

Post-Workshop Comments

Theme 2: Neighborhood Concerns

September 20, 2023

RE: Short-term Rental Ordinance

Dear Director Ford and planning staff-

Thank you for drafting an ordinance allowing the permitting of short-term rentals in Humboldt County. It's amazing how many people travel to Humboldt County from all over the US and the world to see what we have to offer.

I was able to attend the first zoom meeting reviewing the ordinance but have been unable to attend any of the in-person meetings or the latest zoom meeting due to prior commitments.

We have 4 children. During Covid, my wife quit her job because the daycare our children attended drastically cut back the number of children they could accommodate. At that time, we had one STR. It was going well, so we decided to expand. We now own and operate 5 STR units in McKinleyville and my wife manages them. This allows her the flexibility to work from home and be with our children. We have been a Super Host since we were able to first qualify, have almost 800 reviews, and have never once had a complaint from a neighbor.

Regarding the 9.15.23 draft of the inland ordinance, I agree with most of what has been drafted. The one rule I have an issue with is "60.05.10.3.2-D-i-b" under Neighborhood Concentration, limiting STR permits to only 1 within the nearest 10 dwellings.

As I stated above, we own and operate 5 STR units and they are all contiguous. All but 1 of the units have garage access with laundry facilities. The one unit that does not have garage access is used to store our supplies. We buy local supplies in bulk, use a linen service, use a landscape service, and employ a professional cleaning service. We can do this because everything is stored in a central location with easy and efficient access. This allows great flexibility for the linen service to pick up and drop off linens as their schedule allows. Our cleaning service hires both full- and part-time workers. The part-time workers have full time jobs. These cleaning jobs are flexible and allow them to squeeze in a cleaning or two on the weekend to help make ends-meet. We can buy locally and employ outside services because of the number of units we operate. We spend close to \$10k locally during the months of June through August.

Our occupancy remains solid, averaging around 80% annually. It's mostly tourists in the summer months, averaging ~2 nights, and a lot of parents visiting their college kids and construction workers in the off months, averaging 4 to 5 nights. We also get traveling professionals (mostly nurses and doctors but we have had executives who have come for extended periods of time as well). I cannot speak for other STR owners but ours do not sit vacant. They are a great resource for traveling workers.

Another issue with this limitation is my neighbor could permit their house and I would be unable to simply because they were first in line. I understand a concentration limit on a neighborhood or greater area (i.e. McKinleyville) in general, but if we had to shut down 4 of our units, it would put us out of business. We would clean the unit ourselves and do our own laundry.

I believe the County voted to use June 9th, 2023, as the cutoff date to be considered pre-existing. I would propose a compromise that allows pre-existing STRs to permit their existing units if they can prove they were operating prior to that date, regardless if they are neighbors with another STR. This would be similar to how cannabis cultivators were able to come into compliance with pre-existing farms to permit their cultivations on TPZ land.

In conclusion, we employ many people locally. If the Neighborhood Concentration clause remains as written, without the ability for pre-existing STR units to be grandfathered in, we will be forced to shut down 4 of our units and that would mean the loss of business and wages for our affiliates.

Thank you,

Dane and Emily Valadao

From: [Diane Des Marets](#)
To: [Hilton, Keenan](#)
Subject: Community input, Draft STR ordinance
Date: Wednesday, September 20, 2023 3:45:26 PM
Attachments: [STR ordinance response.rtf](#)

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Hello Keenan,

I have attached my response to parts of the ordinance.

I also want to respond to some of the issues brought up by individuals who have participated in the community meetings.

First, A woman asked if she could become permitted for an STR if she had an ADU permitted after the announced cut off for ADU conversion. She is using the unit to augment her income to allow her to be able to stay in her home. The answer was No. This seems very unfair to me. She stated she rents it out when her family isn't visiting and she doesn't want to have a permanent renter so that she has that flexibility. The blanket "No" surprised me. Especially since this draft ordinance proposes that an individual or business will be allowed to be permitted to operate up to 5 housing units, which have been taken out of housing stock! Another individual expressed the same desire for flexibility by renting to students during the school year with the ability to do an STR during the summer. These types of exceptions make sense to me. They allow individuals to stay solvent, while not having a negative impact on housing.

Second, I feel that there should be a tiered priority process for the permitting process once the new STR ordinance is passed. Those who operate true BnBs (in home bedrooms, or small unit on property that doesn't effect the neighborhood quality), should be given first access to the permitting process. If that fills the cap, then no more permits should be given.

Once again, I must stress that all the hard work put into trying to provide a fair and equitable ordinance will be to no avail if there is not a stronger enforcement tool created and the staff to adequately provide the enforcement.

As you know, my neighborhood has been involved in a year long process of trying to stop the use of a triplex conversion into STRs. The individual operating these illegal rentals has ignored all cease and desist orders from the county. And now, we have been told that no enforcement can be pursued per county counsel, until the ordinance is finalized. A years worth of effort by neighbors and county, and the illegal business continues. Those of us who have been dealing with this know that the individual will continue to run this illegal operation regardless of the ordinance. She may not even try to be permitted. So, tell me what our recourse is. **THE COUNTY NEEDS TO PROVIDE A WAY FOR CODE ENFORCEMENT TO ENFORCE CODES!!!!**

Please excuse the caps...I'm not yelling, just so very frustrated.

Thank you for all the work you are doing on the ordinance. And, thank you to all the county employees who have tried to assist me and my neighbors in the effort to preserve the health,

safety, welfare and quality of this neighborhood.

Sincerely, Diane Des Marets

To: Keenan Hilton
From: Diane Des Marets
Re: Community input regarding Draft Short-term Rental Ordinance _Inland 9.1.23

60.05.1 Purpose

I want to address the issue of STRs from the stated purpose of “protect housing stock, preserve the quality of neighborhoods, and balance the needs of property owners, tenants, and neighbors.”

These purposes are restated in 60.05.6.2.1

- A. The short-term Rental would not result in significant adverse effects on the health, safety, and welfare
of the community; and
- B. The Short-term rental would not result in significant adverse effects on the quality of the neighborhood.

These stated purposes are necessary and should be in the ordinance.

The Good Neighbor Guide appears in two places, with different requirements.

60.05.4 Application

- B. Affidavit signed by the permit holder confirming delivery of the Good Neighbor Guide to all neighbors in
the closest 10 dwellings and within 300 feet up and down the street, if applicable.

and,

60.05.8.3.2 Neighborhood Quality and Public Nuisance.

- A. ...a signed affidavit certifying the delivery of a Good Neighborhood Guide to all neighbors with dwellings
within 300 feet of the Short-term Rental as the crow flies, and to the nearest five(5) neighbors up and
down the access road.

The requirement should be the same for both hosted and unhosted STRs. Please make it the “closest 10 dwellings in both.

It is important that the Good Neighbor Guide requirement be kept in the STR ordinance.

It is also important that there is a realistic way to confirm that distribution of this Guide has been done. Please send a letter to the neighbors who are supposed to receive this guide that they should receive it, and if they haven't, they should report it to the appropriate County office.

60.05.8.2.3 Per Person Limit. An individual or business shall not own more than five(5) parcels with
Short-term Rental permits.

This contradicts the stated purpose of the ordinance to protect housing stock. This is allowing speculators to maintain control of housing stock which they have removed from the residential housing stock. Please consider limiting the number of parcels owned by one individual or business as an STR to ONE.
And, please require that the person or business must be a resident of Humboldt.
Please do not let out of county speculators have housing stock under their control for the purpose of operating a STR business.

60.05.8.3.2 Neighborhood Quality and Public Nuisance

C. Per Parcel Limit. One Short-term Rental may be permitted per legal parcel.

There should be no exception to this, especially if the residence is a duplex or triplex, regardless of whether the owner lives in one unit.

60.05.7.1.1 and 60.05.8.3.1 Health and Safety Standards

C. Access. The access road shall be built to a Category 4 standards.

DO NOT CHANGE this in regard to short, dead end, private roads maintained through an established RMA.

Comments on Draft Short-term Rental Ordinance_Coastal 9.15.23

I appreciate the work of planning staff to continue improving the short term rental ordinance.

I like that the requirements for the Home-Share Rental (HSR) have been simplified even further, e.g. not having to distribute a good neighbor guide. That they are not subject to a cap. And that they will be able to get permitted immediately after the ordinance is adopted.

I still have several concerns and suggestions regarding Short Term Rentals (STR) i.e., whole dwelling units.

Located on an Owner Occupied Parcel Vs Non-Owner Occupied Parcel

I believe owner occupied parcels should receive preference in permitting over non-owner occupied parcels.

Owner occupied parcels are much more likely to preserve neighborhood quality and reduce public nuisance.

More of the income derived is likely to stay in Humboldt County supporting our local economy. Rather than the majority of it being exported elsewhere.

I envision scenarios where there will be competition for permits between rentals on owner occupied parcels and rentals on non-owner occupied parcels due to neighborhood concentration limits and cap limits.

As concerns the 2% cap, shouldn't existing rentals on owner occupied parcels be given permits prior to rentals on non-owner occupied parcels?

Or with neighborhood concentration, if they each have an existing rental on parcels within the nearest 10 dwelling units as the crow flies or exceed 10% on the street will they both have to apply for a special permit? Shouldn't the rental on the owner occupied parcel receive priority and receive an administrative permit?

If the cap is reached and there is a wait list, shouldn't rentals on owner occupied parcels receive them first?

Yes, it adds an extra permitting requirement to prove occupancy.

Yes, some people may try to find ways to fudge it. But if so only on one parcel.

In pursuit of our goals to preserve the quality of neighborhoods and support local economic development, shouldn't we give owner-occupied parcels precedence?

Per Person Limit

In light of the 2% cap, 5 parcels per individual or business still seems like too many if we are interested in spreading the economic benefits more broadly and maintaining the quality of our neighborhoods.

To level the playing field, could we prioritize the order in which permits are issued in reaching the 2% cap and when on the waiting list?

1. Owner occupied parcels
2. Operator occupied parcel
3. Have one STR permit already.
4. Have two STR permits already.
5. Have three...
6. Have four....

Good Neighbor Guide

Template

Will you be providing a basic template with fill in the blanks to ease this task and to maintain a certain degree of uniformity?

Distribution

Does it go to the property owner, the current resident, or both?

How to locate the correct names and mailing addresses for the neighbors to be noticed?

Will you be providing this?

Will each permit holder have to identify the parcels and the addresses on those parcels then call the tax office to get the mailing address for each of the owners to be noticed? And if it's a rental get the tenant's address from the property owner?

Owners and renters may change during the lifetime of the permit without the permit holder knowing.

How to simplify implementation?

Thanks for your work and your consideration!

Ella Holiday

From: [Jennifer Kalt](#)
To: [Hilton, Keenan](#)
Cc: [Ford, John](#); [Madrone, Steve](#); [Wilson, Mike](#)
Subject: Comments re: County's Draft Short-Term Rental Ordinance
Date: Wednesday, September 20, 2023 10:05:01 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Keenan,

Below are some comments re: the County's Draft Short-Term Rental Ordinance for the Coastal Zone. First, thanks to the County for developing regulations for what is currently an unpermitted use. The street I live on already has three vacation rentals in one block that I am aware of, and the County's policy that enforcement is complaint-based has resulted in neighborhood strife and retaliation by one absentee owner who purchased the property with the sole purpose of converting it from a long-term to short-term rental property. As advertised online, if this rental property was rented at full capacity, it would cost over \$10,000 for one month, excluding fees, taxes, and TOT. The impact of this on housing availability and affordability is concerning, but also the impacts on the neighboring residents is of concern as well, including the 2+ years of construction noise, often 7 days a week during the pandemic, when we were all homebound for the most part.

Below are specific comments on the draft ordinance language:

Lighting

The lighting standards are good, and are consistent with the Coastal Act (**B. "No direct light shall spill onto adjacent properties or create glare above the property"**), but how will it be enforced? The permits should require inspections rather than continuing to be complaint-based enforcement like it is now, because this leads to neighborhood strife and retaliation, especially when the property owner doesn't live in the neighborhood. These short-term rental owners seem quite prone to using a lot of lighting, which disrupts people's sleep, interferes with views of the night sky, and harms wildlife, particularly adjacent to coastal access areas and open space. International Dark Sky Society lighting standards, such as shields and timers, should be required for all short-term rentals.

Size of Events

The limit of 20 people for parties is much too high (**E. Private Gatherings and Parties. Gatherings and parties shall have no more than 20 attendees.**) and there should be a limit to the frequency of events. These activities tend to involve more noise later into the night, as well as impacts on the wider neighborhood from partygoers. This is especially important in the Coastal Zone, since properties with coastal views are in demand for weddings, etc. Please limit events to 10 people no more than once a month without a Special Permit.

Noise

The noise requirements appear to be toothless. What is installing a noise sensor going to do other than record the sound levels? Please institute fines or some other means of enforcement to limit noise impacts on neighboring residents and open spaces. Illegal fireworks are particularly concerning, given the lack of enforcement in this county. They not only cause noise impacts to people, pets, and wildlife, but are fire hazards as well, particularly over

Fourth of July. Vacationers are naturally less concerned about impacts on people around them since they don't live here.

(F. Noise. The maximum noise levels allowed in all outdoor areas and indoor common areas of the property are as follows: 65 dB during the hours of 6 a.m. to 10 p.m. and 60 dB from 10 p.m. to 6 a.m.

i. Following one or more noise complaint(s) for a Short-term Rental, the permit holder shall install noise sensor and provide recorded data to the Planning & Building Department upon request.)

Neighborhood Density

Re: density, 20% of the dwellings on a street seems like a ton for an ordinance that intends to "minimize the loss of housing stock available to long-term renters." **(D. ii. a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.)** Please reconsider the maximum density - one of every five houses being converted to short-term rentals would have a serious impact on housing affordability and community cohesion. Even 10% seems too high - I would prefer the maximum density to be 5% for properties with absentee landowners.

Thank you for considering my comments.

Jennifer Kalt, McKinleyville

From: [jim.cotton](#)
To: [Dan Berman](#)
Cc: [Hilton, Keenan](#); [don.verwayen](#); [Bryce Kenny](#)
Subject: Re: Time Running Out to Provide Input Into Short-Term Rental Ordinance - Planning Commission to Hold Workshop on Thursday at 6 p.m.
Date: Wednesday, September 20, 2023 1:47:36 PM

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Extremely well said Dan, thank you for voicing your opinion. My written comments also embraced the concept that CC&Rs should have precedent.

Steve Madrone said that both John Ford and Keenan Hilton were aware that 99% of the ordinance comments were from STR owners and that it is important our opposition is heard.

The latest draft of the STR ordinance has lowered the road standard for STR compliance from a category 4 to a category 3 road. By county definition a category 3 road is:

. *ROADWAY CATEGORY #3.*

- (1) Single land - will allow for vehicles to pass each other at slow speeds.
- (2) No parking on traveled way.
- (3) Serves a maximum of 20 parcels having no more than one dwelling unit per parcel.
- (4) Rural situations - low density area.

- (5) Low speed - 25 mph design.

Trinity Acres Road does not meet the above requirements as there are 23 parcels that are served by this road with three parcels have more than one dwelling unit. We should **not** bring our road classification to the counties attention because they may reduce the requirement downward to a category 2 like they did for the cannabis permits which started out as a category 4 requirement.

Let's encourage everyone to write Keenan to support disallowing STRs in neighborhoods where the CCRs prohibit them.

The voting data to amend our CCRs to prohibit STRs are as follows:

- 17 of the 23 parcels voted. (70% voted)
- 12 parcels in favor of the ammendment.
- 4 parcels against amending.
- 7 parcels did not vote.

Jim Cotton

On Wed, Sep 20, 2023, 10:27 AM Dan Berman <dan.e.berman@gmail.com> wrote:

Hi Keenan,

I have a comment for you and the Planning Commission on the STR Ordinance about this section:

60.05.10.1.1 Recorded Limitation. Dwellings subject to a recorded covenant, agreement, deed restriction, or other recorded document to which the county is a party that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental.

My comment:

The County should not permit STRs where there is a binding, recorded prohibition of such use on the deed/title of the property, regardless of whether the County is a party to the document. If an applicant does not have the legal right to use your parcel as an STR based on a valid recorded restriction tied to the parcel, then the County should not issue a permit.

Therefore I strongly suggest that the words '*...to which the county is a party...*' should be stricken from Section 60.05.10.1.1

AND

the Permit Application (Section 60.05.4) should be amended to require the applicant to submit an affidavit stating that "there is no recorded covenant, agreement, deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

Many neighborhoods have recorded CC&Rs (covenants conditions and restrictions) that limit certain land uses. The County is almost never a party to these legally binding restrictions. The County should not issue permits that enable and legitimize property owners to directly violate the recorded terms of their deed and title. Property owners are responsible for knowing the recorded documents that apply to their property. Whether the County is a party to the restriction seems entirely irrelevant. The issue is whether the use is legally prohibited on that parcel.

This would be relatively easy to implement by requiring applicants to provide an additional affidavit as part of **Section 60.05.4 (Application)** stating that "there is no recorded covenant, agreement, deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

The county can rely on this Affidavit in considering permits - and only get involved if someone brings a complaint that presents the existence of a recorded document that clearly prohibits STRs. Then the County would have to evaluate the complaint and should revoke or deny the permit if such use is clearly prohibited on the parcel. Applicants have to inform their neighbors of a permit application - so such issues would typically come to light prior to permit issuance. If the neighbors are aware that this use is prohibited in the neighborhood

by CCRs, they can share the information with the County in a complaint, the documents in question can be reviewed and the permit denied if it is clearly prohibited by such documents.

If the recorded restrictions are ambiguous, or their legal status is in question, the County could use its discretion and a) choose to issue a permit and let the neighbors enforce the CC&Rs, or b) let the applicant make a case as to why the documents in question are not binding before making a decision.

Permitting STRs where they are in violation of recorded CC&Rs or other recorded components of the deed and title will fuel neighborhood conflict, serve as the County legitimizing a legally prohibited use, and could even potentially put the County in legal jeopardy for facilitating the violation of legal land use restrictions.

Please require STR Applicants to attest that they have the legal right to the Permit they are requesting on their parcel, and reject applicants that do not have such a right.

Thank you
Daniel Berman

-

On Tue, Sep 19, 2023 at 4:49 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Greetings,

The revised draft Short-Term Rental Ordinance will be presented to the Humboldt County Planning Commission on Thursday, Sept. 21 at 6 p.m., or shortly thereafter. This is one of the last opportunities for the public to share their thoughts and concerns regarding short-term rentals (STRs) in Humboldt County before it moves on in the process of being adopted.

The Humboldt County Planning & Building Department has been actively working on a draft Short Term Rental ordinance to allow residences to be used as short-term rentals in unincorporated Humboldt County. The purpose of the draft STR Ordinance is to protect the character of the neighborhoods where they are located, to preserve residential units for people and families who live and work in Humboldt County, and to allow for economic gain.

Public Outreach

The County of Humboldt acknowledges that people are sometimes disappointed with ordinances adopted by the county and feel left out of the decision-making process, even

when the county has invited the public to share their input.

To ensure Humboldt County residents are provided with the opportunity to share feedback on the draft ordinance, county staff have hosted five public meetings where 400 community members have attended. Additionally, over 60 written public comments have been received and the county's [Short-Term Rental Ordinance webpage](#) has been visited over 3,000 times.

The input received has been valuable and given shape to the current draft ordinance. However, county staff have noted that most of the feedback received has come from individuals who own and operate existing short-term rentals. A limited number of people have expressed concern about the impact of short-term rentals in their neighborhoods or how STRs could affect their ability to find affordable housing in Humboldt County. The Planning & Building Department desires balanced input and encourages participation if you have concerns or thoughts about short-term rentals that you have not yet shared with staff.

Planning Commission Workshop

The draft Short Term Rental Ordinance will be presented to the Planning Commission on Thursday, Sept. 21. Community members are invited to attend this workshop in person at the Board of Supervisors Chamber, located at 825 Fifth St. in Eureka, or on [Zoom](#). The meeting will start at 6 p.m. To review the meeting agenda, please visit: <https://humboldt.legistar.com/Calendar.aspx>.

If you wish to participate in the process of crafting this ordinance, this is the time to do so. Following this meeting, the draft STR ordinance will enter the public hearing stage. The Planning Commission will make a recommendation to the Humboldt County Board of Supervisors and the Board will decide to approve or deny the ordinance as it is written. It is anticipated that this process will conclude before the end of the year.

The revisions in the most recent draft include permitting for all existing short-term rentals, and the expansion of what is allowed with an Administrative Permit to include sites on category 3 roadways. To learn more and review the revised draft ordinance, please visit the county's [Short-Term Rental Ordinance web page](#).

How to Watch or Listen to the Planning Commission Meeting

- Join online at <https://zoom.us/j/87544807065> and enter the password: 200525.
- Call in via telephone at (346) 248-7799, enter the meeting id: 875 4480 7065 and

password: 200525.

- A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> or by watching [Access Humboldt on cable](#).

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with qualified disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation for this meeting can be made by calling (707) 268-3722.

For more information, please call (707) 268-3722, email khilton@co.humboldt.ca.us, or visit the Planning & Building Department office located at 3015 H St. in Eureka.

Sincerely,

Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)
Office: 707-445-7541
Direct: 707-268-3722

From: [Julie Jonte](#)
To: [Hilton, Keenan](#)
Subject: Short Term Rental Impact on my neighborhood
Date: Wednesday, September 20, 2023 3:32:35 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Keenan Hilton and Planning Commissioners,

I am against short term rentals for two reasons. The first reason is that there is a severe shortage of housing available. I feel that it is wrong to keep empty houses just to rent them out for a few weeks per year while people struggle to find adequate and affordable housing.

The second reason is that I have the misfortune of living across from 95 Hilltop Road, just off of Glendale near Blue Lake.

For the last several years this house has been rented out for parties and events.

The parties are so loud that I am unable to talk to my family. It's deafening. There is a PA system that blasts voices and "music" so loud that I have to retreat inside and close all the windows, but even still that noise is unbearable. I have called the sheriff repeatedly to complain about the noise. Once after the sheriff stopped by 95 Hilltop, the music volume actually increased.

95 Hilltop has inadequate parking. Cars park on a slope and some have needed a tow to get out. Other occasions people were bussed from Blue Lake Casino to 95 Hilltop.

I also recall hearing multiple sirens along Highway 299 after the party ended on different occasions. Drunk driving is directly related to this short term rental and threatens this community.

The party house has adversely affected my life, my family's life, and the lives of my neighbors.

I urge the planning commission to prohibit all short term rentals in the county.

Thank you,

Julie Jonte
707-834-2667

Sent from my iPhone

From: [Linda Miller](#)
To: [Planning Clerk](#); [Ford, John](#); [Hilton, Keenan](#)
Cc: [Madrone, Steve](#); sregon@aol.com
Subject: Public Comment, Item H, Sept. 21 2023 Commission Meeting
Date: Thursday, September 21, 2023 4:46:06 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Humboldt County Planning Commissioners, John Ford and Keenan Kilton, Humboldt County Planning Department,

We wish to comment on the Draft Short-Term Rental (STR) Ordinance before you on September 21, 2023, Item Number "H".

We would first like to thank John Ford and Keenan Hilton at the Planning Department for holding the many public workshops and listening carefully to everyone in the development of the draft ordinance. We also appreciate the measures included in the ordinance that protect housing stock, communities, and neighborhoods; and limit noise and the number of attendees allowed at private gatherings and parties.

Unfortunately, I fear that those people most affected by STRs likely did not avail themselves of the opportunities to be heard. I am sure that many folks looking to rent or buy already scarce housing, or living near an STR have been negatively affected by them, but don't think this ordinance has anything to do with them.

My family and many of my neighbors have been very negatively affected by an unpermitted short-term rental/commercial event venue that has been operating for years, and as a VRBO for almost a year just outside the Blue Lake/Glendale Community Plan Area. This is in a rural Residential Estates/Residential Low-Density zone. They have had numerous weddings, retirement parties, baby showers, etc., over the past several years; there was an event almost every weekend this past June. There have been very loud bands and/or DJ music and announcements over a PA system, with lots of people yelling, late into the night. We have called the Sheriff many times, as have many of our neighbors. We are aware that there has been a Code Enforcement complaint for the property. When we called the event organizer, she was quite rude and belligerent.

We are very much against this owner being able to obtain a permit through this ordinance. *A prerequisite for being granted a permit for an STR should be that you have no previous complaints on record. We think this should be explicit in the ordinance.*

Under **Section 60.05.6.2.1, A and B, Required findings**, there are limitations that the STR "would not" result in significant adverse effects on the health, safety, and welfare of the community, or on the quality of the neighborhood. Shouldn't this also state that they have not caused significant adverse effects *in the past*? Why should an applicant be able to obtain a permit for an operation that *has had* significant adverse effects *in the past*? And that applicant has been very disrespectful to the existing neighborhood? Why would anyone expect that they would change in this regard? We would like to see this explicitly stated in the ordinance: that *any property owner that has exhibited this much disregard for their neighbors not be allowed to obtain a permit.*

It sounds like there are already more STRs in the County than would be allowed under the new ordinance, i.e., more than 2% of housing stock, so any new permits should go to those folks who have demonstrated that they are interested in complying and that they have respect for the surrounding neighbors and community. Those who have *not complied in the past do not deserve to be permitted* given the limited permits available even if they are now coming into compliance. We hope that you will make this a condition of being permitted, also *explicitly stated in the Ordinance.*

Under **Section 60.05.10.3.2 Neighborhood Quality and Public Nuisance**, we'd like to see under **A. Good Neighbor Guide**, that all neighbors within at least *700 feet* be recipients of the Good Neighbor Guide. There is only one house that is within 300 feet of the STR/event venue that has been causing our neighborhood trouble, and that house is on the same access road. So in our situation, only the folks on the access road would receive the Good Neighbor Guide. However, we and our immediate neighbors between 300 and 700 feet away from the STR would *not* receive a guide, even though the STR has negatively affected us all. We believe that much of the noise emanating from the STR lands in our direction, in addition to other homes that are outside of 300 feet, and not on the access road. We hope that you will reconsider the 300-foot limit on the Good Neighbor Guide. Otherwise, our only recourse will be to continue to call the Sheriff.

In addition, since we have had to put up with commercial events at the STR in this neighborhood, we would also like to see explicitly stated in the ordinance that *no commercial events are allowed*. The Draft Ordinance does state under Section 60.05.10.3.2.E. Private Gatherings and Parties are limited to 20 attendees, however, commercially hosted events should not be taking place at permitted STRs. Can this also be explicitly disallowed in the ordinance?

Under **Section 60.05.5 Existing Operations**, it says that two months after the effective date of the ordinance, the department will issue permits for qualifying locations with existing Short-term Rentals. We would like to see specified in the ordinance that there must not be prior complaints issued for the existing STR before they are considered "qualifying".

We would also like to suggest that since there is such a shortage of housing available in the Humboldt Bay area, including adjacent unincorporated areas, you consider making the percentage cap even smaller than 2%. Low-income renters/buyers and students need to have reasonably-priced housing available, and since this is currently not the case, why not make the cap even smaller? Shouldn't the County prioritize affordable month-to-month rentals over vacation rentals? Allowing a smaller percentage of STRs would then actually free up some housing that then could be made available on a month-to-month rental basis.

Thank you very much for hearing our concerns and suggestions on this draft ordinance.

Sincerely,

Linda Miller and Mark Cortright
McKinleyville

cc: Peggy O'Neill, District 5 Planning Commissioner
Steve Madrone, District 5 Supervisor

From: [lucy.k](#)
To: [Hilton, Keenan](#)
Subject: str draft ordinance comments
Date: Sunday, September 24, 2023 4:26:51 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hope this is not too late to get on the record; I was unable to attend last thursday's workshop...

I offer my hopes that some middle ground might be found between the two scenarios of living in a house with guests renting rooms, and having an off-site manager renting a whole house. I have a str for ten years now, and I live right next door... my house is the closest residence to the str. (about 50' away) I keep a very close eye on the place; needless to say, i have never had a single complaint from anybody about anything- i get along great with all my long term neighbors and from the get go made sure they never had to deal with nothin... there is plenty of off street parking, never any parties or excessive noise- and there are no other houses (including mine) visible from the str, as there is lots of forest and woods.

Can there be any kind of special provision made for those of us owners who, although we don't live in the str with guests, are immediately adjacent and run the place ourselves? This seems like a big difference from an owner who may live out of state and hires another person to manage their str.

Thank you.
Lucy Kostrzewa
Trinidad

From: [lucy.k](#)
To: [Hilton, Keenan](#)
Subject: Re: str draft ordinance comments
Date: Thursday, September 28, 2023 9:22:11 AM
Attachments: [image001.png](#)

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Keenan-

We spoke by phone yesterday morning. Here are my written suggestions re: current draft str ordinance. Can you give me e-mail confirmation that this feedback has been forwarded to final decision makers for the ordinance?

1- Neighborhood noticing requirement: I would like to see some middle ground (between in house hosts and absentee hosts) for those of use who live directly adjacent to our str. In my case, I have two legal parcels, accessed by a 150' long shared driveway, which then splits to access either my str OR my own permanent long term residence (i've owned both parcels for over 30 years).

As owner/ manager of my str- right next door- I keep a close eye on it with particular regard for my long term wonderful neighbors. In my ten years running my str, I have never had a single complaint from anybody for anything. It is a large house on a large parcel with plenty of room for parking and outdoor activities for my guests without impacting any neighbors.

In particular I question the requirement to notify the ten closest houses. In a denser more urban neighborhood (e.g.mckinlyville), that might mean notifying everyone within 200', whereas in my neighborhood, with parcels between 1- 5 acres, I would be noticing neighbors as far away as 750'- people who cannot see, hear, or share road with my str.

While I have nothing to hide from unseen neighbors, seems to me, (I've lived peaceably here minding my own business and staying out of neighbors business for 45 years) having such requirement could well make problems where no problems exist or have existed for decades.

Is it possible to strike some middle ground between "no notice required" (in house guests with owner also in house) and noticing ten houses (say for an adjacent, responsible, accountable on-hands owner who in ten years has done a great job of staying off everyone's radar). I suggest for cases situations such as mine, the noticing requirement remains complaint-driven.

2- noticing all residents of private road:

My road which access my drive which I share with my str, is private; it extends from county r/w about 1/2 mile into the woods. My access is the second driveway after the county road. Do I really need to notice all residents of the road? Prior to str, this house was a regular long term rental, during which time families would come and go all day long, as families do. I am a contributing member, both financially and with a shovel on the road maintenance, and am in excellent standing with other neighbors in this regard. My str actually produces less traffic than when the place was a regular long term rental, as, in general, guests come once, leave for the day and return in the evening. In addition the place is quite vacant during the winter months. I have not had a problem in 45 years with my road and neighbors- again your noticing requirements could just make problems where no problems exist, and at least in our

neighborhood, we all get along by just minding our own business- not a bad way to go!

In summary, I have had a private long term rental for 20 years and now a str for 10 years with never a single problem no where, no how, no way- by the current draft ordinance, I will be required to notice over 20 dwellings up to 1/2 mile away from my str, which no one can even see or hear, and has had no issues in 40 years, regardless of its rental status.

Can you make something more reasonable for my situation?

Thank you
Lucy Kostrzewa
Westhaven

On Mon, Sep 25, 2023 at 4:34 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Hi Lucy,

Thank you for the comment. I have included it in the record.

I do understand how that circumstance does seem distinct from absentee permit-holders. Currently there is no differentiation between those two cases from a permit standpoint. Is there a regulation in particular that you would like to see changed to improve the ordinance?

Thanks,

Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)
Office: 707-445-7541
Direct: 707-268-3722

From: lucy k <lucykos@gmail.com>
Sent: Sunday, September 24, 2023 4:26 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: str draft ordinance comments

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Thank you.

Lucy Kostrzewa

Trinidad

From: [Trevor Goff](#)
To: [Hilton, Keenan](#)
Cc: [Wilson, Mike](#)
Subject: Re: Short-Term Rental Ordinance - On Site Septic System
Date: Friday, September 22, 2023 11:02:19 AM
Attachments: [image001.png](#)
[image001.png](#)
[PJR-096 Vacation Rental Application-a_122346.pdf](#)

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Hi All

I attended the workshop last night and was disappointed the septic provision was still omitted from the short term rental ordinance. Like I stated in my public comment, Short Term Rental property owners are exceeding their approved/design septic capacity by renting out offices/dining rooms/bonus rooms/dens/etc.. as "bedrooms" in addition to adding other features such as kitchenettes, laundry, etc...

My family lives in an area of Jacoby Creek with slopes over 15% and all homes are on septic. I have serious concerns with the County approving short term rentals on parcels without some sort of verification that they are not exceeding the design capacity of their septic by renting out unapproved space as "bedrooms" . This is a serious public health issue for my family and could also result in property damage from oversaturated soils as a result of exceeding the design load on the leach field. Luckily we are on municipal water but some of our neighbors are on well water and there is potential for a failed septic system to contaminate their well water which they use for drinking/bathing/etc. All of this risk of damage and health to neighboring residences will be a direct result of County approved Short Term Rentals if the ordinance progresses unchanged.

Sonoma County has a streamlined approach to this issue which puts the burden of verification on the Short Term Rental/Homeshare applicant. As part of their sworn Vacation Rental Permit they verify the existing septic system capacity (number of bedrooms). This method gives the County and neighbors some recourse if the Short Term Rental occupancy exceeds the septic capacity or rents space that is not a bedroom. Link to Sonoma County is included below and application is attached.

<https://permitsonoma.org/regulationsandinitiatives/vacationrentals/vacationrentalpermit>

Trevor Goff, PE

On Mon, Sep 11, 2023 at 8:49 AM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Good morning Mr. Goff,

Thank you for the comment. It has been included in the record.

Sincerely,

Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)
Office: 707-445-7541
Direct: 707-268-3722

From: Trevor Goff <trevorgoff@gmail.com>
Sent: Saturday, September 09, 2023 4:43 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>
Subject: Short-Term Rental Ordinance - On Site Septic System

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi All

I'm writing to provide comment on the Short-Term Rental Ordinance as I was unable to attend the last public meeting. My wife and I live in the Jacoby Creek watershed which is home to several state and federally listed species. We are disappointed to see that the requirement of on-site septic systems be reviewed/approved to the satisfaction of the County Division of Environmental Health was removed in the latest draft revision (9.1.23).

As homeowners that have a septic system and live downstream of neighbors with septic systems this topic is of great importance to us. Septic systems are engineered systems designed to accommodate a specific load based on the number of bedrooms on residential properties. The county should review these short term rental properties to ensure that the rooms being rented out are actually bedrooms, the number of bedrooms match the Division of Environmental Health records, and the existing septic system can handle the load proposed by the short term rental. Blindly permitting short term rentals at properties with on-site septic systems is irresponsible and could result in public health issues, environmental issues, and private property damage to neighboring parcels.

Please reinstate the requirement as it was included in the 8.10.23 draft short-term rental ordinance.

Thank you!

Trevor Goff, PE

5082 Echo Ln.

Bayside, CA 95524

VACATION RENTAL SUPPLEMENTAL APPLICATION AND AFFIDAVIT

PJR-096

Vacation Rental Address: _____

Name Used for Advertising the Vacation Rental: _____

A. **Allowable Structures.** The structure proposed to be used as a Vacation Rental is (please check all that apply):

- A detached single family dwelling unit with or without a detached guest house.

B. **Restricted Structures.** The structure proposed to be used as a Vacation Rental **is not** (please check all that apply):

- A structure subject to a recorded governmental restriction, such as covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing, or a farm family dwelling.
- A structure created by an Urban Housing Development or located on a parcel created by an Urban Lot Split allowed under SB 9 (Government Code § 66411.7 or § 65852.21).
- An accessory dwelling unit (ADU) or a single family dwelling unit with a junior accessory dwelling unit (JADU).
- A structure on a parcel under a Land Conservation (Williamson) Act contract.
- A duplex or multi-family dwelling unit.
- A timeshare.

C. **Parking.**

1. Parking spaces must be provided as shown in Table 1:
2. Required parking spaces must be provided on-site, except that one (1) required parking space may be provided on-street.
3. An on-site parking space must be at least nine (9) feet by twenty (20) feet.
4. On-street parking must conform to the Sonoma County Parking Regulations and the California Vehicle Code.
5. A vacation rental permit cannot be issued where there is no on-site parking or on-street parking within five hundred (500) feet of the parcel.

Parking Table 1	
Number of bedrooms in the vacation rental	Number of required parking spaces
1 or 2	1
3 or 4	2
5+	3

Number of Proposed On-Site Parking Spaces (spaces must be at least nine (9) feet by twenty (20) Feet): _____

Number of Proposed On-Street Parking Spaces: _____

D. **Wastewater Treatment Systems**

Existing Septic Permit Number (if none, please indicate "None"): _____

Existing Septic System Capacity (approved number of bedrooms): _____

E. **Maximum Occupancy.** Maximum occupancy for a vacation rental is up to two (2) guests per bedroom, plus two (2) additional guests per property, up to a maximum of twelve (12) guests, not including children under three (3) years old (please check all that apply):

- Where there is no on-site parking the maximum occupancy is limited to 4 guests, not including children under three (3) years old.
- Where no record exists showing size and capacity of the septic system, maximum occupancy is limited to four (4) guests, not including children under three (3) years old.

Proposed Maximum Occupancy (cannot exceed approved septic capacity): _____

A. VACATION RENTAL AFFIDAVIT

I, _____, acknowledge that in applying for a Vacation Rental Permit pursuant to Section 26-28-160 of the Sonoma County Code, I do hereby agree to abide by and conform to the Vacation Rental Performance Standards set forth in the approved permit, and all other provisions of the Sonoma County Code pertaining to the conduct of Vacation Rentals. I further acknowledge that a Vacation Rental Permit does not grant an entitlement to the property, but rather to the property owner, and that the Vacation Rental Permit automatically expires upon property sale or transfer with no further action required on the part of the County (permit does not run with the land).

I understand that this Vacation Rental Permit does not grant permission to operate a Vacation Rental until a Vacation Rental License is obtained. I will abide by the Vacation Rental License Standards and limitations and shall post a copy of the license, the license standards, and land use permit inside the vacation rental in a prominent location within 6 feet of the front door , and that a copy of the license, the license standards, and land use permit must be included in all rental agreements.

I hereby also acknowledge that the approval of this Vacation Rental Permit in no way permits any activity contrary to the Sonoma County Code, or any activity which would constitute a nuisance under state or local law. I understand and acknowledge that the approval for use of this private residence as a Vacation Rentals is based on my representations to Permit Sonoma (PRMD) staff, and does not in any way constitute an evaluation or determination of legal or Legal Non-conforming status of the improvements on this site. I further acknowledge that it is my responsibility, as property owner and/or applicant, to ensure that the conduct of this Vacation Rentals is not contrary to any covenant, code, or restriction which may govern the Vacation Rental property.

PROPERTY OWNER

Printed Name

Signature

Date

