

April 27, 2023



To the City of Eureka and the Planning Commission:

We as residents of 3534 J Street, Eureka Ca. 95503, submit this letter in opposition of the proposed MUP 22-0014 at 3539 J Street. We feel that if approved this will create a hardship for not only us, but surrounding neighbors due to the following:

- **Insufficient quality on site parking.**

The report states that the property has 3 spaces for parking (2 in the garage and 1 in the driveway). We disagree that the spaces referenced are usable because the driveway is too steep and short, and the garage is partially a work space/ storage and will not accommodate more than one small car w/4 or all wheel drive to get in and out (Picture A) and (Picture B) B does not convey the actual steepness or how short the driveway really is. Almost every tenant or guest to this house ends up parking at the top of the driveway in front of my gate. In your own report there is a picture of a white SUV parked part way on the driveway and part way on the road into my property partly blocking the road. (Picture C).

Lance Morten and Tracy Katelman DO NOT park their own vehicles in their driveway or garage. They in fact park in front of 3555 J Street, (pic d) Ms. Katelman's car in front of 3555 J Street. As a side note Lance Morten tried to park in his driveway for a time but stopped because he ran into his garage door and had to have it replaced. Almost all of the month long renters/guests to date have parked at the top of the driveway blocking the gate to our property.

We believe 3355 J Street. is vacant at this time. When new owners move into 3555 J Street, it may become a problem for them not having any parking for their guests or family.

I would also like to make note of the garbage enclosure that Morten and Katelman had built, it is either on 3555 J St. Property or the city of Eureka's property ( pictured and E)

- **No on site manager**

The report states that the number of 8 adults and x number of children under the age of 12 are allowed, this could bring the total number guests to 15 or 20. With no onsite manager no one will have any idea of the actual number of guests. Your report says that all the neighbors are to have access to off site Managers information in case of problems or emergencies, to date that information has not been shared with anyone that I am aware of (either by accident or design).

- **Increased Traffic and Noise**

In your report you state that noise will not be a problem because of Eureka municipal code 94.02, That being said, there are loud noise complaints and parties all over Eureka at any given time, especially at the beginning and ending of summer and holiday break times for schools. Municipal codes alone do not stop parties. Large gatherings of people are going to get loud. Large numbers of renters equal multiple cars, noise and parking problems for us and our neighbors.

We would also like to know if this site is required to be ADA Compliant because it would be a business/motel and not a residence.

In closing, we feel this property should remain a single family residence because the lack of onsite parking, and number of potential users that will impact us and neighboring property owners in our small neighborhood.

Terrance and Debra Harris  
3534 J Street, Eureka

Pictures A, B, and D were taken in the last 2 weeks of the date of this letter.





A





B



Figure 2: Site map



Figure 3: Street view from J Street (facing east)



### **PROJECT SUMMARY**

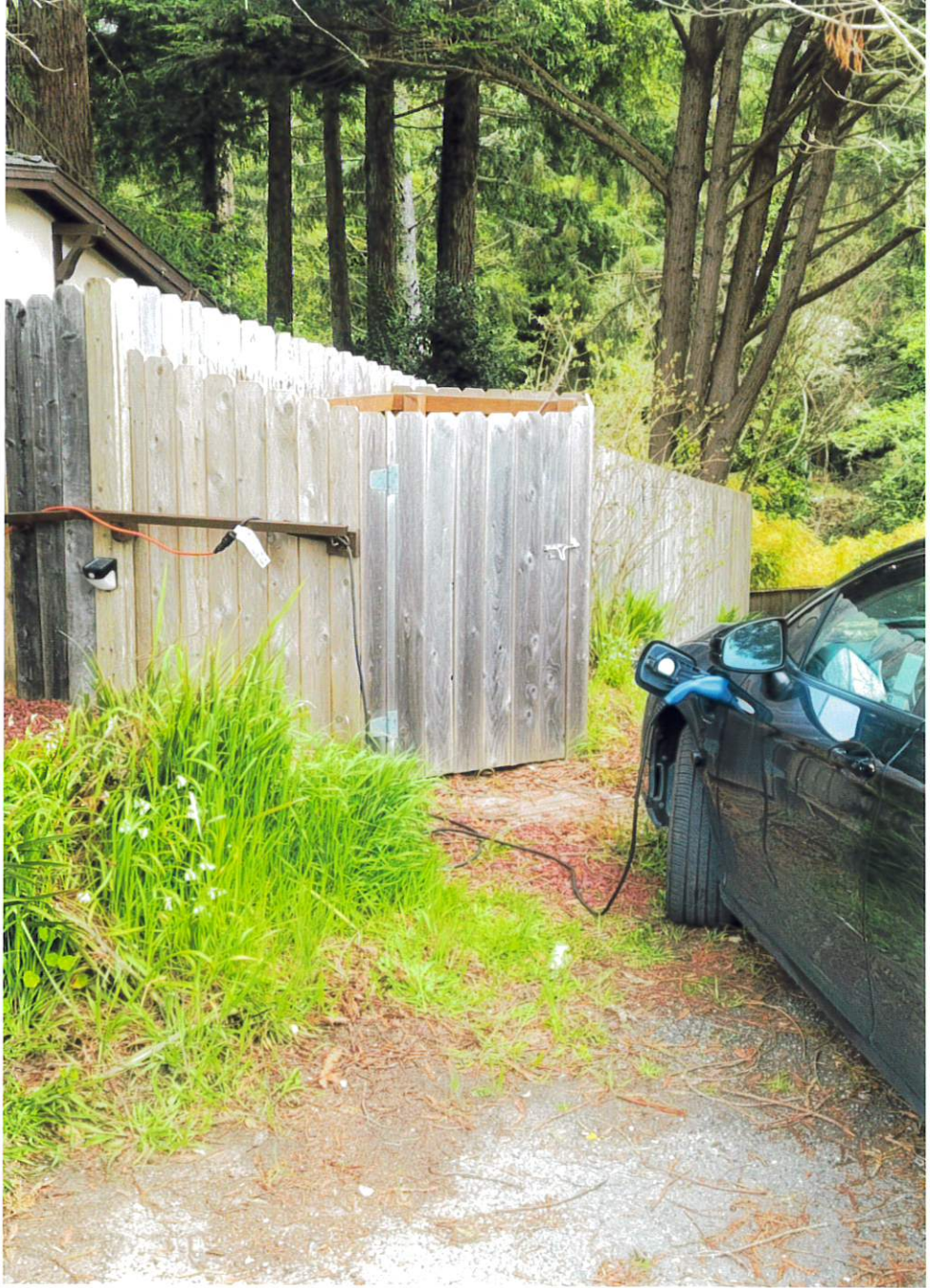
The applicant is proposing to utilize an existing single-family residence as a Vacation Rental (VR) with No Proprietor On-Site. The project site is located in the Residential Low (RI) zoning district, where a vacation rental with no proprietor on-site requires a Minor Use Permit (MUP).

### **BACKGROUND**

The subject property is an approximately 19,166-square-foot (sf) comprised of two interior lots located at the north end of a dead-end portion of J Street between Manzanita Avenue and Madrone Avenue. The subject property is surrounded to the west and south by single-family residences, and to the north and east by undeveloped forested gulch (Figure 2). The property contains an existing approximately 1,434-sf three-bedroom, single-family residence with an attached approximately 462-sf, two-car garage (Figures 3, 5 and 6). Guests will have access to the entire property, except for the kitchen pantry and two closets (Figures 5 and 6). A small portion of the front stairs leading to the front door







△





E













3550 J Street  
Eureka, CA 95503

April 21, 2023

Development Services - Planning  
531 K Street Eureka, 95501



Planning Department

This is in regards to the proposal for Morten and Katelman vacation rentals at 3539 J Street. We live next to this property and will be directly impacted by the proposed change. We would ask that you not approve this proposal.

The change from a longer term rental to short term vacation rental will significantly impact our lives. We live in a cozy residential neighborhood where we know almost all of our neighbors. We've lived here for 17 years and are connected to the people who live here. The addition of weekend partiers, spring break get-away folks, or anyone who is coming to visit with no stakes in the neighborhood will mean that the risk of noise, traffic, parking and trouble will likely end up on our doorstep.

The owners of the property will not be on site and won't be close to the property in the event that something happens. Any problem or disruption will be on our shoulders. In a community with a housing crisis, there are already two vacation rentals in our small neighborhood. Additional short term vacation housing isn't necessary, potentially disruptive and doesn't serve the needs of our community.

The county is going through incredible housing pressures. To take a longer-term rental off the market and turn it into short term vacation rentals is a terrible idea. One of us is a professor at Cal Poly Humboldt and we are concerned about the ability of incoming students to find housing. Humboldt needs more houses and apartments to rent and fewer short term vacation rentals.

We've spoken to Lance and Tracy about the concerns about the rental property and the preference for longer-term rentals. We are dismayed that we didn't get information about this change from the city or from our neighbors. We look forward to better communication in the future.

Thank you for the consideration -

Maxwell Schnurer and Elena Cattaneo





## ForEverGreen Forestry

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Eureka Planning Commission

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Re Morton and Katelman Vacation Rental, MUP-22-0014

May 7, 2023

Dear Eureka Planning Commissioners:

Thank you for this opportunity to submit comments regarding our process to apply for a Minor Use Permit to share our Eureka home with visitors as a short-term, AirBnB rental. I would like to explain 1) why we are requesting this permit, 2) our experience working with the Eureka Planning Department, and 3) respond to some of the issues that have been raised by staff and neighbors.

First, a bit about myself. I have been a Humboldt County resident most of my adult life and have striven to be an active and contributing member of our community. I am currently active in the Humboldt COAD (Community Organizations Active in Disaster, until recently cochairing one of the working groups), and am a member of the Humboldt Bay Fire CERT (Community Emergency Response Team). Professionally I prepare communities for wildfire, and as such, have been a principal author of the Humboldt County Community Wildfire Protection Plan and helped start and support many wildfire preparedness efforts in the county and region.

My husband and I chose to leave our Eureka home in 2019 when I was recruited to lead a statewide wildfire organization and have since lived primarily in Woodland (near Sacramento), where I am active in regional, state, and national wildfire issues, as well as supporting both Humboldt and North Coast projects.

### **1. Why We Want to Rent our Eureka Home**

We have been missing our Eureka home and community. Therefore, I suggested to my husband Lance Morton last year that we consider changing our J Street rental to an AirBnB (short-term rental), so that we could return to Eureka part time. Without rental income, we are unable to pay two mortgages, so we had been renting it long term. We especially miss our community there, as well as our beautiful home, and would like to re-engage with community events and issues.

Our Eureka home is very special. My husband lovingly restored it himself, saving it from the inevitable "Humboldt slide" when he first moved to Eureka in 2002 to lead the County's Mental Health Department. Until very recently (when our neighbors on K street apparently trimmed or lost their trees), our backyard was a wild, forest experience. One could stand on our back deck and not believe you were in the city – being only minutes from Henderson Center – as it is surrounded by large redwoods. As a forester, I've taken pride in managing our forest by regularly hiring climbers to trim our trees and removing hazardous ladder fuels and invasive species, while maintaining riparian habitat; we're upstream from federal wetlands and the Martin Slough. While living there we have seen bear, bobcat, and of course many deer.

I have been an AirBnB Superhost for 7 years in Patagonia. I am very particular about to whom I rent, since I am renting my home, not a rental unit. I've rarely had problems in seven years offering short-term rentals.

Hence, we think our Eureka home would be an excellent short-term rental to give visitors a true Redwood Coast experience. When we were in Eureka last summer several people commented that our home is perfect for sharing the redwoods and Eureka with visitors, as it's clearly a home (not a guesthouse) and our backyard is magical. The regional Vacasa manager told us our house would be one of their two premier Humboldt Bay rentals if we decided to work with them.

## 2. Our Experience with Eureka Planning

While in Eureka last summer (we spent 2 months there), we were contacted by Millisa Smith from Planning. She called after receiving our initial permit inquiry to ask if she could come see the house. As you'll see in your packet, the house is not visible in Google Maps since we are under the redwood canopy. We welcomed her to the house and I gave her a full tour and showed her both why we thought it would make a great vacation rental, as well as what we had planned; we were in the process of upgrading the interior and back deck to make it most comfortable and functional for guests.

Shortly thereafter, Millisa told us that she didn't think we owned our driveway based on the City's GIS (which shows we own part of our neighbor's house). Therefore we were told we could NOT let renters park in the driveway nor the garage. She told us that if we wanted the permit, we would need to put in a pathway to the street parking where we and our neighbors have been parking for decades. We immediately hired someone to put in lighted stairs with a railing (*see attached photos of our new entry pathway, Exhibit A*).

After we had completed the pathway, Millisa informed us that she didn't think we owned the sidewalk to our front door, so we would be prevented from using our front entrance and any guests would need to enter through the garage or backyard. I told her clearly then and since that we would never accept her condition of not entering through the front door, yet she has proposed it to you as part of our permit. Her explanation was that it would "lead to success." Actually, this condition will lead to ongoing issues with our neighbor directly west of us, not to success.

After Millisa told us we did not own our driveway nor our entryway sidewalk, we hired Kelly-O'Hern Associates to do an official survey. As you will see from their survey map in your report, we do own our driveway as well as our sidewalk to our front door, except for a few inches on the west side of the entryway steps. If necessary, we are willing to paint a line on the steps so people do not step on those few inches, to ensure we are able to use our legal, proven, and secure access to our private property.

## 3. Issues Regarding our Permit.

Condition A. We will not ask guests to use the backyard or the garage to enter the house. We have installed a Smart Lock on the front door for short-term renters to ensure they only have access during their rental. It would be a significant hardship to change both our exterior and interior garage doors to provide secure access with codes, not to mention it would be an ugly way to enter a beautiful vacation rental.

As you will see in our recent survey, we have legal access through our driveway and front entryway. If necessary, we will paint a line over the few inches on the steps that are on our neighbor's property.

We have had a neighborly agreement with these same neighbors for years to use their property directly in front of our house for a flower garden. I planted and maintain a perennial flower garden there which provides a visual barrier between our properties (*see Exhibit B, a photo of the green area in front of our house, and in relation to the neighbor's gate*).

Condition B. Although we are able to provide 3 off-street parking spaces when needed, we do not anticipate this being needed often, especially since we rarely expect to rent to more than 4 adults, occasionally 6. Our survey does show that there is plenty of on-street parking on the east side of J Street near our new pathway.

Condition E. We are offering 3 bedrooms for a maximum of 6 adults, not the 8 in the permit. (I believe Millisa told us early in the process our permit would allow 8 so we agreed to that, thinking it was better to be permitted over our anticipated use instead of under it.) If you review our AirBnB listing for our house you will see it is listed for 6 people.

[https://www.airbnb.com/rooms/702354806568609642?guests=1&adults=1&s=67&unique\\_share\\_id=2e33c412-ad86-45ab-85b7-882891bca30e](https://www.airbnb.com/rooms/702354806568609642?guests=1&adults=1&s=67&unique_share_id=2e33c412-ad86-45ab-85b7-882891bca30e)

For your information, we are currently hosting our 3<sup>rd</sup> successful long-term AirBnB renters at our J Street home. We rented to a filmmaker who was in Eureka for 2 months last fall, immediately after our summer visit. We then we spent Thanksgiving there and then rented to a travelling nurse for 4 months over the winter. We were able to spend a few weeks there again in March and April, and are currently renting for 35 days to a single renter with impeccable reviews. He told us upon arrival last week that our house is "amazing" and "far, far better than the pictures depict." These are reflective of the people we cater to with our rental, generally clean, respectful, and quiet.

Our plan is that with this permit is to rent short-term for generally 3 days to 2 weeks so we can spend much more time in our Eureka home beginning in June.

Finally, some responses to the issues Millisa informed me on Thursday were raised by neighbors:

First, I understand a neighbor took a picture into our garage and submitted it into the public record. We can fit two cars in the garage if necessary, anything preventing that currently is easily moveable (e.g. outdoor trash cans, note the



bike is hanging above car level). However, our preference is to rent to people with less vehicles, and to park only one car inside the garage.

Second, no-one parks long-term in front of the neighbor's new gate (which is now blocking J Street legal access, as you can see from our survey). We only ever stop there to load or unload, or for short-term service calls (e.g. plumber) with tools or supplies while doing repairs. We have been using it like this for years, since our neighbor first put up private property signs in the street right-of-way. Our neighbors do not park here often, as it is not their primary ingress and egress, so it has rarely been an issue of their access being blocked.

Third, we had an issue in April just after I left where this same neighbor refused to let a delivery park there to unload our firewood. I phoned the neighbor to find out what happened and asked them to let us unload the firewood. In that conversation I was told that they put up the new gate because people from our house were coming into their yard and looking into their windows. Note that the gate was put up long before we decided to apply for this short-term permit, so it in no way reflects the behavior of our short-term renters. Nor were we ever contacted by our neighbors – even though we have been Facebook friends and professional colleagues for years – informing us of anyone from our house trespassing on to their property, which would have allowed us to speak to our long-term renters about it. All of our long-term renters have known from before they signed a lease that our neighbor to the west could be aggressive, and it is best to avoid him and stay clear of his property. Hence, I was very surprised to hear this allegation of our renters trespassing or peeking into windows. Rather, I assume someone was trying to reach them for some reason, and since their front door is on the other side of their property and down a long alley, they tried to find them through their picture window and back door which face J Street.

Thank you for this opportunity to share our perspective and experience with our Minor Use Permit application. My husband and I will both be available by zoom at your May 8<sup>th</sup> meeting to answer any questions. We hope that you will recognize our efforts to be responsible neighbors and grant us this permit, so that we are able to return to Eureka more frequently and continue to be proud and committed Eureka citizens.

Respectfully,



Tracy Katelman  
3539 J Street

Attachments:

- Exhibit A – New pathway from street parking, as requested by Planning Staff
- Exhibit B – Front “shared” perennial garden with adjacent neighbors

Exhibit A – New pathway from street parking, as requested by Planning Staff, Before & After



Exhibit B – Front “shared” perennial garden with adjacent neighbors

