protest is not filed within the above-noted time limits, the permit will be deemed EFFECTIVE Friday, November 2, 2018.

Sincerely,

Larry Vaupel, Director
Development Services Department

LT:pr
Attachment: Map
Dated: October 23, 2018
SDD-2018-01233
SITE DEVELOPMENT PERMIT SDD-2018-01233

Name and Address:  
Robert Phillips  
4975 Alta Rico Drive  
Redding, CA 96002

Based on the findings below, the Development Services Director considered and approved Site Development Permit SDD-2018-01233, granting permission to operate a Vacation Rental at a single-family dwelling located at 11613 Ridgewood Road, in Redding, subject to compliance with the following conditions, and all provisions of the Redding Municipal Code and Chapter 18.43.180 of the City’s Zoning Ordinance.

CONDITIONS OF APPROVAL

1. A minimum of one on-site parking space shall be provided for each room rented.

2. The rental shall meet all applicable building, health, fire, and related safety codes at all times, including provision of working smoke and carbon monoxide detectors.

3. The owner shall post emergency evacuation instructions and “house policies” within each guest room. The house policies shall be included in the rental agreement, and shall be enforced by the owner. At a minimum, the house policies should reinforce the City of Redding’s Noise Standards (RMC Section 18.40.100) and require that guest vehicles be parked on the premises, not on the street.

4. The property shall not be used to host non-owner related weddings, parties, and other similar events.

5. On-site advertising signs or other displays indicating that the residence is being utilized as a short-term rental, is prohibited.

6. A City business license shall be obtained and transient occupancy taxes paid. All advertising for any short-term rental shall include the transient occupancy tax number assigned to the owner-applicant. With submittal of transient occupancy taxes, the operator shall also submit a statement indicating the number of guest stays, and the number of guesses for the reporting period.

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**REQUIRED FINDINGS**

1. The proposed use will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of such proposed use.

2. The proposed use will not be injurious or detrimental to the general welfare of the city.

3. The proposed use is consistent with the goals and policies established by the General Plan and this code.

4. The proposed use and project design are consistent with the design guidelines established by resolution of the City Council in accordance with Section 18.40.050.

If you have any questions, please contact Anna Noel, Assistant Planner, at anoel@cityofredding.org, or by telephone at (530)225-4020.

**DATE SIGNED AND MAILED: November 5, 2018**

Larry Vaupel, Director
Development Services Department

**EFFECTIVE DATE:** November 2, 2018

Copies to: Property Owner File
Applicant, if not property owner
Representative
Development Services Technician
# City of Redding
## Transient Occupancy Tax / Tourism Marketing Assessment

### Mail Completed Form to:

CITY TREASURER  
CITY OF REDDING  
777 CYPRESS AVE.  
REDDING, CA  96001

### Packet Pg. 19

**Attachment: Supporting Evidence** (Item #1--Administrative Citation Appeal, 11613 Ridgewood Road)

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<table>
<thead>
<tr>
<th>SECTION I REPORTING TOTAL RECEIPTS</th>
<th>(WHOLE DOLLARS ONLY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 TOTAL RECEIPTS</td>
<td></td>
</tr>
<tr>
<td>2 EXEMPTION - NON TRANSIENT</td>
<td></td>
</tr>
<tr>
<td>3 EXEMPTION - OTHER AUTHORIZED</td>
<td></td>
</tr>
<tr>
<td>4 TOTAL AUTHORIZED EXEMPTIONS (Line 2 plus Line 3)</td>
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<tr>
<td>5 TOTAL TAXABLE RECEIPTS (Line 1 minus Line 4)</td>
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<tr>
<th>SECTION II TRANSIENT OCCUPANCY TAX (TOT)</th>
<th>TOT</th>
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<tbody>
<tr>
<td>6 TRANSIENT OCCUPANCY TAX DUE (10% of Line 5) - Group 82</td>
<td>JO# 6911-52</td>
</tr>
<tr>
<td>7 PENALTY FOR DELINQUENCY - First 30 days @10% of line 6 - Group 79</td>
<td>JO# 6913-09</td>
</tr>
<tr>
<td>8 PENALTY FOR DELINQUENCY - Over 30 days - Additional 10% of line 6 - Group 79</td>
<td>JO# 6913-09</td>
</tr>
<tr>
<td>9 INTEREST DUE @1.5% PER MONTH of line 6 - Group 79</td>
<td>JO# 6914-20</td>
</tr>
<tr>
<td>10 TOTAL PENALTY AND INTEREST (Line 7 plus Line 8 plus Line 9)</td>
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</tr>
<tr>
<td>11 TOTAL TOT AMOUNT DUE</td>
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<table>
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<tr>
<th>SECTION III TOURISM MARKETING BUSINESS IMPROVEMENT DISTRICT (TMBID)</th>
<th>TMBID</th>
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</thead>
<tbody>
<tr>
<td>12 TMBID (2% of Line 5) - Group 83</td>
<td>JO# 9595-01</td>
</tr>
<tr>
<td>13 PENALTY FOR DELINQUENCY - First 30 days @10% of line 12 - Group 84</td>
<td>JO# 9595-03</td>
</tr>
<tr>
<td>14 PENALTY FOR DELINQUENCY - Over 30 days - Additional 10% of line 12 - Group 84</td>
<td>JO# 9595-03</td>
</tr>
<tr>
<td>15 INTEREST DUE @1.5% PER MONTH of line 12 - Group 84</td>
<td>JO# 9595-02</td>
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<tr>
<td>16 TOTAL PENALTY AND INTEREST (Line 13 plus Line 14 plus Line 15)</td>
<td></td>
</tr>
<tr>
<td>17 TOTAL TMBID AMOUNT DUE (Line 12 plus Line 16)</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL TOT & TMBID DUE** (Line 11 plus Line 17)

SEE REVERSE SIDE FOR INSTRUCTIONS AND ADDITIONAL INFORMATION

---

I hereby certify, that I have examined the above report and that the statements made and the amounts shown thereon and in any accompanying schedule constitute, to the best of my knowledge and belief, a true and complete return, made in good faith for the period stated.

SIGNED: ________________________________

TITLE: ________________________________

DATE: ________________________________

**DO NOT WRITE IN THIS SECTION**

Please respond to the following questions. Your response is not mandatory; however, it will assist us in doing a better job of marketing the lodging properties in Redding. The information you provide will be held in strict confidence. Thank you.

1. Total number of rooms available for daily occupancy for the month ________
   (Rooms available per night times the number of days in the month.)

2. Total number of room nights occupied during the month. ________
INSTRUCTIONS FOR COMPLETING YOUR TRANSIENT OCCUPANCY TAX FORMS

SECTION I: REPORTING TOTAL RECEIPTS

Report the following rounded to the NEAREST WHOLE DOLLAR, indicating total receipts (excluding tax) during the reporting period.

Line 1 Enter total amount of receipts from all room rentals.
Line 2 Enter total amount claimed as an exemption for continuous room occupancy by the same tenants for a period of more than thirty (30) consecutive days. (Municipal Code Section 4.12.010).
Line 3 Enter total amount claimed as other authorized exemptions. (Municipal Code Section 4.12.030).
Line 4 Enter total amount claimed as exemptions (Line 2 plus Line 3).
Line 5 Enter total amount of taxable receipts (Line 1 minus Line 4).

SECTION II: REPORTING TOT AMOUNTS DUE

Report EXACT amounts due in full. Failure to correctly compute and pay amounts due may result in additional penalties and interest.

Line 6 Enter the amount of Transient Occupancy Tax due. This amount is computed at 10% of total taxable receipts (Line 5). (Municipal Code Section 4.12.020).
Line 7 & 8 If delinquent, enter the amount of penalty due. A penalty of 10% of the tax due (Line 8) is applicable for the first 30 days of delinquency, and an additional penalty of 10% of the tax due is applicable if the delinquency is more than 30 days. (Municipal Code Section 4.12.070).
Line 9 If delinquent, enter the amount of interest due. Interest charges at 1.5% per month of the amount of tax delinquent, in addition to the above penalty, are applicable. (Municipal Code Section 4.12.070).
Line 10 Enter total amount of penalty and interest reported.
Line 11 Enter total TOT amount due.

SECTION III: REPORTING TMBID AMOUNTS DUE

Report EXACT amounts due in full. Failure to correctly compute and pay amounts due may result in additional penalties and interest.

Line 12 Enter the amount of Tourism Marketing Improvement District Tax due. This amount is computed at 2% of total taxable receipts (Line 5). (1994 Property and Business Improvement District and City Council Resolution #2008-56, #2010-177, and #2015-066).
Line 13 & 14 If delinquent, enter the amount of penalty due. A penalty of 10% of the tax due (Line 14) is applicable for the first 30 days of delinquency, and an additional penalty of 10% of the tax due is applicable if the delinquency is more than 30 days. (1994 Property and Business Improvement District and City Council Resolution #2008-56, #2010-177, and #2015-066).
Line 15 If delinquent, enter the amount of interest due. Interest charges at 1.5% per month of the amount of tax delinquent, in addition to the above penalty, are applicable. (1994 Property and Business Improvement District and City Council Resolution #2008-56, #2010-177, and #2015-066).
Line 16 Enter total amount of penalty and interest reported.
Line 17 Enter total TMBID amount due.

Add Line 11 and Line 17. Submit a payment for this total.

GENERAL INFORMATION

The Transient Occupancy Tax and the Tourism Marketing Assessment and will be delinquent if not paid and received by the City Treasurer of the City of Redding on or before the 20th day of the month in which due, as indicated on the form.

Proper use of this form will insure accurate recording to your account. If you have any questions concerning the preparation of this form, please contact the City of Redding Finance Division at the address shown on the front or call 225-4424.

Records pertaining to preparation of this form must be kept for a period of three years and may be subject to audit. (Municipal Code Section 4.12.100).

Please notify the City of Redding Finance Division in the event of any change of ownership.

*****EVEN IF THERE IS NO TAX OWING A RETURN MUST BE FILED WITH THE CITY
INSTRUCTIONS FOR COMPLETING THE TRANSIENT OCCUPANCY TAX/TOURISM MARKETING ASSESSMENT RETURN:

Monthly tax: due on or before:
January February 20
February March 20
March April 20
April May 20
May June 20
June July 20
July August 20
August September 20
September October 20
October November 20
November December 20
December January 20

A tax form must be filled out for each month. Separate months cannot be combined on one form.

Customer Account # - as assigned (example: 82-xxxx-xxxxx)

Business Name – same as business license

Business Address –

Tax Period:

Tax Year – Calendar Year for tax, ex: 2019, Month – State month of receipts, Days Late - Number of days after the due date, (Example: For March receipts (due April 20th) filing on April 30 would mean you are 10 days late, therefore enter 10)

Section I: Reporting Total Receipts

Report the following to the NEAREST WHOLE DOLLAR, indicating total receipts (excluding tax) during the reporting period.

Line 1 Enter total amount of receipts from all room rentals

Line 2 Enter total amount claimed as an exemption for continuous room occupancy by the same tenants for a period of more than thirty (30) consecutive days. (Municipal Code Section 4.12.010).

Line 3 Enter total amount claimed as other authorized exemptions. (Municipal Code Section 4.12.030)

Total TOT & TMBID Due: Pay this total. Please make payment out to the City of Redding.
GENERAL INFORMATION

The Transient Occupancy Tax and the Tourism Marketing Assessment will be delinquent if not paid or postmarked on or before the 20th day of the month in which due.

Proper use of this form will insure accurate recording to your account. If you have any questions concerning the preparation of this form, please contact the City of Redding Finance Division at the address shown on the front or call (530) 225-4424.

Records pertaining to preparation of this form must be kept for a period of three years and may be subject to audit. (Municipal Code Section 4.12.100).

Please notify the City of Redding Finance Division in the event of any change of ownership.

*****EVEN IF THERE IS NO TAX OWING A RETURN MUST BE FILED WITH THE CITY
December 9, 2019

Robert Phillips
11613 Ridgewood Road
Redding CA 96003-7577

Re: Delinquent Transient Occupancy Taxes

In reviewing our records, we find that we have not received transient occupancy taxes and completed tax forms for the month of August, September and October 2019. The TOT tax form is mailed monthly to you and must be remitted by the due date on a monthly basis even if no rents were received. The taxes and forms referenced above were due on the following dates:

- Taxes and form for the month of August 2019 – due September 20, 2019
- Taxes and form for the month of September 2019 – due October 20, 2019
- Taxes and form for the month of October 2019 – due November 20, 2019

These taxes and accompanying tax forms are delinquent. Please remit all forms and taxes due plus penalties and interest by December 20, 2019. If the forms are not received it will be referred to Code Enforcement.

If you had no short term renters for the month, please return the form stating that you had no renters.

If you are no longer renting out your place please let me know by sending in the form with the date that you closed your business.

You can contact me by phone at 530-225-4424 or by email at egrannis@cityofredding.org.

Sincerely,

Ellen Grannis
Account Clerk

enclosure
PROPOSED ADMINISTRATIVE HEARING ORDER

RESPONSIBLE PARTY/PROPERTY OWNER: Robert Phillips
4975 Alto Rico Drive
Redding, CA 96002

ASSESSOR'S PARCEL NUMBER: 073-420-011-000

LOCATION OF VIOLATION(S): 11613 Ridgewood Road
Redding, CA 96003

A. Based on the Building and Code Enforcement Division staff report and all other oral and written evidence presented at the hearing the Administrative Hearings Board makes the following findings:

1. A preponderance of the evidence supports this Board’s conclusion that on December 26, 2019, responsible parties did cause violation(s) of Redding Municipal Code § 4.12.060 by failing to file a completed tax return for August, September and October 2019 for Transient Occupancy Tax associated with the Short Term Rental operated at the subject location.

2. That Citation Numbered C1746 issued for violation(s) of Redding Municipal Code, is hereby affirmed.

3. The above conclusions are supported by the following findings of fact:

a. Robert Phillips is the Operator of a Short Term Rental and a Registrant for Transient Occupancy Tax account with the City Finance Department. Robert Phillips failed to file the required Transient Occupancy Tax Return for the months of August, September and November 2019 and is the responsible party within the meaning of RMC § 1.13.020 for such properties and/or violations, at issue;

b. On December 26, 2019, the responsible party failed to submit the Transient Occupancy Tax Return for three (3) months, as established by the evidence and testimony in the record.

B. Based on the facts and findings set forth above, the Administrative Hearings Board hereby adopts the following Administrative Hearing Order:

Order: The Administrative Hearings Board hereby upholds Citation No. C1746 against the responsible parties, as defined under RMC § 1.13.020, for violations at 11613 Ridgewood Road, Redding, CA, of Redding Municipal Code § 4.12.060, for the amount cited.

C. Right to Judicial Review. The decision of the Administrative Hearings Board shall be final. Any person aggrieved by an Administrative Hearing Order may obtain judicial review of the order by filing a petition for review with the Shasta County Superior Court within twenty calendar days of service of the
administrative enforcement order, in accordance with the time lines and provisions set forth in California Government Code Section 53069.4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct as to matters within my personal knowledge.

Executed this 18th day of March 2020.

_________________________
Wes Reynolds, Chair
Administrative Hearings Board